



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

JAMES PALMER
CAMBRIDGESHIRE &
PETERBOROUGH MAYOR

AUDIT & GOVERNANCE COMMITTEE

Date: Thursday, 24 September 2020

Democratic Services

Robert Parkin Dip. LG.
Chief Legal Officer and Monitoring Officer

10:00 AM

72 Market Street
Ely
Cambridgeshire
CB7 4LS

Due to Government guidance on social-distancing and the Covid-19 virus it will not be possible to hold physical meetings of the Combined Authority Board and the Combined Authority's Executive Committees for the time being. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 allows formal local government meetings to be held on a virtual basis, without elected members being physically present together in the same place. Meetings will therefore be held on a virtual basis and the procedure is set out in the "Procedure for Combined Authority Virtual Decision-Making" which will be available to view at the foot of the meeting page under the "Meeting Documents" heading when the agenda and reports have been published. That document will also contain a link which will allow members of the public and press to observe the

virtual meetings.
[Venue Address]

AGENDA

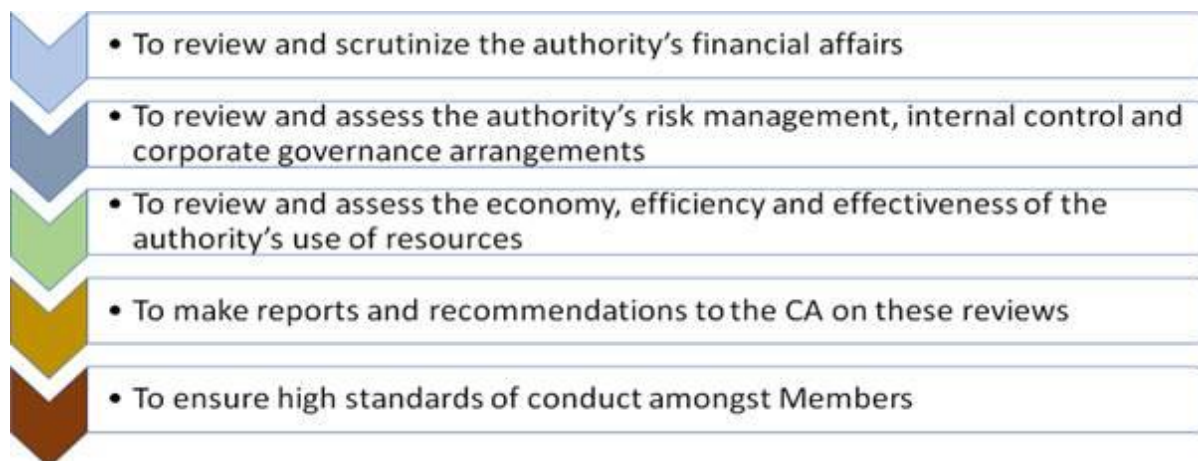
Open to Public and Press

- 1 Apologies for Absence & Declarations of Interest**
- 2 Chair's Announcements**
- 3 Public Questions**
Arrangements for public questions can be viewed in Chapter 5, Paragraphs 18 to 18.16 of the Constitution which can be viewed here - [Cambridgeshire and Peterborough Combined Authority: Constitution](#)
- 4 The Cambridgeshire & Peterborough Combined Authority
Constitution Review
Audit Committee review Sep 2020** **1 - 134**
- 5 Date of next meeting:**
Friday, 2 October 2020 at 10.00 a.m. via the Zoom platform

The Audit & Governance Committee comprises the following members:

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact

The Audit and Governance Committee Role.



The Combined Authority is committed to open government and members of the public are welcome to attend Committee meetings. It supports the principle of transparency and encourages filming, recording and taking photographs at meetings that are open to the public. It also welcomes the use of social networking and micro-blogging websites (such as Twitter and Facebook) to communicate with people about what is happening, as it happens.

Councillor David Brown	
John Pye	
Councillor Ian Benney	
Councillor Graham Bull	
Councillor Mike Davey	
Councillor Mark Goldsack	
Councillor Tony Mason	
Councillor Nick Sandford	
Clerk Name:	Robert Fox
Clerk Telephone:	
Clerk Email:	Robert.Fox@cambridgeshirepeterborough-ca.gov.uk



AUDIT AND GOVERNANCE COMMITTEE	AGENDA ITEM No: 4
	PUBLIC REPORT

**TITLE: CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY
CONSTITUTION**

1.0 PURPOSE

- 1.1 This report presents to the Audit and Governance Committee a series of proposed changes to the Combined Authority Constitution for review and seeks that the Committee make a recommendation to the Combined Authority Board that they be adopted at its meeting of 30 September 2020.

<u>DECISION REQUIRED</u>	
Date: 24 September 2020	
Lead Officer: Robert Parkin, Chief Legal Officer and Monitoring Officer	
Author:	Robert Fox, Interim Scrutiny Officer robert.fox@cambridgeshirepeterborough-ca.gov.uk
RECOMMENDATIONS:	
The Audit and Governance Committee is recommended to:	
<ol style="list-style-type: none">1. To approve, and recommend the revisions to the Constitution detailed in this report to the Combined Authority Board2. To approve, and recommend the revisions to the Assurance Framework detailed in this report to the Combined Authority Board	

2.0 BACKGROUND

- 2.1 The Combined Authority is obliged to review its Constitution on an annual basis. Officers have undertaken a process of review, and it is intended to present proposed changes to the Combined Authority Board on 30 September 2020.
- 2.2 The Audit and Governance Committee is responsible for keeping under review the governance arrangements, such as the constitution, of the Combined Authority and is empowered to make recommendations to the Combined Authority Board.
- 2.3 Officers have worked with various stakeholders in preparing these proposed revisions, including the Corporate Management Team of the Combined Authority, as well as at a workshop of the Audit and Governance Committee on 17 September.
- 2.3 Consultation has taken place through the distribution of a questionnaire, as well as a review of other Combined Authority Constitutions nationwide have been scoped for content.
- 2.4 While the questionnaire, with a total of 13 questions, was widely distributed, the response was low. The following themes and points arose, highlighting the following:
- Some level of concern over there being sufficient publicity about the rights of the public to ask questions at the CA Board and Committees and present petitions
 - The effectiveness of pre-scrutiny was questioned. In particular in relation to whether the right people were in attendance at committee to ask questions which might, ultimately, shape policies and plans
 - There were no concerns expressed over the current meetings procedure rules
 - The Committee system, operating within the Combined Authority, is considered to be effective although inconsistencies in agendas were raised
 - Although it was commented that the distinction between the different roles of the Mayor and the Combined Authority could be made clearer it was generally accepted there is enough done to present the understanding of the roles
 - The role of the Business Board within the Combined Authority should be more clearly communicated to ensure that it is understood by the wider community
 - There was a unanimous response that enough is done to promote to the public access to the Forward Plan and Agenda Reports, and to provide information on how to attend meetings and ask questions
 - Also, a unanimous response that the Combined Authority's key documents well, and accessibly presented, although they could be made easier to find on the website
 - There was a mixed response on whether the Constitution should include a foreword and a longer introduction
 - There was unanimity as to the facility of call-in by the CA Board is a necessary function

3.0 MAIN ISSUES

- 3.1 Commentary is presented below on the documents presented for discussion, including a description of the principle amendments:

Code of Conduct

- 3.1.1 This is a new document based upon the Local Government Association's draft Model Code of Conduct, which is out to consultation until 17 August 2020. The draft Model Code reflected the recommendations of the Committee on Standards in Public Life (CSPL) and includes content which would require changes in the law. The Code of Conduct recommended to members does not include any elements which would be in conflict with the law as it now stands. The proposed changes in the law include a proposal to have a presumption that members are acting in an official capacity in their public conduct, including on social media. One of the CSPL's main concerns about the current regime for member conduct is the absence of sanctions for misconduct.
- 3.1.2 The recommended Code of Conduct replaces the duty to treat others with respect with duty to treat other members and members of the public with civility, which is defined as "politeness and courtesy in behaviour, speech and in the written word". The recommended Code provides greater clarity on when members with interests should leave the meeting room than the current Code.
- 3.1.3 The recommendation is to adopt the recommended Code in advance of the outcome of the LGA consultation process with a view to re-visiting the content of the Code as and when the Model Code has been finalised or the changes in the law proposed by the CSPL have been enacted.

Gifts and Hospitality Protocol

- 3.1.4 This is a new document which supplements the recommended new Code of Conduct. It seeks to provide clarity to members as to how to deal with offers of gifts and hospitality. The appropriate treatment of gifts and hospitality is key element in maintaining public confidence in the Combined Authority and in local government generally.

Members Use of Resources and Code of Recommended Practice on Publicity

- 3.1.5 This is a new document which supplements the recommended new Code of Conduct. It seeks to provide clarity to members as to the use of Combined Authority resources and sets out the requirements of the Code of Recommended Practice on Local Authority Publicity.

Officer Employment Procedure Rules

3.1.6 This is a revised version of the current Chapter 18 of the Constitution. The revisions relate to the following issues:

- To tidy up the procedural requirements for the appointment of senior officers. The requirements included are those set out in the Local Authorities [Standing Orders] Regulations 1993, which do not apply to combined authorities. However, the requirements of the 1993 Regulations are in line with good practice and it is therefore recommended that they continue to be applied by the Combined Authority. This will also have the advantage of keeping the senior officer appointment procedures of the Combined Authority in line with those of its constituent councils
- To set out the arrangements for the appointment of senior officers on an interim basis. Any interim appointment extending beyond nine months or which is intended to last more than nine months would require the approval of the Employment Committee, or in the case of the statutory officers, the Combined Authority Board. The intention is to enable senior officers to be recruited at short notice, either to cover the interval between a senior officer leaving the Combined Authority and a permanent replacement being recruited or to cover a period during which a senior officer is unable to perform their duties. All appointments of statutory officers, whether interim or permanent, require the approval of the Combined Authority Board
- To confirm that the Head of Paid Service [Chief Executive] is to be responsible for all appointments at or below Deputy Chief Officer level
- To confirm that, as set out above for the Employment Committee, it is recommended that the Combined Authority apply the statutory protections for statutory officers, although it is not a legal requirement for combined authorities. The procedure for dismissal of a statutory officer for disciplinary reasons is set out in Annex 3 to the Rules
- To confirm that no member who has as made a decision as to the dismissal of a Chief Officer, or a recommendation to the Combined Authority Board as to the dismissal of a statutory officer, may sit as a member of the Combined Authority Board when it considers such a recommendation or hears an appeal against dismissal by a Chief Officer

Protocol on Appointments within the Mayoral Office [Annex to Officer Employment Procedure Rules]

3.1.7 The Protocol, which was adopted by the Combined Authority Board in September 2019, has been amended so as to confirm that posts within the

Mayoral Office, with the exception of the Personal Assistant role, are to be subject to political restriction. This follows discussions with MHCLG who take a different view on the application of political restriction to that provided to the Combined Authority by leading counsel.

Employment Committee

3.1.8 This is a revised version of the current Chapter 12 of the Constitution. The revisions relate to the following issues:

- The expansion of the membership of Employment Committee to match the membership of the other Executive Committee
- Clarification of the way in which disciplinary procedures involving the Head of Paid Service, Monitoring Officer and Section 73 Officer are to be handled. The statutory rules providing additional employment protections to these statutory officers, which are set out in the Local Authorities [Standing Orders] [England] Regulations 2001 [as amended]; do not apply to the Combined Authority. The Committee on Standards in Public Life is supportive of the statutory protections and has recommended that the protections be extended. The recommendation is therefore that the Combined Authority apply the statutory protections notwithstanding that they are not a legal requirement, on the basis that the statutory officer roles at the CPCA raise the same issues as the same roles in the Combined Authority as their equivalents in the constituent councils and warrant the same protections. This requires the establishment of a Statutory Officer Investigatory Panel because the statutory protections include recommendations on the dismissal of statutory officers being made by a panel which includes two or more independent persons, so the Employment Committee itself would not be able to make those recommendations
- To set out the definitions of a Chief Officer, Deputy Chief Officer and disciplinary action which were previously in the Officer Employment Procedure Rules in order to provide a clearer approach to the relationship between these two elements of the Constitution
- To provide greater clarity about the suspension of senior officers and appeals procedures
- To remove the appointment and dismissal of Deputy Chief Officers from the remit of the Employment Committee. The flat management structure of the Combined Authority brings a significant number of officers within the Deputy Chief Officer designation

Virtual Meetings

- 3.1.9 This is a new document due to the Government guidance on social-distancing and the Covid-19 virus and it not being possible to hold physical meetings of the Combined Authority Board and the Combined Authority's Executive Committees for the time being. The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 allows formal local government meetings to be held on a virtual basis, without elected members being physically present together in the same place. Meetings will, therefore, be held on a virtual basis so this protocol sets out the procedures for virtual, and where applicable, hybrid meetings.

Webcasting

- 3.1.10 This is a new document following the agreement of the Combined Authority that meetings of the Combined Authority Board, Executive Committees, Audit & Governance Committee and Overview & Scrutiny Committee can be transmitted live on the internet (webcast), and the recordings made available on the website for 12 months.

Contracts Procedure Rules

- 3.1.11 The Combined Authority is obliged by law to maintain standing order in relation to the appointment of contracts. The draft Contract Procedure Rules, attached, are a re-write of the existing rules, aimed at referencing up to date legislation, and providing clearer process, as well as separating out guidance from the Rules themselves.
- 3.1.12 They also introduce a Procurement Gateway Process for higher value or complex procurements in which officer stakeholders with the support of the Legal, Finance, and Procurement teams can agree commissioning and route to market strategy, and monitor the effectiveness of procurement and contracting arrangements.

Assurance Framework

- 3.1.13 The Assurance Framework has been updated to reflect current arrangements applicable to both the Combined Authority and Business Board. The revisions have been made following input from officers in the following teams: Finance, Transport, Project Management and the Business Board. A highlight of the key revisions include reference to the 20-21 Business Plan as opposed to 19-20 and reference to the increase of Combined Authority priority programmes from 12 to 16. Better clarity is included on the breakdown of multiple streams of funding which the Combined Authority is responsible for as well as noting that the Business Plan and MTFP are refreshed annually but can also be refreshed within the year where there are extraordinary unforeseen

circumstances. The PID process is further explained and an updated decision-making table is included.

3.1.14 Revisions relevant to the Business Board include confirmation that a third of Business Board Members are now women as oppose to this being a target, the references to the first call for expressions of interest in relation to LGF applications has been removed given that this is outdated and the change request criteria applicable to LGF funded projects has been refined. More cosmetic changes include reference to the 'Business Board' as opposed to the 'LEP', change to the numbering format of the pages and the recommendation that hyperlinks should be removed given that documents to which hyperlinks relate are regularly updated, for example the Constitution. Retaining the hyperlinks would require the Assurance Framework to be updated each time a document referred to is revised.

3.1.15 Confirmation was received from BEIS that an amended Assurance Framework does not require sign-off by BEIS but that it is best practice for the updated Assurance Framework to be shared with BEIS once it receives board approval.

Other Textual Amendments to the Constitution

3.1.16 In addition to consequential amendments in the body of the Constitution to ensure consistency with the above referenced content, the Constitution has been generally reviewed for repetition and clarity. Changes include amendments to ensure the clarification of Standard Orders of Committees. A table with these amendments will accompany the draft report.

3.2 The content below is presented in revised form as Appendices 1-9:

- Code of Conduct
- Gifts and Hospitality
- Members use of Resources and Code of Recommended Practice on Publicity
- Officer Employment Procedure Rules which includes and Annex on the Protocols on appointments within the Mayoral Office
- Employment Committee
- Virtual/Hybrid meetings
- Webcasting
- Contract Procedure Rules
- Assurance Framework

4.0 FINANCIAL IMPLICATIONS

4.1 The proposals contain no financial implications.

5.0 LEGAL IMPLICATIONS

5.1 The Combined Authority is obliged to adopt and maintain a constitution and standing orders.

6.0 APPENDICES

6.1 Appendix 1: Code of Conduct

Appendix 2: Gifts and Hospitality

Appendix 3: Protocol on Member use of Resources and the Code of Recommended Practice on Local Authority Publicity

Appendix 4: Officer Employment Procedure Rules includes and Annex on the Protocol on Appointments within the Mayoral Office

Appendix 5: Employment Committee

Appendix 6: Virtual/Hybrid Meetings

Appendix 7: Webcasting

Appendix 8: Contract Procedure Rules

Appendix 9: Assurance Framework

<u>Source Documents</u>	<u>Location</u>
None	

DRAFT CODE OF CONDUCT

Purpose

The purpose of this Code of Conduct is to assist members in modelling the behaviour that is expected of them, to provide a personal check and balance, and to set out the type of conduct against which appropriate action may be taken. It is also to protect yourself, the public, fellow members, Authority officers and the reputation of local government. It sets out the conduct expected of all members and a minimum set of obligations relating to conduct. The overarching aim is to create and maintain public confidence in the role of member and local government.

Application of the Code

The Code of Conduct applies to you when you are acting in your capacity as a member, co-opted member, member of the Business Board or representative of your Authority, although you are expected to uphold high standards of conduct and show leadership at all times. The Code applies to all forms of member communication and interaction, including written, verbal, non-verbal, electronic and via social media. Model conduct and expectations is for guidance only, whereas the specific obligations set out instances where action will be taken.

The seven principles of public life

Everyone in public office at all levels – ministers, civil servants, members, Authority officers – all who serve the public or deliver public services should uphold the seven principles of public life. This Code has been developed in line with these seven principles of public life, which are set out in appendix A.

Model member conduct

In accordance with the public trust placed in me, on all occasions I will:

- act with integrity and honesty
- act lawfully
- treat all persons with civility; and
- lead by example and act in a way that secures public confidence in the office of member

In undertaking my role, I will:

- impartially exercise my responsibilities in the interests of the local community
- not improperly seek to confer an advantage, or disadvantage, on any person
- avoid conflicts of interest
- exercise reasonable care and diligence; and

- ensure that public resources are used prudently and in the public interest

Specific obligations of general conduct

This section sets out the minimum requirements of member conduct. Guidance is included to help explain the reasons for the obligations and how they should be followed. These obligations must be observed in all situations where you act as a member, including representing your Authority on official business and when using social media

As a member I commit to:

Civility

1. Treating other members and members of the public with civility.

2. Treating Authority employees, employees and representatives of partner organisations and those volunteering for the councils with civility and respecting the role that they play.

Civility means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a member you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a civil manner. You should not subject individuals, groups of people or organisations to unreasonable or excessive personal attack.

In your contact with the public you should treat them courteously. Rude and offensive behaviour lowers the public's expectations and confidence in its elected representatives.

In return you have a right to expect courtesy from the public. If members of the public are being abusive, threatening or intimidatory you are entitled to close down any conversation in person or online, refer them to the Authority, any social media provider or if necessary, the police. This also applies to members, where action could then be taken under the Member Code of Conduct.

Bullying and harassment

3. Not bullying or harassing any person.

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. The bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and not always be obvious or noticed by others.

The Equality Act 2010 defines harassment as '*unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual*'. The relevant protected characteristics are

age, disability, gender reassignment, race, religion or belief, sex, and sexual orientation.

Impartiality of officers of the Authority

4. Not compromising, or attempting to compromise, the impartiality of anyone who works for, or on behalf of, the Authority.

Officers work for the Authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. Although you can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

Confidentiality and access to information

5. Not disclosing information given to me in confidence or disclosing information acquired by me which I believe is of a confidential nature, unless I have received the consent of a person authorised to give it or I am required by law to do so.

6. Not preventing anyone getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public except in certain circumstances. You should work on this basis but there will be times when it is required by law that discussions, documents and other information relating to or held by the Authority are treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

Disrepute

7. Not bringing my role or Authority into disrepute.

Behaviour that is considered dishonest and/or deceitful can bring your Authority into disrepute. As a member you have been entrusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on other members and/or your Authority.

Your position

8. Not using, or attempting to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the Authority provides you with certain opportunities, responsibilities and privileges. However, you should not take advantage of these opportunities to further private interests.

Use of Authority resources and facilities

9. Not misusing Authority resources.

You may be provided with resources and facilities by the Authority to assist you in carrying out your duties as a member. Examples include office support, stationery and equipment such as phones, and computers and transport. These are given to you to help you carry out your role as a member more effectively and not to benefit you personally. You should familiarise yourself with the Authority's Protocol on Member Use of Resources and the Code of Recommended Practice on Publicity.

Interests

10. Registering and declaring my interests.

You need to register your interests so that the public, Authority employees and fellow members know which of your interests might give rise to a conflict of interest. The register is a document that can be consulted when (or before) an issue arises, and so allows others to know what interests you have, and whether they might give rise to a possible conflict of interest. The register also protects you. You are responsible for deciding whether or not you should declare an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise.

It is also important that the public know about any interest that might have to be declared by you or other members, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained. Discuss the registering and declaration of interests with your Monitoring Officer and more detail is set out in appendix B.

Gifts and hospitality

11. Not accepting significant gifts or hospitality from persons seeking to acquire, develop or do business with the Authority or from persons who may apply to the Authority for any permission, licence or other significant advantage.

12. Registering with the monitoring officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.

You should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a member. However, you do not need to register gifts and hospitality which are not related to your role as a member, such as Christmas gifts from your friends and family, or gifts which you do not accept. However, you may wish to notify your monitoring officer of any significant gifts you are offered but refuse which you think may have been offered to influence you. You should familiarise yourself with the Authority's Protocol on Gifts and Hospitality.

Breaches of the Code of Conduct

Most members conduct themselves appropriately and in accordance with these standards. Members have both individual and collective responsibility to maintain these standards, support expected behaviour and challenge behaviour which falls below expectations.

Section 27 of the Localism Act 2011 requires relevant authorities to promote and maintain high standards of conduct by members and co-opted members of the authority. Each local authority must publish a code of conduct, and it must cover the registration of pecuniary interests, the role of an 'independent person', and sanctions to be imposed on any members who breach the Code.

The 2011 Act also requires local authorities to have mechanisms in place to investigate allegations that a member has not complied with the Code of Conduct, and arrangements under which decisions on allegation may be made.

Failure to comply with the requirements to register or declare disclosable pecuniary interests is a criminal offence. Taking part in a meeting or voting, when prevented from doing so by a conflict caused by disclosable pecuniary interests, is also a criminal offence.

Political parties may have its own internal standards and resolution procedures in addition to the Member Code of Conduct that members should be aware of.

Code Appendix A

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias. Accountability Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing. Honesty Holders of public office should be truthful.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Code Appendix B

Registering interests

1. Within 28 days of this Code of Conduct being adopted by the Authority or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) and Table 2 (Other Registerable Interests).
2. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest in Table 1 or 2, or of any change to a registered interest, notify the Monitoring Officer.

Declaring interests

3. Where a matter arises at a meeting which directly relates to an interest in Table 1, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.
4. Where a matter arises at a meeting which directly relates to an interest in Table 2, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.
5. Where a matter arises at a meeting which directly relates to your financial interest or well-being (and is not a Disclosable Pecuniary Interest) or a financial interest or well-being of a relative or close associate, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.
6. Where a matter arises at a meeting which affects –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a friend, relative, close associate; or
 - c. a body covered by table 1 belowyou must disclose the interest.
7. Where the matter affects the financial interest or well-being to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a

dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

Table 1: Disclosable Pecuniary Interests

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the Authority) made to the member during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract made between the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the Authority —</p> <ul style="list-style-type: none"> (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged
Land and Property	<p>Any beneficial interest in land which is within the area of the Authority. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>

Licences	Any licence (alone or jointly with others) to occupy land in the area of the Authority for a month or longer
Corporate Tenancies	Any tenancy where (to the member's knowledge)— (a) the landlord is the Authority; and (b) the tenant is a body that the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the member's knowledge) has a place of business or land in the area of the Authority; and (b) either— i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the member, or his/ her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*'director' includes a member of the committee of management of an industrial and provident society.

*'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

Any Body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the Authority;

- Any body -
- (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or

(c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management.

Protocol on Gifts and Hospitality

1 Introduction

1.1 This protocol applies to the Mayor, Combined Authority Board Members, Business Board Members and Members of the Combined Authority's Committees and Boards when they act in that capacity. It also applies to co-opted members of the Combined Authority's Committees who are not elected members of the Combined Authority's constituent councils. It should be read in conjunction with the Member Code of Conduct. For the purpose of dealing with any complaints about the conduct of Members this Protocol is deemed to form part of the Member Code of Conduct.

2 Gifts and Hospitality

2.1 Gifts and Hospitality will include any gift, hospitality, offer or favour which is offered to a Member personally, whether or not the gift or hospitality is accepted. The definition includes gifts and hospitality offered to either a Member or to the family and friends of Members which arise from the position of the Member and common examples would be:

- Any offer of a gift of goods or services without payment;
- Any offer of goods or services at a discount not available to the public;
- Any offer of food, drink, travel or accommodation;
- Any invitation to attend a cultural or sporting event without payment or at a discounted rate;

2.2 If you accept gifts and hospitality when it is not appropriate to do so it can damage both your own reputation and the reputations of the Combined Authority and any constituent council of which you are a member. In some circumstances, as set out in paragraph 3 below you may commit a criminal offence by accepting gifts or hospitality. As set out in the Member Code of Conduct, you should avoid placing yourself under any obligation to people or organisations that might try to influence you inappropriately in your work for the Combined Authority.

2.3 The decision on whether to accept a particular offer of a gift or hospitality is a matter for you. Whether you should accept a gift or hospitality will depend upon all the circumstances in which the offer is made but you should also consider how the acceptance of the gift or hospitality will be perceived by others. If in doubt you should always seek advice from the Combined Authority's Monitoring Officer or the Chair of the Combined Authority's Audit & Governance Committee.

2.4 The kind of gifts or hospitality it may be appropriate to accept would include:

- Gifts worth less than £25 such as calendars, diaries, pens and flowers;
- Gift and hospitality provided by a public body;
- Simple refreshment provided at a meeting such as tea, coffee and biscuits;
- A simple working meal at which business is discussed;

But whether an individual offer should be accepted will always depend on all the circumstances and you should note the rules set out in paragraph 4 below about registration of gifts and hospitality. You must never solicit any gift or hospitality as a Member.

2.5 The kind of gifts it would not be appropriate to accept would include:

- Any gift in the form of cash or another form of direct payment;
- Any gifts in the form of holidays, including accommodation or travel arrangements;
- Any gift or hospitality intended to influence what you do as a Member or to put you under an obligation to the donor. In particular you should not accept any offer from a person or organisation which is involved in, or which may become involved in the future in
 - Any procurement exercise being run by the Combined Authority;
 - Any application for a grant, loan or other financial assistance from the Combined Authority;
 - Any legal dispute with the Combined Authority;
- Any gift or hospitality that is of significant value or where the value is disproportionate in the circumstances;

2.6 If you suspect that the motive behind an offer of a gift or hospitality is an inducement for you to make a particular decision or a reward for doing so you must decline it. Similarly, if accepting a gift or hospitality would be open to misinterpretation you should decline it.

2.7 This protocol only applies to gifts and hospitality you may receive in your capacity as a Member of the Combined Authority and does not apply to gifts and that are not related to your position as a Member, such as birthday or Christmas gifts from family and friends. If you are also an elected member of one of the Combined Authority's constituent councils you will also be subject to your council's Code of Conduct and rules on gifts and hospitality.

3 The Criminal Law

3.1 Under the Bribery Act 2010 it is a criminal offence to request, agree to receive or accept a financial or other advantage as a reward for the improper performance of any function of a public nature.

3.2 If you believe a person or organisation may have been offered a bribe, you should immediately report the matter to the Combined Authority's Monitoring Officer or to the Police.

4 Registration of Gifts and Hospitality

4.1 You must register any offer of a gift or hospitality with an estimated value of at least £25 with the Combined Authority's Monitoring Officer within 28 days of its receipt. The registration must include details of the source of the gift or hospitality, a description, its estimated value, whether the gift or hospitality was accepted and what the Member has done with a gift.

4.2 If you are offered gifts or hospitality with a total value of at least £100 from the same source over a twelve month period you should register them with the Monitoring Officer regardless of whether any individual offer had an estimated value of at least £25.

4.3 If you are not sure of the value of the gift or hospitality it is good practice to register it anyway.

4.4 The Register of Gifts and Hospitality will be published on the Combined Authority's website.

5 Breaches of this Protocol

5.1 Breaches of this Protocol will be dealt with as breaches of the Member Code of Conduct. The Audit & Governance Committee has oversight of the Member Code of Conduct and responsibility for hearing complaints about Member conduct which have been referred to them by the Combined Authority's Monitoring Officer.

5.2 Allegations of any breach of this Protocol should be made in writing to the Combined Authority's Monitoring Officer.

6 Advice and Support

6.1 You should seek advice from the Combined Authority's Monitoring Officer or the Chair of the Audit & Governance Committee if you are uncertain how to deal with an offer of a gift or hospitality.

PROTOCOL ON MEMBER USE OF RESOURCES AND THE CODE OF RECOMMENDED PRACTICE ON LOCAL AUTHORITY PUBLICITY

1 Introduction

- 1.1 The Combined Authority provides resources to its elected members and to members of the Business Board in order to assist them in performing their duties. These resources include:
- Office Premises
 - Stationery, postage, telephones, copying facilities
 - Administrative and Secretarial Support
 - Laptops
 - Email accounts
- 1.2 The Combined Authority's Member Code of Conduct includes the following on use of the Authority's resources:

As a member I commit to:

9. Not misusing Authority resources.

You may be provided with resources and facilities by the Authority to assist you in carrying out your duties as a member. Examples include office support, stationery and equipment such as phones, and computers and transport. These are given to you to help you carry out your role as a member more effectively and not to benefit you personally. You should familiarise yourself with the Authority's Protocol on Member Use of Resources and the Code of Recommended Practice on Publicity.

Any breach of the requirements of this protocol will be deemed to be a breach of the Member code of Conduct. If any elected member wishes to have advice on the use of the Authority's resources they should contact the Authority's Monitoring Officer.

2 Use of Information and Communications Technology

- 2.1 All use of ICT by elected members is subject to the Authority's ICT policies which govern the use of laptops, the Authority's networks and mobile devices provided by the Authority. These policies also apply to the Authority's officers.

3 The Code of Recommended Practice on Local Authority Publicity

- 3.1 Section 2 of the Local Government Act 1986 states:

2.— Prohibition of political publicity.

(1) A local authority shall not publish [, or arrange for the publication of,] any material which, in whole or in part, appears to be designed to affect public support for a political party.

(2) In determining whether material falls within the prohibition regard shall be had to the content and style of the material, the time and other circumstances of publication and the likely effect on those to whom it is directed and, in particular, to the following matters—

(a) whether the material refers to a political party or to persons identified with a political party or promotes or opposes a point of view on a question of political controversy which is identifiable as the view of one political party and not of another;

(b) where the material is part of a campaign, the effect which the campaign appears to be designed to achieve.

(3) A local authority shall not give financial or other assistance to a person for the publication of material which the authority are prohibited by this section from publishing themselves.

This prohibition applies to all publicity produced by the Authority but is of particular importance during the period before elections.

- 3.2 This prohibition applies to the Authority and the government has issued the Code of Recommended Practice on Local Authority Publicity under section 4 of the 1986 Act. Section 6 of the 1986 Act defines “publicity” as:

“any communication in whatever form, addressed to the public at large or a section of the public”

And the Code confirms that this will include paid advertising and leaflet campaigns, publication of free newspapers and newssheets and maintenance of websites – including the hosting of material which is created by third parties.

- 3.3 The Code states that local authority publicity should:

- be lawful
- be cost effective
- be objective
- be even-handed
- be appropriate
- have regard to equality and diversity
- be issued with care during periods of heightened sensitivity

The Code confirms that, except during periods of heightened sensitivity, it is acceptable for local authorities to publicise the work done by individual members of the authority, and to present the views of those individuals on

local issues. However publicity material produced by local authorities relating to a particular member must not seek to affect public support for that individual.

- 3.4 The Code refers to periods of heightened sensitivity before elections and referendums and requires local authorities to pay particular regard to the legislation on publicity during such periods. The Code states:

During the period between the notice of an election and the election itself, local authorities should not publish any publicity on controversial issues or report views or proposals in such a way that identifies them with any individual members or groups of members. Publicity relating to individuals involved directly in the election should not be published by local authorities during this period unless expressly authorised by or under statute. It is permissible for local authorities to publish factual information which identifies the names, wards and parties of candidates at elections.

- 3.5 It is therefore not permitted for members to use the Authority's resources for political purposes such as promoting a particular candidate or political party in an election or a particular outcome in a referendum.

4 Personal Use of the Authority's Resources

- 4.1 Personal use of ICT equipment and resources is covered by the policies referred to at paragraph 2.1 above.
- 4.2 As above at paragraph 1.2, the Member Code of Conduct reminds members that resources and facilities provided to them by the Authority are provided to help them carry out their roles as members more effectively and not to benefit them personally.

Chapter 18 - Officer Employment Procedure Rules [Bold type indicates unchanged wording]

1 Introduction

- 1.1 **These rules set out how officers are appointed and dismissed and the role that Elected Members have in officer appointments and dismissals.**

2 Definitions

- 2.1 For the purpose of these rules the definitions of “Chief Officer”, “Deputy Chief Officer”, and “Disciplinary Action” are as set out in Chapter 12 of this Constitution [Employment Committee].

3 Appointment of Head of Paid Service, Monitoring Officer, Section 73 Officer and Chief Officers

- 3.1 Where the Combined Authority proposes to appoint a Head of Paid Service (Chief Executive), Monitoring Officer, an officer with the responsibilities set out in Section 73(1) of the Local Government Act 1985 (Chief Finance Officer) or Chief Officer the Employment Committee will draw up a statement specifying:

- (a) the duties of the Officer concerned; and
- (b) any qualifications or qualities to be sought in the person to be appointed.

And the Committee will make arrangements for:

- (c) the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (d) for a copy of the statement referred to above to be sent to any person on request

Where a post has been advertised in accordance with paragraph (c) above the Committee will:

- (e) interview all qualified applicants for the post, or select a short list of such qualified applicants and interview those included on the short list.

Where no qualified person has applied the Committee will:

- (f) make further arrangements for advertisement in accordance with paragraph (c) above.

The Combined Authority Board will approve the appointment of the Head of Paid Service (Chief Executive), the Monitoring Officer and the officer with the responsibilities set out in section 73(1) of the Local Government Act 1985 (Chief Finance Officer) (“the statutory officers”) following the recommendation of the Committee.

Appointments of Chief Officers will be made by the Committee.

- 3.2 Where it is proposed to appoint a Monitoring Officer, Section 73 Officer (Chief Finance Officer) or Chief Officer on an interim basis and such an appointment is to last for a period of less than nine months pending the appointment of a permanent Monitoring Officer, Section 73 Officer (Chief Finance Officer) or Chief Officer, the Chief Executive will make all necessary arrangements in connection with the appointment subject to the designation of any officer as the Monitoring Officer or Section 73 Officer on an interim basis being reserved to the Combined Authority Board.
- 3.3 Where it is proposed to appoint a Head of Paid Service [Chief Executive] on an interim basis and such an appointment is to last for a period of less than nine months pending the appointment of a permanent Head of Paid Service, the Mayor will make all necessary arrangements in connection with the appointment subject to an such appointment being reported to the next meeting of the Combined Authority Board for ratification. No appointment of an Interim Head of Paid Service shall take effect until it has been ratified by the Combined Authority Board.
- 3.4 Where it is proposed to appoint a Head of Paid Service (Chief Executive), Monitoring Officer, Section 73 Officer (Chief Finance Officer) or Chief Officer on an interim basis and such an appointment is to last for a period of more than nine months or such an appointment was originally made under paragraphs 3.2 or 3.3 above but is to extend beyond nine months, the Employment Committee will make all necessary arrangements in connection with the appointment or the extension of the appointment as the case may be. Any such decision as to the appointment or the extension of the appointment of an interim Head of Paid Service (Chief Executive), Monitoring Officer or Section 73 Officer (Chief Finance Officer) shall be by way of recommendation to the Combined Authority Board.
- 3.5 When making decisions as to the appointment or dismissal of statutory officers and Chief Officers the Employment Committee shall include the Mayor or Deputy Mayor in their place.
- 3.6 The appointment of officers at or below Deputy Chief Officer level shall be the responsibility of the Chief Executive or of any officer nominated by them in relation to a particular appointment.

4 Avoiding Conflicts of Interests in the Appointment Process

- 4.1 **Any person seeking appointment as an Officer of the Combined Authority shall be required to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece (“relative”) of an existing Member or Officer or the partner of such persons.**

- 4.2 **No candidate related to a Member or Officer as described above will be appointed as Head of Paid Service or as a Chief Officer without the agreement of the Mayor.**
- 4.3 **An Officer or Member must not be involved in the appointment or any other decision relating to the discipline, promotion, pay or conditions of an officer, or prospective officer who is a relative, partner, partner of a relative or friend. Friendship connotes a relationship going beyond regular contact with colleagues in the course of employment.**
- 4.4 **Any applicant who directly or indirectly seeks the support of any Member for any appointment within the Combined Authority will be disqualified from the recruitment process.**
- 4.5 **No Member of the Combined Authority shall seek support for any person for appointment with the Combined Authority. This shall not be interpreted to mean that Members and officers are precluded from giving a written reference for a candidate for submission with an application for employment as appropriate.**

5 Dismissals and Disciplinary Action

- 5.1 Only the Combined Authority Board may dismiss the Head of Paid Service (Chief Executive), the Section 73 Officer (Chief Finance Officer) or the Monitoring Officer (“the statutory officers”) as a result of disciplinary action following the recommendations of the Statutory Officer Investigatory Panel. A statutory officer may not be dismissed by the Combined Authority unless the relevant procedures set out in these Rules, including Annex 3 to these Rules, have been complied with.
- 5.2 The Statutory Officer Investigatory Panel shall have authority to take disciplinary action falling short of dismissal against the statutory officers and to suspend and keep under review any suspension of those statutory officers.
- 5.3 The Employment Committee will have authority to dismiss Chief Officers. Any Chief Officer so dismissed shall have a right of appeal to the Combined Authority Board in accordance with the Authority’s Appeals Procedures.
- 5.4 The Mayor or the Deputy Mayor in their place shall be a member of the Statutory Officer Investigatory Panel which meets to consider a dismissal or recommendation for dismissal under paragraph 5.1 or 5.3.
- 5.6 Members will not be involved in the dismissal of any officer at or below Deputy Chief Officer level except where such involvement is necessary for the investigation or inquiry into alleged misconduct through the Combined Authority’s disciplinary procedures as adopted from time to time.

6 Avoiding Conflicts of Interest in Dismissals and Disciplinary Action

- 6.1 No member or substitute member who has sat as a member of the Statutory Officer Investigatory Committee or Employment Committee when a recommendation or decision has been made as to the dismissal or disciplining

of an officer under Section 5 above shall sit as a member of the Combined Authority Board when it considers any such recommendation or an appeal by the officer against any such decision.

7 Employee Code of Conduct

- 7.1 All officers are required to sign an agreement to be bound by the Employee Code of Conduct and all Chief Officers and Deputy Chief Officers are required to complete a register of interests form in accordance with the Code.

8 Officer Appointments to the Mayoral Office

- 8.1 **Certain designated posts within the Mayoral office will be subject to the protocol at Annex 1. These posts are:**

(a) Chief of Staff

(b) Mayoral Adviser and

(c) Senior Policy Adviser.

9 Political Restriction

- 9.1 **Certain posts are “politically restricted” for the purposes of Part I of the Local Government and Housing Act 1989. The Protocol on Political Restriction at Annex 2 sets out the rules which apply to such posts.**

ANNEX 3

DISCIPLINARY PROCEDURES IN RELATION TO THE HEAD OF PAID SERVICE, MONITORING OFFICER AND SECTION 73 OFFICER

- 1 The procedures for disciplinary action and dismissal of the Head of Paid Service [Chief Executive], Monitoring Officer and Section 73 Officer [“the statutory officers”] match the requirements of the Local Authorities (Standing Orders) (England) Regulations 2001 [as amended] which apply to the Combined Authority’s constituent councils.
- 2 Only the Combined Authority Board may dismiss the statutory officers following the procedure set out in this Annex and following the recommendation of a Statutory Officer Investigatory Panel constituted as set out below.
- 3 In any case where disciplinary action, as defined in Chapter 12 of the Constitution (Employment Committee) is to be taken against one of the statutory officers the Employment Committee shall establish a Statutory Officer Investigatory Panel to deal with the matter. The Panel shall have the authority to take disciplinary action short of dismissal against a statutory officer and to recommend to the Combined Authority Board that a statutory officer be dismissed.
- 4 The Statutory Officer Disciplinary Panel shall be made up of all the members of the Employment Committee or their substitute members, including the Mayor or Deputy Mayor acting in their place, together with at least two independent persons appointed by the Combined Authority or by other local authorities in England under section 28(7) of the Localism Act 2011 subject to the rules on appointment of independent persons to the Panel set out in Schedule 3 to the Local Authorities (Standing Orders) (England) Regulations 2001 [as amended].
- 5 Before the taking of a vote at the relevant meeting on whether or not to approve such a dismissal, the Combined Authority Board must take into account, in particular—
 - (a) any advice, views or recommendations of the Panel;
 - (b) the conclusions of any investigation into the proposed dismissal; and
 - (c) any representations from the relevant officer.
- 6 Any remuneration, allowances or fees paid by the Authority to an independent person appointed to the Panel must not exceed the level of remuneration, allowances or fees payable to that independent person in respect of that person’s role as an independent person under the 2011 Act.
- 7 The Panel must be appointed at least 20 working days before a meeting of the Combined Authority Board to consider whether or not to approve a proposal to dismiss a statutory officer.

ANNEX TO THE OFFICER EMPLOYMENT PROCEDURE RULES
CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY
PROTOCOL ON APPOINTMENTS WITHIN THE MAYORAL OFFICE

General

There are three posts within the Mayoral Office which are appointed on a different basis to other Combined Authority posts. In particular:

- (i) The contracts of employment for these posts automatically end on the expiry of the Mayor's term of office
- (ii) The individuals are accountable for the performance of their duties to the Mayor
- (iii) The individuals are subject to additional requirements as to their conduct, as set out below, which do not apply to other Combined Authority officers.

The Legal Basis of Mayoral Appointments

Political assistants are an established part of the local government landscape and are provided for in legislation including:

- Section 9 of the Local Government and Housing Act 1989;
- The Local Authorities (Elected Mayor and Mayor's Assistant) (England) Regulations 2002; and
- The West of England Combined Authority Order 2017

There is no specific statutory authority for the appointment of political assistants in the Combined Authority. These posts within the Mayoral Office are appointed by the Mayor using the general power of competence conferred on him by Article 12 of the Cambridgeshire and Peterborough Combined Authority Order 2017.

The posts are subject to political restriction on the basis that the duties of the postholders consist in or involve giving advice on a regular basis to the Mayor themselves. The statutory provision at section 2(3) of the Local Government and Housing Act 1989 refers to giving advice to the "authority" and does not refer to advising a Mayor, but in the context of a Mayoral Combined Authority the reference to the "authority" can be taken to include the Mayor.

These posts are subject to additional restrictions as to the conduct of the postholders over and above those which apply to officers of the Combined Authority whose posts are politically restricted. . The purpose of these additional restrictions is to ensure that any potential conflict between the postholders being paid from public funds and having access to public resources and with their participation in party politics is managed.

Provided appropriate safeguards are in place the appointment of these officers is a legitimate and lawful use of the general power. These officers perform a valuable role in allowing the Mayor to obtain political advice without compromising the impartiality of other officers.

Duties

These postholders' duties include the following:

- a) Reviewing papers going to the Mayor, drawing attention to any aspect which they think has particular implications for the Mayoralty;
- b) Ensuring that sensitive political points are handled properly;
- c) Giving policy guidance on behalf of the Mayor on any aspect of the Combined Authority's business relating to their job description and give advice to the Mayor accordingly;
- d) Asking questions of relevant officers, probing, checking facts and research findings;
- e) Preparing policy papers which can generate long-term policy thinking within the Combined Authority;
- f) Contributing to policy planning within the Combined Authority, including ideas which extend the existing range of options available to the Mayor with a political viewpoint in mind;
- g) Helping to brief Members of the Board, MPs and external officials on issues of Mayoral policy; liaising with outside interest groups; representing the Mayor at meetings and elsewhere;
- h) Speechwriting and related research, including adding a greater degree of political content to material prepared by other Combined Authority officers;
- i) Representing the views of the Mayor to the media, only where they have been authorised by the Mayor to do so (NB For the sake of clarity this means that these officers may not speak on behalf of the authority or the Mayor to journalists or broadcasters, except in exceptional circumstances);
- j) Managing other mayoral appointees and Combined Authority staff appointed by the Chief Executive who provide administrative or clerical support to the Mayoral Office but the dismissal of staff, determining grievances raised by them or altering their terms and conditions of employment are the responsibility of the Chief Executive.
- k) Attending interview panels for senior Combined Authority staff, as observers, but decisions to appoint rest with the Chief Executive or the Director for that employee. Such attendance to be with the consent of the Chair of the Employment Committee.

Additional Requirements as to Conduct

These postholders are subject all codes, protocols, guidance and agreements which apply to the conduct of officers of the Combined Authority and the restrictions which apply to politically restricted posts. In addition, they are subject to the following requirements:

- a. Officers appointed directly by the Mayor should conduct themselves with integrity and honesty. They should not deceive or knowingly mislead the Mayor, the Board, other officers or the public. They should not misuse their official position or information acquired in the course of their official duties to further their private interests or the private interests of others. They should not receive benefits of any kind which

others might reasonably see as compromising their personal judgement or integrity. They should not without authority disclose official information which has been communicated in confidence or received in confidence from others.

- b. All officers appointed directly by the Mayor should not use Combined Authority resources for party political activity. They are employed to serve the objectives of the Authority; it is this which justifies their being paid from public funds and being able to use public resources and explains why their participation in party politics is carefully limited. They should act in a way which upholds the political impartiality of public servants. They should avoid anything which might reasonably lead to the criticism that people paid from public funds are being used for party political purposes.
- c. In order to provide effective assistance to the Mayor, officers appointed directly by the Mayor should work closely with the senior managers in the Authority and establish relationships of confidence and trust, and should develop effective professional relationships with Members of the Combined Authority Board.
- d. Any individual terms and conditions agreed as part of the interview process cannot amend or preclude these terms and conditions but additional terms and conditions may be agreed between the Mayor and the prospective employee, subject to consultation and agreement with the Chief Executive.
- e. Following receipt of any item or hospitality of a value of £25 or more, all Mayoral appointees should, within 28 days, update the register of gifts and hospitality accordingly. The register will be placed on the CPCA website. The Audit & Governance Committee is responsible for monitoring and reviewing the register through the Annual Governance Statement.
- f. In advising the Mayor on issues in relation to a particular functional body, Mayoral appointees should be mindful of potential conflicts of interest and the need to register and declare any and all relevant interests.

Process for Mayoral appointments

The following sets out the process which will be applied to the appointment of officers within the Mayoral team:

- Appointments must be made on merit. Recruitment to these posts must be by way of public advertisement and interview.
- The process for selection of suitable candidates must be clear and test that an individual's knowledge, skills, experience and attributes meet the requirements of the role. In order to do this, a job description and person specification will be prepared for each role. An interview process to assess candidates' suitability for the role is required and each candidate must be assessed against the job description and person specification.

- The Mayor should be satisfied that the individual is competent to perform the required role, based on the contents of the job description and on an assessment of candidates' skills and experience.
- All job descriptions will be evaluated to independently assess the salary level for the role.
- Guidance will be given to candidates during the recruitment and appointment process, and to appointees following their appointment, explaining the implications of these political restrictions.
- Offers of employment will be subject to the standard employment checks.
- The Mayor must report the appointments to the Board at the next scheduled meeting (this has historically been done through a Mayoral announcement at the beginning of the meeting)
- In all other regards, appointees will have the same basic terms and conditions of employment as CPCA staff appointed by the Head of Paid Service.
- In the event that any grievance or disciplinary issue arises in respect of Mayoral appointees this will be considered and, as necessary, investigated through arrangements decided by the Chief Executive, who is responsible for taking any further action as he / she deems necessary.

Chapter 12 Employment Committee [Bold type indicates unchanged wording]

1 Governance

- 1.1 The Combined Authority has appointed an Employment Committee. The Committee is an executive committee of the Combined Authority Board.**

2 Terms of Reference

- 2.1 The functions of the Employment Committee are:

- 2.1.1 To make recommendations to the Combined Authority Board on the appointment of the Head of Paid Service (Chief Executive), Monitoring Officer and Chief Finance Officer (“the statutory officers”).
- 2.1.2 To appoint Chief Officers.
- 2.1.3 To establish, as required, a Statutory Officer Investigatory Panel with authority to make recommendations to the Combined Authority as to the dismissal arising from disciplinary action [as defined at paragraph 2.2 below] of any of the statutory officers. The membership of this Panel shall be as set out in the Officer Employment Procedure Rules.
- 2.1.4 To take disciplinary action falling short of dismissal against the statutory officers and to suspend and keep under review any suspension of those statutory officers.
- 2.1.5 To take disciplinary action against Chief Officers in circumstances capable of resulting in the dismissal of those officers and to suspend and keep under review any suspension of those officers.
- 2.1.3 To determine appeals by Chief Officers against decisions made in relation to grievance proceedings.
- 2.1.4 To determine employment procedures for the officers of the Combined Authority, including dismissal procedures.
- 2.1.5 To determine local terms and conditions of employment for officers of the Combined Authority.
- 2.1.6 **To consider, and recommend appropriate actions where necessary, in response to proposals relating to changes within a Department’s /Division’s structure which involve substantial changes in the responsibilities of the Head of Paid Service [Chief Executive] and Chief Officers.**
- 2.1.7 **To promote and pursue a policy of equal opportunities in employment.**
- 2.1.8 To determine policies relating to local government pensions and discretionary compensation for early termination of employment. Upon

the commencement of the Restriction of Public Sector Exit Payments Regulations to approve applications for waivers under the Regulations.

2.2 For the purposes of paragraph 2.1:

2.2.1 “Chief Officer” means:

(a) a person for whom the head of the authority's paid service (Chief Executive) is directly responsible;

(b) a person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to the head of the authority's paid service (Chief Executive); and

But a person whose duties are solely secretarial or clerical or are otherwise in the nature of support services shall not be regarded as a Chief Officer.

2.2.2 “Deputy Chief Officer” means:

“a person who, as respects all or most of the duties of his post, is required to report directly or is directly accountable to one or more of the statutory or non-statutory chief officers.”

But a person whose duties are solely secretarial or clerical or are otherwise in the nature of support services shall not be regarded as a Deputy Chief Officer.

2.2.3 “Disciplinary Action” means:

“means any action occasioned by alleged misconduct which, if proved, would, according to the usual practice of the Combined Authority, be recorded on the member of staff's personal file, and includes any proposal for dismissal of a member of staff for any reason other than redundancy, permanent ill-health or infirmity of mind or body, but does not include failure to renew a contract of employment for a fixed term unless the Combined Authority has undertaken to renew such a contract”

3 Membership

3.1 The Committee shall comprise eight members to include the Mayor or his/her nominee and a Board Member from each of the seven constituent councils or their nominee. The Chair must be a Board member.

3.2 The Combined Authority Board shall appoint the members of the Committee, and their substitute members. With the exception of the Chair, Board members may nominate another member from their constituent council to be a member of the Committee in their place. The Board member shall also nominate a named substitute member. Nominations are in consultation with the Mayor and subject to approval by the Board. In principle, neither the Mayor nor the Board will seek to exercise their voting rights to veto or vote

against the appointment of constituent council members to the Committee or the Sub-Committees.

- 3.4 The Procedure Rules of Executive Committee Meetings at Chapter 11 of this Constitution shall apply to the proceedings of the Committee.

VIRTUAL/HYBRID MEETING PROTOCOL

1. INTRODUCTION

- 1.1 [Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020](#) make provision for remote attendance at, and remote access to Local Authority meetings held on or before 7 May 2021.
- 1.2 The Regulations enable the council to hold meetings without all, or any, of the members being physically present in a room. They allow for remote meetings through electronic and digital means at virtual locations using video and telephone conferencing, live webcast and live interactive streaming.
- 1.3 The “place” at which the meeting may be held may be a council building, or where the organiser of the meeting is located, or an electronic, digital or virtual location, a web address or a conference call telephone number.
- 1.4 In order for members to be able to attend meetings of the local authority remotely, they need not be physically present, provided they are able to hear and be heard (and where practicable, see and be seen by) other members and members of the public attending remotely or in person.
- 1.5 While the procedure rules in this protocol take precedence over the Combined Authority standing orders in relation to the governance of remote meetings, all other current standing orders not mentioned in the protocol remain effective.
- 1.6 In line with the Regulations, this protocol is designed to provide a guide to virtual formal committee meetings involving members, officers and the public during the Covid-19 crisis. It will be kept under regular review.

2. DECISIONS OF FORMAL MEETINGS OF THE COUNCIL

- 2.1 Monitoring or information items will be circulated to the relevant committee via e-mail outside of formal meetings.

3. MEETINGS OF THE COMBINED AUTHORITY BOARD, EXECUTIVE COMMITTEES, OVERVIEW & SCRUTINY COMMITTEE AND AUDIT & GOVERNANCE COMMITTEE

- 3.1 Meetings will take place using the Zoom software platform. A detailed briefing note for the Chair to manage the meeting electronically will be provided. Confidential items may take place using a different software platform.

Public Questions

- 3.2 The Combined Authority will continue to take questions from the public as set out in the Constitution. The member of the public asking the question will receive access details from the meeting clerk hosting the meeting to access the Zoom meeting.

3.3 ***Petitions***

During the Covid-19 crisis it will not be possible to accept paper petitions. An electronic petition will be acceptable provided it meets the requirements as set out in the Constitution. The member of the public presenting the petition will receive access details from the meeting clerk hosting the meeting to access the Zoom meeting.

Voting

- 3.4 Voting will be managed by the Chair supported by the meeting clerk. If an item requires a recorded vote, or if problems arise with the electronic poll system, the Chair will ask all Members to turn their microphones on. The Chair will then read out the name of each Member in turn in alphabetical order and ask them how they wish to vote. Once a Member has given their vote then microphones should be muted again. The meeting clerk will record the outcome of the voting and announce it upon conclusion of the voting procedure. If an item does not appear to be contentious, the Chairman will ask Members whether any Member disagrees or wishes to abstain. This will be actioned by the Member clicking on the “raise your hand” icon. If nobody objects the motion will be taken as carried.

4. RUNNING A VIRTUAL/HYBRID MEETING

Members Joining a Virtual/Hybrid Meeting

- 4.1 Members are encouraged to join the meeting promptly (i.e. at least ten minutes before the scheduled start time) in order to resolve any issues with joining and avoid disrupting the meeting. The Chair will remind members to mute their microphones when not speaking. This is done in order to reduce feedback and background noise.

4.2 Access to documents

The Combined Authority will publish the agenda and reports for committee meetings on the Authority’s website and will notify members by email. Printed copies will not be circulated and nor will they be available for inspection at the Combined Authority offices.

Public Access

- 4.3 The following wording will be added to the Combined Authority's website as well as to the meeting page for each committee meeting.

Due to Government guidance on social-distancing and the Covid-19 virus it will not be possible to hold a physical meeting of the XXX on XXX. Arrangements are being made for the press and public to follow the decision-making via Zoom. Details of how to watch the meeting will be published at the foot of the meeting page under the 'meeting documents' heading.

The requirement to ensure meetings are open to the public includes access by remote means, including video conferencing, live webcast and live interactive streaming. Where a meeting is accessible to the public through such remote means, the meeting is open to the public whether or not members of the public are able to attend the meeting in person.

Recording Meetings

- 4.4 The Zoom software platform has a facility for recording meetings. All virtual meetings will be recorded.

Registering Attendance and Meeting Etiquette

- 4.5 At the start of the meeting, the Chair will carry out a roll call of all members present. Confirmation will be given by each member switching their video on and unmuting their microphone to confirm they are present.
- 4.6 All members and officers except the Chair are asked to keep their microphones on mute unless invited to speak. Any member returning after a disconnection is asked not to interrupt when returning to announce their return.

Protocol for councillors speaking at meetings

- 4.7 Members who wish to speak during a meeting will need to click on the "raise your hand" icon. The Chair may ask each person in turn if they have any points they wish to raise on a particular item before completing the discussion on that item. When referring to reports or making specific comments, councillors should refer to the report and page number in the agenda document pack so that all members have a clear understanding of what is being discussed at all times.

Dealing with technical difficulties

- 4.8 In the event that the Chair or the meeting clerk hosting the meeting identifies a failure of the remote participation facility, the Chair may declare an adjournment while the fault is addressed.
- 4.9 If it is not possible to address the fault and the meeting is inquorate, the meeting will be abandoned until such time as it can be reconvened. If the meeting is quorate, the Chair will decide if this meeting should continue, depending on the

difficulties being experienced, or whether it should be adjourned until a later time or date.

PROTOCOL ON THE WEBCASTING OF MEETINGS

The Combined Authority has agreed that meetings of the Combined Authority Board, Executive Committees, Audit & Governance Committee and Overview & Scrutiny Committee can be transmitted live on the internet (webcast), and the recordings made available on the website for 12 months.

Other meetings may also be webcast, as and when required, subject to the approval of the Chairman and members present. Fixed cameras will be located in meeting rooms for this purpose. This protocol has been produced to assist the conduct of webcast meetings and to ensure that in doing so the Combined Authority is compliant with its obligations under the Data Protection Act 1998 and the Human Rights Act 1998. Accordingly, the following will apply to all meetings to be webcast by the Authority:

1. The Mayor/Chairman of the meeting has absolute discretion to terminate or suspend the webcast at any time and for any reason which the Mayor/Chairman deems reasonable. This may include public disturbance or other disruption of the meeting.
2. No exempt or confidential agenda items shall be webcast and no part of any meeting will be webcast after the Authority has voted to exclude the press and public because there is likely to be disclosure of exempt or confidential information.
3. Subject to (4) below, all archived webcasts will be available to view on the Combined Authority's website for a period of 12 months.
4. Archived webcasts or parts of webcasts may be removed from the Combined Authority's website if, in the reasonable opinion of the Monitoring Officer, it may prejudice the Authority's or the public's interests. Content may also be removed if the Monitoring Officer considers it necessary because all or part of the content of the webcast is or is likely to be in breach of any statutory provision or common law, for example Data Protection and Human Rights legislation or provisions relating to confidential or exempt information.
5. If the Monitoring Officer has decided to take such action he/she must notify all elected Members in writing as soon as possible of his/her decision and the reasons for it. The Combined Authority anticipates that the need to exercise this power will occur only on an exceptional basis.
6. Any elected Member who is concerned about any webcast should raise their concerns with the Monitoring Officer.
7. At the start of each meeting to be recorded, an announcement will be made to the effect that the meeting will be webcast and the Mayor/Chairman will make the following statement: 'May I remind everyone present that this meeting will be broadcast live via the internet and the record will be archived for future viewing.'
8. As part of the process for asking public questions residents will be advised that the meeting will be streamed on the internet and a copy of the meeting

retained on the website. If an attendee (other than an elected member) does not wish to be filmed whilst addressing the meeting (unless they are included in the proceedings) ordinarily if members of the public are participating the meeting Clerk will provide advice on the best place to position themselves to ensure no image of the attendee is taken and the webcast operator will focus the camera on the Mayor/Chairman.

9. At the front of each agenda and on signs to be displayed inside and outside the meeting room there will be the following notice:- **WEBCASTING NOTICE**
Please note: this meeting may be filmed for live broadcast via the Combined Authority's website with recorded content available to view on the its website for a period of 12 months.

By entering the meeting room and using the public seating area you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If members of the public do not wish to have their image captured they should notify the Mayor/Chairman at the start of the meeting and sit out of range of the cameras.

Any queries regarding the webcasting of meetings should be referred to the Monitoring Officer.

Members of the public are permitted to film or record Councillors and officers at any Combined Authority meetings that are open to the public and press. The Combined Authority permits photography and social media reporting of all its public meetings.

Chapter 12 – Contract Procedure Rules

Procurement Overview

Procurement Definition

Public Sector procurement is the process of acquiring goods, services and works for the delivery of an Authorities obligations to its residents and regional visitor. The process must be carried out within a specific legal framework and based on principles of equal treatment, transparency and non-discrimination such that for contracts over a specified value or specific social interest may be tendered for by any interested and appropriately qualified organisation. This to ultimately achieve the optimal solution that also provides value for money across the whole-life of the process and contract.

Governing Legislation

The Local Government Act 1972 section 135 requires Public Bodies to have standing orders for how it enters into contracts. These Contract Procedure Rules (“Rules”) set out how the Combined Authority will deliver against this obligation.

All Procurements for Contracts, by Combined Authority staff or members (including where managed by an external organisation or public body on the Authority’s behalf), MUST comply with these Rules, the Combined Authority’s Financial Regulations and all applicable EU and UK Legislation; specifically (but not limited to):

1. The Local Government Act 1972
2. Public Contract Regulations 2015
3. Concession Contracts Regulation 2016
4. Equality Act 2010
5. Bribery Act 2010
6. Localism Act 2011
7. Social Value Act 2012
8. Modern Slavery Act 2015
9. General Data Protection Regulation 2018
10. Freedom of Information Act 2000
11. Transparency Code 2015

Where there is a discrepancy between these rules and any Procurement legislation, the Procurement legislation is the dominant Authority.

Where there is a conflict between the Procurement Legislation and any other relevant legislation as listed above (or otherwise identified during the process) the Monitoring Officer must be consulted immediately to carry out a legal, project risk assessment.

Central Government guidance (Procurement Policy Notes (PPNs)) should be considered for best practice but do not override these rules or legislation.

Non-compliance with these rules may constitute grounds for disciplinary action

Application of the Rules

These rules govern

- a) **ALL purchases of works, goods and services** (including consultancy requirements and equipment hire or lease through rental agreements) across the whole Combined Authority, **regardless of value**, as covered by Chapter 1 & 2 of the PCRs and not excluded by Regulation 10, PCR2015.
- b) The use of external frameworks and Dynamic Purchasing Systems
- c) Procurements under the Light Touch Regime Procurements, as covered by Chapter 3 of the PCRs
- d) Below threshold Procurements under Chapter 8 of the PCRs
- e) The procurement of Concession contracts, as set out in the CCRs 2016.
- f) ALL collaborative procurements with other public bodies
- g) The Disposal of Assets or goods by the Combined Authority.

They DO NOT apply to:

- a) Supply of works, goods and services by the Authority to another authority, subject to the agreement of the Procurement and Contracting Manager
- b) Purchases through local authorities, government bodies or public agencies, (e.g. police, health or other similar authorities) where the procurement rules of that organisation have been approved by the Procurement and Contracting Manager as complying with these Rules, or the contract is agreed in cooperation or partnership. E.g. section 75 agreements.
- c) Public body to Public body co-operation - Contracts with other public bodies where the parties come together to deliver a public service, under the following conditions;
 - (i) achieve objectives which are common to both parties; and
 - (ii) the arrangement is solely for the public interest; and
 - (iii) the parties perform less than 20% of the services covered by the arrangement on the open market.
- d) In-house awards (this is where the Combined Authority awards a contract to an entity it controls). This exemption will only apply if all of the following conditions are met;
 - (i) The Combined Authority exercises a similar control on the entity as it does with its own departments;
 - (ii) The entity carries out more than 80% of its activities for the Combined Authority;
 - (iii) There is no private sector money in the entity.
- e) Employment contracts;
- f) Sponsorship agreements;
- g) Purchases made at public auction or of goods sold due to insolvency
- h) Land contracts (including leases, licences and transfers);
- i) Grants of money, these cannot be contracts as there is no consideration and they are not services required to be delivered by the Authority;
- j) Funding or financing arrangements;

- k) Any other arrangements excluded by the PCRs
- l) **Services excluded under Regulation 10 PCRs**
 - (i) Legal Advice that may lead to or is in preparation for Judicial Proceeding, or representation at judicial proceedings
 - (ii) Arbitration or Conciliation
 - (iii) the purchase or sale of any interest in land, (including leasehold interests);
 - (iv) Financial advice for the sale, purchase or transfer of sureties
 - (v) Audio-visual/ radio broadcasts
 - (vi) Arbitration/ legal advice for either the preparation or representation in legal proceedings that may result in a court hearing.
 - (vii) Loans
 - (viii) Employment contracts between an individual and the Combined Authority
 - (ix) Public transport by rail or metro
 - (x) Political campaigns
 - (xi) Civil Defence.

Where there is any doubt as to whether the procurement is covered by these rules, officers are required to seek advice from the Procurement and Contracting Manager.

Procurement Objectives (TFEU)

The Combined Authority seeks to achieve more than just the practical element of the contract from the procurement process; as such, every contract must be let in consideration of the following objectives

- a) **Regulatory Compliance (open markets and equal opportunity for all providers, fair & transparent process TFEU and Regulation 18 PCRs)**
- b) Accountability
- c) Value for Money (proportionality, efficiency and economy)
- d) Efficient Procurement Process
- e) Support of Horizontal Policies such as implementing social, environmental and industrial commitments, at a proportionate level, in accordance with the Combined Authority's Policies and Procurement Guidance Document.

Excluding item 1 – the level of priority of each of the other objectives is to be set by the Combined Authority, as detailed in this document.

Roles & Responsibilities

The following lists detail the various procurement activities and where the responsibilities for each sit.

Procurement & Contracting Manager (directly or through delegation)

- a) Responsibility for the Contract Procedure Rules, guidance documents and procurement templates
- b) Design, implementation and management of a Procurement Gateway Process
- c) Provision of Procurement Advice and assistance on all expenditure, including route to market and contract choice
- d) Overview and management of any frameworks and Corporate contracts
- e) Oversee all exemptions to the PCRs and these rules
- f) Organising and running market engagement events
- g) Provision of advice on commercial structure and evaluation methodology
- h) Appointment of external legal support for complex procurements
- i) Management of the e-tendering portal
- j) Tender Moderation

- k) Signing off All Regulation 84 Tender Reports for process compliance
- l) All formal Procurement correspondence
- m) Collating/ populating all Contract Documents and ensuring signature
- n) Oversee contract monitoring and all contract variations
- o) Attendance at bi-annual contract management meetings
- p) Management and monitoring the Contract Register
- q) Forward Planning of cyclical requirements

Chief Finance Officer (directly or through delegation)

- a) Development and implementation of the Financial Regulations
- b) Approving budgets for procurement of contracts
- c) Signing of All Regulation 84 Tender Reports for budgetary compliance

Monitoring Officer (directly or through delegation)

- a) General advice as required
- b) Lawfulness and Governance of complex procurement decisions taken
- c) Provision of any legal document requirements and support managing external legal services
- d) Signing of All Regulation 84 Tender Reports for governance compliance
- e) Approval off all Contract documents before signature
- f) Approval of all Waivers to these rules
- g) Approval of any Contracts awarded under Regulation 32

Directors

- a) Project Approval and authority to proceed
- b) Signing of All Regulation 84 Tender Reports for Award Approval

Contract managers

- a) To following the instructions of the Procurement and Contracting Manager and Monitoring Officer
- b) Development of Project Initiation Documents and Gateway reports
- c) Confirmation of Project Budget & Authorisation to Procure
- d) Creation of Contract Specification and Contract Management requirements
- e) Managing any technical enquiries during a procurement process
- f) Evaluation of tender returns
- g) Complete the tender report
- h) Manage the delivery of the contract in accordance with the specification, tender return and the contract management processes included in the contract

All officers must:

- a) Comply with the Combined Authority's Financial Regulations
- b) Declare any gifts or hospitality received either before, during or after the procurement to the Head of Procurement;
- c) Not disclose any confidential information to unauthorised persons;
- d) Conduct the procurement process in a fair, open and transparent manner;
- e) Ensure the process delivers value for money;

Use of Consultants

Where the Combined Authority requires the technical input of industry experts/ consultants to either resource and/ or manage a procurement or inform a specification, or deliver a particular process; officers are required to ensure the following is applied:

- a) The service is for a discrete (or multiple discrete) pieces of work and/ or is not backfilling a Combined Authority post
- b) The consultants are procured in accordance with these Rules

- c) The Consultant is experienced in and fully understands all Public Procurement Legislations and agrees to be bound by them

There is a clear specification of requirements and responsibilities set out in their appointment, including adherence to these rules and that this is documented in the form of contract used.

Procurement Process Planning

As part of the initial procurement planning process, officers are required to consider the impact of legislation, financial and time constraints along with any of project specific requirements.

Category of Spend

The Procurement process to be applied is firstly determined by the category of spend and then the contract value, such that before beginning the process this needs to be ascertained.

The Categories of spend are

- a) **Goods** (supplies or products),
- b) **Services** (labour, consultants or technical resources),
- c) **Works** (Construction Projects),
- d) **Light Tough Regime** Services (Hospitality/ Catering, Education/ Training, Security, Legal Services)
- e) **Concession Contracts** (contracts where the supplier's revenue is through the exploitation of an asset e.g. running a café owned by the authority)
- f) **Regulation 32** (Non-competitive Direct Awards)
- g) **Regulation 10** Excluded Contracts
- h) **Regulation 14** Research & Development

Contract Value Estimation

The estimated value of a contract is based on either; the money to be paid by the Authority to the successful tenderer (Regulation 6, Public Contract Regulations 2015) or the value to the market (Regulation 8, Concession Contracts Regulation 2016) of the contract.

A contract value should be calculated as follows:

- a) a lump sum contract – this is a one-off, capital project, only used by one project/ team where the contract value is the total budget available (including any contingency);
- b) a periodic contract – this is where there is an annual, regular, potentially on-going requirement, by the authority – the contract value is the potential annual spend (across the whole Authority) multiplied by the number of years the contract is to run (including any extensions).
- c) A concession Contract – this is a term contract over a number of years whereby the revenue is paid based on usage levels, and usually by the service users, without any guarantee of full recompense or profit.

The value of any contract is the TOTAL maximum, potential or reasonably foreseeable spend over the whole duration of the contract (including extensions) for a given requirement.

The Authority MUST NOT disaggregate or sub-divide like or similar requirements for the purpose of avoiding the procurement from being Regulated. (Regulation 5, PCR2015 or Regulation 7, CCR2016). Procurements below these thresholds are still subject to delivering value for money but the nature of the procurement process may be defined by the authority and needs to be proportionate to the value, effort and market interest in consideration to the nature of the purchase.

See Schedule 1 for current thresholds across all relevant legislations

Partnership Arrangements

The Authority has entered into a number of arrangements with partner authorities for the purchase of various back office services; officers are required to liaise with procurement before commencing an external procurement to ensure that those arrangements are not breached or cause relationship problems across the Authority's partners.

Procurement Gateway Process

The Procurement and Contracting Manager in consultation with the Monitoring Officer, shall publish and oversee a gateway process that reviews and approves the approach to procurement and ensures that these rules, legislation and best practice are adhered to along with monitoring the delivery of value for money and social obligations. This process to be monitored by an officer board based on value and/ or complexity. The details of the Procurement Gateway Process will be maintained on the Combined Authority internal website.

Pre-Procurement Contract Approvals

Where the procurement is not required to be monitored under the gateway process the project officer must still provide evidence to the Procurement and Contracting Manager that they have the necessary director, committee or board approvals to procure and subsequently award a contract based on specified value.

The Project Officer must also liaise with the Governance team to ascertain if the procurement is a Key decision and based on this, place the contract on the Forward Plan in accordance with the Authority's Constitution.

Procurement Timescales

Officers should allow the following minimum timescales for each of the identified routes

- 1) Single quote – approx. two weeks
- 2) Three quotes – approx. six weeks
- 3) Below threshold tender – approx. ten weeks
- 4) Above threshold tenders – OPEN procedure – approx. 14 weeks
- 5) Negotiated Procurement - at least 26 weeks.

Application of Non-Procurement Legislation

Officers are required to consider whether the procurement process and decisions are affected by other relevant legislation. A list of the more obvious ones to be considered and their impact on procurement are available in the procurement guidance documents and will need to have been

considered as part of the Gateway process to ensure a holistic approach is adopted and transparently procured.

Conflicts of Interest (Regulation 24)

The Public Procurement Legislations are designed to prevent corrupt practices and the application of any preferential treatment or discrimination of any UK or EU supplier. As such the following rules apply:

All members, officers, contract managers or organisations procuring on behalf of the Combined Authority must avoid any potential conflict between their own (or family/ friends) interests and the interests of the Combined Authority as detailed in the Combined Authority's Code of Conduct.

Where an interest (financial or personal) is identified this must be reported the Head of Procurement such that any identified risks can be minimalized. Where such a conflict is identified and cannot be suitably mitigated to the Head of Procurement & Contract's satisfaction, that person may not participate in the procurement or evaluation process.

Separation of Duties

A procurement, contract, purchase order or waiver cannot be raised and approved by the same person.

Where a contract manager completes the practical element of a procurement process, a procurement form or makes another recommendation, the award must be agreed by a Director.

Risk Assessment

Officers are required to complete a risk assessment for approval by finance and legal on all procurements that are deemed high risk based on the following

- a) Is of political or public interest;
- b) is over the EU threshold;
- c) is being awarded under Regulation 32 PCRS; or
- d) is being varied/ extended under Regulation 72 PCRS
- e) includes the setting up of a Special Purpose Vehicle
- f) Includes a lease arrangement, advance payment or holding funds on behalf of another entity
- g) Is for a duration over five years
- h) Includes design liability, intellectual property rights or a requirement for collateral warranties

Officers should use the Combined Authority's standard templates and ensure they are added to the corporate risk register before the procurement commences and then monitored throughout the process and life of the contract.

Bonds & Parent Company Guarantees

The requirement for a bond or parent company guarantee (and its value) is at the discretion of the relevant Director

An optional requirement for a Bond or Parent Company Guarantee should be included as part of all procurements over £250k such that it creates both; a means to assess the financial stability of a tenderer and an option to mitigate any identified performance risks of the preferred supplier. Evidence of the bond's availability (even if not required) should be obtained before award.

Where the project or a contractor is deemed as a high risk for failure (likelihood and/ or impacts), advice should be sought from Procurement, Finance and Governance in deciding if the provision of the bond is required.

Where a bond or parent company guarantee is deemed necessary – this should be in a form acceptable to the Combined Authority and in consideration of the form of contract being used.

Routes to Market

The route to market is selected based on a number of considerations as set out below.

Where Possible, **Officers are recommended to consider whether to use either an existing framework (or one procured by a partner authority) so as to minimise procurement costs and process time.**

Where the value is below threshold or it has been agreed with procurement that the requirement is non-standard, or a framework may not deliver the optimal solution, be that because the supplier base is unsuitable or too limited, framework rates do not offer value for money or the requirement requires an ability to negotiate, then alternative routes should be considered in conjunction with procurement and legal or through the 'gateway' process.

These processes available are as set out below.

Process Types

Procurements can be split into two categories; regulated and non-regulated.

Non-Regulated (below Threshold) Procurements

These can, in addition to using the regulated routes, be used based on value

- a) **Direct Award** – a single supplier quote from a local/ SME supplier who is selected based on previous knowledge, a recommendation or a local supplier list (where one exists).
- b) **Quotes Process** – between 3 and 5 suppliers are selected to provide a quote detailing how they will deliver a project and the costs. Suppliers to be selected based on being local/ SMEs with either previous knowledge, on a recommendation or from a local supplier list (where one exists)

Regulated (above EU Threshold - OJEU) Procurements

- c) **OPEN Tender (Regulation 27) – DEFAULT ROUTE** - single stage, advertised process. This route is for standard purchases where the requirements are clear – it does **not** include any scope for negotiation of any of the element of the tendered information. All compliant submissions must be evaluated.
- d) **RESTRICTED Process (Regulation 28)** – two stages, advertised process. This route is for standard purchases where the requirements are clear – it does **not** include any scope for negotiation of any of the element of the tendered information. Suppliers are shortlisted to tender following an initial supplier qualification process. This route is most suited to extensive markets to ensure proportionality of process and cost
- e) **COMPETITIVE PROCESS with NEGOTIATION (Regulation 29)** – multi-stage, advertised process. Includes the ability to negotiate on predefined elements. Suppliers are shortlisted to tender following a supplier qualification process, and then following each round of negotiations based on the predefined scoring criteria. This is used where the desired outcome of the procurement is known but how it is to be achieved is less clear.
- f) **COMPETITIVE DIALOGUE (Regulation 30)** – multi-stage, Advertised process. Includes the ability to discuss and define any unknown requirements. Suppliers are shortlisted to tender following a supplier qualification process, and then following each round of dialogue based on the predefined scoring

criteria. This is used where the desired outcome of the procurement is unclear as to how it is to be achieved.

- g) **INNOVATIVE PARTNERSHIP (Regulation 31)** – multi-stage this is used where you want to purchase something that isn't already available in the market and needs to be created. The procurement process is based on a set of minimum requirements and desirable outcomes – the process can only be used with the approval of Procurement.
- h) **FRAMEWORK (Regulation 33)** – This can be procured through any of the procedures in this list and is an arrangement with one or more suppliers to provide the requirements on an as required basis with no fixed commitment. The Framework has a maximum duration of 4 years and subsequent awards can be made either by a direct award based on the framework prices or through further competition and evaluation – depending what has been specified in the Framework Agreement. Contracts awarded under the framework can run past the framework end date where set up to facilitate this.
- i) **DYNAMIC PURCHASING SYSTEM (DPS) (Regulation 34)** - this is an approved list, on to which suppliers can be added at pre agreed intervals. Suppliers are added based on the completion of the first stage of a RESTRICTED procedure and their demonstration of technical ability and previous experience. All subsequent awards must be through further competition and price/ quality evaluation.
- j) **FURTHER COMPETITION** (from an existing framework) – this is where you are inviting the suppliers already on a compliantly procured framework or DPS to submit a qualitative proposal and price for your specific requirements. (where this is from a framework the prices/ rates are capped at the framework prices.
- k) **BESPOKE COMPETITIVE PROCESS** – this can only be used under the Light Touch Regime and will be defined and managed by procurement. **(Regulation 76, PCR or Regulation 36 CCR)**
- l) **DESIGN COMPETITION (Regulation 80)** - These are for the design of unique construction projects
- m) **NEGOTIATED PROCEDURE WITHOUT ADVERTISEMENT – (Regulation 32)** – this route can only be used in exceptional circumstances and must be agreed by Procurement and the Monitoring Officer and documented on a waiver. Potential for use include; lack of competition, urgency or exclusive rights.

Below Threshold Requirements

The procurement process is to be selected based on its category and its value, this is to ensure that the process is proportionate, transparent and can demonstrate value for money in consideration of the project requirements and other constraints such as urgency or protected rights.

Goods & Services Contracts

- a) Single quote up to £9,999
- b) Three quotes between £10,000 and £49,999 (RFQ process)
- c) Advertise on Contracts Finder between £50,000 and EU threshold (Tender Process)

Recruitment Consultant appointments

- a) Single quote up to £24,999
- b) Three quotes between £25,000 and £99,999 (RFQ process)
- c) Advertise on Contracts Finder between £100,000 and EU threshold (Tender Process)

Works and Concession Contracts

- a) Single quote up to £49,999

- b) Three quotes between £50,000 and £499,999 (RFQ process)
- c) Advertise on Contracts Finder between £500,000 and EU threshold (Tender Process)

Light Touch Regime (training, legal requirements)

- a) Single quote up to £49,999
- b) Three quotes between £50,000 and £199,999 (RFQ process)
- c) Advertise on Contracts Finder between £200,000 and EU threshold (Tender Process)

Quotes Process

Where requests for quotations are made, these should be from local suppliers where possible, either from a known local list or identified through the e-tendering portal of registered suppliers. Where none are known, the opportunity may be advertised at the officer's discretion.

Contracts Finder (Tender Process)

Where an opportunity is to be advertised based on the above, or is published in any other way (e.g. on the e-tendering portal, through an industry magazine or some form of social media) it must also be advertised on Contracts Finder. Any advertised, below threshold procurement, must follow that of a single stage/ Open tender with no option for shortlisting.

Waivers

Where a below threshold contract, based on value, requires a competitive process under any of 3.2.1 to 3.2.4 above and there is an urgency, protected right, technical expertise or other reason that is accepted by the Monitoring Officer and Chief Finance Officer as delivering best value to the Authority, a Waiver may be used to enable the officer to seek a single quote and carry out a direct award to that organisation. This process is set out in the procurement guidance documents.

Above Threshold Requirements

All Above threshold procurements must be advertised (unless procured under Regulation 32) on the e-tendering portal, Contracts Finder and TED.

The choice of which route to market should apply depends on the likely number of interested participants, the contract requirements and complexity and the need to negotiate, in accordance with **Regulation 26**. Further information is available in the procurement Guidance documents

Single Stage process - Open

This route considers and evaluates everything listed in the 'two stage process' in one stage.

Two Stage process - Restricted

This route includes two distinctive stage, the shortlisting stage of a Standard Selection Questionnaire (SSQ) and then an Invitation to Tender (ITT) stage.

Multi-Stage process - Negotiated

This route builds on the Restricted process two stages and includes an option to negotiate and can have as many stages as necessary to achieve the optimal outcome.

Use of Frameworks

Where the decision is to utilise an existing Framework for the appointment of consultants or routine requirements, the choice of methodology should be based on the rules of the framework, the options being

- a) Direct Award applying the framework selection criteria up to a cap of £200k unless otherwise agreed by the Monitoring Officer.
- b) Further competition where the requirement is over £200k or the requirements need further scoping or there is an opportunity to achieved improved value for money through competition.

Advertisement (Regulation 48, 49, 52& 106)

Where a direct award/ or quotes process is not permitted by these rules or by exception under either these rules or the Regulations; and where the award is not via an approved framework, the procurement opportunity must be advertised as follow

- a) Contracts Finder (**Regulation 52 & 106**) - where specified in this document or where they are regulated under any of the public procurement legislations
- b) Tenders Electronic Daily (TED) – where they are regulates/ value exceed the values as set out in Schedule 1.
- c) Authority e-tendering portal – where an advert is placed under one of the above requirements it must also be advertised on the e-tendering portal
- d) Additional adverts – where the opportunity is advertised, officers may also place adverts on the Authority website, trade publications or social media.

Market Engagement (Regulation 40)

Where an advertised process is to be used, and before commencing a process, it is essential to understand the market make up and possible supply options, specifically

- a) Is the Market a Monopoly or is it saturated?
- b) Is the requirement able to be delivered by a single supplier or does it require sub-contracting?
- c) Can the contract requirements be met by local SMEs?
- d) Is the contract suitable for a consortia solution?

All engagement must be overseen by Procurement and participants should be invited through an advertisement on the e-tendering portal and carried out in a transparent manner (e.g. supplier days) that treats all possible procurement participants equally and without discrimination such that the activity is artificially restricts or impairs competition.

Procurement Processes

All procurements are to be issued using either the authority's standard templates or the templates provided by the framework's owner as applicable.

Additional information on the following processes and documents is available within the procurement templates, policy documents and through the procurement guidance documents

Direct Award

This option does not require officers to create a specification or a set of tender documents; instead, they should discuss their requirements with the selected organisation and these should then be written up, priced and submitted by that organisation to the authority for approval. Once agreed, they should then be attached to the authority's standard Purchase order or Service terms and conditions and awarded as set out below.

Request for Quotation (RFQ)

This option uses a single procurement document to set out the contract and specification requirements along with how the submission will be qualitatively and financially assessed. This to be requested from the three selected companies. The submissions should be evaluated in accordance with this document and then a contract concluded with the successful organisation using the terms and conditions attached to the RFQ in accordance with the award process below.

Advertised Tender

The documents needed for an advertised procurement will depend on the contract value and the selected route to market; the tender pack will include some or all of the following

Due Diligence Document

Where a tender is unregulated and thus an SSQ cannot be used, the due diligence (financial and company status) checks must be used to ensure that the successful tenderer is commercially capable and stable to deliver the contract.

Standard Selection Questionnaire (SSQ)

This document is only used for above threshold tenders and has three parts; Parts 1 & 2 are set down by central government and cannot be amended. Part 3 can be populated with the qualitative requirements of the project and used as a mechanism to shortlist in a multi staged process **(Regulations 57, 58 65)**

Invitation to Tender (ITT) (or ITN or ITN Final) (Regulation 54)

This document sets out the details of the procurement process and the process requirements along with the rules that interested (or shortlisted) tenderers must follow to ensure that their bid is compliant. Further guidance and adaptation of the standard template should be sought from procurement

Specification (Regulation 42)

This document must clearly and concisely set out the Authority's specific contract requirements and depending on whether these are input, output or outcome based, the details by which these may be deemed to be achieved or demonstrated.

When using an input specification, officers should ensure that they are suitably up to date with current technology and developments. Specifications should be based on performance or industry standards and only use a brand, model or part number where it is impossible to sufficiently define the requirement any other way. Where this is relied on the specification must state 'or equally approved'.

Where the technical expertise is absent or dated, an output or outcome specifications should be used to ensure that an up to date solution is achieved along with value for money

Where social or other policies are to be considered, these must be clearly specified and where possible, hyperlinks to their location included in the procurement documents.

Terms of Business/ Contracts

The choice of contract shall be in a form approved by the Legal team and will be based on the nature of the spend and the project complexity along with the route to market, officers must engage with the Legal team at the concept of the procurement to enable sufficient time for consideration and drafting.

Where the selected procurement process does not allow for negotiations, officers are advised to ensure that the requirements identified to Legal are not prohibitive or anti-competitive such that they may limit competition and the ability to achieve a successful, value for money outcome.

Tender Submission Document

ALL Tenders MUST be evaluated using the principle of Most Economical and Advantageous Tender (MEAT).

Quality Requirements - Method Statements – (Regulation 67)

Officers are recommended to use a split of 60% Price and 40% Quality. Where this is not felt to be the best means by which to select the most suitable supplier, this may be adjusted to an 80:20 split in either direction following a discussion with Procurement.

Method Statement Questions should be drafted to elicit responses that supplement the specification and in consideration that the responses become part of the contract and performance requirements.

The weighting (importance) of each method statement question must be clearly set out as must the requirements of the 0-5 scoring criteria.

The questions, as a minimum should seek to understand the skills of the delivery team, the timescales for delivery, any quality or health and safety considerations and how the contract can be used to support the local economy, protect the environment or deliver other social benefits.

Pricing Requirements

The tender documents must set out how the price should be calculated and evaluated. This could be a lump sum or a schedule of requirements/ bill of quantities. Where a schedule is used and exact quantities are unknown the document must include details of estimated quantities (unless part of the submission is for them to quantify a resource) to ensure that the evaluation is fair and transparent. Where a schedule of pricing is used, officers may weight particular elements if they are more significant to the success and delivery of the project; where this is required officers must liaise with procurement and finance to ensure the pricing model is fair and representative of the contract requirements.

Form of Tender

Along with the method statement and pricing submission, tenderers are required to confirm that they have no conflicts of interest with the authority and that they have not colluded or otherwise engaged in unethical or illegal practices in order to collate their submission.

Use of/ Reliance on Subcontractors (Regulation 63 & 71)

The authority must allow a tenderer to rely on subcontractors for economic or technical capacity, experience or professional qualifications unless the task that they seek to subcontract is deemed a critical task; specifically where this would dilute accountability or the performance management of essential elements of the contract.

The authority, when setting out its procurement requirements, may stipulate that where subcontracting is relied on that the tenderers sets out the share of the contract to be subcontracted and where they are to be relied upon, may insist that all such subcontractors complete an SSQ or the authority's Due Diligence document (where applicable) to enable the authority to assess their suitability to deliver an Authority contract.

Tender Communications (Regulation 22 & 51)

All procurement processes (except for direct awards) must be managed electronically through the authority's e-tendering portal. All notices, tender documentation and awards must be published through the portal and all communications (Q&A) must be published openly unless deemed commercially sensitive.

Evaluation Process & Clarifications - Regulation 56

Due Diligence

These checks should be completed before the price and quality evaluation process as they assess the financial stability of a tenderer. Where a concern is identified this should be referred to finance and legal for consideration and a decision made as to whether they should be disqualified to protect the successful performance of the contract

Standard Selection Questionnaires (Regulation 57 & 58)

Where this is provided in a single stage process this should be assessed before the qualitative or pricing submission. Any concerns identified should be clarified with the tenderer before deciding if they should be disqualified

Where this document is used to shortlist in a two or multi-stage process the Part 1 & 2 elements should be assessed first and any concerns identified should be clarified with the tenderer before evaluating part 3 and shortlisting

Quality Submissions

These must be evaluated by at least three, suitably skilled individuals using the predefined criteria and the specification.

Evaluators must make notes as to the rationale for each individual score and provide question specific feedback to be used in the moderation process and ultimately shared with the unsuccessful tenderer.

Where the information is unclear or incomplete a clarification process must be carried out.

Pricing Submissions

This must be carried out separately to the quality evaluation, in accordance with the process set out in the tender documentation and must be verified by the relevant member of the finance team to validate its accuracy.

Where the pricing is incomplete or excessively low, a clarification process must be completed with the support of procurement

Post tender Clarifications

Submitted information may be clarified or explained but not amended or supplemented

Missing information

Where information is missing, this may be confirmed to the tenderer but may not be supplied by them. Where this has an impact on the total price, tenderers must either honour the total price submitted or withdraw.

Price calculation errors

Where an arithmetical error is identified and can be corrected without the need to seek clarity or additional information, this should be done and advised to the tenderer for agreement. Where this has an impact of increasing the total price, tenderers must either honour the initial total price submitted or withdraw their offer.

Abnormally low pricing (Regulation 69)

Where a tenderer's price is significantly lower than anticipated by the authority or in comparison with other tenders received; the authority must seek clarity from the tenderer on how they have priced the tender at this level and demonstrate that it is commercially viable and sustainable. Where such

assurances are either not provided or not plausible then the authority should disqualify the submission.

Post Tender Negotiations

Post Tender Negotiations shall not be used to degrade the original tender requirements or price unless

- a) ALL the received tenders came in over budget
- b) Other special circumstances

In these circumstances, all tenderers that have submitted a tender shall be given the opportunity to resubmit against a revised or reduced specification

All other negotiations shall only be undertaken in accordance with Law and in agreement with Procurement and Legal.

Moderation

Following the individual scoring of the quality method statement responses, the evaluation panel, overseen by procurement, must meet and agree a common score for each question along with an agreed justification for the scores and question specific feedback for the tenderer.

AWARD Process

Where a formal gateway process has been used to commence and decide on the procurement process, a further review should be completed before the decision to award. In all case, the following stages must be completed.

Tender Report (Regulation 84)

All advertised tenders must, before award, have a completed tender report approved by procurement, legal and finance before any notifications are sent or contracts collated.

Notifications (Regulation 55 & 86) & Standstill (Regulation 87)

All notification or outcome letters must be approved by procurement and signed by the Procurement and Contracting Manager.

All tenderers (successful and unsuccessful) must be notified, in writing, of the outcome of the evaluation process at the same time. Unsuccessful tenderers must be provided with feedback which details the relative advantages of the successful tenderer.

Where the procurement is regulated (and even on below threshold processes where advised by procurement) the Authority must issue and apply a standstill period with the award letters not being issued until after this period has expired.

Supplier De-briefing

Following the notification of the procurement outcome, unsuccessful tenderers may request feedback in addition to that provided in the letters; this must be agreed and supported by procurement to ensure that only allowed information is shared and that it is done so in a non-discriminatory manner.

Letters of Intent

Letters of intent give the contractor the authority to proceed prior to the execution and dating of contract; however, they should only be used where there is a genuine need and genuine benefit to the Authority, such as to:

- a) facilitating the ordering of goods where there are long lead times
- b) enable design work to commence immediately where not doing so would have an adverse effect on the overall project deadlines and planning requirements
- c) Facilitate TUPE requirement

All letters that fall under the points above must be agreed with legal and signed by the relevant Director. Where a letter of intent is required for any other reason it must be agreed by the Monitoring Officer

Where a letter of intent is issued it must specify its intent and include a maximum liability, which cannot exceed £100,000 unless otherwise agreed by the Monitoring Officer

Contract Award

All tender processes must be concluded by way of a duly signed or executed document.

Contracts MUST not be awarded until all checks have been completed and evidence of any qualifications and certificates provided.

The award must be as per the specification issued and the tender received (including any clarifications) and not a conditional or counteroffer.

Contract Approval

Contracts must be executed by signature or as a deed as follows

Goods & Service

- a) Up to £25k – Responsible Officer
- b) Up to £100k – Finance
- c) Up to £250k – Project Director
- d) Up to £500k – Monitoring Officer, Chief Finance Officer, Chief Executive

All works contract to be executed as a deed to ensure a 12-year latent defect period is applied.

Copies of all executed contracts must be provided to the Procurement and Contracting Manager for inclusion in the contracts register

Contract Award notices (Regulation 50)

Award Notices must be published in accordance with the following decisions.

- a) Where an new Framework or Contract is let and it is over the EU threshold – in the OJEU and on Contracts Finder

- b) Where the procurement is via a mini competition from a framework and is over £25k – on Contracts Finder
- c) Where the Procurement value is over £25,000 but under the EU threshold – on Contracts Finder

Contract Register & Transparency Code

All contracts over £5,000 must be published on the Authority's contract register, this to include a scanned copy of the completed contract and any waiver/ decision or process approval documentation.

Document retention

All documents issued and received via the e-tendering portal will be stored indefinitely on the portal.

Any other information not held on the portal will be in accordance with the Council's retention policy.

Contract Management

The Authority is committed to ensuring that in addition to procuring its contracts compliantly, effectively, economically and in consideration of the community it serves; that they will be appropriately performance managed to ensure the intention and benefits promised are delivered and within the contracted value.

Contract Performance Management

The Contract owner must ensure that performance management meetings are held at appropriate intervals and that these meetings and any decisions made are properly documented and formally recorded such that they can be relied on.

Supplier Payment

Generally

As a responsible authority, payments against contracts should be managed efficiently and without detriment to the suppliers and at most, within 30 days on receipt of the invoice in accordance with government guidance

Construction contracts

Payments on construction contracts must comply with the form of contract used and where practical, should comply with the Construction Supply Chain Partner as far as reasonable possible to do so

Late Payments

Where payments are late, suppliers are entitled to claim statutory late payment interest unless otherwise documented in the contract.

Contract Review

Where a formal gateway process has been used in the initial decision making and subsequent award decision, a further review should be carried out to consider contract performance against the initial

advertised requirements and budget and to monitor ongoing compliance with these rules and legislation.

Performance Failures

Where a Performance failure is identified the following must be applied

- a) Legal are consulted as to permissible measures under the contract
- b) Management meetings are held more frequently with the interval being based on the severity of the failure
- c) A remedial plan is agreed and signed
- d) Revised, intermediate performance targets are set out and monitored to ensure improvement and performance failure resolution within the agreed timescales

Where the above measures do not deliver the required improvements within the required timescales, legal should be consulted to escalate the remedial requirements or initiate the termination of the contract.

Contract Termination for Performance

Where performance failure under the contract cannot be remedied or where there has been a case of insolvency or other organisation failure, the officer should seek advice from legal and agreement by the Monitoring officer to terminate the contract

Contract Variations/ Extensions (Regulation 72)

A Contract should only be extended or varied in accordance with any options specifically included in the original procurement documentation.

Where no such provision exists; a contract can only be extended or varied with the agreement of the Director and/ or Monitoring Officer (depending on value) and documented through the approval of a waiver, as follows

- a) The additional requirement is still in scope of the original specification and does not equate to a new requirement or something that is materially different to that advertised such that it requires a new process
- b) The extension or variation does not present an unacceptable risk to the authority; e.g. had the changes been known, others would have participated in the opportunity or a better price could have been achieved
- c) The additional requirement does not take it over the EU threshold when it was procured using a below EU process
- d) The additional value does not exceed more than 10% if goods & services or 15% if works of the original, advertised value (This can be approved by the Director subject to available funds)

- e) The additional value of any extension or variation is not a material change, the need was unforeseeable, there is a proprietary right or there is urgency and the change does not exceed more than 50% of the original, advertised value (Monitoring Officer).

The application of any extension or variation

- a) must be in the council's best interest ;
- b) must demonstrate value for money;
- c) cannot be until after a new Due Diligence Check has been completed.

Once approved, Legal must be engaged to provide the necessary legal documentation to record the variation or extension and then the signed version of this and the waiver must be added to the contract register.

Lessons Learned

At the close of the contract, the gateway process must be concluded with a lessons learned exercise and this information should be shared to ensure ongoing process improvements and best practice.

Other Procurement considerations

Procurement on behalf of Partner Authorities

Where the authority is required under its own powers or at the request of a partner authority to procure on its behalf, those procurements must comply with legislation, these rules and the other authority's rules.

Where there is a conflict between these rules and the other authority's rules then the following apply

- a) Financial, procurement or other approvals to procure or award must be the those of the authority for which the contract is let
- b) Contract signatory requirements to be those of the authority signing the contract
- c) Procurement Process to be followed will be these in compliance with the relevant legislation

Purchase Cards

The Authority operates a purchase card facility; these are available, with the approval of the Finance.

Purchase cards are to be used for low value or one-off incidental spend where it is not efficient to carry out a competitive process. Purchase cards **MUST NOT** be used to bypass corporate contracts or these rules without the express permission of Procurement and the appropriate Director.

The principle of disaggregation applies to spend on purchase cards both in relation to the individual and the Council as a whole.

Grants (law)

Where a grant is issued, it must be awarded in accordance with the Council's process for advertising, selecting, awarding and monitoring grants

All Grants over £25,000 MUST be executed as a Deed.

Community Right of Challenge

The Local Government Act permits relevant bodies (charities, community bodies, town & parish Council Services and Staff) to submit Expressions of Interest to provide Council Services. Corporate Services shall maintain and publish a timetable for the submission of interest. Any such expressions shall be forwarded to the Transformation Team.

Disposal of Goods & Assets (council requirement)

Where the Council has goods or assets that are no-longer required these are to be disposed of through a closed-bid auction process. The Council has an eBay account for this purpose and any department wishing to use it needs to do so through the Procurement team.

Procurement Schedules

Please see schedule 1 for threshold by procurement category

Please see Schedule 2 for a summary table of procurement rules by category and value.

Waivers

Where an officer seeks to deviate from the requirements of this document a waiver must be completed and approved in accordance with the following rules

Exemptions to the requirement to carry-out a quotes process

This must be drafted by the responsible officer and agreed by procurement and legal

Exemptions to the requirement to advertise on Contracts Finder

This must be drafted by the responsible officer and be approved by procurement, legal and Director with budget responsibility

Exemptions to the requirement to carry out an advertised EU process

This must be drafted by the responsible officer and be approved by procurement, the relevant Director and the Monitoring Officer

Requests to vary a contract in value or time

This must be drafted by the responsible officer and be approved by procurement, the relevant Director, the Chief Finance Officer and the Monitoring Officer

Waiver Contract Documents

Once a waiver has been agreed, a formal contract or variation instruction completed and signed/executed. The completed documents must be added to the contract register.

APPENDIX 9



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

JAMES PALMER
CAMBRIDGESHIRE &
PETERBOROUGH MAYOR



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY



THE BUSINESS BOARD

Cambridgeshire and Peterborough Combined Authority Assurance Framework

~~November 2019~~ September 2020

Contents

.....	1
-------	----------

Contents

September 2020.....	1
1. Purpose of the Assurance Framework.....	5
1.1 Purpose	5
2. Cambridgeshire and Peterborough Independent Economic Review, Mayor's Growth Ambition Statement and Annual Business Plan 2020-2021	7
2.1 Cambridgeshire and Peterborough Growth Ambition Statement and Local Industrial Strategy	7
2.2 Cambridgeshire and Peterborough Business Plan 2020-2021.....	98
2.3 Cambridgeshire and Peterborough Financial Strategy	109
3. Accountability and Transparent Decision Making.....	1110
3.1 Roles and Responsibilities	1110
3.2 Cambridgeshire and Peterborough Combined Authority	1110
3.3 Business Board (LEP).....	1312
3.4 Decision Making for the Cambridgeshire and Peterborough Investment Funds	54
3.5 Decision Making for the Adult Education Budget.....	119
3.6 Statutory Committees	119
3.7 Role of the Statutory Officers	1310
4. Accountability and Transparent - Supporting Policies and Procedures	1411
4.1 Working Arrangements, Meeting Frequency and Transparency.....	1411
4.2 Publication of Financial Information.....	1613
4.3 Remuneration and Expenses	1613
4.4 Freedom of Information	1714
4.5 Conflicts of Interest	1714
4.6 Gifts and Hospitality.....	1714
4.7 Complaints and Whistleblowing	1815
4.8 Diversity Statement.....	1815
5. Robust Decision Making.....	016
5.1 Principles.....	016
5.2 Separation of Development and Appraisal Functions	117
5.3 Expressions of Interest/Open Calls	117
5.4 Project Initiation Documents (PIDs).....	117

5.5	Business Cases.....	3
5.6	Relationship with Project Managers – Development to Decision	4
5.7	Ensuring Value for Money	4
5.8	Value for Money for Transport Schemes.....	5
5.9	Project Approval – Funding Agreement	6
6.	DELIVERY PHASE	7
6.1	Release of Funding, Cost Control and Contract Management	7
6.2	Performance Reporting	7
6.3	Risk Management.....	8
6.4	Change requests.....	9
6.2	Programme and Project Monitoring	12
6.3	Project Evaluation	12
7.	Measuring Success – Realising the Benefits	13
7.1	The Importance of Monitoring and Evaluation	13
7.2	Programme and Project Monitoring	15
7.3	Project Evaluation	15
7.4	Adult Education Budget Monitoring and Evaluation	16
8.	Appendix 1 - Cambridgeshire and Peterborough Combined Authority and Business Board Joint Statement	13
9.	Appendix 2 – Summary of Scheme of Delegation for Business Board funding.....	16
10.	Appendix 3 – Governance Framework and Publication Checklist	22
11.	Appendix 4 - 10 Point Guide to Project Management.....	36
1.	Purpose of the Assurance Framework.....	5
1.1	Purpose.....	5
2.	Cambridgeshire and Peterborough Independent Economic Review, Mayor's Growth Ambition Statement and Annual Business Plan 2020-2021.....	7
2.1	Cambridgeshire and Peterborough Growth Ambition Statement and Local Industrial Strategy.....	7

Error! Hyperlink reference not valid. **2.3** **Cambridgeshire and Peterborough Financial Strategy** Error! Bookmark not defined. **10**

Error! Hyperlink reference not valid. 3. Accountability and Transparent

Decision Making Error! Bookmark not defined. **11**

Error! Hyperlink reference not valid. **3.1** **Roles and Responsibilities**

..... Error! Bookmark not defined. **11**

Error! Hyperlink reference not valid. **3.2** **Cambridgeshire and Peterborough Combined**

Authority Error! Bookmark not defined. **11**

Error! Hyperlink reference not valid. **3.3** **Business Board (LEP)**

..... Error! Bookmark not defined. **13**

Error! Hyperlink reference not valid. **3.4** **Decision Making for the Cambridgeshire and**

Peterborough Investment Funds Error! Bookmark not defined. **5**

Error! Hyperlink reference not valid. **3.5** **Decision Making for the Adult Education**

Budget Error! Bookmark not defined. **11**

Error! Hyperlink reference not valid. **3.6** **Statutory Committees**

..... Error! Bookmark not defined. **11**

Error! Hyperlink reference not valid. **3.7** **Role of the Statutory Officers**

..... Error! Bookmark not defined. **13**

Error! Hyperlink reference not valid. 4. Accountability and Transparent

Supporting Policies and Procedures Error! Bookmark not defined. **14**

Error! Hyperlink reference not valid. **4.1** **Working Arrangements, Meeting Frequency and Transparency** Error! Bookmark not defined. **14**

Error! Hyperlink reference not valid. **4.2** **Publication of Financial Information**

..... Error! Bookmark not defined. **16**

Error! Hyperlink reference not valid. **4.3** **Remuneration and Expenses**

..... Error! Bookmark not defined. **16**

Error! Hyperlink reference not valid. **4.4** **Freedom of Information**

..... Error! Bookmark not defined. **17**

Error! Hyperlink reference not valid. **4.5** **Conflicts of Interest**

..... Error! Bookmark not defined. **17**

Error! Hyperlink reference not valid. **4.6** **Gifts and Hospitality** Error! Bookmark not defined. **17**

Error! Hyperlink reference not valid. **4.7** **Complaints and Whistleblowing**

..... Error! Bookmark not defined. **18**

Error! Hyperlink reference not valid. **4.8** **Diversity Statement**

..... Error! Bookmark not defined. **18**

Error! Hyperlink reference not valid. 5. Robust Decision Making

Error! Hyperlink reference not valid.	5.1	Principles	1
Error! Hyperlink reference not valid.	5.2	Separation of Development and Appraisal Functions	2
Error! Hyperlink reference not valid.	5.3	Expressions of Interest/Open Calls	2
Error! Hyperlink reference not valid.	5.4	Project Initiation Documents (PIDs)	2
Error! Hyperlink reference not valid.	5.5	Business Cases	4
Error! Hyperlink reference not valid.	5.6	Relationship with Project Managers—Development to Decision	5
Error! Hyperlink reference not valid.	5.7	Ensuring Value for Money	5
Error! Hyperlink reference not valid.	5.8	Value for Money for Transport Schemes	6
Error! Hyperlink reference not valid.	5.9	Project Approval—Funding Agreement	7
Error! Hyperlink reference not valid.	6.	DELIVERY PHASE	8
Error! Hyperlink reference not valid.	6.1	Release of Funding, Cost Control and Contract Management	8
Error! Hyperlink reference not valid.	6.2	Performance Reporting	8
Error! Hyperlink reference not valid.	6.3	Risk Management	9
Error! Hyperlink reference not valid.	6.4	Change requests	10
Error! Hyperlink reference not valid.	6.2	Programme and Project Monitoring	13
Error! Hyperlink reference not valid.	6.3	Project Evaluation	13
Error! Hyperlink reference not valid.	7.	Measuring Success—Realising the Benefits	14
Error! Hyperlink reference not valid.	7.1	The Importance of Monitoring and Evaluation	14
Error! Hyperlink reference not valid.	7.2	Programme and Project Monitoring	16
Error! Hyperlink reference not valid.	7.3	Project Evaluation	16

November 2019	Chief Executive, S73 Officer and Directors	Business Board Combined Authority Board
September 2020		Combined Authority

Commented [RW1]: Business Board to approve

Version number:	3
File location:	Internal folder

1. Purpose of the Assurance Framework

1.1 Purpose

1.1.1. The Assurance Framework sets out:

- (a) How the seven principles of public life shape the culture within the Combined Authority in undertaking its roles and responsibilities in relation to the use and administration of the Cambridgeshire and Peterborough Investment, incorporating the Single Pot funding. This culture is developed and underpinned by processes, practices, and procedures.
- (b) The respective roles and responsibilities of the Combined Authority, [the Cambridgeshire and Peterborough Local Enterprise Partnership \(known as the Business Board\)](#) ~~the Local Enterprise Partnership~~ and the Section 73 Officer, in decision-making and ways of working is set out in the terms of reference of the Business Board and ~~forms part of~~ [is included within](#) the Combined Authority ~~and the Local Enterprise Partnership~~ constitutions.
- (c) The key processes for ensuring accountability, including public engagement, probity, transparency, legal compliance and value for money.
- (d) How potential investments to be funded through the Cambridgeshire and Peterborough Medium Term Financial Plan, incorporating the Single Pot, will be appraised, prioritised, approved, signed off and delivered.
- (e) The processes for oversight of projects, programmes, and portfolios and how the progress and impacts of these investments will be monitored and evaluated.

1.1.2. The Assurance Framework sits alongside a number of other Cambridgeshire and Peterborough Combined Authority documents including:

- the Constitution of the Mayoral Combined Authority; <http://cambridgeshirepeterborough-ca.gov.uk/assets/Uploads/Final-Constitution-Sept18.pdf>
- the Constitution of the Business Board (Local Enterprise Partnership); <http://cambridgeshirepeterborough-ca.gov.uk/assets/Uploads/Business-Board-Constitution-24-09-18-final.pdf>
- Cambridgeshire and Peterborough Devolution Deal <http://cambridgeshirepeterborough-ca.gov.uk/home/devolution/>
- the Cambridgeshire and Peterborough Independent Economic Review (CPIER); www.cpier.org.uk
- Local Industrial Strategy; <https://cambridgeshirepeterborough-ca.gov.uk/business-board/strategies/>
- the Mayor's growth ambition statement; <http://cambridgeshirepeterborough-ca.gov.uk/assets/Uploads/GROWTH-AMBITION-STATEMENT-.pdf>
- the Cambridgeshire and Peterborough Business Plan 2019-2020;

- <http://cambridgeshirepeterborough-ca.gov.uk/assets/Uploads/CPCA-Business-Plan-2019-20-dps.pdf>
- the Monitoring and Evaluation Framework; <http://cambridgeshirepeterborough-ca.gov.uk/assets/Uploads/ME-Framework-Mar-2019.pdf>
 - the Combined Authority Medium-Term Financial Plan 2019-2023. <http://cambridgeshirepeterborough-ca.gov.uk/assets/Uploads/2019-20-Budget-and-Medium-Term-Financial-Plan-2019-2023-FINAL.pdf>
 - [The Combined Authority Business Plan](#) including current and Sept refresh 20-21
- 1.1.3. All these documents can be found on the Combined Authority and Business Board websites under:
- <http://cambridgeshirepeterborough-ca.gov.uk/about-us>
- <http://cambridgeshirepeterborough-ca.gov.uk/business-board/governance/>
- 1.1.4. This Assurance Framework replaces the last published Assurance Framework and takes on board the national guidance published by the Ministry of Housing, Communities and Local Government for National Local Growth Assurance Framework (January 2019).
- 1.1.5. The Assurance Framework covers all funds within the Cambridgeshire and Peterborough Medium Term Financial Plan, incorporating the Single Pot under the Cambridgeshire and Peterborough Devolution Deal agreed with government, and funds added to the Single Pot since the Devolution Deal, together with other sources of income such as Enterprise Zone business rates and loan repayments.
- 1.1.6. The Assurance Framework will be reviewed at least annually to ensure that it is kept up to date to reflect changes in the Combined Authority's operating environment and changes to Government policy, on an annual basis with any revisions in place for April of the following year. Any agreed changes that require amendments to the Combined Authority Constitution will be agreed at the Combined Authority AGM in May each year. The next annual review of this document will take place in December 2019. **Where potential changes result in significant divergence from the approved local assurance frameworks, adjustments must be agreed by Ministry of Housing, Communities and Local Government for Communities and Local Government (MHCLG) as set out in the National Local Growth Assurance Framework guidance.**
- ~~1.1.7. The review will examine whether the assurance processes are operating effectively and identify any areas of improvement. Any changes to legal, funding, or other contextual changes that might require a change of assurance process will be taken into account, along with the impact on any other Combined Authority key strategies, policies or processes.~~
- ~~1.1.8.1.1.7.~~ The remainder of this document is structured around the following sections:
- Section 2** describes the Cambridgeshire and Peterborough CPIER, ~~and~~ the Mayor's growth ambition statement ~~and~~ our ~~One Year Annual~~ Business Plan

Formatted: No underline, Underline color: Auto, Font color: Auto

Formatted: Indent: Left: 4.37 cm, No bullets or numbering

Commented [RF2]: Worth including?

Commented [RW3]: Removal of the links advised. As these documents are continually updated it is better to list only and remove the hyperlinks

Commented [RW4]: Removal of links advised

Commented [RE5]: This would be a poor timescale given the S73 officer has to sign it off as compliant every February – if we are going to specify when then it should really be Nov/Jan.

Rather than having the review date within the text we could add a box to the version table at the top saying "next review by XXX" to minimise changes to the document itself when not needed.

Commented [RW6]: When will this be?

Commented [RE7]: The wording in the national local growth guidance is that we should inform CLG of significant divergence and that approval may be needed – are we saying that locally we are saying they must be agreed instead?

"Where MCAs make changes that result in significant divergence from approved Local Assurance Frameworks, places should inform officials in the Cities and Local Growth Unit who will provide further advice. Adjustments may need to be agreed by the Accounting Officer for the Department, in consultation with relevant Accounting Officers across Government. Recognising the fluidity and lifetime of the programme of investments, we expect Local Assurance Frameworks to be live documents, reviewed and refreshed annually (or more frequently if required) by the place"

Commented [RW8]: What review-is this needed?

Commented [RE9R8]: I agree that this should be removed – the annual review to establish whether the AF is fit for purpose, and in line with the national guidance requirements, is distinct from the assurance that it is operating effectively, which is taken from a combination of methods including internal and external audit, as well as the Scrutiny and Audit and Governance Committees.

[20-21](#) and clarifies the content of Cambridgeshire and Peterborough Medium Term Financial Plan and the role of the Assurance Framework.

- **Section 3** describes the accountability and transparent decision-making processes and practices that we operate and the roles and responsibilities within it.
- **Section 4** describes the supporting policies and procedures.
- **Section 5** describes how we make robust and evidenced decisions.
- **Section 6** explains the processes once programmes and projects are in the delivery phase.
- **Section 7** explains how we will measure the success of our investments, realise the benefits of that investment and feed the evaluation outcomes back into the investment planning, and strategy and policy development processes.

2. Cambridgeshire and Peterborough Independent Economic Review, Mayor's Growth Ambition Statement and [Annual Business Plan 2020-2021](#)

2.1 Cambridgeshire and Peterborough Growth Ambition Statement and Local Industrial Strategy

2.1.1—The Cambridgeshire and Peterborough Mayor's Growth Ambition Statement sets out the area's priorities for achieving ambitious levels of inclusive growth and meeting the commitments of the Devolution Deal. The Statement [was](#) adopted by the Combined Authority Board (November 2018) and is based upon the significant work of the Cambridgeshire and Peterborough Independent Economic Review (CPIER).

2.1.2 The CPIER was commissioned by the Combined Authority and other local partners to provide a world-class evidence base, alongside independent and expert analysis, to inform future strategies and investment. It was also informed by two rounds of open public consultation. The CPIER is publicly available at www.cpier.org.uk.

2.1.3—The [Local Industrial Strategy](#) sets out the economic strategy for Cambridgeshire and Peterborough, taking a lead role in implementing the business growth, productivity, and skills elements of the Growth Ambition Statement as set out below:



2.1.4 The Local Industrial Strategy is focussed around the five foundations of productivity established in the UK Industrial Strategy 2018, namely:

- People
- Ideas
- Business Environment
- Infrastructure
- Place

A core principle of the Local Industrial Strategy is that

- Greater Cambridge
- Greater Peterborough
- The Fens

2.1.5 Investments will only be made if they can demonstrate that they will support the delivery of the Growth Ambition Statement and the Local Industrial Strategy, and the more detailed place and sector strategies (where they are in place).

2.2 Cambridgeshire and Peterborough Business Plan 2020-2021

2.2.1 With the creation of the Combined Authority in 2017 and the Mayoral election in May 2017, the Devolution Deal with Government provides for the transfer of significant powers for transport, housing, skills and investment. Through the deal, the Combined Authority has the power to create investment, bringing together funding for devolved powers to be used to deliver a 30-year programme of transformational investment in the region. This includes the control of a new £20m a year funding allocation over 30 years.

2.2.2 The CPCA Business Plan is approved annually alongside the budget in January and sets out the investment priorities for the forthcoming financial year.

Formatted: Font: 12 pt

— The Combined Authority [continues to develop](#) its detailed strategies for key areas of activity including:

- Housing Strategy
- Local Industrial Strategy
- Local Transport Plan
- Non-Statutory Spatial Framework

[2.2.22.2.4](#) The Combined Authority has [16](#) priority programmes [which are](#) based upon the CPIER objectives and the strategies highlighted above [and](#) reflected in the Business Plan.

[In January each year](#), the Cambridgeshire and Peterborough Combined Authority Board [approves both a one-year budget, and](#) a four-year Medium-Term Financial Plan, that forms the investment plan for the Combined Authority. This allocates resources to deliver the next stages of these priority programmes.

[2.2.32.2.5](#) The Business Plan and the Medium-Term Financial Plan sets out at a high level the transformational investments that the Cambridgeshire and Peterborough Combined Authority will commit resources to, subject to the detailed consideration and appraisal of project business cases. Some are project ideas at an early stage [where their feasibility is being established](#), others are further advanced. The Business Plan and the Medium-Term Financial Plan are not intended to be an exhaustive list of activity as new opportunities will arise during the period, but it identifies the key activities [that](#) will need investment during the [planned](#) period to unlock the opportunities they could bring. Prioritisation has been undertaken to ensure that our investment goes into projects that will unlock transformational anchor projects that will have a significant impact on growing the whole Cambridgeshire and Peterborough economy.

[2.2.42.2.6](#) The Combined Authority has a Programme Management regime that reviews the status and performance of projects within the Business Plan.

2.3 Cambridgeshire and Peterborough Financial Strategy

2.3.1 The Combined Authority has responsibility for [multiple streams](#) of [grant](#) funding [to invest strategically in the local area](#), including:

- [Gainshare](#) (the devolution deal £20m pa for 30 years).
- [Housing Capital Grant](#) (£170m over five years).
- [Local Growth Funds and the Getting Building Funds \(£161m in total\)](#).
- [Transforming Cities Fund \(TCF\)](#) (£95m over [five](#) years).

— The Combined Authority also has [responsibility for operational grant funds such as:](#)

- [Local Highways Maintenance Capital grants](#)

Commented [RE11]: This appeared to be a random grab-bag of funding streams so I've restructured it to be all the funding streams that are over £1m p.a. (excluding the Energy Hub as we're passing responsibility for it to PCC) split between "strategic" and "operational"

- [The Adult Education Budget](#)

[2.3.22.3.3](#) [The Combined Authority has non-grant income streams](#) including Enterprise Zone business rates, [the Transport Levy](#) and investment income. The long-term security of the gainshare funds and other income and the devolution deal powers for the Combined Authority means that it is able to borrow against future funds, to enable [the Combined Authority](#) to deliver transformational activity sooner rather than delivering smaller scale and less impactful activities based on a smaller annual allocation. This area of activity is incorporated into a Treasury Management Strategy that is overseen by Audit and Governance Committee. [Debt funded expenditure](#) is not factored into the current four-year plan, but this may change as the feasibility work identified firms up project delivery programmes.

[2.3.32.3.4](#) The Combined Authority does not distinguish between the different sources of funding for the purpose of investment planning, other than recognising that some sources of funding are restricted in what they can be used for. All funds are within the Cambridgeshire and Peterborough Medium Term Financial Plan, not just the funds provided through the devolution deal, and are covered within this Assurance Framework.

[2.3.42.3.5](#) The Combined Authority recognises that the monitoring requirements for different sources of funding will differ and needs to meet the requirements of the funding body. However, the Combined Authority applies the Assurance Framework across all [projects regardless of funding source](#). The Assurance Framework clearly identifies the processes for securing funds for investment in Cambridgeshire and Peterborough and the requirements placed on delivery partners once their projects have been approved.

[2.3.5](#)—This means that any organisation seeking funding from the Combined Authority does not need to concern itself with the source of the funding and different rules and processes that will apply. These will be identified in the funding agreement/contract with the delivery partner.

3. Accountability and Transparent Decision Making

3.1 Roles and Responsibilities

3.1.1 Members of the Combined Authority are expected to act in the interests of the Cambridgeshire and Peterborough area as a whole when making investment decisions. A variety of controls are in place to ensure that decisions are appropriate and free from bias [and/or](#) [the](#) perception of bias. Further details are provided in the following sections.

3.2 Cambridgeshire and Peterborough Combined

Authority

- 3.2.1 The Combined Authority was established to further the sustainable and inclusive growth of the economy of Cambridgeshire and Peterborough. As a statutory local authority, [the](#) governance, decision-making and financial arrangements are in line with local authority requirements and standard checks and balances. **The Combined Authority will act in a manner that is lawful, transparent, evidence based, consistent and proportionate.**
- 3.2.2 The Combined Authority was established in 2017 with the Mayoral election held in May 2017.
- 3.2.3 For the purposes of this document, [the majority of](#) references to the 'Combined Authority' apply to [both the](#) Cambridgeshire [and Peterborough Combined Authority](#) and [the](#) Business Board unless explicitly referred to separately.
- 3.2.4 The Combined Authority therefore incorporates the roles [s](#) and responsibilities [as](#) defined in the [Devolution Deal](#) and the administration of the Adult Education Budget.
- 3.2.5 The Combined Authority is its own accountable body for funding received from Government through the [Devolution Deal](#) and provides the accountable body role for the Business Board and the Greater South East Local Energy Hub and employs the officers that support them.

Combined Authority Membership

- 3.2.6 The Combined Authority membership is as follows: Mayor (Chair) - voting
Leaders of the seven constituent local authorities:
- Cambridge City Council - voting
 - Cambridgeshire County Council - voting
 - East Cambridgeshire District Council - voting
 - Fenland District Council - voting
 - Huntingdonshire District Council - voting
 - Peterborough City Council - voting
 - South Cambridgeshire District Council - voting
 - [Business Board](#) Chair - voting
 - The Police and Crime Commissioner for Cambridgeshire - non- voting
 - Cambridgeshire and Peterborough Fire Authority representative - non-voting
 - Clinical Commissioning Group representative - non-voting

Role of the Mayor

- 3.2.7 The Constitution provides for a directly elected Mayor of Cambridgeshire and Peterborough, required by government as a precondition for meaningful devolution, and [who m](#) is the chair of the Combined Authority. The Mayoral arrangements will only gain the confidence of the electorate if they secure support from across our diverse communities, meet the highest standards of democratic accountability and are subject to robust checks and balances.

Formatted: Font: Not Bold

- 3.2.8 The Mayor chairs the Combined Authority Board which is made up of the leaders of the seven constituent authorities and the Chair of the Business Board, who together form the Combined Authority's decision-making body (voting members of Board), [along](#) with other non-voting partners set out above.
- 3.2.9 The Constitution sets out arrangements to ensure the effective conduct of the Combined Authority's business [is](#) in this spirit of collaboration, mutual respect and transparency. All members strive to work on the basis of consensus, taking decisions through agreement.
- 3.2.10 The Mayor has a lead role in allocating [Gainshare Funding](#). [The Mayor's Growth Ambition Statement](#) sets out the area's priorities for achieving ambitious levels of inclusive growth and meeting the commitments of the Devolution Deal. These priorities also form the basis of the Business Plan and the Medium Term Financial Plan. The Mayor also produces his own budget each year which ensures he has appropriate support and advice on delivering the Devolution Deal commitments.**
- 3.2.11 The Mayor has general powers as set out in Chapter 3 of the Constitution, including the power to pay a grant to Cambridgeshire County Council and Peterborough City Council to meet expenditure incurred by them as highways authorities.**
- 3.2.12 The Mayor's term of office is for four years with the next election in May 2021.

Role of the Local Authority Leaders

- 3.2.13 Leadership of the Combined Authority is driven by the Mayor and the local authority leaders. The local authority leaders represent the views of their constituent authorities at the Combined Authority Board whilst putting the needs and opportunities of Cambridgeshire and Peterborough at the forefront of all decisions. In addition, they may take a portfolio lead covering the growth themes within the CPIER and the Mayor's [Growth Ambition Statement](#) and the Cambridgeshire and Peterborough Investment Plan. These portfolio lead roles are reviewed annually and are confirmed at the Combined Authority AGM.

3.3 Business Board (LEP)

- 3.3.1 Local Enterprise Partnerships (LEPs) are private sector led voluntary partnerships between local authorities and businesses set up in 2010 by the Department of Business Innovation and Skills to help determine local economic priorities and [lead](#) economic growth and job creation within the local area.
- 3.3.2 The Business Board is a non-statutory body which is the Local Enterprise Partnership for this area. It is independent of the Cambridgeshire & Peterborough Combined Authority (CPCA) operating as a private-public sector partnership, focusing on the key business sectors to provide strategic leadership and drive growth in the Cambridgeshire and Peterborough and wider Local Enterprise area.
- 3.3.3 The Business Board is committed to transparent and accountable decision-

making processes. By bringing together the Business Board and the Combined Authority we combine the best of private sector expertise and public sector knowledge, transparency and accountability.

3.3.4 The Business Board was established on 1st April 2018, taking over from the former Greater Cambridge Greater Peterborough Local Enterprise Partnership, to drive forward economic growth across its local area. The Business Board is now responsible for all former Local Enterprise Partnership projects and programmes. A joint statement setting out the respective roles of the Business Board and the Cambridgeshire and Peterborough Combined Authority is shown in Appendix 1.

3.3.5 The Business Board currently covers 15 local authorities; however, the current geographical area is under review. The Department for Business Enterprise and Industry are considering proposals for a coterminous boundary with the Cambridgeshire and Peterborough Combined Authority. The authorities that are current members are as below:

District	Areas	Council
Cambridgeshire		Cambridgeshire County Council
Cambridge		Cambridge City Council
East Cambridgeshire	Ely, Littleport and Soham	East Cambs District Council
Fenland	Wisbech, March, Whittlesey & Chatteris	Fenland District Council
Huntingdonshire	Huntingdon, St Ives & St Neots	Huntingdonshire District Council
South Cambridgeshire	Cambourne	South Cambs District Council
Peterborough		Peterborough City Council
North Hertfordshire	Royston	North Hertfordshire District Council
South Kesteven (Lincs)	Grantham, Stamford, Bourne and Market Deeping	South Kesteven District Council
Rutland	Oakham	Rutland County Council
West Suffolk	Bury St Edmunds, Haverhill, Newmarket and Mildenhall	West Suffolk Council
Uttlesford (Essex)	Saffron Walden, Great Dunmow, Stansted, Mountfitchet and Thaxted	Uttlesford District Council
West Norfolk & King's Lynn	King's Lynn, Downham Market and Hunstanton	BC of King's Lynn and West Norfolk
South Holland (Lincs)	Spalding, Crowland, Donington, Holbeach, Long Sutton and Sutton Bridge	South Holland District Council

place reflects the findings of the CPIER. In this area there will be economic strategies which respond to the three sub-economies identified in the region.

- Greater Cambridge
- Greater Peterborough
- The Fens

2.1.5 Investments will only be made if they can demonstrate that they will support the delivery of the Growth Ambition Statement and the Local Industrial Strategy, and the more detailed place and sector strategies (where they are in place).

2.2 Cambridgeshire and Peterborough Business Plan ~~2019-2020~~2020-2021

2.2.1 With the creation of the Combined Authority in 2017 and the Mayoral election in May 2017, the Devolution Deal with Government provides for the transfer of significant powers for transport, housing, skills and investment. Through the deal, the Combined Authority has the power to create investment, bringing together funding for devolved powers to be used to deliver a 30-year programme of transformational investment in the region. This includes the control of a new £20m a year funding allocation over 30 years.

2.2.2 ~~The CPCA is required to bring the CPCA Business Plan to the Combined Authority Board for approval annually alongside the budget in January and sets out the investment priorities for the forthcoming financial year.~~
Alternative text suggestion: "The CPCA Business Plan is approved annually alongside the budget in January and sets out the investment priorities for the forthcoming financial year."

areas of activity including:

2.2.12.2.3 The Combined Authority ~~has been developing~~continues to develop its detailed strategies for key areas of activity including:

- Housing Strategy
- Local Industrial Strategy
- Local Transport Plan
- Non-Statutory Spatial Framework~~plan~~

2.2.22.2.4 The Combined Authority has ~~12-16~~ priority programmes which are based upon the CPIER objectives and the strategies highlighted above and ~~These 12 priority programmes are reflected in the Business Plan. On 29th 30th January 2020~~in January each year~~19~~, the Cambridgeshire and Peterborough Combined Authority Board ~~also~~ approves ~~both a one-year budget, and a four-year Medium-Term Financial Plan,~~ that forms the investment plan for the Combined Authority. This allocates resources to deliver the next stages of these priority programmes.

2.2.32.2.5 This Business Plan and the Medium-Term Financial Plan sets out at a high level the transformational investments that the Cambridgeshire and

Commented [RE10]: Not sure what this sentence is supposed to mean but it doesn't currently make sense to me

Formatted: Font: 12 pt

Formatted: Not Expanded by / Condensed by

Peterborough Combined Authority will commit resources to, subject to the detailed consideration and appraisal of project business cases. Some are project ideas at an early stage where their feasibility is being established, others are further advanced. The Business Plan and the Medium-Term Financial Plan are not intended to be an exhaustive list of activity as new opportunities will arise during the period, but it identifies the key activities that will need investment during the planned period to unlock the opportunities they could bring. Prioritisation has been undertaken to ensure that our investment goes into projects that will unlock transformational anchor projects that will have a significant impact on growing the whole Cambridgeshire and Peterborough economy.

2.2.4 2.2.6 The Combined Authority has a Programme Management regime that reviews the status and performance of projects within the Business Plan.

2.3 Cambridgeshire and Peterborough Financial Strategy

2.3.1 The Combined Authority has responsibility for multiple streams of grant funding to invest strategically in the local area, including:

- Gainshare (the devolution deal £20m pa for 30 years).
- Housing Capital Grant (£170m over five years).
- Local Growth Funds and the Getting Building Funds (£161m in total).
- Transforming Cities Fund (TCF) (£95m over five years).

• The Combined Authority also has responsibility for operational grant funds such as:

- Local Highways Maintenance Capital grants
- The Adult Education Budget

Commented [RE11]: This appeared to be a random grab-bag of funding streams so I've restructured it to be all the funding streams that are over £1m p.a. (excluding the Energy Hub as we're passing responsibility for it to PCC) split between "strategic" and "operational"

2.3.22.3.3 The Combined Authority has non-grant income streams including

Enterprise Zone business rates, the Transport Levy and investment income. The long-term security of the gainshare funds and other income and the devolution deal powers for the Combined Authority means that it is able to borrow against future funds, to enable the Combined Authority to deliver transformational activity sooner rather than delivering smaller scale and less impactful activities based on a smaller annual allocation. This area of activity is incorporated into a Treasury Management Strategy that is overseen by Audit and Governance Committee. Debt funded expenditure is not factored into the current four-year plan, but this may change as the feasibility work identified firms up project delivery programmes.

2.3.32.3.4 The Combined Authority does not distinguish between the different sources of funding for the purpose of investment planning, other than recognising that some sources of funding are restricted in what they can be used for. All funds

are within the Cambridgeshire and Peterborough Medium Term Financial Plan, not just the funds provided through the devolution deal, and are covered within this Assurance Framework.

2.3.42.3.5 The Combined Authority recognises that the monitoring requirements for different sources of funding will differ and needs to meet the requirements of the funding body. However, the Combined Authority applies the Assurance Framework across all projects regardless of funding source. The Assurance Framework clearly identifies the processes for securing funds for investment in Cambridgeshire and Peterborough and the requirements placed on delivery partners once their projects have been approved.

2.3.5—This means that any organisation seeking funding from the Combined Authority does not need to concern itself with the source of the funding and different rules and processes that will apply. These will be identified in the funding agreement/contract with the delivery partner.

3. Accountability and Transparent Decision Making

3.1 Roles and Responsibilities

3.1.1 Members of the Combined Authority are expected to act in the interests of the Cambridgeshire and Peterborough area as a whole when making investment decisions. A variety of controls are in place to ensure that decisions are appropriate and free from bias and/or the perception of bias. Further details are provided in the following sections.

3.2 Cambridgeshire and Peterborough Combined Authority

3.2.1 The Combined Authority was established to further the sustainable and inclusive growth of the economy of Cambridgeshire and Peterborough. As a statutory local authority, the governance, decision-making and financial arrangements are in line with local authority requirements and standard checks and balances. **The Combined Authority will act in a manner that is lawful, transparent, evidence based, consistent and proportionate.**

3.2.2 The Combined Authority was established in 2017 with the Mayoral election held in May 2017.

3.2.3 For the purposes of this document, the majority of references to the 'Combined Authority' apply to both the Cambridgeshire and Peterborough Combined Authority and the Business Board unless explicitly referred to separately.

3.2.4 The Combined Authority therefore incorporates the roles and responsibilities as defined in the Devolution Deal and the administration of the Adult Education Budget.

Formatted: Font: Not Bold

- 3.2.5 The Combined Authority is its own accountable body for funding received from Government through the [Devolution Deal](#) and provides the accountable body role for the Business Board and the Greater South East Local Energy Hub and employs the officers that support them.

Combined Authority Membership

- 3.2.6 The Combined Authority membership is as follows: Mayor (Chair) - voting
Leaders of the seven constituent local authorities:
- Cambridge City Council - voting
 - Cambridgeshire County Council - voting
 - East Cambridgeshire District Council - voting
 - Fenland District Council - voting
 - Huntingdonshire District Council - voting
 - Peterborough City Council - voting
 - South Cambridgeshire District Council - voting
 - [Business Board](#) Chair - voting
 - The Police and Crime Commissioner for Cambridgeshire - non- voting
 - Cambridgeshire and Peterborough Fire Authority representative - non-voting
 - Clinical Commissioning Group representative - non-voting

Role of the Mayor

- 3.2.7 The Constitution provides for a directly elected Mayor of Cambridgeshire and Peterborough, required by government as a precondition for meaningful devolution, and who [is](#) the chair of the Combined Authority. The Mayoral arrangements will only gain the confidence of the electorate if they secure support from across our diverse communities, meet the highest standards of democratic accountability and are subject to robust checks and balances.
- 3.2.8 The Mayor chairs the Combined Authority Board which is made up of the leaders of the seven constituent authorities and the Chair of the Business Board, who together form the Combined Authority's decision-making body (voting members of Board), [along](#) with other non-voting partners set out above.
- 3.2.9 The Constitution sets out arrangements to ensure the effective conduct of the Combined Authority's business [is](#) in this spirit of collaboration, mutual respect and transparency. All members strive to work on the basis of consensus, taking decisions through agreement.
- 3.2.10 The Mayor has a lead role in allocating [Gainshare Funding](#). [The Mayor's Growth Ambition Statement](#) sets out the area's priorities for achieving ambitious levels of inclusive growth and meeting the commitments of the Devolution Deal. These priorities also form the basis of the Business Plan and the Medium Term Financial Plan. The Mayor also produces his own budget each year which ensures he has appropriate support and advice on delivering the Devolution Deal commitments.**
- 3.2.11 The Mayor has general powers as set out in Chapter 3 of the Constitution, including the power to pay a grant to Cambridgeshire County Council and Peterborough City Council to meet expenditure incurred by them as highways

authorities.

3.2.12 The Mayor's term of office is for four years with the next election in May 2021.

Role of the Local Authority Leaders

3.2.13 Leadership of the Combined Authority is driven by the Mayor and the local authority leaders. The local authority leaders represent the views of their constituent authorities at the Combined Authority Board whilst putting the needs and opportunities of Cambridgeshire and Peterborough at the forefront of all decisions. In addition, they may take a portfolio lead covering the growth themes within the CPIER and the Mayor's Growth Ambition Statement and the Cambridgeshire and Peterborough Investment Plan. These portfolio lead roles are reviewed annually and are confirmed at the Combined Authority AGM.

3.3 Business Board (LEP)

- 3.3.1 Local Enterprise Partnerships (LEPs) are private sector led voluntary partnerships between local authorities and businesses set up in 2010 by the Department of Business Innovation and Skills to help determine local economic priorities and lead economic growth and job creation within the local area.
- 3.3.2 The Business Board is a non-statutory body which is the Local Enterprise Partnership for this area. It is independent of the Cambridgeshire & Peterborough Combined Authority (CPCA) operating as a private-public sector partnership, focusing on the key business sectors to provide strategic leadership and drive growth in the Cambridgeshire and Peterborough and wider Local Enterprise area.
- 3.3.3 The Business Board is committed to transparent and accountable decision-making processes. By bringing together the Business Board and the Combined Authority we combine the best of private sector expertise and public sector knowledge, transparency and accountability.
- 3.3.4 The Business Board was established on 1st April 2018, taking over from the former Greater Cambridge Greater Peterborough Local Enterprise Partnership, to drive forward economic growth across its local area. The Business Board is now responsible for all former Local Enterprise Partnership projects and programmes. A joint statement setting out the respective roles of the Business Board and the Cambridgeshire and Peterborough Combined Authority is shown in Appendix 1.
- 3.3.5 The Business Board currently covers 15 local authorities; however, the current geographical area is under review. The Department for Business Enterprise and Industry are considering proposals for a coterminous boundary with the Cambridgeshire and Peterborough Combined Authority. The authorities that are current members are as below:

District	Areas	Council
----------	-------	---------

Cambridgeshire		Cambridgeshire County Council
Cambridge		Cambridge City Council
East Cambridgeshire	Ely, Littleport and Soham	East Cambs District Council
Fenland	Wisbech, March, Whittlesey & Chatteris	Fenland District Council
Huntingdonshire	Huntingdon, St Ives & St Neots	Huntingdonshire District Council
South Cambridgeshire	Cambourne	South Cambs District Council
Peterborough		Peterborough City Council
North Hertfordshire	Royston	North Hertfordshire District Council
South Kesteven (Lincs)	Grantham, Stamford, Bourne and Market Deeping	South Kesteven District Council
Rutland	Oakham	Rutland County Council
West Suffolk	Bury St Edmunds, Haverhill, Newmarket and Mildenhall	West Suffolk Council
Uttlesford (Essex)	Saffron Walden, Great Dunmow, Stansted, Mountfitchet and Thaxted	Uttlesford District Council
West Norfolk & King's Lynn	King's Lynn, Downham Market and Hunstanton	BC of King's Lynn and West Norfolk
South Holland (Lincs)	Spalding, Crowland, Donington, Holbeach, Long Sutton and Sutton Bridge	South Holland District Council

The Business Board's current area is set out below. The red line denotes the area covered by the Cambridgeshire and Peterborough Combined Authority:



- 3.3.6 The Business Board is the principal forum for collaboration between the public and private sectors, for improving the economy of Cambridgeshire and Peterborough. In 2014, the Government announced the first wave of Growth Deals, making investment via its Local Growth Fund. To date, the Business Board (via the former Local Enterprise Partnership) has been awarded £146m via three rounds of Growth Deal funding allocations [as well as the Getting Building Fund worth £14.6m](#).
- 3.3.7 [With the support of Government, the Combined Authority incorporated the LEP in April 2018 and operates both itself and the LEP in line with the National Local Growth Assurance Framework published by the Ministry of Housing, Communities & Local Government in January 2019](#)~~In April 2016, the Government reviewed Growth Deal Assurance Frameworks in the context of new Devolution Deals and issued Single Pot Assurance Framework Guidance for devolved areas. In July 2016, Cambridgeshire and Peterborough secured a Devolution Deal and began work to set up a new Combined Authority. Therefore, this new Guidance came into effect for the Business Board area from that date. In November 2016, the Government issued revised national guidance for Local Enterprise Partnership Assurance Frameworks. The Cambridgeshire and Peterborough Combined Authority was formally established on 2 March 2017.~~
- 3.3.8 The Cambridgeshire and Peterborough Combined Authority acts as the Business Board's Accountable Body to undertake the public funding accountability responsibilities for administering funds and must also review and approve this Framework.

- 3.3.9 The Business Board provides leadership in the arena of economic growth across its area. Comprising business leaders from key industry sectors, it provides expert knowledge and insight into economic growth-related activities in its area and leads the development of the Industrial Strategy.
- 3.3.10 The Business Board is building on the strength of its existing partnership with neighbouring Local Enterprise Partners by collaborating on common issues and is currently leading on multi Local Enterprise Partnership programmes on Energy and Agri-Tech. It will continue to work collaboratively across the wider region and also envisages working more closely with other Local Enterprise Partners that are outside the current Local Enterprise Partnership area potentially through new collaborations and funding agreements.
- 3.3.11 The Business Board comprises a blend of industry leading experts from the private sector, alongside representatives from the public sector and education communities. It is chaired by a private sector representative and brings together some of the brightest entrepreneurial minds in our area.
- 3.3.12 The Chair and Vice Chair of the Business Board are private sector representatives. The Chair will lead on building the reputation and influence of the area at a national and international level and chairs Business Board meetings. The Chair is also a voting member of the Cambridgeshire and Peterborough Combined Authority Board. The Vice Chair will be available to deputise for the Chair as required.
- 3.3.13 The Business Board has a designated small business (SME) **champion** who will lead the engagement with small businesses across the area and represents their views at Board level. Given the makeup of the local business community, this is a vital role on the Board.
- 3.3.14 All of the Board Members operate in an open and transparent manner and conduct themselves in accordance with 'The Seven Principles of Public Life' otherwise known as the Nolan Principles, and Code of Conduct.
- 3.3.15 The Business Board is committed to diversity and has a Diversity Statement in place to help guide Board appointment decisions.
- 3.3.16 The Business Board's Executive Team is provided via the Cambridgeshire and Peterborough Combined Authority officer structure, who operate as a single team for the Combined Authority and the Business Board. This includes an experienced Chief Executive, S73 Officer, Monitoring Officer, Directors, Programmes Managers and others to ensure that the organisation is run in a proactive, impact driven and fully compliant manner.
- 3.3.17 The other public and private sector members of the Local Enterprise Partnership support the Combined Authority's work by:
- Supporting and offering advice to the Combined Authority on their responsibilities.
 - Championing and promoting specific initiatives from the perspective of business.

- Influencing the development of the Combined Authority’s strategies and policies, including as lead organisation for the development of the Local Industrial Strategy at the invitation of the Combined Authority.
 - Representing the Cambridgeshire and Peterborough nationally and internationally.
 - Ensuring a strong business influence over decision-making.
 - Supporting the development and delivery of the CPIER and the Mayor’s [Growth Ambition Statement](#).
- 3.3.18 Cambridgeshire and Peterborough are an active member of the national Local Enterprise Partnership Network and will continue to be so. This includes participation in both Local Enterprise Partnership Chair and officer level meetings.
- 3.3.19 **Enterprise Zones:** The Business Board retains strategic oversight and governance of the Enterprise Zones, and delegates programme delivery to the Alconbury Weald Enterprise Zone Programme Board and Project Boards for Cambridge Compass Enterprise Zones. These Boards will drive forward the regeneration and economic growth opportunities of Enterprise Zone sites and will be responsible for reporting to both the Business Board and Combined Authority Board as the accountable body.
- 3.3.20 These Enterprise Zone Boards comprise of Combined Authority officers, Local Authority representatives and key stakeholders. Each is responsible for delivering the programmes and projects associated with the regeneration and development of the Enterprise Zone site.
- 3.3.21 **The Eastern Agri-Tech Growth Initiative & Agri-Tech Programme Board:** The Eastern Agri-Tech Growth Initiative is overseen by the Eastern Agri-Tech Programme Board. Membership of the Programme Board includes experts with experience and knowledge of agriculture and the food industry, including research, farming and food processing.
- 3.3.22 The Programme Board’s main task is to consider and make decisions on applications for grant support. All applications are initially appraised by external independent assessors and follow the process that was previously agreed. Copies of the Eastern Agri-Tech Growth Initiative Guidance Notes and Pre-Qualification Questionnaire (the simple eligibility form) can be found on the Combined Authority and Business Board website using the following link:
<http://cambridgeshirepeterborough-ca.gov.uk/business-board/eastern-agri-tech-growth-initiative/>
- The Eastern Agri-Tech Growth Initiative has its own monitoring and evaluation arrangements, but these do link to the Combined Authority [Monitoring and Evaluation Framework](#).
- 3.3.23 Agri-Tech is one of our strategic growth sectors identified by the CPIER; our ambition is to use the Local Industrial Strategy to step up our programme to ensure we are the “go to” UK centre for Agri-Tech. Agri-Tech also features within our Skills Strategy.

The Combined Authority Board delegates decisions about applications for the grant funding for the Eastern Agri-Tech Programme to the Eastern Agri-Tech Programme Board. Specifying that that the Programme Board became a sub-Board of the Business Board and that a member of the Business Board (nominated by the Business Board) became the Chair of the Programme Board. This would strengthen existing governance arrangements and provide continuity between the two Boards. The agenda and decisions of the Programme Board would be published on the Combined Authority/Business Board web site (with names of individuals redacted) in accordance with the transparency arrangements set out in the Business Board constitution. This will ensure that the operation of the Agri-Tech programme is consistent with the Assurance Framework for the Business Board and Combined Authority. The Cambridgeshire and Peterborough Combined Authority is the Accountable Body for the Eastern Agri-Tech Growth Initiative.

The Programme Board's Secretariat is provided by the Cambridgeshire and Peterborough Combined Authority's Agri-Tech Project Officer, who is a very experienced programme manager and ensures that the Programme Board operates effectively, that its decisions are sound and that the Eastern Agri-Tech Growth Initiative is successful and delivers meaningful outcomes.

3.3.25—The Terms of Reference (TOR) for the Eastern Agri-Tech Programme Board have been agreed and appear on the Combined Authority/Business Board web site. The TOR can be seen [on the CA/Business Board website](#)

3.3.263.3.25 **The Greater South East Energy Hub & Energy Hub Board:** The Energy Hub is funded by the Department for Business, Energy & Industrial Strategy (BEIS) and overseen by the Hub Board. Membership of the Hub Board includes an officer representative from each of the eleven Local Enterprise Partnerships served by the Hub.

3.3.273.3.26 The Hub Board is the strategic body responsible for taking decisions on Energy Hub business and programme activity. The Hub Board's main task is to approve the allocation and leverage of funds for the Local Energy Capacity Support Programme. The Hub Board are responsible for oversight of the Rural Community Energy Fund (RCEF) Funding Panel, a Hub Board subordinate body that makes decisions on grant applications. All applications are initially appraised by external independent assessors and follow the process agreed with BEIS. Copies of the RCEF guidance notes and Expression of Interest form can be found on the RCEF website using the following link:

<http://cambridgeshirepeterborough-ca.gov.uk/business-board/energy-hub/>

The Energy Hub has its own project assessment frameworks, monitoring and evaluation arrangements but these do link to the Combined Authority [Monitoring](#) and [Evaluation Framework](#).

3.3.28—Clean growth is one of the Grand Challenges in the Industrial Strategy. The transition to local low carbon energy is set out in the Local Energy East Strategy and the CPIER recognises the need for a roadmap to decentralised smart energy systems.

- 3.3.29—The Business Board and the Cambridgeshire and Peterborough Combined Authority have agreed that the Combined Authority would be the Accountable Body for the Energy Hub and that the Energy Hub would assume the RCEF management role and administer the Fund. They also agreed the Hub Board terms of reference recognising it as a decision-making body for the Hub.
- 3.3.303.3.29 The agenda and decisions of the Hub Board will be published on the Combined Authority/Hub Board website (with names of individuals redacted). This will ensure that the operation of the Energy Hub is consistent with the Assurance Framework for the Business Board and Combined Authority. The Cambridgeshire and Peterborough Combined Authority Board is the Accountable Body for the Energy Hub Initiative.
- 3.3.313.3.30 The Programme Board's Secretariat is provided by the Cambridgeshire and Peterborough Combined Authority's Regional Energy Hub Manager, who ensures that the Hub Board operates effectively, that its decisions are sound and that the Greater South East Energy Hub is successful and delivers meaningful outcomes.
- 3.3.323.3.31 The Terms of Reference (TOR) for the Hub Board have been agreed and appear on the Combined Authority/Energy Hub web site. The TOR can be seen [on the Combined Authority/Energy Hub website](http://cambridgeshirepeterborough-ca.gov.uk/business-board/energy-hub/) using the following link:
<http://cambridgeshirepeterborough-ca.gov.uk/business-board/energy-hub/>

Membership of the Business Board

- 3.3.333.3.32 The Business Board has been reviewing its membership in response to the national Local Enterprise Partnership review (Mary Ney, 2017) and government's response "Strengthened Local Enterprise Partnerships" (July 2018). The current membership comprises of fourteen members, which includes two public sector members and up to twelve business representatives as follows:
- The Mayor and the Portfolio for Economic Growth of the Cambridgeshire and Peterborough Combined Authority shall be non-voting members of the Business Board by virtue of their office. [Thus](#), ensuring close working relationship between the Combined Authority and the Business Board.
 - Twelve private sector members appointed from the key sectors across the Cambridgeshire and Peterborough area.
 - One of the twelve private sector members is appointed specifically to represent the interests of the Small and Medium Sized Enterprises (SME) sector, one member represents the education sector and one member is appointed as an international business representative.
- 3.3.343.3.33 The Business Board membership meets the requirements for two thirds of the members to be private sector representatives and does not exceed the maximum of 20 members.¹
- 3.3.353.3.34 Whilst all appointments to the Business Board have been made

on merit, in accordance with Government requirements the Business Board will aim to improve the gender balance and representation of those with protected characteristics on its board with the following aims:

- That women make up at least one third of Business Board ~~by 2020~~^{now}.
- With an expectation for equal representation by 2023.
- Ensure its Board is representative of the businesses and communities they serve.²

~~3.3.36~~^{3.3.35} The Business Board will regularly review its agenda balance on the Business Board and any committees.

~~3.3.37~~^{3.3.36} The Business Board Constitution sets out its role, the principles of membership and the terms of office.

- The term of office for **private sector representatives** will normally be a maximum of three years, and subject to a maximum of one consecutive term.
- The term of office of **public sector** members appointed by the Combined Authority is at their discretion; the Mayor is a member by virtue of his office.

~~3.3.38~~^{3.3.37} The Business Board may appoint **up to five** co-opted members as necessary to complement the skills and expertise on the Board or to meet gender balance and protected characteristic requirements. Membership may not exceed 20 members and up to five co-opted members.

~~3.3.39~~^{3.3.38} Private sector members all have expertise and knowledge of our key sectors. These details together with their biographies are published on the Business Board website. ~~This will include a designated SME representative including a designated SME representative.~~

Chair and Vice-Chair of Business Board

~~3.3.40~~^{3.3.39} The Constitution requires that the Chair and Vice-Chair must be the private sector representatives of the Board.

~~3.3.41~~^{3.3.40} The terms of office of the Chair will be for two (2) years with one consecutive term permitted upon unanimous vote of the Board members present and voting.

~~3.3.42~~^{3.3.41} The Chair is a voting member of the Cambridgeshire and Peterborough Combined Authority Board.

~~3.3.43~~^{3.3.42} "Strengthened Local Enterprise Partnerships" stipulated a maximum membership of 20 members with 2/3rds from the private sector and to aim to have a 50/50 gender balance by 2023. ~~The Business Board aims to have a 50/50 gender balance by 2020 through the advertisement and appointment of new private sector members to sit on the Board and the appointment of co-opted membership. A recruitment campaign will be undertaken in 2019 for three new members to ensure gender balance and to ensure all members' term of office does not end at the same time thus ensuring succession planning.~~

~~3.3.44~~^{3.3.43} Following the revised Assurance Framework Guidance (January 2019), Higher Education and Further Education will represent the private sector on the Local Enterprise Partnership.

3.3.453.3.44 The Business Board Constitution states that private sector members including the

Chair shall be appointed following an open, transparent and non-discriminatory recruitment process which assesses each candidate on merit carried out in accordance with its [Diversity Statement](#), Government Guidance and the Nolan Principles. This will include a public advertisement and an interview process conducted by the [relevant](#) Business Board's appointments panel. The Business Board will consult widely and transparently with the business community before appointing a new Chair. When vacancies become available for private sector Local Enterprise Partnership members, they will be advertised on the Combined Authority website. In addition, social media will be used to raise awareness of the opportunities, particularly among under-represented groups. A recruitment panel (including the Cambridgeshire and Peterborough Mayor and Local Enterprise Partnership Chair) assesses applications received and makes a recommendation to the Combined Authority Board for approval of appointments.

[3.3.463.3.45](#) All Local Enterprise Partnership members (public and private) are expected to conduct themselves in accordance with the seven principles of public life. This is set out under the Code of Conduct detailed in the Combined Authority Constitution and provided to all new Local Enterprise Partnership members in their induction information. All members sign up to the code of conduct and the Nolan principles. As stated in its constitution, all Business Board and sub- committee and sub-group members will make decisions on merit having taken into account all the relevant information available at the time.

[3.3.473.3.46](#) ~~All new members of the Business Board receive a comprehensive induction to ensure they have the knowledge and understanding needed to effectively fulfil their duties in the role. receive an initial induction, and this is being enhanced during 2019.~~

Wider Business and Public Engagement

[3.3.483.3.47](#) The Combined Authority and Business Board recognise that the private sector members cannot represent the views of all business in the Cambridgeshire and Peterborough area. Therefore, a variety of engagement mechanisms are utilised to ensure that the broader business community has the ability to influence strategy and policy development, our investment priorities and to be actively engaged in the delivery of some of our activities, particularly around supporting careers development with schools. This includes, through the business networks and groupings that officers of the executive engage with, as a part of their activity, as well as specific engagement sessions – such as business roundtables to inform strategy and policy development.

[3.3.493.3.48](#) Strategy and policy documents are developed through engagement with partners and key stakeholders and are subject to consultation. Each consultation will vary depending on the topic but will meet [all any](#) statutory requirements. However, drafts are formally considered in public at the Combined Authority Board with papers published in advance of the meeting.

[3.3.49](#) Evidence of effective public engagement includes the work on the CPIER and Local Industrial Strategy referred to in section 2. A review of engagement activity and impact will be undertaken annually as part of the annual [Delivery Plan](#)

from 2020. The annual [Delivery Plan](#) will be published on the website.

Secretariat Arrangements

~~3.3.51~~—In accordance with Government requirement to have an independent secretariat [and a designated Chief Officer is](#)

Local Area Agreement

~~3.3.52~~~~3.3.51~~ In accordance with Government requirements for mayoral areas there is a requirement for a Local Agreement between the Business Board and the Cambridgeshire and Peterborough Combined Authority and the Accountable Body setting out the responsibilities of the Chair, Board and Accountable Body. The Accountable Body agreement is embedded in the Business Board's terms of reference and constitution.

3.4 Decision Making for the Cambridgeshire and Peterborough Investment [Funds](#)

- 3.4.1 Cambridgeshire and Peterborough Combined Authority is its own Accountable Body for all funds received by Government and is the Accountable Body for the Business Board.
- 3.4.2 The Cambridgeshire and Peterborough Combined Authority Constitution sets out the basis of how decisions will be taken within our Combined Authority, in keeping with principles of democracy and transparency and with effective and efficient decision-making. The Constitution takes on board the changes relating to the Business Board, as a result of the national Local Enterprise Partnership review.
- ~~3.4.3~~—Investment decisions using public funds will be made with reference to Investment decisions using public funds will be made with reference to Investment decisions using public funds will be made with reference to

CPIER and the Mayor's growth ambition statementing and Investment Planning

- ~~3.4.53~~~~4.4~~ The Combined Authority Board provides the overall strategic direction for economic growth in Cambridgeshire and Peterborough, approving the CPIER and the Mayor's [Growth Ambition Statement](#) and associated thematic strategies and plans.
- ~~3.4.63~~~~4.5~~ The Combined Authority Board sets out the investment priorities for Cambridgeshire and Peterborough through the Medium-Term Financial Plan and the Business Plan. This includes named prioritised projects which are allocated against either revenue or capital funds. All projects, revenue or capital, are identified in the current year of the Business Plan and the Medium-Term Financial

Plan.

Decision process for Business Board and Combined Authority Board projects

3.4.73.4.6 For new programmes/projects, the detailed consideration of whether the programme/project represents value for money, has realistic delivery timescales and processes, and will deliver the outputs and outcomes in line with our strategic documents is undertaken through the development of a Project Initiation Document (PID) and Business Case.

3.4.8—A PID is used to identify the expected expenditure, project governance,
A PID is used to identify the expected expenditure, project governance,
A PID is used to identify the expected expenditure, project governance,
A PID is used to identify the expected expenditure, project governance,
A PID is used to identify the expected expenditure, project governance,
A PID is used to identify the expected expenditure, project governance.

3.4.103.4.8 The PID provides a first view of how, what and when the project will deliver against the Mayor's Growth Ambition Statement, the Local Industrial Strategy and the 2020/21 Business Plan.

Detail such as the following will be included:

- The identified Project Manager.
- Project description including objectives and overview.
- Timescales (high level).
- Project outputs and outcomes against the CPIER and the Mayor's growth ambition statement.
- Cost of project (high level), and initial funding required.

3.4.113.4.9 PIDs are appraised and signed off by the responsible Director, before being approved by the S73 Chief Finance Officer and Chief Executive.

3.4.12—Once approved, the project can then be developed into a Business Board or
Once approved, the project can then be developed into a Business Board or
Once approved, the project can then be developed into a Business Board or
Once approved, the project can then be developed into a Business Board or

~~when the Chief Executive has delegated authority to sign off.~~

Decision process for Business Board

~~3.4.15~~3.4.11 The Business Board will review the Business Case for Business Board funded projects and make recommendations to the Combined Authority Board, as Accountable Body, to approve the funding.

~~3.4.16~~3.4.12 In order to ensure that the Business Board is able to progress its business in an efficient manner, the Business Board has an urgency decision making procedure which is set out in its constitution. Decisions and actions taken will be retrospectively reported to the next meeting of the Business Board

~~3.4.17~~3.4.13 In addition to the delegations in the Combined Authority Constitution, the Business Board and Combined Authority Board has delegated limited authority to the Director of Business and Skills to approve small grants to SMEs between £2,000 and £20,000 subject to Section 73 Officer approval, and regular reporting to the Business Board;

3.4.14 Business cases approved at the Business Board and Combined Authority Board are published on the Combined Authority website, as part of the monthly Board papers.

~~Work from the HM Treasury on Green Book guidance Department for Transport Early Assessment and Sifting Tool ('EAST') has created a benchmark and guidance that has been built into Business Case templates and for when procuring Business Cases; to which all Business Cases projects must adhere to the 5-case model. This forms the evidential basis on which the need for intervention is based and will help ensure programmes and projects are identified based on need and opportunity.~~

~~3.4.18~~3.4.15

~~3.4.19~~3.4.16 Decisions within the Scheme of Delegation and taken under delegated powers are recorded through the Officer Decision Notice process, with supporting Business eCases available on request. The Officer Decision Notices are published on the Combined Authority website.

~~3.4.20~~3.4.17 All reports to the Business Board and any committees, include the application for funding, appraisal of application, legal and finance expert' view and recommendations. The S73 Officer signs off all Business Board expenditure

Summary of Scheme of Delegations for Business Board

The scheme of delegation specific to local enterprise funding is set out in ~~Part 3 and 4 of~~ the Business Board's constitution and is summarised in Appendix 2. The Combined Authority Constitution also applies to all Business Board and officer decisions.

Decision process for Combined Authority Board

~~3.4.21~~3.4.18 The Combined Authority Board will approve the Business Cases for Combined Authority funded projects and will approve the Business Case recommended by the Business Board.

Formatted: Font: 12 pt

Formatted: Left, Indent: Hanging: 1.23 cm, Right: 2.19 cm

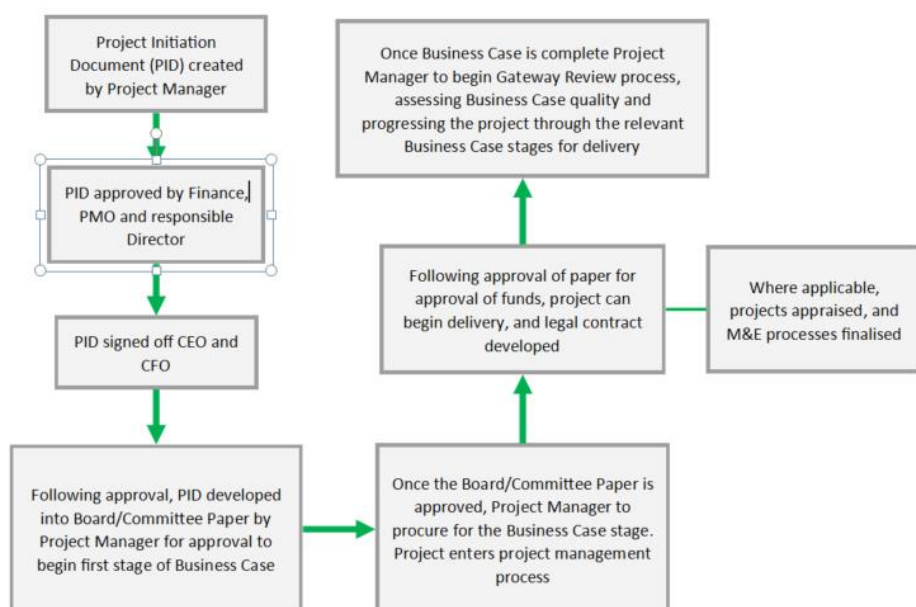
Commented [RF13]: This doesn't seem to fit anywhere. Is it point 3.4.20 or a separate section?

3.4.223.4.19 Business cases and appraisal documentation submitted to the Combined Authority Board will be published on the Combined Authority website with Board papers, subject to any exemptions applied as set out in the transparency rules within the Constitution.

3.4.233.4.20 Decisions within the Scheme of Delegation and taken under delegated powers are recorded through the Officer Decision Notice process, with supporting business cases available on request. The Officer Decision Notices are published on the Combined Authority website.

3.4.243.4.21 The decision-making process and governance arrangements are illustrated in the diagram below:

Decision Making Process



Project idea/concept developed into project initiation document, by Project Manager

Project initiation document reviewed/approved by relevant Director

Decision process for new programmes/projects not in the Business Plan and not within a named budget allocation

3.4.253.4.22 New opportunities or challenges will arise and programmes/projects that are not currently in the Business Plan will need to be considered to address them. If these new programmes/projects cannot be accommodated within the current Medium- Term Financial Plan, they will need to be considered by the Combined Authority Board for entry to the Budget and Business Plan

3.4.263.4.23 The Business Plan and Medium-Term Financial Plan are normally set annually but can also be refreshed within the year where are normally set annually but can also be refreshed within the year where there are extraordinary unforeseen circumstances.

3.4.273.4.24 Those that are accepted into the Business Plan would then proceed to follow the PID development and be taken to the Combined Authority Board for decision.

Role of the Cambridgeshire and Peterborough ~~Senior~~Corporate Management Team

~~3.4.28~~~~3.4.25~~ The Cambridgeshire and Peterborough ~~Directors~~ ~~Senior~~Corporate Management Team is made up of members of the Combined Authority's senior officers: Chief Executives, [Section 73 Officer](#), and Directors. The Management Team meets ~~weekly~~ [regularly](#) and has an oversight role of the work of the Combined Authority.

3.5 Decision Making for the Adult Education Budget

- 3.5.1 Investment decisions on the use of the Adult Education Budget will be made with full consideration to the statutory entitlements:
 - 3.5.1.1 English and Maths, up to and including level 2, for individuals aged 19 and over, who have not previously attained a GCSE grade A* to C or grade 4, or higher, and/or.
 - 3.5.1.2 First full qualification at Level 2 for individuals aged 19 to 23, and/or.
 - 3.5.1.3 First full qualification at level 3 for individuals aged 19 to 23.
- 3.5.2 The Combined Authority submitted its Strategic Skills Plan to government in May 2018 as part of the readiness conditions requirements set by the Department for Education. Further iterations have been shared with the Department for Education and form a chapter in the new Skills Strategy 2019.
- 3.5.3 Local and national partners have been fully engaged throughout the development phase for the processes and priorities for the funding award and during the funding award phase. This has included providing regular communications via our website, hosting three strategic events for all local and national providers, and participating in provider network meetings that met regularly during 2018. The Provider Networks comprised local Further Education and local authority providers, the Education and Skills Funding Agency, the Association of Colleges and Independent Training Providers.
- 3.5.4 The Combined Authority Board is the final decision-making body for funding awards. A grant commissioning process was launched on 1st December 2018 and closed in March 2019. Appraisals were carried out on the submitted delivery plans requesting funding by the Combined Authority officers. A moderation panel of internal senior managers consider recommendations and make final recommendations for approval. The Director of Business & Skills in consultation with the Portfolio Holder for Skills ~~to~~ approve funding awards.
- 3.5.5 During the funding award process a web enabled portal has included the ability for all potential providers to submit questions. These have been developed into a Q+A section on the portal so that the same information is available to all potential providers.

3.6 Statutory Committees

- 3.6.1 As a Mayoral Combined Authority, we are constitutionally required to have the

following Committees within our Governance structures:

- **Overview & Scrutiny Committee:** Reviews decisions made, to ensure they

meet the needs of the people of ~~the~~ Cambridgeshire and Peterborough and are made in line with our agreed policies, making recommendations where necessary. It has the power to “call in” and delay the implementation of decisions made by ~~the~~ Board. The membership of the Committee comprises 14 members, two nominated from each of the Constituent Authorities.

Members of the Committee appointed reflect the balance of political parties for the time ~~being prevailing~~ among members of the Constituent Authorities collectively. It also has the power to scrutinise the Business Board.

- **Audit & Governance Committee:** Ensures we are spending public money properly and have the right systems in place to manage our finances correctly and meet our legal and regulatory responsibilities. The Committee also reviews the corporate risk register on a quarterly basis. The membership of the Committee is one member from each Constituent Authority. Members of the Committee appointed reflect the balance of political parties for the time ~~being prevailing~~ among members of the Constituent Authorities collectively. The Committee will also oversee the audit and governance arrangements of the Business Board.

3.6.2 The terms of reference and membership of these Committees is detailed in the Combined Authority Constitution.

3.7 Role of the Statutory Officers

3.7.1 The Combined Authority appoints four Statutory Officers who each have a formal role of discharging the duties and obligations on its behalf. The roles are detailed in the Combined Authority Constitution but briefly comprise ~~of~~:

- **Head of Paid Service:** The Chief Executive fulfils the role of the Head of Paid Service. The Head of Paid Service discharges the functions in relation to the Combined Authority as set out in section 4, Local Government and Housing Act 1989 and act as the principal advisor to the Business Board.
- **Section 73 Officer:** The Chief Finance Officer fulfils the role of Section 73 Officer in accordance with the Local Government Act 1985 to administer the financial affairs of the Combined Authority and Business Board. The Section 73 Officer is responsible for providing the final sign off for funding decisions. The Section 73 Officer will provide a letter of assurance to government by 28th February each year regarding the appropriate administration of government funds ~~for which the under the~~ Cambridgeshire and Peterborough ~~Combined Authority are responsible investment.~~
- **Monitoring Officer:** The Monitoring Officer fulfils their role in accordance with the Local Government Act 1972 to administer the legal duties of the Combined Authority and Business Board.
- **Scrutiny Officer:** To promote the role of and provide support to the Overview and Scrutiny Committee.

3.7.2 In addition to these statutory roles the Combined Authority has nominated officers to ensure that we meet our obligations under the Data Protection Act 2018 and information governance. These are:

- **Senior Information Risk Officer (SIRO)** - The Monitoring Officer is the SIRO for Information Governance. The SIRO is responsible for the Strategy, acts as an advocate for good practice and is required to provide a statement of assurance as part of the Combined Authority's Annual Governance Statement.
- **Data Protection Officer** – [The Deputy Monitoring Officer](#) is the Data Protection Officer responsible for providing advice and guidance on the Data Protection Act 2018.

Formatted: Font: Not Bold

4. Accountability and Transparent - Supporting Policies and Procedures

4.1 Working Arrangements, Meeting Frequency and Transparency

4.1.1 The Combined Authority is subject to a robust transparency and local engagement regime. The Combined Authority's Constitution includes how agendas, minutes and papers will be made available to the public and when.

4.1.2 The Combined Authority Board:

- Is subject to the Transparency Code applied to local authorities.
- Will ensure all meetings of the Combined Authority Board and other statutory committees are open to the public and appropriately accessible.
- Will make sure all meeting agendas, papers (when not exempt or confidential as set out in the transparency rules within the Constitution), and minutes are published on the Combined Authority website, within the minimum statutory timescales – an agenda will be published five clear working days before the meeting. A decision notice will be published no later than the third clear working day following the day of the decision was made and any key decisions are subject to call in. Draft minutes will be published within 12 clear working days of the meeting taking place and final minutes within two clear days of approval where changes are made.
- Will make clear the approach to making investment decisions in the Combined Authority Constitution.
- Will publish (online) all funding decisions, including funding levels through Business Board and Combined Authority agendas and minutes and through the [M](#)ayoral and [O](#)fficer [D](#)ecision [N](#)otice register where decisions are taken under delegated powers.

Commented [RW14]: RP-do you want to align with the Constitution?
The Constitution just says 'The draft minutes of each meeting shall be produced and published with the agenda for the next meeting'

- Growth fund updates are submitted to the Business Board at each meeting. The Combined Authority has a performance management system which includes quarterly reports to the Combined Authority Board on delivery of key priority projects in the Business Plan by exception and monthly budget monitoring updates.
 - As the accountable body for the Business Board funding, the Combined Authority Board will **review and** ratify funding decisions made by the Business Board **for legality and value for money** and will hold a record of all relevant documentation relating to government funding allocated to the area.
- 4.1.3 For ease of access the Combined Authority website has a transparency section and a separate meetings section which contain all information on the Combined Authority governance arrangements, agendas and papers and the Combined Authority Board Forward Plan.
- 4.1.4 The Combined Authority Board meets bi-monthly. The Combined Authority publishes a Forward Plan on the Combined Authority website, which is legally-required with a statement of all key decisions together with all non-key decisions we plan to take over the next four months. Confirmed items are published 28 clear days in advance of a decision being made.
- 4.1.5 In addition to the Combined Authority Board, the Business Board meets bi-monthly. The Business Board shall have at least one meeting a year that will be open to the public to ensure the communities that they represent can understand and influence the economic plans for the area.
- 4.1.6 No business may be transacted at a meeting of the Business Board unless there is a quorum. The quorum requires a majority of the total number of Members of the Board to be present which should include the majority of private sector members and at least one public sector member.
- 4.1.7 All other meetings of the Business Board shall not be open to the public unless determined otherwise by the Chair. This enables commercially confidential items to be discussed and for open and frank exchanges of information and views to be expressed that might not otherwise be expressed in an open forum. This forms an important element within the Combined Authority governance arrangements.
- 4.1.8 Agendas and reports will be published five clear days prior to the meeting and minutes of these meetings will be published on the its website within ten clear working days of the meeting and the agreed minutes will be published within two clear working days after approval at the subsequent meeting.
- 4.1.9 Information regarding activity being undertaken by the Combined Authority is available on the website. This includes the publication of key documents such as the CPIER and the Mayor's Growth Ambition Statement, the Cambridgeshire and Peterborough Business Plan, the Combined Authority Local Assurance Framework, as well as details of the regular programme of events to provide ongoing engagement with public and private partners across the Cambridgeshire and Peterborough area. Regular news updates on activity underway are also provided through dedicated pages on social media outlets including LinkedIn, Twitter and Facebook. Additionally,

Formatted: Font: 12 pt

Formatted: Font: 12 pt

when investment decisions are taken, they are published through the use of press releases and social media.

4.2 Publication of Financial Information

- 4.2.1 The Combined Authority is subject to the same financial arrangements as a Local Authority and is legally required to publish its annual accounts, external audit letter and annual governance statement by the end of July each year. The draft statement of accounts is signed by the S73 Officer and published (on the Cambridgeshire and Peterborough Combined Authority website) by 31st May. The final set of financial statements are signed by the S73 Officer and the Chair of the Audit and Governance Committee and published by the 31st July.
- 4.2.2 The Annual Governance Statement will be published in draft by 31st May, and the final version to be signed by the Mayor, the Business Board Chair and the Chief Executive and published by 31st July. The Audit and Governance Committee approves the statement of accounts and reviews the Annual Governance Statement prior to approval, in accordance with their terms of reference.
- 4.2.3 It is also used as part of the Annual Conversation each year, to supplement the information provided and discussed on governance arrangements.
- 4.2.4 All payments made on behalf of the Business Board are published in the monthly transparency report by Cambridgeshire and Peterborough Combined Authority.
- 4.2.5 All approvals for new funding are published and monitored. The quarterly return to BEIS on Growth Fund projects, spend and performance is reported to Business Board and published in the reports, as part of the Business Board agenda. These [are](#) uploaded on the Business Board section of the website to increase transparency.

4.3 Remuneration and Expenses

- 4.3.1 Allowances or expenses may be payable to the Mayor and any of the Business Board members, in accordance with a scheme approved from time to time by the Cambridgeshire and Peterborough Combined Authority Board upon the recommendations of an Independent Remuneration Panel.
- 4.3.2 The Combined Authority publishes the following information on its website: [Transparency](#)
- Confirmation of the allowance payable to the Mayor and Business Board members.
 - Confirmation of any allowances and expenses paid to the Mayor, Business Board Members and independent Chairs of Committees or Panels (published annually).
 - Salaries of senior officers earning more than £50,000 (published annually); together with the numbers of staff who earn over £50,000, in bands.

- 4.3.3 Any scheme of allowances approved for Business Board members and payments made will also be published.

4.4 Freedom of Information

- 4.4.1 The Combined Authority is subject to the Freedom of Information Act 2000 and the Environmental [Information](#) Regulations 2004. As Accountable Body for the [Business Board](#), the Combined Authority will also fulfil these functions on behalf of the Business Board. The Combined Authority will hold records and will be the focal point for statutory information requests. Applicants are made aware of their right to access information through the Combined Authority, which will deal with the request in accordance with the relevant legislation. As set out in this section, the Combined Authority aims to publish as much information as possible so that Freedom of Information requests are less necessary. A publication scheme is on the website and answers to previous requests are [also](#) published on the website. [CPCA Freedom of Information Policy](#).

Commented [RW15]: Do we want to remove the link?

4.5 Conflicts of Interest

- 4.5.1 The Combined Authority has a Code of Conduct which applies to all members of the Combined Authority, the Business Board, all committee members and the officers who form part of any decision-making body [e.g.](#) the Chief Executive. The Code of Conduct requires all those identified to avoid any conflicts of interest.
- 4.5.2 Each member of the Combined Authority is also required to complete a written declaration of interest for the purposes of their organisations and their individual personal interests covering a broad range of activities/ownership. Individual declarations of interest forms are completed annually following members' appointment at the Combined Authority annual meeting. Declarations of interest are requested at the start of each meeting and declared and recorded within the minutes. The registers of interests are updated, as appropriate, following each Combined Authority meeting.

[Combined Authority Board Membership](#)

[Business Board Membership](#)

Commented [RW16]: Do we want to retain the links?

4.6 Gifts and Hospitality

- 4.6.1 Any gifts and hospitality received by members and officers will be declared under the relevant members name and any declarations declared by members will be published on the website, For example [Mayor Palmer: Declared Gifts and Hospitality](#). The [register of gifts and hospitality](#) declared by Business Board members is published under the governance page of the Business Board section of the website. All offers of gifts and hospitality of £[25](#).00 or more in value, including any offers of sponsorship for training or development, whether or not they are accepted, must be recorded promptly (and by no later than 28 days from the date of the offer) in a register held by the Combined Authority. A six monthly

reminder will be send to all members and officers. [The Combined Authority also has a protocol on Gifts and Hospitality which applies to all members.](#)

4.7 Complaints and Whistleblowing

- 4.7.1 If it is alleged that the Combined Authority is (a) acting in breach of the law, (b) failing to adhere to its framework, or (c) failing to safeguard public funds, complaints (from stakeholders, members of the public or internal whistleblowers) [should be handled under the complaints policy.](#)
[should be handled under the complaints policy.](#)
- 4.7.2 The Business Board and the Combined Authority have adopted a confidential complaints procedure and whistleblowing procedure, which are both published on its website Any complaints will be dealt with in accordance with its approved complaints process.
- 4.7.3 Where the Combined Authority cannot resolve the issue locally to the complainant's satisfaction, and the matter relates to the Cambridgeshire and Peterborough's Single Pot funding, the issue may be passed to the Ministry of Housing, Communities and Local Government for Communities and Local Government (MHCLG) or other relevant departments, such as the Department for Transport (DfT), as appropriate to the complaint in question. If the complainant is not satisfied with the response, they can raise it with the Local Government Ombudsman.

The above complaints and whistleblowing procedures are set out in detail at:

[CPCA Complaints Policy](#)
[CPCA Whistleblowing Policy](#)
[CPCA Business Board Complaints Procedure](#)
[CPCA Business Board Whistleblowing Procedure](#)

Commented [RW17]: Do we want to remove the link?

4.8 Diversity Statement

- 4.8.1 As detailed previously the Combined Authority is fully committed to diversity and equality. The Business Board has a published Diversity Statement which explains how it looks to ensure diverse representation at Board:
[CPCA Business Board Diversity Statement](#)

Commented [RW18]: Removal; of links

4.9 Government Branding

- 4.9.1 The Combined Authority is committed to meeting Government branding guidelines for projects in its Local Assurance Framework. This includes the branding guidance issued to LEPs for the Local Growth Fund. The correct branding and wording is used on the Business Board and subsidiary websites. Guidance will be produced for signage, social media, press notices and other marketing materials for every Government funded project.
- 4.9.2 A summary of the Governance framework and checklist is set out in Appendix 3.

5. Robust Decision Making

5.1 Principles

5.1.1 This section details the processes and procedures that are in place to ensure we make robust investment decisions. These are in addition to those identified within the Accountability, Openness and Transparency sections above. The processes and procedures will:

- Achieve best value in spending public money through the following -
 - proposed investments will offer as a minimum 'high' value for money (VfM);
 - "high" VfM can be defined as a Benefit Cost Ratio (BCR) that is at least 2.0 for transport schemes (and accounting for significant non-monetised impacts and key uncertainties). Schemes with a lower VfM, however, can be considered under circumstances where there is evidenced:
 - strategic value of national or regional significance by unlocking a strategic route network bottleneck within the region (for example a strategic road or rail network with significant constraints but unable to measure a BCR due to lower flow increases against disproportionate cost due to historical enhancement under investment (both of which have regional or national growth significance which is challenging to model and are unable to be claimed in TAG terms); or
 - allowing greater through flow of strategic passenger or freight traffic, or where there is evidenced strategic value associated with achieving the Devolution Deal ambitions of GVA or housing growth (for example providing main line rail access to support the growth of left behind areas); or
 - by unlocking this growth in addition to committed local plan growth, and where this evidence increases this to at least medium value VfM (BCR of at least 1.5 and accounting for significant non-monetised impacts and key uncertainties)
 - for non-transport schemes, the appropriate public sector cost per job / Gross Value Added will be reviewed, and in all schemes the benefits will exceed the cost of intervention over the projected timeframe;
 - in exceptional circumstances, where the strategic value directly contributes to the ambition of the Devolution Deal ambition as set out in para 6.2.5 of this document; and
 - whereby sensitivity testing is undertaken in addition to Transport Analysis Guidance (TAG) standard procedures, schemes do not need to offer 'high' value for money as a minimum, if as described above there is evidence that the strategic value of significant regional or national importance of unlocking strategic passenger or freight movement through the region or there is evidenced strategic value associated with achieving the Devolution Deal ambitions of GVA or housing growth, by unlocking the growth in addition to

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Tab stops: 15.11 cm, Left



committed local growth and where this evidence increases the BCR to 1.5 to 2.

Formatted: Font: Not Bold

- Ensure an appropriate separation between project development and project appraisal, with Independent Value for Money (VfM) Assessment and Business Case Assurance, for all Growth Deal funded schemes and Single Pot Transport projects with a project value greater than £5m by our contracted business case assurance contractor. Transport schemes below £5m will be assessed and signed off independently of the scheme promoter by the Chief Finance Officer with support from an experienced transport modeller, where schemes are below £5m at Full Business Case (FBC) and are of significant complexity or importance and not expected to achieve high VfM based on initial multi-criteria analysis an independent assessment may be requested by the Chief Finance Officer from our contracted independent assessment supplier prior to sign off as previously stated
- Appraise projects in a way which is consistent with the Green Book 'five cases' model and proportionate to the funding ask in terms of processes required.
- Ensure that the money spent results in delivery of outputs and outcomes in a timely fashion, and in accordance with the conditions placed on each investment, and by actively managing the investment to respond to changing circumstances (for example, scheme slippage, scheme alteration, cost increases etc).
- Implement effective evaluation to demonstrate where programmes and projects have achieved their stated aims and using feedback appropriately to refine the priorities and the decision-making process.
- Ensure that the use of resources is subject to the usual local authority checks and balances as well as normal local government audit, accounting and scrutiny requirements.

Formatted: Font: Not Bold

5.2 Separation of Development and Appraisal Functions

5.2.1 The Combined Authority ensure all funding decisions are based on impartial advice. Project Initiation Documents require approval by the S73 Officer and Chief Executive while and Business Cases created by project managers require approval from Combined Authority Board and Directors before commencing to project delivery.

Formatted: Font: 12 pt

5.2.1

5.3 Expressions of Interest/Open Calls

5.3.1 In relation to the Local Growth Fund, expressions of interest are received for potential funding under the Growth Prospectus, which is published on the Combined Authority website. The first call has now closed and the potential projects are going through the Business Board and Combined Authority Board cycle. A new call for funding will be issued in 2019/20, following the publication of the Local Industrial Strategy. The initial appraisals from for these funding calls will be appraised by an internal panel, that evaluates expressions of interest, with inputs from the appropriate policy lead, legal, procurement and financial officers. When full applications are received, external appraisers will carry out detailed appraisals and, for projects over £500k, the project sponsor must present to an Entrepreneurs Assessment Panel and be scored.

Formatted: Font: 12 pt

Formatted: Indent: Left: 2.72 cm, No bullets or numbering

5.4 Project Initiation Documents (PIDs)

Formatted: Tab stops: 15.11 cm, Left



CAMBRIDGESHIRE
& PETERBOROUGH
COMBINED AUTHORITY

5.4.1 PIDs are required for all new programmes and projects and are used to identify the expected expenditure, outputs, governance and outcomes of project delivery.

5.4.2—Once approved by the relevant members of the Senior Management Team (Responsible Director, Section 73 Officer and Chief Executive Officer), the delivery of the project concept can proceed.

5.5 Business Cases

5.5.1—Business case templates are a continuation of PIDs, but require more detail evidenced on the Business case templates are a continuation of PIDs, but require more detail evidenced on the Business case templates are a continuation of PIDs, but require more detail evidenced on the

5.4.4 The Combined Authority's template can be used for Business Cases; however, some categories of projects may have specific Business Case requirements, and the Combined Authority template and guidance makes clear the need to comply with the different requirements (such as Transport schemes using Transport Analysis Guidance (TAG): <https://www.gov.uk/guidance/transport-analysis-guidance-webtag>. These should still comply with the Combined Authority requirements.

5.4.5 The Combined Authority has adopted HM Treasury's Five Case Model, and business cases need to be prepared according to the following elements:

Formatted: Font: Not Bold

Five Cases	Detail
Strategic Case	The strategic case sets out the rationale for the proposal; it makes the case for change at a strategic level. It should set out the background to the proposal and explain the objective that is to be achieved.
Economic Case	The economic case is the essential core of the business case and should be prepared according to Treasury's Green Book guidance. This section of the business case assesses the economic costs and benefits of the proposal to society as a whole, and spans the entire period covered by the proposal.
Commercial Case	The commercial case is concerned with issues of commercial feasibility and sets out to answer the question "can the proposed solution be effectively delivered through a workable commercial deal or deals?" The first question, therefore, is what procurement does the proposal require, is it crucial to delivery and what is the procurement strategy?
Financial Case	The financial case is concerned with issues of affordability, and sources of budget funding. It covers the lifespan of the scheme and all attributable costs. The case needs to demonstrate that funding has been secured and that it falls within appropriate spending and settlement limits.
Management Case	The management case is concerned with the deliverability of the proposal and is sometimes referred to as programme management or project management case. The management case must clearly set out management responsibilities, governance and reporting arrangements, if it does not then the business case is not yet complete. The Senior Responsible Owner should be identified.

Formatted: Tab stops: 15.11 cm, Left



CAMBRIDGESHIRE
& PETERBOROUGH
COMBINED AUTHORITY

5.4.2 the Project Initiation Document into the business case by the relevant members of the Senior Management Team (Responsible Director, Section 73 Chief Finance Officer and Chief Executive Officer), the delivery of the project concept can proceed.

5.5 Business Cases

5.5.1 All programmes and projects with approved allocations within the Business Plan and that have been approved through the Project Initiation Document process are required to complete a detailed Business Case.

5.4.3 Business case templates are a continuation of the Project Initiation Documents PIDs, but require more detail evidenced on the options, designs, delivery and outcomes of the project, along with value for money information, project risks and governance arrangements.

5.4.4 Business cases would normally use the The Combined Authority's template can be used for Business Cases; however, some categories of projects may have specific Business Case requirements, and the Combined Authority template and guidance makes it clear the need to comply with the different requirements (such as Transport schemes using Transport Analysis Guidance (TAG): <https://www.gov.uk/guidance/transport-analysis-guidance-webtag>). These should still comply with the Combined Authority requirements.

5.4.5 The Combined Authority has adopted HM Treasury's Five Case Model, and business cases need to be prepared according to the following elements:

Five Cases	Detail
Strategic Case	The strategic case sets out the rationale for the proposal; it makes the case for change at a strategic level. It should set out the background to the proposal and explain the objective that is to be achieved.
Economic Case	The economic case is the essential core of the business case and should be prepared according to Treasury's Green Book guidance. This section of the business case assesses the economic costs and benefits of the proposal to society as a whole, and spans the entire period covered by the proposal.
Commercial Case	The commercial case is concerned with issues of commercial feasibility and sets out to answer the question "can the proposed solution be effectively delivered through a workable commercial deal or deals?" The first question, therefore, is what procurement does the proposal require, is it crucial to delivery and what is the procurement strategy?
Financial Case	The financial case is concerned with issues of affordability, and sources of budget funding. It covers the lifespan of the scheme and all attributable costs. The case needs to demonstrate that funding has been secured and that it falls within appropriate spending and settlement limits.
Management Case	The management case is concerned with the deliverability of the proposal and is sometimes referred to as programme management or project management case. The management case must clearly set out management responsibilities, governance and reporting arrangements, if it does not then the business case is not yet complete. The Senior Responsible Owner should be identified.

5.4.6 Reputational due diligence assessment will also be carried out to enable the Combined Authority to gain a comprehensive assessment of possible reputational risk attached to

Formatted: List Paragraph, Indent: Left: 1.42 cm, Hanging: 1.25 cm, Space Before: 6 pt, Line spacing: single, Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1.42 cm + Indent at: 2.72 cm, Tab stops: 2.68 cm, Left + 2.68 cm, Left

Formatted: Font: Not Bold

business partner.

- 5.4.7 As part of the financial case, the source of funding will be determined (as part of the review of business cases prior to submission to the Combined Authority or Business Board) and the S73 Officer will review the financial case to ensure that, where funding is required from internal Combined Authority sources, it is available and affordable within the Combined Authority's overall resources.

The purpose of this is to ensure that the funding requirements of the component elements of the Single Pot are being met, and to enable the effects and outcomes of the component elements of funding within the Single Pot to be tracked.

- 5.4.8 Appraisals will be proportionate to either the estimated scale of budget and/or the level of innovation/risk associated with the programme and in line with established guidance, where appropriate, as set out by HM Government, including:
- HM Treasury Green Book.
 - MHCLG Appraisal Guide.
 - HM Treasury Magenta Book.
- 5.4.9 Where a conflict of interest exists, full independent due diligence will be sought. Additionally, the Combined Authority will appoint an independent organisation, through appropriate procurement, to undertake external due diligence when required. The independent organisation works directly with the project applicant to undertake due diligence which then follows the decision-making process.
- 5.4.10 In cases where the investment is to match central government funding, and that government department has undertaken due diligence, the Combined Authority would not need to undertake its own due diligence.
- 5.4.11 The Combined Authority will include reputational checks on organisations (and their group structure including parent organisations), when considering making loans and grants.
- 5.4.12 The 10-point guide on Project Management (**Appendix 4**) provides detail on this decision-making process.

5.6 Relationship with Project Managers – Development to Decision

- 5.6.1 Throughout the development of PIDs and Business Cases through the appraisal process, the Combined Authority will keep in regular contact with external project managers.
- 5.6.2 An internally named project manager will be assigned to each programme/project where the Combined Authority are not the delivery body. The internal project manager will establish close working relationships with external contacts.

5.7 Ensuring Value for Money

- 5.7.1 As an investor of public funds, the Combined Authority has a responsibility to ensure that its decisions deliver best value for the tax payer, and therefore all investment opportunities and



CAMBRIDGESHIRE
& PETERBOROUGH
COMBINED AUTHORITY

Business Cases must include an assessment of Value for Money. The Assurance Framework has been developed in line with HM Treasury Green and Magenta Book Guidelines, which require project managers to build in Value for Money processes throughout the approval stages. In addition, the Combined Authority requires all Business Cases be developed in line with HM Treasury's Five Case Model.

5.7.2 The delivery, and costs, of outputs must be quantified within all applications for funding. Where there are clear guidelines set out by Government for assessing Value for Money these will be taken into account; for example, for all Transport and Infrastructure schemes, the use of the benefit cost ratio (BRC) indicator is implemented in line with DfT TAG guidance.

5.7.3 The Director responsible for project delivery should document they are satisfied with Value for Money requirements. The Section 73 Chief Finance Officer is also required to sign off Value for Money Statements.

5.7.4 The key objective of the Assurance Framework is to support the Combined Authority to make judgements about the value for money of potential investments and to accept or reject investments accordingly. However, it is just one of a range of complementary strategic guidance documents developed by the Combined Authority to inform decision making. The following table sets out the relevant assessments for all complementary strategic guidance:

Document Name	Function	Date Published
CPIER and the Mayor's Growth Ambition Statement 2016-2026. The Industrial Strategy for Cambridgeshire and Peterborough	<ul style="list-style-type: none">Key strategy document for the region.Sets high level targets (jobs and GVA) for the Combined Authority and develops the rationale for intervention across the region (six themes and seven priority sectors)	November 2018
Local Industrial Strategy	<ul style="list-style-type: none">With a particular focus on productivity the Local Industrial Strategy articulates how the region and its priority industries will contribute to the successful delivery of the UK Industrial Strategy and the key interventions necessary to enable productivity growth in Cambridgeshire and Peterborough.	May 2019 (pending)
Business Plan	<ul style="list-style-type: none">Sets output targets both in terms of spend	January 2019/2020 (updated annually)
Monitoring and Evaluation Plan	<ul style="list-style-type: none">Provides for each theme a capital and revenue logic model including key market failures to be addressed, and a range of indicative activities, outputs, outcomes and impacts, tied back to the achievement of the key performance indicators specified in the SEP.	March-October 2019 (updated annually)

Formatted: Font: 12 pt, Not Expanded by / Condensed by

Formatted: Font: 12 pt

Commented [NB19]: At this stage is also the independent assessment from our contractor Steers

Commented [RE20R19]: That independent assessment should be part of (or all of) the VfM statement that the S73 office signs so it's not in addition.

5.8 Value for Money for Transport Schemes

5.8.1 For transport infrastructure schemes, the Cambridgeshire & Peterborough Combined Authority will ensure that modelling and appraisal is sufficiently robust and fit for purpose for the scheme under consideration, and that modelling, and appraisal meets the guidance set out in TAG.

5.8.2 Furthermore, the Cambridgeshire & Peterborough Combined Authority will ensure value for money and transparency of transport scheme through the following:

- Transport Projects Business case assessments [Strategic Outline Business Cases (SOBC), Outline Business Cases (OBC) and Full Business Cases (FBC)] will be based on forecasts which are consistent with the definitive version of NTEM (DfT's planning dataset). We will also consider alternative planning assumptions, **in line with our devolution ambition in addition to committed local plan developments**, as sensitivity tests in coming to a decision about whether to approve a scheme.
- The appraisal and modelling will initially be scrutinised by our external Highways Authority delivery partner planning lead to ensure it has been developed in accordance with the TAG. Independent Value for Money (VfM) Assessment and Business Case Assurance, for all Growth Deal funded schemes and Single Pot Transport projects with a project value greater than £5m will be carried out by our contracted business case assurance contractor. Single Pot funded transport projects with a value below £5m will be considered on a case by case basis and in cases of strategic impact or project complexity, an independent value for money statement will be undertaken on a proportionate and appropriate basis.
- The Combined Authority will make proportionate and appropriate assessments of all Business Cases to ensure that any scheme below High VfM (BCR below 2, and accounting for significant non-monetised and key uncertainties), has evidenced strategic value, either to the benefit of achieving advancement of the devolution ambition, economically or housing, or national or wider regional importance for unlocking strategic passenger or freight movement through the combined authority region.
- The Combined Authority's Chief Finance Officer will assess and either approve or reject all Value for Money statements undertaken whether in the form of a business case or an independent assessment. Decisions will be taken appropriate to scheme phase and greater scrutiny and emphasis on High VfM will be undertaken as schemes progress through the SOBC, OBC and FBC process, with greater scrutiny of FBC VfM.
- Business case publication is notified up to 3 months in advance within the Forward Plan, published on the Combined Authority website and then published as part of submission for decision approval at the Business Board and subsequent Combined Authority Board, before a decision to approve funding is made so that external comment is possible. Opinions expressed by the public and stakeholders are made available to relevant members or boards of either Business or Combined Authority Boards when decisions are being taken. The Forward Plan is formally approved at each monthly meeting of the Combined Authority Board and Business Board.

5.9 Project Approval – Funding Agreement

5.9.1 For projects being delivered by an external organisation, funding agreements or formal legal contracts will need to be put in place before delivery commences. These are important in setting out project monitoring and evaluation requirements, claims/invoice profile and key conditions of



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

the funding. Agreements/contracts also set out the clawback arrangements in the event of underperformance. Any variations to these funding agreements/contracts must be signed off and approved by the Combined Authority.

- 5.9.2 All Growth Fund schemes will have a funding agreement that sets out the outputs that are required and the schedule of payments that are to be paid. These are examined at each point in the claim.
- 5.9.3 Following approval of a Business Case it may be necessary to complete a range of statutory processes to ensure the project is ready to start. For example, planning permission or a Compulsory Purchase Orders. It may also be necessary to satisfy a number of conditions agreed as part of the Business Case [appraisal](#). Due diligence of such processes/conditions will then be carried out as required prior to the Combined Authority issuing a formal legal contract.

6. DELIVERY PHASE

6.1 Release of Funding, Cost Control and Contract Management

- 6.1.1 Once a formal funding agreement/contract is in place the programme/project enters the delivery phase.
- 6.1.2 The Combined Authority's Section 73 Officer must certify that funding can be released under the appropriate conditions.
- 6.1.3 Funding claims submitted to the Combined Authority are checked against the approved project baseline information, which is included within the original funding agreement/contract. Payments will be released quarterly in arrears unless otherwise agreed.
- 6.1.4 A mechanism for 'claw-back' provision is to be included within the funding agreements/contract to ensure funding is spent [only](#) on the specified scheme and linked to delivery of outputs and outcomes. Payment milestones are agreed between the project manager and the Combined Authority based upon the complexity, cost and timescales of the scheme. This forms part of the programme management role of the Combined Authority.

6.2 Performance Reporting

- 6.2.1 Projects funded by the Combined Authority (regardless of size) will incorporate the Monitoring and Evaluation Framework and will have a basic monitoring plan in place as part of the business case. Further information on this can be found in the 10-point guide on Project Management. **(Appendix 4)**
- 6.2.2 A monthly highlight report cycle has been created and embedded across the organisation. Projects which fall under the Combined Authority Board are required to have monthly reports completed, updating on budget spend and performance against key milestones and outputs/outcomes. [There is also a monthly highlight report which monitors spend against Local Growth Funding.](#)
- 6.2.3 Highlight reports also contain risk registers for each project, where project managers track and monitor key risks (and assign a named individual of appropriate seniority against each).



CAMBRIDGESHIRE
& PETERBOROUGH
COMBINED AUTHORITY

6.2.4 Using information from these monthly highlight reports, a monthly dashboard report is created, pulling together the key information from all projects across the Combined Authority Directorates. This information is shared with Members of the Corporate Management Team once a month.

6.2.5 Once a quarter, an exception report is created from the amber and red rated projects and shared with Combined Authority Board Members, along with a Quarterly Performance Update. This provides detail on how the Combined Authority is performing against the following key metrics and targets within the Devolution Deal:

- Prosperity (measured by Gross Value Added or GVA)
- Housing
- Jobs
- RAG status of key projects

6.2.6.1.1 Aligning with the quarterly updates to Combined Authority Board, 'Critical Friend' clinic
Aligning with the quarterly updates to Combined Authority Board, 'Critical Friend' clinic sessions

6.2.7 Growth fund investment update reports are also submitted to every meeting of the Business Board and will be published on the Business Board section of the website.

6.2.7

6.3 Risk Management

6.3.1 The Combined Authority has developed a risk management approach for corporate, portfolio, programme and project level. Within our strategy it manages risk identification, mitigation, escalation and reporting templates guidance.

6.3.2 It is important that the level of risk taken on any project and programme is understood from an early stage alongside the associated cost implications. Project managers are required to include risk as part of funding requests.

6.3.3 The corporate risk register which incorporates the risks will be reviewed monthly by the Corporate Management Team and will be considered by the Audit and Governance Committee quarterly. The Combined Authority's risk strategy includes a hierarchy of risk registers: Project, Programme, Portfolio and Corporate, risks can be escalated up through these levels where required.

6.3.4 Senior Officers of the Combined Authority (Chief Executive and S73 Officer) are responsible for the identification and management of risk.

6.3.5 At the project level, all projects are expected to outline, in detail, any identified risks during the business case development and due diligence processes. Once in delivery, ongoing risk registers are maintained and incorporated into the monthly highlight reports.

Commented [RF21]: Rochelle – this is out of date and worth updating at some point but I'm not sure if this is the correct time

Formatted: Not Highlight

Formatted: Not Highlight

6.3—Change requests

6.4.1—All project change requests must be clearly documented, with evidence of approvals and



notifications saved where applicable and recorded within the performance highlight reports.

6.4.2—All project changes must receive Director approval in writing, or approval in the form of
All project changes must receive Director approval in writing, or approval in the form of

6.4.3 Approval will be required for:

- RAG rating change in the Highlight Report
- Changes of project scope
- Changes to timescales
- Amendment to budget
- Variations to outputs delivered
- Withdrawal of a project

6.4.36.4.4 Directors are responsible for agreeing change requests within delegation and promoting change requests outside delegation. Where there is a project board on which the Director sits, the Project Board may also agree change requests within its delegations.

6.4.4—Clawback and recovery processes for projects need are addressed in the funding agreement/contract.

6.4.56.4.6 The Business Board's role in recovering funding where there has been non-compliance, misrepresentation or underperformance is being further developed.

6.2 Programme and Project Monitoring

6.2.1. Funding agreement/contracts set out the programme or project spend and output profile together with the monitoring arrangements (financial, benefits and risk).

6.2.2. Monthly highlight reports are completed by project managers on all live projects and provide updates on the performance of projects. These reports are reviewed by members of the Senior Management Team, and quarterly during the 'Critical Friend' clinic sessions.

6.2.3. Any changes or variances to the spend profiles or key milestones will need to be reported by the Project Manager and approved by the Combined Authority. On approval a variation letter to the Funding Agreement/contract will be issued.

6.3 Project Evaluation

6.3.1. The PID and business case clearly defines those outputs which may be captured through routine monitoring.

6.3.2. The Monitoring and Evaluation framework sets out when and how programmes and projects are reported.

6.3.3. Evaluation forms are a requirement of the project closure process, and project managers are responsible for identifying, at the inception stage, what their project is to deliver.



CAMBRIDGESHIRE
& PETERBOROUGH
COMBINED AUTHORITY

- 6.3.4. Evaluation plans will be proportionate and in line with the latest government department guidance where relevant. For example, all transport schemes (over £5m) will follow Monitoring and Evaluation Guidance for Local Authority Major Schemes.
- 6.3.5. All monitoring and evaluation arrangements (which will form part of the final business case) and interim and final monitoring and evolution reports, will be published on the Combined Authority website.
- 6.3.6. The Combined Authority will identify the projects that will be subject to a more detailed evaluation. The level of evaluation will depend on the following:
- (a) Projects funded through gainshare funding (in the Combined Authority's case the core agreement with central government to devolve £20m per year over 30 years) are subject to the agreed national evaluation framework, independent evaluation led by SQW Ltd.
 - (b) Projects funded through other streams and identified as being 'major' in terms of the relative size of the funding and/or the expected benefits to be achieved. Therefore, subject to full independent evaluation commissioned by the Combined Authority (an example would be evaluating the effectiveness of projects commissioned under the £100m affordable housing fund).
 - (c) Project identified locally as one where *significant learning* could be available that would help to inform future policy making either locally or nationally. This will include projects that are innovative or considered 'pilots'. Evaluation work in this case would be either be commissioned independently or carried out locally by the Research Team for Cambridgeshire County Council.
 - (d) Parameters around evaluation required as part of particular programmes as dictated by central government departments, for example Local Growth Funding.
 - (e) Other projects not included above subject to proportionate 'self-evaluation' based on submitted business cases.

7. Measuring Success – Realising the Benefits

7.1 The Importance of Monitoring and Evaluation

- 7.1.1 The Combined Authority and the Business Board (LEP) is committed to implementing effective monitoring and evaluation so that it is able to:
- **Provide local accountability to the public** by demonstrating the impact of locally devolved funding and the associated benefits being achieved.
 - **Comply with external scrutiny requirements** i.e. to satisfy conditions of the Devolution Deal. Specifically, the Monitoring and Evaluation Framework will be used to demonstrate local progress and delivery to senior government officials and Ministers who are ultimately accountable to parliament for devolved funds.
 - **Understand the effectiveness of policies or investments** and to justify reinvestment or modify or seek alternative policy. The Monitoring and Evaluation Framework provides a feedback loop for the Authority and relevant stakeholders. This includes performance measurement on the impact of outcomes from specific funding programmes which the Combined Authority is the Accountable Body, for example Local Growth Funds

10 | Page



CAMBRIDGESHIRE
& PETERBOROUGH
COMBINED AUTHORITY

- **Develop an evidence base for input into future business cases** and for developing future funding submissions. The Monitoring and Evaluation Framework will collect, collate and analyse data which can be utilised for future work and especially in relation to economic impact of particular interventions creating 'benchmarks'.

7.1.2 The Combined Authority Monitoring and Evaluation Framework was initially prepared in relation to the Combined Authority's Devolution Deal monitoring and evaluation requirements. However, the approach set out in the Framework will be utilised for all sources of funding within the Cambridgeshire and Peterborough Business Plan, accepting that some government departments will have slightly different requirements which will be met. The Framework builds on the National Evaluation Framework for devolution funds, prepared by **SQW** and agreed with devolution areas and government.

7.1.1 The Business Board will be asked to co-adopt this Monitoring and Evaluation framework, as the Governments published guidance requires the Business Board to reference their monitoring and evaluation arrangements as well. This includes for example specific plans using the framework to deliver monitoring and evaluation work for key Business Board programmes.

7.1.47.1.2 The overall responsibility for monitoring and evaluation (the Monitoring and Evaluation framework) and execution of the activity associated with it is held at director level at the Combined Authority, within the post of Strategy & Assurance Director Delivery and Strategy. The Combined Authority has agreed a contract with Cambridgeshire County Council (part of the wider Cambridgeshire Insight partnership) to provide an appropriate level of officer support on Monitoring and Evaluation, including local knowledge, expertise and supporting capacity. For Local Growth Fund programme it was agreed to utilise an additional contractor to undertake the evaluation work on the Local Growth Fund evaluation plan phase one

7.1.57.1.3 The Combined Authority's approach uses the Magenta Book definition of monitoring and evaluation and makes use of the wider guidance within this document as complementary guidance to the HM Treasury Green Book.

7.1.67.1.4 The Combined Authority major projects will have logic models.

7.1.5 Lessons learnt from evaluations will be reported to the Business Board and Combined Authority Board as appropriate.

Formatted: Highlight

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt

7.2 Programme and Project Monitoring

- 7.2.1 Funding agreement/contracts set out the programme or project spend and output profile together with the monitoring arrangements (financial, benefits and risk).
- 7.2.2 Monthly highlight reports are completed by project managers on all live projects and provide updates on the performance of projects. These reports are reviewed by directors at their monthly Director meetings members of the Senior Management Team, and quarterly, during the 'Critical Friend' clinic sessions.
- 7.2.3 Any changes or variances to the spend profiles or key milestones will need to be reported by the Project Manager and approved by the Combined Authority. On approval a variation letter to the Funding Agreement/contract will be issued.

Formatted: Indent: Left: 1.45 cm, Hanging: 1.23 cm, Right: 1.05 cm, Space Before: 6 pt

Formatted: Not Expanded by / Condensed by

Formatted: Right: 1.05 cm, Space Before: 6 pt

Formatted: Not Expanded by / Condensed by

7.2.3

Formatted: Indent: Left: 2.68 cm, No bullets or numbering

7.3 Project Evaluation

- 7.3.1 The PID and business case clearly defines those outputs which may be captured through routine monitoring.
- 7.3.2 The Monitoring and Evaluation framework sets out when and how programmes and projects are reported.
- 7.3.3 Evaluation forms are a requirement of the project closure process, and project managers are responsible for identifying, at the inception stage, what their project is to deliver. Detailed evaluation requirements are also a requirement of the project closure form.
- 7.3.4 Evaluation plans will be proportionate and in line with the latest government department guidance where relevant. For example, all transport schemes (over £5m) will follow Monitoring and Evaluation Guidance for Local Authority Major Schemes.
- 7.3.5 All monitoring and evaluation arrangements (which will form part of the final business case) and interim and final monitoring and evolution reports, will be published on the CP Combined Authority website.
- 7.3.6 The Combined Authority will identify the projects that will be subject to a more detailed evaluation. The level of evaluation will depend on the following:
- Projects funded through gainshare+growth funding (in the Combined Authority's case the core agreement with central government to devolve £20m per year over 30 years) are, Therefore, subject to the agreed national evaluation framework, independent evaluation led by SQW Ltd.
 - Projects funded through other streams and identified as being '*major*' in terms of the relative size of the funding and/or the expected benefits to be achieved. Therefore, subject to full independent evaluation commissioned by the Combined Authority (an example would be evaluating the effectiveness of projects commissioned under the £100m affordable housing fund).
 - Project identified locally as one where *significant learning* could be available that would help to inform future policy making either locally or nationally. This will include projects that are innovative or considered 'pilots'. Evaluation work in this case would be either be commissioned independently or carried out locally by the Research Team for Cambridgeshire

Formatted: Indent: Hanging: 1.23 cm, Right: 1.05 cm, Space Before: 6 pt

Formatted: Font: Not Italic

County Council.

- Other projects not included above subject to proportionate 'self-evaluation' based on submitted business cases.

7.4 Adult Education Budget Monitoring and Evaluation

- 7.4.1 The Adult Education Budget reporting will be included within the Combined Authority monitoring and evaluation submissions as required under the devolution agreement. The Combined Authority has already submitted our policies for adult education as part of the readiness conditions and they were published as part of the commissioning process. They will continue to be updated and will be published more broadly during the academic year 2019/20.
- 7.4.2 The Combined Authority's Monitoring and Evaluation Framework (detailed above) will be used for the Adult Education Budget activity including the use of logic models. The first formal annual evaluation will be undertaken after year 1 academic year 2019/20 delivery and completed by December 2020. It will meet the national requirements as set out in the National Assurance Framework, together with locally determined requirements so that it can be used to inform and shape the criteria for future funding awards.
- 7.4.3 The Combined Authority has agreed with the Education & Skills Funding Agency a formalised approach for Audit, Assurance, Fraud and Investigations for 2019/20. This agreement provides support for both parties in ensuring AEB service provision post devolution.

Formatted: Font: 12 pt, Not Expanded by / Condensed by

Formatted: Font: 12 pt

Formatted: Not Expanded by / Condensed by

Formatted: Not Expanded by / Condensed by

Appendix 1 - Cambridgeshire and Peterborough Combined Authority and Business Board Joint Statement

Advisory and challenge function:

The Business Board is a non-statutory body which is the Local Enterprise Partnership for this area. It is independent of the Cambridgeshire & Peterborough Combined Authority (CPCA) operating as a private-public sector partnership, focusing on the key business sectors to provide strategic leadership and drive growth in the Cambridgeshire and Peterborough and wider Local Enterprise area.

The Business Board comprises a blend of industry leading experts from the private sector, alongside representatives from the public sector and education communities. It is chaired by a private sector representative and brings together some of the brightest entrepreneurial minds in our area.

The Chair is a voting member of the Cambridgeshire and Peterborough Combined Authority Board ensuring that the business view is at the centre of regional decision making.

The role of the Business Board as stated within its terms of reference is:

Strategy:

- (a) In collaboration with the Cambridgeshire and Peterborough Combined Authority, develop and deliver 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.
- (b) Set strategy and commission interventions to drive growth, jobs and private sector investment to deliver the strategy.

Allocation of funds

- (c) Identify and develop 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.
- (d) ensure that bids for public funding made available by government for LEPs support economic growth.
- (e) ensure any decisions which are made in contravention of the process will be invalid.

Co-ordination

- (f) Use its Business convening power, for example to co-ordinate responses to economic shocks; and bringing together partners from the private, public and third sectors.
- (g) ensure Business Board and Combined Authority policy and decisions receive the input and views of key business leaders and take account of the views of the wider business community
- (h) engage with local businesses to understand the needs of different sectors and markets

Advocacy

- (i) Collaborate with a wide-range of local partners to act as an informed and independent voice for business across their area.
- (j) engage business, opinion formers and policy makers at a national and international level in promoting economic growth in the region.

(Business Board constitution)

By bringing together the Business Board and the Combined Authority we combine the best of private sector expertise and public sector knowledge, transparency and accountability.



Alignment of decision-making across a clear geography:

The Mayoral Cambridgeshire and Peterborough Combined Authority was formally established on 2 March 2017 (with Mayoral election held in May 2017) to further the sustainable and inclusive growth of the economy of Cambridgeshire and Peterborough. Its geographical boundary covers seven constituent local authorities in the Cambridgeshire and Peterborough area.

The Business Board was established on 1st April 2018, taking over from the former Greater Cambridge Greater Peterborough Local Enterprise Partnership, to drive forward economic growth across its local area. The Business Board is now responsible for all former Local Enterprise Partnership projects and programmes. The Business Board currently covers 15 local authorities;

As part of a full regional governance review, the Department for Business Enterprise and Industry are considering proposals to align the Business Board boundaries with the Cambridgeshire and Peterborough Combined Authority to ensure close working and delivery of economic growth projects across Cambridgeshire and Peterborough.

The integrated officer structure ensures that the relationship between the Combined Authority and Business Board is strong and effective. All governance policies and procedures are aligned ensuring transparency and open and accountable decision making.

Accountability:

The accountable body for all Local Enterprise Partnership funding is the Cambridgeshire and Peterborough Combined Authority. It provides the accountable body role for the both Business Board, the multi LEP Agri-Tech programme and the Greater South East Local Energy Hub and employs the officers that support them. The Combined Authority will ensure the effective use of public money and

The Combined Authority Board approves funding decisions upon the recommendation of the Business Board except where delegations have been approved. The S73 Officer signs off all funding decisions.

Efficiency and corporate identity:

The Combined Authority and Business Board operate under a single officer team. In order to ensure the independence of each Board, the senior management team has separate duties assigned to officers within that team. The senior management team is headed up by the joint Chief Executives.

The Combined Authority Board and Business Board are supported by a Chief Officer who is the Director for Business & Skills, and further supported by key statutory officers within the single team and through a dedicated S151 Officer and Monitoring Officer to provide an independent secretariat to each Board.

In addition to the above, the Boards also benefit from specialist support within the wider structure. This includes experienced Directors, Programmes Managers and others to ensure that the organisation is run in a proactive, impact driven and fully compliant manner.

The Combined Authority and the Business Board have their own branding and identity recognising that



some work of the Business Board is separate from and extends beyond the Combined Authority.

Overview and Scrutiny:

The role of the Cambridgeshire and Peterborough Combined Authority's Overview and Scrutiny Committee is primarily to scrutinise the work and decisions made by the Cambridgeshire and Peterborough Combined Authority. In so far as the business of the Business Board, the Overview and Scrutiny Committee may review or scrutinise any Combined Authority decision in its role as accountable body for the Business Board. The Combined Authority's Scrutiny Officer shall ensure this includes appropriate scrutiny of the Business Board decision making and achievements. Any Business Board member may be asked to attend, or otherwise contribute to a meeting of the Combined Authority's Overview and Scrutiny Committee.

The Cambridgeshire and Peterborough Combined Authority's Audit and Governance Committee shall also oversee the audit and governance arrangements of the Business Board.

9. Appendix 2 – Summary of Scheme of Delegation for Business Board funding

The schemes of delegations are set out in the Business Board and Combined Authority Constitutions and summarised below:



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

Function	Approved by	Recommendation by	Supported by
Strategy			
CPIER and the Mayor's growth ambition statement and associated thematic strategies	Combined Authority Board		Chief Executive, Monitoring Officer and S73 Officer
Business Plan and the Medium-Term Financial Plan	Combined Authority Board	Overseen by Audit and Governance Committee	Chief Executive, Monitoring Officer and S73 Officer
Business Board to lead on development and deliver an evidence-based Local Industrial Strategy	Combined Authority Board	Business Board	Chief Executive, Director of Business and Skills, Monitoring Officer and S73 Officer
Digital Sector Strategy	Combined Authority Board	Business Board	Chief Executive, Directors, Monitoring Officer and S73 Officer
OxCam Arc	Combined Authority Board	Business Board	Director of Business and Skills Monitoring Officer and S73 Officer
Influencing the development of the other Combined Authority's strategies and policies	Combined Authority Board	Business Board	Chief Executive, Monitoring Officer and S73 Officer
Allocation of LEP funding			
Budget approval	Combined Authority Board		Chief Executive, Monitoring Officer and S73 Officer
Sign off all funding decisions relating to funding allocated to the Business Board and sub-committee expenditure	S73 Officer		
Business Board funded project approvals	Combined Authority Board as accountable body	Business Board review the Business Case for Business Board funded projects and make Recommendation to the Combined Authority Board	S73 Officer signs off all Business Board expenditure proposals

Formatted Table

Formatted: Line spacing: Exactly 13.4 pt



CAMBRIDGESHIRE
& PETERBOROUGH
COMBINED AUTHORITY

Function	Approved by	Recommendation by	Supported by
		ons to the Combined Authority Board	
Allocation of Small Grants between £2,000 and £20,000	Director of Business & Skills		Delegation subject to Section 73 Officer approval and report all approvals to the next scheduled meeting of the Business Board. Decision recorded through the Officer Decision Notice process
Wisbech Access Strategy at key gateway stages to deliver the agreed Wisbech Access Strategy Package works	Head of Transport in consultation with the Chair of the Transport Committee Section 73 Officer		Decision recorded through the Officer Decision Notice process
Eastern Agri-Tech Programme (Multi-LEP Programme) to make decisions about applications for grant funding on behalf of both the CA/BB and NALEP (New Anglia Local Enterprise Partnership).	Eastern Agri-Tech Programme Board		Agri-Tech Project Officer, Director of Business and Skills, Monitoring Officer and S73 Officer
Energy Hub funding (Multi-LEP Programme) (a) to assume the Rural Community Energy Fund management role (b) oversight of the Rural Community Energy Fund (RCEF) Funding Panel	Greater South East Energy Hub		Regional Energy Hub Manager, Director of Business and Skills, Monitoring Officer and S73 Officer
Makes decisions on Energy Hub grant applications.	Community Energy Fund (RCEF) Funding		Regional Energy Hub Manager, Director of Business and Skills,

Formatted Table

Formatted: Line spacing: Exactly 13.4 pt

Commented [RE22]: I think this delegation has changed to cover a project rather than a specified amount now.



Function	Approved by	Recommendation by	Supported by
	Panel		Monitoring Officer and S73 Officer
Strategic oversight and governance of the Enterprise Zones	Business Board		Director of Business and Skills, Monitoring Officer and S73 Officer
Programme delivery of Enterprise Zone projects	Enterprise Zone Alconbury Weald Programme Board and Cambridge Compass Enterprise Zone Project Boards S73 Officer Chief Executive	Director of Business and Skills	Individual Enterprise Zone Project Boards for each site, set-up at officer level and responsible for delivering the programmes and projects associated with the regeneration and development of each Enterprise Zone site.
Governance			
Accountable Body Business Board and the Greater South East Local Energy Hub	Combined Authority Board S73 Officer	Director of Business and Skills	
Assurance Framework	Joint approval by Combined Authority Board and Business Board	Monitoring Officer and S73 Officer	Director of Business and Skills responsible for the delivery of Business Board functions within the assurance framework
Submission of Growth Deal monitoring report to Government	Chief Executive Combined Authority Board S73 Officer	Business Board <u>where Board meeting timetable allows</u>	Director of Business and Skills S73 Officer
Annual Delivery Plan	Business Board		Director of Business and Skills responsible for the delivery of annual delivery plan within agreed budgets
Business Board Constitution and delegations to other bodies or Officers	Combined Authority Board	Business Board	Director of Business and Skills, Monitoring Officer and S73 Officer

Formatted Table

Formatted: Line spacing: Exactly 13.4 pt



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

Membership of the Business Board –	Board's appointments		Director of Business and Skills
---------------------------------------	-------------------------	--	------------------------------------



CAMBRIDGESHIRE
& PETERBOROUGH
COMBINED AUTHORITY

Function	Approved by	Recommendation by	Supported by
Private Sector members	panel		
Diversity Statement	Business Board		Director of Business and Skills
Contract Standing orders and financial Regulations	Combined Authority Board		Monitoring Officer and S73 Officer
Urgent Decisions	Business Board urgency procedure and reported to next Meeting of Business Board		Director of Business and Skills Monitoring Officer and S73 Officer
Risk Management for Business Board Projects	Business Board		Director of Business and Skills Senior Information Risk Officer (SIRO) - The Monitoring Officer is the SIRO for Information Governance
Final accounts	S73 Officer and Audit and Governance Committee		
Annual Governance Statement	Mayor, the Business Board Chair and the Chief Executive	Audit and Governance Committee	
Growth Company	Combined Authority Board	Business Board	Director of Business and Skills Monitoring Officer and S73 Officer

Formatted Table

Formatted: Line spacing: Exactly 13.4 pt

10. Appendix 3 – Governance Framework and Publication Checklist

	Chapter	Link to scheme	Documents that must be published under National Framework
1	Assurance framework		
		National Assurance Framework	✓
		Cambridgeshire and Peterborough Assurance Framework	✓
2	Strategic Documents		
		Cambridgeshire and Peterborough Devolution Deal	✓
		Cambridgeshire and Peterborough Independent Economic Review	✓
		Local Industrial Strategy	✓
2.1		Mayor's growth ambition statement	✓
2.2		Cambridgeshire and Peterborough Business Plan 2019-2020	✓
2.3		Combined Authority Medium-Term Financial Plan 2019-2023	✓
3	Accountability and Transparent Decision making		
3.2	Combined Authority	Constitution of the Mayoral Combined Authority	✓
		Combined Authority Members	✓
3.3	Business Board	Constitution of the Business Board	✓
		Business Board Members	✓
		Cambridgeshire and Peterborough Combined Authority and Business Board Joint Statement (See Appendix 1)	✓
		Eastern Agri-Tech Growth	✓

Formatted Table

Commented [RW23]: Question re links



		Initiative & Agri-Tech Programme Board	
		Eastern Agri-Tech Growth Initiative Guidance Notes and Pre-Qualification Questionnaire	✓
		Enterprise Zones Alconbury Weald and Cambridge Compass Enterprise Zones	✓
		Greater South East Energy Hub & Energy Hub Board	✓
		RCEF guidance notes and Expression of Interest form (to be published)	✓
3.4		Officer Decision Notices	
3.6	Statutory Committees		
	Overview & Scrutiny Committee	Terms of reference (Constitution)	
	Audit & Governance Committee	Terms of reference (Constitution)	
		Audit Reports 2019 - Business Board - Internal Audit annual internal Audit letter	✓
3.7	Data Protection	Data Protection Policy	✓
4	Accountability and Transparency – Supporting Policies and Procedures		
		Combined Authority Agendas and minutes	✓
		Business Board Agendas and minutes	✓
		Annual report and delivery plan	✓
4.2	Financial information	Annual accounts, external audit letter and annual governance statement 2017/18	✓
		Quarterly return to BEIS on Growth Fund projects, spend and performance	✓
		Funding programme with description of the scheme, promoter and funding award	✓
4.3	Remuneration and Expenses	Interim Business Board Expenses Scheme	✓
		Allowances and Expenses paid 2018/19	✓
		Salaries of senior officers earning more than £50,000 (published annually); together with the numbers of staff who earn over	



		£50,000, in bands	
4.4	Freedom of Information	CACP Freedom of Information Policy, publication scheme and published FOI requests and responses	✓
4.5	Conflicts of Interest	Code of Conduct for Business Board Members	✓
		Code of Conduct for staff	✓
		Declarations of Interest forms	✓
		Register of interest for Chief Executives	✓
4.6	Gifts and Hospitality	The register of gifts and hospitality declared by Business Board	✓
4.7	Complaints and Whistleblowing	CACP Complaints Policy	✓
		CACP Whistleblowing Policy	✓
		CA Business Board Complaints Policy	✓
		CA Business Board Whistleblowing Policy	✓
		CA Business Board Confidential reporting of complaints	✓
		Making a complaint	✓
		Fraud and Corruption Policy	
4.8	Diversity Statement	CA Business Board Diversity Statement	✓
4.9	Government Branding	Guidance for signage, social media, press notices and other marketing materials for every Government funded project (to be published)	
5	Robust Decision making		
5.3	Expressions of Interest/Open Calls	Local Growth Fund, expressions of interest under the Growth Prospectus	✓
5.5	Business Cases	10-point guide on Project Management – See Appendix 3	✓
5.7	Ensuring Value for Money	Monitoring and Evaluation Framework	
6	Delivery Phase		
		Growth fund and investment update reports	✓
		Risk Management	

~~11.~~ 11. Appendix 4 - 10 Point Guide to Project Management

Formatted: Indent: Left: 1.2 cm, No bullets or numbering