

## **Terms of Reference – The Skills and Employability Board**

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Date reviewed: 21 February 2019

Next review: February 2020 (or as necessary)

### **1. Role of the Skills and Employability Board**

The Skills and Employability Board (SEB) was established in February 2014 to provide improved accountability for funding and delivery of the York, North Yorkshire and East Riding Enterprise Partnership's (YNYER LEP) skills and employability agenda. It achieves this by:

- Influencing decisions by giving advice on skills matters such as priorities, policy and strategy.
- Advising on the allocation of resources to ensure skills and employment initiatives are properly supported.
- Overseeing skills investment and review progress towards goals.
- Commissioning research projects that will identify any gaps in skills provision.
- Fostering the collaboration of employers and training providers to gain improved synergy.
- Promoting and marketing the skills activities throughout the Local Enterprise Partnership (LEP) area.

### **2. Membership**

Membership is open to representatives from employers, local authorities, training providers, government bodies, further and higher education, the LEP and the voluntary and community sectors. The SEB should have a minimum of 10 members and a maximum of 15. Current composition is:

Chair - recruited from the LEP Board

- Dr Ruth Smith - PM Management Consultants Ltd

Vice-Chair

- Allan Stewart - Independent

Areas Represented:

Employers (mix of sectors, sizes and geography)

- Matt Parsons – Sirius Minerals
- Dr Ruth Smith - PM Management Consultants Ltd
- Margaret Hicks Clarke – Independent, formerly PA News
- Charles Lane – FERA Science
- Carolyn Frank – Federation of Small Businesses
- Allan Stewart – Independent, formerly Selby College

Local Authorities and School (East Riding, North Yorkshire, York) x3

- Paul Bell – East Riding Council
- Maxine Squire – CYC
- Judith Kirk - NYCC

Further Education

- Catherine Dixon – CEO, Askham Bryan College

Higher Education representative

- Tom Banham – University of York

Schools representative

- Tim Gillbanks

Voluntary sector representative

- Sam Alexander – Your Consortium
- Laura Mason - NYBEP

Government Body (x1)

- Jo Corney – Department of Works and Pensions

Training provider

- Claire Gavaghan – CEO, Derwent Training Organisation

Appointment of Private Sector Members

- Preferred appointments are those who are in a role that can influence their own Boards and whose organisations have existing networks that can be utilised. Appointments should be representatives of a range of areas and LEP priority sectors. Members are appointed by the SEB Chair with the agreement of the members by a majority vote.
- The term of a SEB Board Member is for a minimum of one year and a maximum of three.
- Members must be representative of their expertise areas rather than their employer.

Appointment of the Chair and Vice-Chair

- To be eligible for the position of SEB Chair the nominee must be a member of the LEP Board. The term of the Chair is for three years. However, the Chair may be re-elected. If the Chair ceases to be a member LEP Board then his or her appointment as the SEB Chair will automatically lapse.
- The appointment of Vice-Chair will be made on the majority vote of the SEB. The term of the Vice-Chair is for three years. However, the Vice-Chair may be re-elected. The Vice Chair need not be a member of the LEP Board.

### **3. Accountability**

The YNYER LEP is a voluntary association having no statutory power or responsibilities. However, public funds are made available to the YNYER LEP at the direction of the Accountable Body. The processes and procedures by which the YNYER LEP conducts its business need to be robust in order to safeguard public interests.

### 3.1. Responsibilities of the Skills and Employability Board

- Report into the Local Enterprise Partnership Board at agreed intervals.
- Have overall strategic responsibility for the skills and employability activities throughout the Local Enterprise Partnership area.
- Abide by the LEP Governance Framework.
- Review the value of and relevance of the SEB and its Terms of Reference annually.
- Observe the highest standards of propriety, impartiality, integrity and objectivity in relation to stewardship of any public funds.
- Comply with the principles of the Citizen's Charter and the Code of Practice on Access to Government Information.
- Be accountable to Government and users of LEP services.
- Maximise value for money by ensuring that services are delivered in the most efficient and economical way.
- Establish the overall strategic direction within the policy and resources agreed with Government.
- Overseeing the delivery of outcomes by monitoring performance against agreed strategic objectives.
- Represent the wider interests of the sector.
- Appoint Sub- Groups with clear terms of reference as required.
- Approve the Annual Delivery Plan.

### 3.2. Responsibilities of Members

- To ensure:
  - Compliancy with any statutory or administrative requirements for the use of public funds.
  - The SEB operates good practice with environmental policies.
  - That a high standard of corporate governance is observed at all times.
  - Any guidance issued by Government is taken into account with Board decisions.
  - The SEB operates within the limits of its authority.
  - The highest standards of propriety with decision-making.
  - Response to meeting requests and confirm whether or not will attend.
  - That report back to own organisation about decisions and activities when appropriate.

### 3.3. Additional responsibility of the Chair and Vice-Chair

- The Chair must ensure that all members are fully briefed on the terms of their appointment, on their duties and on their rights and responsibilities.
- The Vice-Chair shall deputise for the Chair where appropriate

## 4. Working methods

#### 4.1. Sub Groups (SGs)

The SEB will convene SGs as required for delivering specific objectives. Before commissioning the possibility of utilising resources from existing groups should be explored. Each SG will have an elected Chair who need not be a member of the SEB. An SG will make recommendations to the SEB; it cannot make decisions on behalf of the SEB. A SG will follow the same procedures as the SEB other than voting rules and directives. If required the SEB may be convened for an interim or extraordinary meeting in order to provide the necessary Governance for key decision making.

Details of each SG commissioned by the SEB should be recorded on Template A (attached).

Sub Groups (SGs);

- Are bound by the LEP assurance process which stipulates that the Skills and Employability Board is accountable for decisions.
- Members must sign the Code of Conduct declaration.
- Must have a minimum of seven members.
- Will be chaired by a nominee put forward by the SEB and elected by vote (not necessarily a SEB member).
- Make decisions and recommendations on behalf of the Skills and Employability Board in accordance with the level of delegated power.
- Support the Skills and Employability Board in its remit to help deliver the Local Enterprise Partnerships strategic objectives.
- Will follow the same regulations and good practice as applied to the Skills and Employability Board.
- The Chair of any SG will determine when the Group has completed its objectives and instigate arrangements to be disbanded.
- The SG will determine frequency and duration on meetings and review annually.
- SG voting:
  - To help ensure quorum, members should notify the Chair in advance regarding any potential conflicts of interest that may render them either ineligible to vote or engage in discussion.
  - A minimum of seven members are required to be in attendance to constitute a quorum. Decisions are carried with majority votes.
  - If any motion is not carried it will be referred back to the Skills and Employability Board.

#### 4.2. Collaborative Learning

- A collaborative learning approach will be used wherever possible, e.g. such as by inviting guest speakers.
- Representatives from other expert Bodies may be invited but as non-voting participants.

#### 4.3. Making Decisions and Recommendations

- The Chair shall preside during SEB meetings; in the Chairs absence the Vice-Chair will preside. If both Chair and Vice-Chair are absent then the members present will select a temporary Chair for the duration of the meeting.

- Decisions shall be taken on the basis of consensus otherwise by majority vote. In the event of a tied vote the Chair shall exercise a casting vote. No decisions shall be taken by the SEB except those made during a duly-constituted meeting.
- SEB members cannot appoint substitutes to cover their absence from meetings.
- Observers and guests may only attend with the Chair's prior approval and with a non-voting capacity.

#### 4.4. Financial responsibilities

- The SEB has no financial responsibility and shall not enter into contracts.

### 5. Frequency and support of the SEB Meetings

#### 5.1. Organise and manage meetings

- The SEB meetings will be organised by the LEP secretariat.
- A record of all meetings will be taken by the LEP secretariat in the form of minutes. Minutes will be distributed to members and a copy retained on file.
- Notification of each meeting will be given at least 7-days in advance to each member specifying date and venue (unless the Chair agrees to a shorter notification period).
- Any SEB member may request an item of business to be placed on the SEB meeting agenda by forwarding to the LEP secretariat not less than 14-days in advance of the meeting. The LEP Head of Skills in collaboration with the Chair will prioritise and set agendas
- Minutes will be if approved as an accurate record or amended during the following meeting. Any revised minutes shall be sent to each SEB member.
- The meetings will be held bi-monthly throughout the year unless agreed differently by the SEB
- The frequency of meetings will be reviewed annually.
- Agendas and supporting documentation will be distributed 7-days in advance of each meeting electronically.
- Subject to the approval of members, non-members may be invited to attend meetings as guests.

#### 5.2 Extraordinary meetings

- When required the Chair or Vice-Chair can convene extraordinary meetings to meet operational needs.

### 6. Sharing of information (including confidential materials) and resources

- 6.1. The Local Enterprise Partnership secretariat will be responsible for the sharing of information and resources with the LEP Board.
- 6.2. Any confidential or copyrighted materials will be handled and marked-up appropriately.
- 6.3. Openness and Transparency - agendas, minutes, reports and other documents associated with SEB meetings will be made available to the public (unless requiring confidentiality) in accordance with the governments directives.

## **7. Ethical Walls, Conflict of Interest and Quality Assurance**

- 7.1. Ethical Walls protocol is being devised to cover all LEP activities. SEB members must declare any interests they have with any agenda item prior to any discussion taking place and preferably before the meeting. The Board will decide on appropriate steps on an individual basis. Because the necessity for having Ethical Walls is essential it will feature at the beginning of all agendas to serve as a reminder to members.
- 7.2. SEB members will adhere to the Seven Principles of Public Life (Nolan Principles): Selflessness; Integrity; Objectivity; Accountability; Openness; Honesty; Leadership.
- 7.3. Members must sign the Code of Conduct declaration and any other documentation as required by the assurance framework.
- 7.4. SEB members will not use information gained in the course of their public service for personal gain or for political purposes; nor seek to use the opportunity from public services to promote their private interests or those of connected persons, firms, businesses or other organisations.
- 7.5. SEB members will not make public any information which is confidential except when required and legally permitted to do so.
- 7.6. The SEB and its members will follow relevant processes and procedures that are set out in the YNYER LEP Assurance Framework.

## **8. Definition of terms**

Sub Group - This is an ad hoc group appointed by majority vote of the SEB consisting of at least one SEB Member and such other persons as the SEB may determine.

Accountable Body - The Accountable Body is North Yorkshire County Council (NYCC) under which the YNYER Local Enterprise Partnership operates.

TEMPLATE A

### **SUB GROUP – <TITLE>**

#### **1. Purpose:**

- <details>;
- The Group will report quarterly to the Skills and Employability Board on its progress.

**2. Objectives:**

The key objectives of the Group are to ensure:

- <objective 1>;
- <objective 2>;
- <objective 3>;
- <objective 4>;
- <objective 5>.

**3. Additional:**

- <additional 1>;
- <additional 2>;
- <additional 3>;
- <additional 4>;
- <additional 5>.

**4. Members:**

**5. Active term of Group:**

From:                      To:                      (then to be reviewed)

**6. Meeting frequency:**

E.g. Bi Monthly