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LEP Board Terms of Reference

(The D2N2 Local Enterprise Partnership)
August 2020

TERMS OF REFERENCE**Purpose of the Board**

The Derby, Derbyshire, Nottingham and Nottinghamshire Local Enterprise Partnership (D2N2 LEP) is a strategic partnership of the public and private sector which aims to deliver drive economic prosperity across its area.

The LEP aims to increase economic growth and productivity in the area by:

- Developing and approving an evidence-based Local Industrial Strategy that identifies local strengths and challenges, future opportunities and the action needed to boost productivity, earning power and competitiveness across their area.
- Identifying and developing investment opportunities; prioritising the award of local growth funding; and monitoring and evaluating the impacts of its activities to improve productivity across the local economy.
- Using its convening power, for example to co-ordinate responses to economic shocks; and bringing together partners from the private, public and third sectors
- Collaborating with a wide-range of local partners to act as an informed and independent voice for their area.

Delegation and Decision Making

The LEP board will be responsible for approving the overall strategy for the LEP and for agreeing overall priorities for investment.

It may delegate decisions on its behalf to the Investment Board or other groups as it determines.

Memberships and appointments of Board Members

The LEP Board will have at least 15 members of the Board at any one time with a maximum of 20 members at one point in time. The board must be at least two thirds represented by Private sector board members and this can be inclusive of the Higher Education Further Education and Voluntary sector.

The board shall comprise of the following members:

- 12 Private Sector Board Members (Including the Higher Education, Further Education and Voluntary sectors and an SME Representative)
- Four Upper tier Authority Members
- One district authority member from Derbyshire authorities
- One district authority member from Nottinghamshire authorities

The LEP Board is required to have at least one third representation by female members by 2020 which will increase to at least half by 2023.

Public Sector Board Members

The members for the Upper Tier Local Authorities assume their position on The Board as the leaders of their respective councils.

The District/ Borough representatives of The Board to will be nominated to their membership position by their respective colleagues in both Derbyshire and Nottinghamshire, and will be rotated every 2 years

Private Sector Board Members

All private sector board members will be selected as Board members through an open recruitment process, all vacancies will be widely advertised, including on the D2N2 website with clear job descriptions and personal specifications for the role.

A nominations committee appointed by the LEP Board, led by the D2N2 LEP Chair will then be in charge of shortlisting and interviewing the potential candidates.

Terms of Private Sector Board Members

Higher Education Board Members will fulfil their role on the board for a maximum one of a two year term, this membership position will then be transferred to the next constituent Higher Education authority in the area on a rotational basis as agreed by the Higher Education authorities

Further Education (FE) members can be represented on the board for a two year period and then will be rotated with a different FE representative as agreed by the Further Education authorities from across D2N2.

All remaining Private Sector Board Members shall serve terms of three years once appointed to the board, should a board member wish to extend this term they will reapply to serve a second term on the board. Each Private sector board member can serve a maximum of two terms on the board.

D2N2 is also committed to having a Small and Medium Enterprise Member on its board at all times. The SME representative will be nominated by the board following any recruitment process should the previous SME representative leave post.

Appointment Process for Chair and Deputy Chair

The Chair of the D2N2 LEP will be appointed using an initial open invitation exercise which will be published through all LEP channels outlining the job description for the role as well as a person specification. Following the open advert a Nominations Committee will shortlist the potential applicants and an interview process by the Nominations Committee will be held to select the Chair of the Board.

Following the nominations committee to appoint a new Chair of the Board, the Chair will then subsequently select a Deputy Chair from the private sector board members.

The Chair will select the member and then it is the decision of the remaining Board members to ratify this decision before the said member is elected as Deputy.

Representation and Attendance

In order to make sure that attendance of the board is kept to the most senior level possible, only voting members of the board will be invited to take part at board meetings and vote on matters of the LEP Board.

Members of the Board are the nominated representative and therefore no substitutions will be allowed at the meetings. It is at the discretion of the chair to allow any substitutions to the meeting.

At the discretion of The Chair other representatives may be invited to join in with the discussion, Officers in attendance at the meeting are able to attend but will be regarded as observers to the discussion and retain no voting rights

The Board will meet on a Bi-Monthly basis with a programme of meetings being set a year at a time. Agendas and papers for the meeting will be approved by the LEP Chair and Chief Executive prior to circulation by the Executive to the Board.

All papers and agendas will be distributed at least five working days prior to the meeting and will be made available to the public on the LEPs website five working days prior to the meeting.

All minutes of the meeting will be approved in draft form by the Chair of the Board following a meeting and distributed to Board Members and made available on the LEP website no later than ten working days after the meeting.

All minutes will remain in draft until the board formally ratifies them as an accurate record of the discussion at the following meeting.

Decision Making

Any attendee of the meeting who does not hold the right to vote on decisions can be asked to leave the room whilst the vote is taking place at the discretion of the Chair. In the event of no consensus being reached by the LEP Board a vote will be held and the decision will be made by majority. If no majority can be found on a decision then the casting vote will be determined by the LEP Chair.

In the event that progress needs to be made on a decision where it does not align with the board timescales of bi-monthly meetings or new information is presented at the board which does not allow for an appropriate decision to be made then decisions can be made via written procedures. Any decision by written procedures is at the discretion of the LEP Chair and will only be used infrequently as a way of progressing urgent matters. The LEP Executive will disseminate the appropriate information needed to make a decision which will be presented in the same manner as it would at a Board meeting then following this a decision will be made board members electronically to either confirm or reject a decision within five working days.

Governance and Register of Interests

All Board members will be required to complete a declaration of interests form on an annual basis, this will be signed and refreshed yearly with the counter signature of the LEPs Accountable Body Section 151 officer authorising any declaration.

All Board members shall operate by the LEPs Code of Conduct which can be found on the LEPs website and shall govern themselves by the Seven Nolan Principles.