

Appendix 1

Recruitment of Chair and Board members – Extract from Government Guidance and Business Board constitution

1. Strengthened Local Enterprise Partnerships MHCLG July 2018

Government will:

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Government will actively **work with Local Enterprise Partnerships to advertise opportunities** for private sector leaders to become a Local Enterprise Partnership Chair when vacancies emerge. While these are not public appointments, we will offer to list vacancies on the Centre for Public Appointments website. This will help open up recruitment exercises to a broader pool of potential candidates, and at the same time underline the importance of the role to helping shape and deliver Government policy.p16

How Local Enterprise Partnerships will support this change:

Government expects that each Local Enterprise Partnership **consults widely and transparently with the business community before appointing a new Chair**, and **appoints a Deputy Chair**. This process, including members of the appointment panel, should be set out by the Local Enterprise Partnership in their local assurance framework. Government will support this by advertising vacancies and actively supporting recruitment into these roles but appointment to positions on Local Enterprise Partnership boards will remain a decision for the Partnership. In line with best practice in the private sector, Local Enterprise Partnerships will want to **introduce defined term limits for Chairs and Deputy Chairs** where these are not currently in place.p17

2. Extract from National Local Growth Assurance Framework

Appointment Process for Board Members and Chairs

75. The LEP should outline, or refer to, its appointment process for Board Members (public and private sector), Chairs and Deputy Chairs within the Local Assurance Framework. As part of this they should ensure that they advertise opportunities for private sector leaders to become a LEP Chair or private sector Board Member when vacancies emerge. They should advertise openly, on a variety of platforms to ensure that people across the business community have an opportunity to apply and consider the diversity requirements outlined in this Framework.

76. Whilst LEP Chair appointments are not public appointments, Government offers to list vacancies on the Centre for Public Appointments website.18

77. Government expects that each LEP consults widely and transparently with the business community before appointing a new Chair. LEPs should openly advertise opportunities for private sector leaders to become a LEP Chair or Board Member when vacancies emerge and publish details of how the LEP ensures an open recruitment process. The LEP's appointment process should set out how this is done.

Diversity Statements

78. The Local Assurance Framework must set out the LEPs commitment to diversity. **The LEP should produce a diversity statement explaining how the LEP will ensure representation at Board and Sub-Board level** which is reflective of their local business community (including geographies, gender and protected characteristics). The statement should also set out how the LEP will monitor diversity at board level and explain what steps the LEP is taking to ensure diversity in its engagement with local communities and businesses.

The diversity statement should include a commitment to ensure that by 2020 at least one third of members of LEP Boards are women with an expectation for equal representation by 2023.

Best Practice

1. It is best practice for a report to be made to the Board each year discussing progress in encouraging diversity and how improvements can be made.
2. In addition, it is best practice for each LEP to nominate a diversity champion from its Board. Their role will be to encourage diversity and ensure that the LEP is acting in line with its diversity statement.

3. Extract from CPCA Assurance Framework

3.3.20 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 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.

4. Business Board Diversity Statement

Diversity Statement

The Business Board is dedicated to supporting a fully inclusive culture and recognises its role in promoting diversity and eliminating discrimination and seeks to do this in the way it conducts itself. Our aim is to ensure that The Business Board will provide equal opportunity for everyone.

This policy reinforces our commitment to providing equality and fairness to all those who wish to work with or for us. We will not act less favourably on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, ethnic origin, colour, nationality, national origin, religion or belief, or sex and sexual orientation. We are opposed to all forms of unlawful, unfair and inappropriate discrimination.

The Business Board recognises and embraces the benefits of having a diverse Board, and sees increasing diversity at Board level as essential in representing the diverse community that constitutes The Business Board area and in improving its creativity, productivity and ability to innovate. A truly diverse Board which is reflective of our local business community will include and make good use of differences in the skills, geographical and industry experience, background, race, gender and other qualities. These differences will be considered in determining the optimum composition of the Board and when possible should be balanced appropriately. Whilst all appointments to the Business Board will be on merit, in accordance with Government requirements, identified during the Strengthening LEPs Review, 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
- • with an expectation for equal representation by 2023, and
- • ensure its Board is representative of the businesses and communities they serve

Last updated: October 2018

5. Extract from Business Board Constitution

Private Sector Representatives

- 1.1. Up to eight business representatives— one member will be appointed specifically to represent the interests of the Small and Medium Sized Enterprises (SME) sector, one member will represent the education sector and one member will be appointed as an international business representative.
- 1.2. The Business Board membership meets the requirements for two thirds of the Business Board members to be private sector representatives and does not exceed the maximum of 20 members¹.

¹ Strengthening Local Enterprise Partnerships, MHC&LG, July 2018

- 1.3. Whilst all appointments to the Business Board will be 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:
- (a) that women make up at least one third of Business Board by 2020
 - (b) with an expectation for equal representation by 2023, and
 - (c) ensure its Board is representative of the businesses and communities they serve².

2. Recruitment, Appointment and Termination of Private Sector Members

- 2.1. The private sector representatives and the Chair of the Business Board shall be appointed following an open, transparent and non-discriminatory recruitment process which assesses each candidate on merit carried out in accordance with the Business Board's diversity statement, Government Guidance and the Nolan Principles. This will include a public advertisement and an interview process conducted by a Business Board's appointments panel. ..
- 2.2. Formal appointment panels will be constituted as follows

Position	Panel
Appointment of a Chair	Mayor of Cambridgeshire and Peterborough Combined Authority, the Combined Authority's Lead Member for Economic Growth plus three private sector Business Board members supported by the Chief Executive of the Combined Authority or his/her nominee
Appointment of private sector board members	Chair and Vice-Chair of the Business Board Mayor of Cambridgeshire and Peterborough Combined Authority or the Combined Authority's Portfolio for Economic Growth
Vice-Chair (where there is more than one candidate)	Chair of the LEP and Mayor of Cambridgeshire and Peterborough Combined Authority or the Combined Authority's Portfolio for Economic Growth

Interview panels will be advised by the Director of Business and Skills.

Requirements for Private Sector Representatives

- 2.3. The Private Sector Board members must not:
- (a) be a member, officer of the Combined Authority, or a County Council, Unitary Council, District tier Council within the area served by the

² Strengthening Local Enterprise Partnerships, MHC&LG, July 2018

- Business Board, or otherwise employed under the direction of a local authority;
- (b) be a non-executive director or officer of an NHS Trust;
 - (c) be subject to a bankruptcy restriction order or interim order;
 - (d) be subject to a sexual risk order or be on the sexual offenders register;
 - (e) be subject to a civil injunction or criminal behaviour order;
 - (f) be disqualified from acting as a director, a charter trustee or charity trustee
 - (g) within 5 years before the date of submission of application, have been a director or person of significant control of a company subject to a creditors compulsory liquidation
 - (h) within 5 years before the date of submission of application, have been convicted of any offence and have had passed on them a sentence of imprisonment, whether suspended or not, for a period of not less than 3 months without the option of a fine
- 2.4. Private Sector Members should not have made substantial personal contributions to any recognised political party, and must not serve as an officer in any recognised political party.
- 2.5. Members should be employed by, or have a substantial interest (by virtue of ownership / control) in businesses in the area served by the Business Board
- 2.6. The Appointments Panel shall appoint the **private sector representatives** to the Business Board following an interview process.
- 2.7. Each private sector representative on the Business Board is appointed in their individual capacity, and not as a representative of their employer or any other organisation. No substitute members will be appointed for private sector representatives.

Appointment

- 2.8. A formal offer will be made to successful candidates. On appointment Board members are required to sign a declaration affirming their understanding and commitment to the Code of Conduct.
- 2.9. Within the period of 28 days of the appointment being made to the Business Board, the Business Board shall publish a notice on its website which:
- (a) states that it has made an appointment;
 - (b) identifies each Business Board member who has been appointed and any substitute members; and
 - (c) specifies the term of office of those appointed
 - (d) Publishing the members' and substitute members' register of interest form.

Term of Appointment

- 2.10. The term of office for **private sector representatives** will normally be a maximum of 3 years, and subject to a maximum of one consecutive term, unless
- (a) they cease to qualify to be a member of the Business Board;
 - (b) they resign from their membership and communicate this in writing to the ~~Legal Counsel and~~ Monitoring Officer; or
 - (c) the Business Board terminates the membership of any private sector representative which it may do at any time,
 - (d) upon receipt of a vote of no confidence by the Combined Authority Board, the Board must consider whether to terminate the terms of office of the Chair at the next meeting of the Board.
- 2.11. The term of office of **public sector** members and substitute members appointed by the Combined Authority is at their discretion; the Combined Authority Board may terminate their appointment or appoint a representative at any time, to be of effect on receipt of a notice by the Combined Authority's ~~Legal Counsel and~~ Monitoring Officer.
- 2.12. The Business Board may appoint co-opted members as necessary to complement the skills and expertise on the Board. Membership may not exceed 20 members.

3. Chair and Vice-Chair of Business Board

- 3.1. The Business Board will appoint a private sector representative as Chair and Vice Chair.
- 3.2. 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 the Business Board's diversity statement, Government Guidance and the Nolan Principles. This will include a public advertisement and an interview process conducted by a Business Board's appointments panel. The Business Board will consult widely and transparently with the business community before appointing a new Chair.
- 3.3. The terms of the appointment will be set out in an appointment letter from the Combined Authority to the Chair. A person ceases to be Chair or Deputy Chair if they cease to be a Business Board member.
- 3.4. 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.
- 3.5. The Chair will be a voting member of the Combined Authority Board.

- 3.6. The Business Board shall appoint a vice chair from amongst its membership. A member may only be appointed as vice chair if they have secured membership through an open recruitment process.

Resignation of the Chairmanship Mid-Term

- 3.7. **Where in future, there is a resignation of the chairmanship mid-term following a full recruitment process, existing members of the Business Board shall be invited to apply for the position. Applicants will be interviewed and appointed by the Business Board's recruitment panel. The appointment will take effect immediately on an interim basis. The business community then will be consulted widely and transparency before formally appointing the new chair. The appointments panel shall consider any representations from the business community before formally confirming the appointment. The appointment shall continue until the end of the (retired) chair's term.**

4. Co-opted Members

- 4.1. Where specific skills or abilities are required which are not available among existing members co-optees may be appointed to the Business Board. The appointment will be made by the Chair, in consultation with the Board, for 12 months. Co-opted members will not have voting rights and will not count towards the quorum. In accordance with Government Guidance, the maximum number of co-opted members should not exceed five.

1. Urgency procedure

- 1.1. In order to ensure that the Business Board is able to progress its business in an efficient manner, comments on urgent matters may be sought by the Chief Executive or other Statutory Officer outside the meeting cycle.
- 1.2. Members will receive email notification which identifies:
- (a) Details of the matter requiring comment and/or endorsement and the reason for urgency (including an explanation as to why an emergency meeting is not proposed to be held to conduct the business);
 - (b) The date responses are required by;
 - (c) The name of the person or persons making or putting forward the proposal/decision
- 1.3. Two working days after the close of responses, the following will be circulated to all Business Board Members:
- (a) The outcome of the decision taken by Statutory Officers (including responses received in agreement and responses received in disagreement); and the date when any decision comes into effect; and
 - (b) Any mitigating action taken to address Members' stated views or concerns.

Decisions and actions taken will be retrospectively reported to the next meeting of the Business Board.