

TERMS OF REFERENCE

Adopted by KMEP Board on 26 November 2019

These terms of reference can be read in conjunction with the attached glossary.

1. Purpose

- 1.1 This document sets out the terms of reference for the Kent and Medway Economic Partnership (KMEP). Amongst its functions, the Partnership acts as the Federated Board for the Kent and Medway area in the South East Local Enterprise Partnership (SELEP).

2. Aims and functions of the Kent and Medway Economic Partnership

- 2.1 KMEP is a private-public sector unincorporated association which aims to drive forward economic growth and prosperity in Kent and Medway.
- 2.2 Working collectively, the Partnership is responsible for:

Strategy:

- Shaping, defining, endorsing, signing-off and monitoring the strategic economic plans for Kent and Medway.
- Considering and developing responses to new economic opportunities and challenges in Kent and Medway.
- Driving forward the vision for economic growth in Kent and Medway.
- Working with SELEP and its other federated boards to collaboratively develop evidence-based strategic economic strategies and action plans for the SELEP region. This includes (but is not limited to) the Local Industrial Strategy, which identifies local strengths and challenges, future opportunities and the action needed to boost productivity, earning power and competitiveness across the area.

Allocation of funds for Kent and Medway:

- Openly and widely advertising the call for new project applications in Kent and Medway when new funding rounds are announced by SELEP.
- Considering the local strategic economic investment priorities that will drive forward economic growth in Kent and Medway.
- Working with SELEP to publish arrangements for developing, prioritising, appraising and approving projects, with a view to ensuring that a wide range of delivery partners can be involved.
- Recommending a pipeline of projects seeking funding to the SELEP Investment Panel that has been prioritised on merit by KMEP in an open and transparent manner according to local strategic fit and the published arrangements set by SELEP.
- Overseeing SELEP investment programmes within the agreed local tolerance levels for spending and delivery.

- Monitoring, evaluating and reporting on the impacts of the project activities that use funding devolved from SELEP to Kent and Medway to improve productivity across the local economy.

Co-ordination and Engagement:

- Using our convening power to bring together partners from Kent and Medway's private, public, higher education, further education, and third sectors, and utilising their knowledge and expertise to ensure prioritisation and strategy delivery to provide the greatest benefit in terms of achieving economic growth in the area (for example by co-ordinating responses to economic shocks).
- Actively, deliberately and constructively engage with wider stakeholders and other regeneration organisations, including national and local partners such as: Government Departments, sub-national bodies, all local authorities, third sector representatives, community interest groups, universities and research institutions, and other LEPs in order to collect information which can be factored into decisions and recommendations.
- Championing the work of KMEP and SELEP to local communities.
- Providing local engagement with, and feedback to, the general public about future strategy development and progress against delivery of the Local Industrial Strategy and Growth Deal (including key projects) via the KMEP website.
- Agreeing the KMEP representation on the SELEP Strategic Board, and advising the SELEP Chairman and CEO of any changes in representation.
- Reviewing the SELEP board papers circulated in advance of a board meeting to the extent that these are capable of lawfully being shared with KMEP.
- Considering and canvassing the views of KMEP (whether the collective view of KMEP or the individual participants within KMEP) in advance of SELEP board meetings. This information can support SELEP directors, who are required to use all of their knowledge, skill and experience, howsoever obtained, when making SELEP board decisions.
- Collaborating across boundaries with other economic partnerships, LEPs, and the LEP network as appropriate, and being open to peer review.
- Ensuring ongoing local engagement with public and private sector partners to inform key decisions and set out how they will evidence effective engagement.
- Working with local partners and project promoters to co-ordinate reports as required to the SELEP Strategic and Accountability Boards, and SELEP Investment Panel.

Advocacy:

- Collaborating with a wide range of local partners to provide a strong, informed and independent voice for Kent and Medway businesses and local government at national and regional level.
- Representing the economic interests of Kent and Medway to the South East Local Enterprise Partnership.
- Championing successes within Kent and Medway, including bringing to the attention of Government local growth projects which should be recognised as innovative, or examples of best practice, and ensuring that stakeholders are able to make informed decisions on local growth matters.

3. Governance

- 3.1. KMEP shall be governed by a **Partnership Board** ('The Board'), which shall fulfil the functions set out in para. 2.2.

- 3.2 A brief formal assurance statement will be published on an annual basis on the status of KMEP's governance and transparency on www.kmep.org.uk by the Chairman and KMEP Strategic Programme Manager.

4. Membership of the Partnership Board

- 4.1 The Board is business-led, with at least 50% of its membership originating from the private sector and private-sector membership organisations.

- 4.2 The Board shall consist of 33 members, as follows:

- Business and Industry Leaders (14)
- Representatives from private-sector membership or subscription organisations (3). Specifically, from the:
 - Kent Invicta Chamber of Commerce (KICC)
 - Federation of Small Business (FSB)
 - Institute of Directors (IOD)
- All the Local Authority Leaders in Kent and Medway, which are:
 - The Leader of Kent County Council (1)
 - The Leader of Medway Council (1)
 - Leaders of Kent District Councils (12)
- Higher education representative (1)
- Further education representative (1)

- 4.3 The process for recruiting/appointing these members is explained in sections 7-10.

- 4.4 KMEP shall have power to co-opt up to three other board members as it may from time to time judge necessary to assist it in the discharge of its responsibilities. This includes the ability to co-opt retired business leaders to the KMEP board.

- 4.5 All KMEP co-opts can participate in KMEP board votes, but cannot represent KMEP on the SELEP Strategic Board (as per the SELEP recruitment policy).

- 4.6 Co-opts may join the board at the invitation of the Chairman, in consultation with the KMEP board members, up to a specified time limit. (The time limit will be agreed at the time of invitation).

5. Other participants in KMEP board discussions

- 5.1 Should a Board member be unable to attend a Board meeting, s/he may nominate an alternate to take his/her place. A public-sector alternate should be a member of the Local Authority's Executive. A private-sector alternate should hold a senior position in a business. In such cases, the Board member should notify the Chairman in advance, via the KMEP Secretariat.

- 5.2 The SELEP CEO will be invited to attend the KMEP board meetings, acting in a non-voting capacity. In addition, the civil servant working for the Cities and Local Growth Unit (CLGU) tasked with SELEP engagement, will routinely be invited to observe the meetings and may, at the discretion of the KMEP Chairman, participate in discussion.

- 5.4 Other participants may be invited to attend KMEP and participate in discussion (subject to the Conflicts of Interest procedure set out later in this document) at the discretion of the Chairman. However, they shall not be considered to be board members. Other participants may include representatives of agencies with a significant economic or strategic planning role, such as (*inter alia*) the Environment Agency, Highways England, or Homes England.
- 5.3 Officers shall attend board meetings where they are presenting papers or other information for the Board's consideration.

6. Quorum

- 6.1 The quorum of the board shall be 13 of which no fewer than 7 shall be private-sector representatives.
- 6.2 Should a board meeting not be quorate, the Chairman may arrange a special meeting of the board to deal with outstanding business, or may allow business to adjourn to the following ordinary board meeting, or may allow board members to convey their views electronically to all the other board members via the Secretariat.

7. Recruitment of Business and Industry Leaders to the KMEP Board, and their term of office

- 7.1 The Board shall seek to ensure a balanced representation of business and industry leaders, reflecting Kent and Medway's geography, the diversity of its business base (by size, sector and scale), and the diversity of its business leaders (see section 24 '*equality and diversity*' for more details).
- 7.2 The appointment of business and industry leaders to the KMEP board is conducted through a competitive procedure which is open, transparent and non-discriminatory. The recruitment process is staggered for business leaders, with nine positions being advertised and recruited to in even years (i.e. 2022, 2024, etc), and the remaining eight positions in odd years (e.g. 2021, 2023, etc)¹. There is also the facility to recruit board members following a vacancy mid-term (please see appendix A for more details).
- 7.3 The recruitment process for business and industry leaders is set out in appendix A of these terms of reference. The role specification for business members is set out in appendix B.
- 7.4 The term of office for the business leaders is two years, following which they may be reappointed for an additional successive term. All KMEP business leaders, who wish to reapply for another term, must follow the open-call procedure outlined in appendix A. A business leader can serve a maximum of three 2-year terms (i.e. 6 years in total) starting from 2020.

8. Recruitment of representatives from membership or subscription organisations to the KMEP Board, and their term of office.

- 8.1 The KMEP Secretariat will write biennially to the three named private-sector membership/subscription organisations, asking for the name of their nominee to apply to sit on the KMEP board.

¹ An exception will be made for the KMEP recruitment for 2020, when all business member positions will be advertised as per Central Government's LEP Review requirement.

8.2 There is no maximum number of terms that can be served by a representative from the membership/subscription organisations. The rationale for this decision is that KMEP wishes to maximise its local engagement and reach as many businesses as possible.

9. Appointment of local authority leaders to the KMEP board, and their term of office

9.1 A Local Authority Leader's appointment to the Board is automatic following their election as Council Leader. Their term of office will run concurrently with his/her tenure as Leader of the Council.

9.2 A Local Authority Leader may choose to delegate his/her membership to a Cabinet Member/Portfolio Holder if he/she wishes.

10. Appointment of Higher Education and Further Education representatives to the KMEP Board and their term of office

10.1 The HE & FE representatives shall be selected by the universities and FE colleges located in Kent and Medway.

10.2 The KMEP Secretariat will email all the Vice-Chancellors of Kent and Medway Universities, asking them to collectively confirm their preferred HE representative on an annual basis. Likewise, an email will be sent to all the Further Education College Principals asking them to collectively confirm their preferred representative on an annual basis.

10.3 There is no maximum term of office for a HE or FE representative.

11. Termination of KMEP Membership

11.1 Members may resign from the Board by giving no fewer than 28 days' notice to the Chairman and Secretariat.

11.2 Continued KMEP membership is conditional on appropriate attendance, contribution, collaboration, constructive engagement, and compliance with KMEP policies. The KMEP Chairman may choose to review an individual's membership if they believe these conditions are not being met.

11.3 In the case of 11.2, where the Chairman believes a private sector representative is not meeting these conditions, the Chairman will convene a special meeting with the KMEP Vice-Chairmen. The Chairman will give written notification to the KMEP member under review at least 28 days before the meeting, explaining in short why the review has been triggered and giving them the opportunity to respond in writing. The KMEP Chairman and Vice-Chairmen will consider the case at their meeting, and a consensus must be achieved if the individual's membership is to be terminated. Where the KMEP Chairman and Vice-Chairmen choose to bring an individual's membership to an end through early cessation, the Chairman will write to the individual member officially terminating their membership.

11.4 In the case of 11.2, where the Chairman believes a public sector representative is not meeting these conditions, the Chairman will write to the Kent Leaders asking them to discuss the issue at their next Kent Leaders' meeting, so the local authorities can jointly decide the appropriate next steps.

12. Selection of the KMEP Chairman and Vice-Chairmen

- 12.1 The KMEP Chairman and Vice-Chairmen shall be either business leaders or representatives from private-sector membership organisations.
- 12.2 The KMEP Chairman shall be elected by a simple majority of the 17 KMEP board members that are business leaders and private-sector membership organisation representatives at a vote that will take place every two years (or following the Chairman's resignation mid-term).
- 12.3 The recruitment process for KMEP Chairman is set out in appendix C and the Chairman Specification in appendix D of these terms of reference.
- 12.4 The KMEP Chairman is given the discretion to nominate up to two KMEP Vice-Chairmen to support him/her in his/her tasks and attend meetings as his/her representative. The Chairman's nominations will be sent to the business leaders and representatives from the private-sector membership organisations for ratification by a simple majority, via electronic procedure.
- 12.5 The Chairman shall preside at meetings of the Board. In the absence of the Chairman, one of the Vice-Chairman shall preside. In the absence of the Chairman and the two Vice-Chairmen, the Board shall elect any Member of the Board to act as Chairman for that meeting only by a simple majority.

13. Selection of KMEP business representatives to sit on the SELEP board

- 13.1 The composition of the SELEP Strategic Board is determined by the South East Local Enterprise Partnership.
- 13.2 In 19/20, SELEP invites KMEP to nominate eight KMEP board members to sit on the SELEP Strategic Board. These nominees are:
 - The KMEP Chairman
 - The two KMEP Vice-Chairmen
 - A KMEP business representative
 - The Leader of Kent County Council (or his alternate)
 - The Leader of Medway Council (or his alternate)
 - A District Council Leader from the east of the county. The KMEP Chairman will email all the East Kent District Council Leaders to ask them to decide amongst themselves whom they wish to act as their nominee. An email will be sent on an annual basis; the District Leaders have the right to reappoint the representative to serve the following year.
 - A District Council Leader from the west/north of the county. The KMEP Chairman will email all the West Kent and Thames Gateway District Council Leaders to ask them to decide amongst themselves whom they wish to act as their nominee. An email will be sent on an annual basis; the District Leaders have the right to reappoint the representative to serve the following year.
- 13.3 From March 2020, SELEP will become a legal personality, and the membership of its Strategic Board will be renewed so it is aligned to the new governance requirements set out in '*Strengthened LEPs*', published by the Government in July 2018.
- 13.4 The membership of the SELEP Strategic Board from the end of March 2020 will be as follows:
 - SELEP Chairman (1)

- SELEP Deputy Chairman (1)
- Leader of Kent County Council (or their Cabinet Member alternate) (1)
- Leader of Medway Council (or their Cabinet Member alternate) (1)
- Kent & Medway Economic Partnership (KMEP) Chairman (1)
- KMEP business representatives (4)* - *(see paragraph 13.6 for details of recruitment to this post)*
- Leader of Essex County Council (or their Cabinet Member alternate) (1)
- Essex Federated Board (EFB) Chairman (1)
- EFB business representative (1)
- Leader of Thurrock Council (or their Cabinet Member alternate) (1)
- Leader of Southend-on-Sea Council (or their Cabinet Member alternate) (1)
- Opportunity South Essex (OSE) Chairman (1)
- OSE business representative (1)
- Leader of East Sussex County Council (or their Cabinet Member alternate) (1)
- Chairman of Team East Sussex (1)
- Team East Sussex (TES) representatives (2)

13.5 This membership will be supplemented by five co-opted board members. The co-opted members of the SELEP Strategic Board from end of March 2020 will be as follows:

- District Council Leaders (or their Cabinet Member alternates) (2)
- Higher Education representative (1)
- Further Education representative (1)
- SELEP Third Sector representative (1)

SELEP will organise the recruitment of these 5 co-opts according to its own recruitment policy.

13.6 The selection process to be a '**KMEP business representative**' on the SELEP Strategic Board is as follows:

- The KMEP Secretariat sends an email to the KMEP board members from the private sector and its membership organisations. The email will be written in accordance with SELEP's recruitment policy. It will explain that a vacancy or multiple vacancies has/have arisen on the SELEP Strategic Board and asks interested board members from the private sector or membership organisations to nominate themselves by a fixed deadline.
- Following the deadline, the KMEP Secretariat will circulate the nominee(s)' names via email.
- The KMEP board members from the private sector and its membership organisations will be asked to vote by electronic procedure for their preferred representative(s). Please note a member cannot vote for themselves, and the voting statistics will remain strictly confidential, with only the names of the successful candidates shared following completion of the vote.
- The business member(s) with the greatest number of votes is granted the position(s). In the event of a tie, the KMEP Chairman is given a casting vote.

13.7 The duties of the SELEP Strategic Board members will be set out in SELEP's articles of association. From a local area perspective, the KMEP-nominated directors on the SELEP board are asked to:

- review with KMEP board members the SELEP board papers circulated in advance of a board meeting, to the extent these are capable of lawfully being shared with KMEP;
- consider and canvass the views of KMEP (whether the collective view of KMEP or the views of individual participants within KMEP) in advance of SELEP board meetings;

- reflect or represent those views to SELEP, arguing the case for KMEP's priorities alongside other nominees (from other areas) arguing the cases for their priorities; and/or
- vote at SELEP board in line with KMEP's priorities but only if those priorities do not conflict with the priorities of SELEP as a separate organisation.

KMEP acknowledges that SELEP directors are required to use all of their knowledge, skill and experience, howsoever obtained, when making SELEP board decisions. However, final decisions made by the SELEP board must be made primarily for the benefit of SELEP as a company separate from the members as well as the federated boards. If there is a conflict between the duty and loyalty owed by a KMEP-nominated director to KMEP and his or her duty and loyalty to SELEP then, his or her primary loyalty is to SELEP.

14. Induction and Succession Planning

14.1 When a new Member joins the KMEP Board, a formal induction will take place. This comprises:

- A meeting with the KMEP Chairman, KMEP Strategic Programme Manager, and the SELEP Managing Director (if available), who shall collectively explain the role of the local enterprise partnership and its federated boards.
- A written induction pack shall also be issued to the new Board Member; this document contains the SELEP Induction Pack, plus local information regarding KMEP.

14.2 The Chairman, two Vice-Chairmen and the KMEP Strategic Programme Manager will meet on an annual basis to discuss succession planning. At this meeting, they will:

- Identify key roles for succession planning;
- Define the competencies and motivational profile required to undertake those roles;
- Devise a plan of action, with a view to ensuring potential individuals receive primarily the right set of experiences in advance of key roles becoming vacant;
- Openly and broadly advertise the opportunities for business leaders to join the KMEP board on an annual basis as per the KMEP recruitment policy.

15. Conflicts of interests

15.1 A Register of Interests shall be held by the KMEP Secretariat and published online.

15.2 All Board Members and the KMEP Strategic Programme Manager are required to complete a Register of Interest (ROI) form, recording details of any relationship or other financial or personal interest which might conflict with their duties to KMEP and SELEP. All board members must take personal responsibility for declaring their interest. This should be evidenced by producing and signing their register of interest, and its publication on the website.

15.3 The ROI form has been designed by the Government and asks Board Members to record any interest relating to employment, directorships, significant shareholdings, land and property, related party transactions, membership of organisations, gifts and hospitality, sponsorships. Interests of household members are also considered.

15.4 New Board Members must, within 28 days of joining KMEP, notify the KMEP Secretariat of:

- any disclosable pecuniary interest relating to themselves or a spouse/civil partner/co-habiting partner.

- any non-pecuniary interest which KMEP has decided should be included in the register or which the Board Member considers should be included in order to act in conformity with the Seven Principles of Public Life. These non-pecuniary interests will necessarily include any membership of any Trade Union.
- 15.5 Board Members shall review their individual register of interest before each board meeting. They must declare any relevant interest(s) at the start of each board meeting. The declaration of interest, and the actions undertaken by KMEP resulting from the declaration, will be recorded in the minutes of the Board meeting. Every six months, the KMEP Secretariat is to write to the Board Members to remind them to ensure that their register of interest is up-to-date and resign the document if it is accurate.
- 15.6 If an interest has not yet been entered onto the KMEP register, then the Board Member must disclose the interest at any KMEP meeting at which they are present, where they have a disclosable interest in any matter being considered, and where the matter is not a 'sensitive interest'. Furthermore, following any disclosure of an interest not on the KMEP register or the subject of pending notification, the Board Member is required to notify the KMEP Secretariat of the interest within 28 days beginning with the date of disclosure. A new declaration of interest must then be signed and placed on the KMEP website.
- 15.7 Should a Board Member have a pecuniary interest, in any matter being considered by the Board, then s/he shall: -
- (a) disclose the interest to the meeting and not take part in any consideration or discussion of the matter, or vote in any questions with respect to it, or discharge any function relating to the matter; and
 - (b) unless the meeting invites him/her to remain, withdraw from the meeting.
- This rule applies whether or not the pecuniary interest concerned is already set out in the Register of Interests.
- 15.8 However, the rule in 15.7 above does not apply where the interest concerned relates primarily to the general interest of any public-sector Member in his/her area of geographical responsibility, or to the interests of Kent and Medway as a whole.
- 15.9 These rules also apply to any Non-Voting Participant or alternate.
- 15.10 The KMEP Secretariat is responsible for ensuring that the SELEP Managing Director and the Accountable Body's Section 151 Officer are made aware of any changes to the Registers of Interest, or verbal declarations of interest made at the KMEP Board meetings. This information must be sent across from KMEP to SELEP within 2 days of notification.
- 15.11 The conflicts of interest policy shall apply to Board Members regardless of whether there is a formal meeting.
- 15.12 Board Members are encouraged to seek advice from the SELEP or KMEP Secretariat and the Accountable Body's Monitoring Officer if they have queries on the process to complete the Register of Interests.
- 15.13 Furthermore, by endorsing the Conflicts of Interest Policy, all Board Members agree to act in accordance with the SELEP Register of Interest Policy available at: <http://www.southeastlep.com/our-governance/our-policies>

16. Secretariat, minutes and agenda-setting

- 16.1 The Secretariat of the Board and the Partnership shall be carried out by Kent County Council.
- 16.2 The agenda for the Board meeting shall be agreed by the Chairman prior to circulation, following consultation with the Leaders of Kent County Council and Medway Council. An email will be sent by the KMEP Secretariat to Board Members calling for suggested agenda items at least a month before the meeting.
- 16.3 The meeting agenda and papers for the Board meetings shall be circulated to the Board and published online by the Secretariat five working days before each Board meeting.
- 16.4 Draft minutes of meetings of the Board shall be prepared by the Secretariat, shown to the Chairman, and published online within 10 working days after each Board meeting. The draft minutes will be approved at the next meeting of the Board. The final minutes of Board meetings will be published within 10 clear working days of being approved at the next Board meeting.
- 16.5 The KMEP Secretariat is responsible for ensuring that the SELEP Chief Executive Officer is informed of the dates of all KMEP meetings.
- 16.6 The KMEP Secretariat is responsible for creating and maintaining a log of KMEP engagement activities. In addition, the KMEP Secretariat is responsible for keeping records to demonstrate KMEP has met the compliance requirements, specified by the Government, which SELEP has chosen to delegate to KMEP.

17. Making recommendations

- 17.1 The Board does not have delegated authority to make decisions regarding the use of public funds. However, the Board may provide a strategic partnership view on priorities for, or the use of, public funds and may make recommendations to local and central government and their agents. This includes recommending a pipeline of projects seeking funding to the SELEP Investment Panel that has been prioritised on merit by KMEP in an open and transparent manner according to local strategic fit and the published arrangements.
- 17.2 In considering priorities and performance and in making recommendations, the Board shall at all times aim to reach consensus. Where consensus is not possible, the Board may set out majority and minority opinions.

18. Voting

- 18.1 The KMEP Board may vote on the following matters:
 - a) Variation to the Terms of Reference of KMEP;
 - b) Termination of KMEP.
- 18.2 Determination of these matters shall require the support of at least 75% of Board members present at the meeting.
- 18.3 KMEP has the right to take an electronic vote on the matters listed in 18.1. Decisions taken by electronic procedure shall be recorded and published in the action tracker of the next set of KMEP board papers.

19. Decision-Making & Section 151 Oversight

- 19.1 As paragraph 17.1 makes clear, KMEP provides recommendations to the South East LEP for its consideration. It does not make decisions on the allocation of funding – rather democratic decision-making is through the SELEP Accountability Board which makes all funding decisions (relating to Kent and Medway, and the other three federated areas).
- 19.2 The SELEP Accountability Board is also responsible for monitoring delivery of the capital programme and actively reviewing associated risks, informed by local area management information.
- 19.3 The SELEP Accountability Board is advised by the Accountable Body's Chief Finance Officer (i.e. Essex County Council's Section 151 Officer) and Monitoring Officer.
- 19.4 All funding allocated to the SELEP is transferred to the Accountable Body (Essex County Council) which is responsible for the proper use and administration of the funding, in line with any requirements set out in the respective grant determination letter sent by Government. The Accountable Body (Essex County Council) is not able to use this funding for its own purpose without a clear mandate from the SELEP Accountability Board.
- 19.5 All funding decisions made by the SELEP Accountability Board to approve funding for a specific project or programme must be supported with a robust Business Case which has been independently assessed. This impartial advice on the merits of project Business Cases is provided by SELEP Independent Technical Evaluator.
- 19.6 Full details are available in the SELEP Assurance Framework on:
- the role of the SELEP Strategic Board, which sets and formally endorses a clear strategic vision and investment priorities, against which all decisions are judged
 - the role of the SELEP investment panel, which is tasked with assessing and performing final prioritisation of bids before submission to the government
 - the role of the SELEP Accountability Board, which approves funding/spending decisions
 - the role of the Accountable Body
 - the role of the Accountable Body's Section 151 Officer and how he/she ensures a clear line of sight of all decisions and provides financial advice
 - the role of the Independent Technical Evaluator, which provides due diligence
 - the agreed protocol for managing its capital programmes, funding streams, and any associated contracts (this includes dealing with any underspends as they emerge)
 - the method to assess and evaluate business cases and value for money before funding decisions are made,
 - SELEP's decision-making processes relating to SELEP awarding public funds;
 - the SELEP-wide approach to capturing project outputs and outcomes,
 - SELEP's approach to risk,
 - SELEP's procedures to advertise calls for bids and projects openly, and the associated selection criteria and processes,
 - SELEP's processes for the transparent publication of financial information, and
 - the use of scrutiny and audit arrangements to monitor decision-making across SELEP (including by KMEP), and monitor the achievements of SELEP.
- The latest version of the SELEP Assurance Framework can be accessed at:
<https://www.southeastlep.com/good-governance/assurance-framework/>
- 19.7 Board Members and the KMEP Secretariat, by endorsing these terms of reference, are agreeing to comply this SELEP Assurance Framework.

20. Sub-groups

20.1 Two sub-groups support the KMEP Board; these are:-

- Kent and Medway Business Advisory Board
- Kent and Medway Skills Commission.

Details regarding these sub-groups can be found at www.kmep.org.uk

20.2 The KMEP Board may from time to time establish new sub-groups. In such circumstances, the terms of reference for any sub-group shall be approved by the Board, and placed on the KMEP website.

21. Transparency, Processing Personal Data, and Local Engagement

21.1 The Board will seek to operate in an open and transparent manner.

21.2 Meetings of the Board are open to the public, and notification of future meetings is publicised via the KMEP website (and those of partner organisations as appropriate). The link is <http://kmep.org.uk/meetings>

21.3 KMEP will ensure the following information is published on its own website (www.kmep.org.uk):

- (a) Its terms of reference
- (b) Membership
- (c) The calendar of future meetings will be listed on the last page of each KMEP's Board papers
- (d) All board papers and minutes (with the exception of any exempt items according to Schedule 12A of the Local Government Act 1972); and
- (e) The KMEP Register of interests
- (f) Contact details for KMEP
- (g) The terms of reference and membership of any KMEP sub-groups.
- (h) A map of projects funded in Kent and Medway by Her Majesty's Government via SELEP, including a brief project description
- (i) The Local Growth Fund delivery report will be routinely published as part of the Board papers pack
- (j) A published rolling schedule of projects funded, giving a brief description, names of the key recipients of funds/contractors, and the amounts by year.

21.4 The website will be linked to the SELEP website (www.southeastlep.com), where partners and the public can access supporting documentation for decision-making including:

- a) Forward plans
- b) SELEP agendas for forthcoming board meetings
- c) Agendas and minutes of SELEP's other federated boards (i.e. SE, OSE, TES)
- d) Reports and business cases
- e) SELEP minutes
- f) Summary of decisions of the SELEP boards, including the SELEP Strategic Board and SELEP Accountability Board
- g) SELEP's governance policies, including the SELEP Local Assurance Framework, which KMEP abides by.

- 21.5 The KMEP website will provide the opportunity for local engagement with and feedback to the general public about future strategy development and progress against delivery of the SEP, including key projects and spend against those projects and that this can be evidenced.
 - 21.6 As stated in 16.6, the KMEP Secretariat is responsible for creating and maintaining a log of KMEP engagement activities to evidence the level of local engagement.
 - 21.7 When a funding opportunity is announced (such as the Local Growth Fund or Growing Places Fund), KMEP will publish details on its publicly-accessible website, including how to submit a bid, and the prioritisation and appraisal criteria, with a view to ensuring that a wide range of delivery partners can be involved. A press notice on the new funding call will also be made, and each local authority will be asked to advertise the opportunity on their own local authority websites, and via the Councils' social media presence.
 - 21.8 As well as openly announcing the funding opportunity, the KMEP Secretariat will consult and engage with the Business Advisory Board, and associated private-sector networks. This action will ensure the private sector has a strong role in developing and prioritising projects.
 - 21.9 The Freedom of Information Act 2000 shall apply to Board papers and to records of the Board's discussions.
- 21.10 KMEP acts in accordance with the Data Protection Act and the General Data Protection Regulations when processing data. All Board Members, and local stakeholders that engage with KMEP, are asked to sign the KMEP privacy notice to show their consent to their data being used. The privacy notice sets out what personal data is held, how KMEP collects the data, how KMEP uses and may share information.
- 21.11 On branding, KMEP will ask its partners delivering capital projects to comply with the government's branding guidelines, and also show the SELEP and KMEP logos. KMEP will use its best endeavours to ensure local partners actively promote the SELEP priorities.

22. Definition of Confidential and Exempt Information

- 21.1 'Confidential' and 'Exempt' information will not be included in the publicly-accessible board papers. The following definitions will be used: -
- 21.2 Confidential information means information given to the Board by the Government on terms which forbid its public disclosure or information which cannot be publicly disclosed by virtue of a Court Order.
- 21.3 Where the whole or any part of a report for the KMEP meeting is not available for inspection by the public:
 - (a) every copy of the whole report or the part of the report, as the case may be, must be marked "not for publication"; and
 - (b) there must be stated on every copy of the whole or the part of the report:
 - (i) that it contains confidential information;
 - (ii) by reference to the description in Schedule 12A to the 1972 Act, the description of exempt information by virtue of which the decision-making body discharging the executive function are likely to exclude the public during the item to which the report relates.

- 22.4 The categories of exempt information are as follows:
- (a) Information relating to any individual.
 - (b) Information which is likely to reveal the identity of an individual.
 - (c) Information relating to the financial or business affairs of any particular person (including the authority holding that information), unless it is required that the information be registered under the Companies, Friendly Societies, Industrial and Provident Societies, Building Societies or Charities Acts.
 - (d) Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority of a Minister of the Crown and employees of, or office holders under, the authority.
 - (e) Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
 - (f) Information which reveals that the authority proposes:
 - (i) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (ii) to make an order or direction under any enactment.
 - (g) Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

22.5 Information that falls within (a)-(g) above is exempt information if the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

23. Public Questions

- 23.1 KMEP welcomes public interest in its business and has therefore adopted the following procedure for public speaking at KMEP Board meetings.
- 23.2 At the start of every Board meeting, there shall be a period of up to 15 minutes to enable members of the public to make representations.
- 23.3 A question may be allowed under this procedure only if it has been sent to and received by the KMEP Secretariat no later than three working days before the meeting. Questions should be sent to info@kmep.org.uk or by post to KMEP, 2nd Floor, Invicta House, Sandling Road, Maidstone, ME14 1XX.
- 23.4 Only one speaker will be permitted to speak on behalf of an organisation.
- 23.5 The speaker is allowed to ask the pre-submitted written question at the meeting. Any question must be asked within a 3-minute time limit. After the answer has been given the questioner may put one supplemental question in order to clarify a point given in the answer. No further questions may be asked.
- 23.6 Questions will be dealt with in the order in which they were received, except that the Chairman may group together similar questions. If the questioner is not present when called by the Chairman, the Chairman shall ask the next question.
- 23.7 Questions must not:
- Ask for information which has already been published in the Board report or is available on the KMEP or SELEP website.
 - Be about something that is outside the responsibilities or powers of the Board

- Criticise the motives or personal character of any Board Member or employee, or is defamatory, frivolous, vexatious or offensive
 - Is substantially the same as a question put to a meeting in the previous six months
 - Will require the disclosure of confidential or exempt information
 - Is already subject to separate appeal, adjudication, litigation, mediation or dispute resolution.
- 23.8 The Chairman can decide that a question shall not be asked or answered if it would not be in the public interest or on any other reasonable ground. If this occurs, notification will be given at the earliest opportunity in writing, and include reasons for the rejection.
- 23.9 Answers to the questions may be given by the most appropriate KMEP Board Member or by the KMEP Strategic Programme Manager, as designated by the Chairman. The KMEP Board Member or Manager, giving the answer, has discretion as to the content of the reply and how it is given. In particular, he/she may decline to answer in full if this would involve an unreasonable amount of work or cost, or be contrary to the public interest.
- 23.10 All oral answers to questions should be brief and relevant, with any detailed background or statistics given in writing following the Board meeting.
- 23.11 After the Board meeting, a copy of the question and answer will be appended to the draft minutes, and placed online in accordance with the rules regarding the publication of minutes.
- 23.12 Questions that have not been answered before the end of the 15 minutes allowed will not be called but all questions will be answered in writing. Any questions not asked during the 15-minute period will not be added to the online link in the minutes of the meeting.
- 23.13 Questions should relate to an item on the Board agenda, or mentioned within the Board minutes.
- 23.14 Any question may be withdrawn by the person submitting it at any time.
- 23.15 On arrival and before the start of the meeting, the person asking the question should register with the KMEP strategic Programme Manager, who will explain what will happen and show the questioner to the public seating area.
- 23.16 If the questioner requires someone to read the question for them, the Chairman will ask the question on their behalf, but the questioner must be present at the meeting.

24. Public Misconduct

- 24.1 If a member of the public interrupts a meeting or otherwise behaves irregularly, improperly or offensively, the Chairman, with the consent of the Board, may request that he/she leave the room or order that he/she is removed. In the event of a general disturbance, the Chairman, with the consent of the Board, may suspend the meeting or direct that the public be excluded from it. No one so removed or excluded will be permitted to return to the meeting.

25. Annual Report and Annual General Meeting

- 25.1 The Board shall consider and approve an Annual Report, setting out the activities and membership of the Partnership and SELEP over the course of the year, and the anticipated focus for the year ahead. This shall be publicly available and disseminated widely.
- 25.2 The Partnership shall hold an Annual General Meeting, reporting on the Partnership's activities over the course of the year. This meeting is open to the public and any business to attend, and there will be a time-limited period for questions and answers from any attendees, so they can understand and influence the economic plans for the area.

26. Frequency of Board meetings

- 26.1 The Partnership Board shall meet at least 4 times per year. It may meet more frequently if business needs dictate, at the discretion of the Chairman.
- 26.2 Under normal circumstances, the KMEP board meetings will happen one to two weeks prior to the SELEP Strategic Board meetings, to allow time to pre-examine the SELEP board papers.

27. Termination of KMEP

- 27.1 The Board may decide to terminate the activities of KMEP, subject to the provisions in set out in the section on voting.

28. Indemnity

- 28.1. Unless otherwise indemnified by the organisations of which they are representatives, Kent County Council shall indemnify the KMEP board members in respect of all decisions made by the Board.

29. Variation to & annual approval of the Terms of Reference

- 29.1 The Board may decide to vary its Terms of Reference, provided the procedure in 'voting section' is followed.
- 29.2 In line with the National Assurance framework, the KMEP terms of reference, plus associated KMEP policies, will be reviewed on an annual basis.

30. Equality and Diversity

- 30.1 KMEP is covered by the general equality duty as set out within the Equality Act 2010. Accordingly all decisions taken by the Accountability Board will pay 'due regard' to:
 - (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act;
 - (ii) advance equality of opportunity between people from different equality groups; and
 - (iii) foster good relations between people from different equality groups.
- 30.2 KMEP will advertise all board vacancies for the business leaders openly and transparently to best represent the diverse communities and businesses served. In addition, targeted

advertising will occur to help improve the representation of those with protected characteristics² on the board. (Please see appendix A for more details).

- 30.3 KMEP operates an open, transparent and non-discriminatory recruitment process for selecting business leaders to the board. Private-sector board members positions are open to all business leaders from all backgrounds to apply to. KMEP is committed to recruiting the very best candidates that most closely display the attributes and skills described in the role specification shown in appendix B. KMEP will work towards meeting the Government's target of 33% of board members being women by 2020, and rising to 50% by 2023 (specified in '*Strengthened LEPs*', published by the Government in July 2018). However, the success of achieving the Government's target will be reliant on the candidates from the protected characteristic groups coming forward with the appropriate skill-set, knowledge and experience, as detailed in the role specification.
- 30.3 The selection panel, tasked with recruiting KMEP business board members, will receive unconscious bias training materials prior to commencing the recruitment.

31. The Principles of Public Life

- 31.1 KMEP board members are required to maintain high standards in the way they undertake their duties. As a member they are a representative of the KMEP, and therefore their actions can have both a positive and negative impact on the way in which the KMEP is viewed by the public.
- 31.2 All board members are required to have regard to and to agree to act in accordance the Principles of Public life, known as the Nolan Principles, contained within the provisions of S.29(1) of the Localism Act 2011. The Nolan Principles are available to view at: <https://www.gov.uk/government/publications/the-7-principles-of-public-life>

32. Code of Conduct

- 32.1 The Board Members and KMEP Secretariat will abide by the SELEP Code of Conduct, available at:
http://www.southeastlep.com/images/uploads/resources/Code_of_Conduct_for_LEP_Board_Members_draft_for_approval_010218.pdf

33. Training

- 33.1 The Chairman and KMEP Strategic Programme Manager will request corporate governance training from the South East LEP's Accountable Body on an annual basis.

34. Confidential Reporting of Complaints

- 34.1 KMEP has made all attempts to ensure that it operates in a fully transparent and engaging way, with its business partners, press and members of the public. However, if a member of the public wishes to complain about a particular function of KMEP, this can be done in writing to the KMEP Secretariat c/o County Hall, Maidstone, ME14 1XQ.

² Protected Characteristics are defined by the Government as age, disability, gender reassignment, marital/civil partnership status, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

34.2 The Board Members and KMEP Secretariat also agree to abide by the SELEP Confidential Reporting of Complaints Policy, which is available at:
http://www.southeastlep.com/images/uploads/resources/Confidential_reporting_of_complaints_draft_for_approval_010218.pdf

34.3 The SELEP Confidential Reporting of Complaints Policy includes:

- A confidential means for third parties or the public to contact SELEP, for example a secure website or secure form on SELEP website.
- A contact within SELEP who is responsible for dealing with confidential complaints.
- An outline of how third parties and the public can raise confidential allegations and concerns and
- An outline of how SELEP will investigate and respond to confidential complaints, including reassurance that confidentiality will be maintained.
- Detail of how SELEP will respond to anonymous allegations should be included.
- The Policy also outlines the information that complainants should provide when making a complaint.
- An outline of each of the stages of the complaints process with indicative timescales for each.

35. Whistleblowing Policy

35.1 The Board Members and KMEP Secretariat, by endorsing these terms of reference, agree to abide by the SELEP Whistleblowing Policy, which is available at:
http://www.southeastlep.com/images/uploads/resources/Whistleblowing_Policy_draft_for_approval_010218.pdf

36.2 KMEP will publish this whistleblowing policy on its own website, and has made Board Members, staff and contractors aware of the policy. A reminder about this Policy will be issued annually.

37. Gifts, Hospitality and Subsistence

37.1 SELEP and its federated boards are funded or supported through public funds and everyone's conduct is expected to be of the highest standard. It is essential that all individuals are seen to be open and honest in any dealings with outside individuals and organisations.

37.2 KMEP has no budget under its control, and therefore:

- The KMEP Chairman does not receive an allowance
- Board Members receive no expenses (i.e. travel payments, stationery, etc) from KMEP for attending the Board, although light refreshments (i.e. tea, coffee and biscuits) are provided at each board meeting. Board Members may receive expenses from their own organisation, and this will be recorded on their own websites in accordance with their organisation's rules.
- The KMEP Strategic Programme Manager is required to comply with the respective policies of his/her employing organisation.

37.3 In the interest of openness and transparency, all offers of hospitality over £50 in value made to a member, acting in his/her KMEP role, should be declared to the KMEP Secretariat, indicating whether it has been declined or accepted, within 28 days of receipt of the offer. The SELEP form should be used to capture the gifts or hospitality received/declined:

http://www.southeastlep.com/images/uploads/resources/SELEP_GiftandHospitalityDeclaration

nCaptureform-V1.pdf The register of declarations made will be published on the KMEP website.

- 37.4 Board Members that represent KMEP on the SELEP Strategic Board agree to comply with SELEP's gifts and hospitality policy, which is available at:
http://www.southeastlep.com/images/uploads/resources/Subsistence_and_Hospitality_Policy_draft_for_approval_010218.pdf

Recruitment of business leaders to the KMEP Board

[Please note the recruitment process does not apply to the KMEP co-opted board members].

Where the vacancies be advertised?

When KMEP has a vacant board seat available for a business leader, it will openly advertise the call for applications to the public via the following channels:

- The KMEP website (www.kmep.org.uk), where the role specification, application form, and application guidance will be hosted.
- The SELEP website (www.southeastlep.com) which will advertise the vacancies and redirect interested parties to the KMEP website.

In addition, the KMEP Secretariat will send a request to the following organisations to publicise and promote the opportunity through relevant press releases, communication channels and networking events:

- The 14 local authorities
- The Kent and Medway Business Advisory Board
- The Chamber of Commerce
- The Federation of Small Businesses
- The Institute of Directors, and
- The Confederation of British Industry (CBI)

Also, targeted promotion of the vacancy will run concurrently to seek business leaders that reflect their community's diverse make-up. The KMEP Secretariat will seek to advertise the opportunities at business forums, events or in specialist publications specifically aimed at candidates with protected characteristics.

When the vacancies be advertised?

- The opportunity to apply to become a private-sector board member will be published between October and December of each year.
- The selection panel will meet in early January of each year.
- Assuming successful recruitment, the new business leaders, recruited to the KMEP board, will commence their role at the first KMEP meeting of the year, that usually takes place in mid to late January.

Who will select the candidates and how?

Initially, the KMEP Secretariat will sift and shortlist all applications to ensure candidates meet the basic minimum requirements. These basic minimum requirements are:

- The candidate is a business or industry leader, for example is the Chairman, Owner, Chief Executive, a Senior Officer, Director, or Partner in a business.
- The candidate's firm operates in Kent and/or Medway
- The candidate has expressed a commitment to attend the KMEP board meetings and to become a member of the Kent and Medway Business Advisory Board.
- There is no significant conflict of interest or reputational concerns that could prejudice the operation of KMEP if the business leader were to become a board member.

A selection panel will be assembled to review the shortlisted applications, made up of:

- 1 x KMEP Chairman
- 2 x KMEP Vice-Chairmen
- 1 x Business Advisory Board Member
- 1 x KMEP Skills Commission Member/Skills Guild Chairman
- 1 x Kent Invicta Chamber of Commerce representation
- 1 x FSB representative
- 1 x Institute of Directors representative
- 1 x SELEP Secretariat representative
- 1 x KMEP Strategic Programme Manager

The SELEP Secretariat representative shall be the SELEP Director, or their selected alternate senior SELEP Secretariat member.

The recruitment of new KMEP business members is staggered so only half the private sector board members are recruited every year. If any of the KMEP selection panel members are applying to renew their KMEP term of office during this selection round, then they cannot sit on the selection panel for that round of recruitment due to their conflict of interest. They cannot name alternates due to their conflict of interest, rather the selection panel will comprise the remaining individuals listed above without a conflict of interest.

The KMEP Secretariat will share all application information with the selection panel electronically and arrange a meeting for the panel to convene. Panel members will be asked if they wish to invite individual candidates to the panel meeting for a short interview or simply review the application forms. The panel meeting will take place no more than 15 working days after the application closing date.

Panel members will be permitted to contribute to the meeting electronically if they are unable to attend in person. The meeting will be reconvened if fewer than three private sector members can attend.

In choosing new business members, the selection panel shall seek candidates that display the desired experience, knowledge, qualities and skills (which are set out in the role specification). In particular, the panel will seek to ensure a balanced representation of businesses reflecting the county's geography and the diversity of its business base in terms of size and sector. Consideration will also be given to associations with other locally/ nationally recognised business-representative bodies (including the Business Advisory Board), and to the overall diversity of membership in terms of the individual's protected characteristics.

The selection panel will aim to reach a consensus at the panel meeting. Should a vote be required then a majority ruling will suffice; in the event of a tie the KMEP Chairman on the selection panel will have the casting vote. If he is absent, the KMEP Vice-Chairman representative will have the casting vote.

The selection panel may choose at their discretion to convene a second panel meeting, such as in the event that a large number of applications are received and the panel wishes to further shortlist them and invite individual candidates back to a later interview.

The selection panel will only appoint business and industry leaders that it feels will best serve the aims and functions of KMEP, as set out in the KMEP Terms of Reference. Should the recruitment panel choose not to fill a vacancy, or if there is an insufficient number of applicants, then the vacancy shall be re-advertised according to the procedure described below.

The KMEP Secretariat will advise each candidate of the outcome of their individual application within ten working days of the selection panel reaching a decision. Successful candidates will be given induction information for both KMEP and SELEP, as described in the KMEP Terms of Reference, and be invited to the next scheduled KMEP Board meeting.

The KMEP Secretariat will advise the SELEP Secretariat of all changes to KMEP membership within ten working days of the selection panel reaching a decision.

Re-advertising a vacancy

In the event that a vacancy is not filled, either through the decisions of the selection panel or through an insufficient number of applicants, then the vacancy shall be re-advertised.

Prior to re-advertising, the KMEP Secretariat shall ask all current KMEP board members and BAB board members to recommend appropriate business contacts from their networks who they feel may be suitable for a position on the KMEP Board. The KMEP Secretariat shall contact the recommended individuals to encourage them to apply.

In re-advertising the vacancy, the full procedure for open calls described above is again followed. All potential candidates must apply through this same open, competitive process, including any business contacts recommended by existing business members.

Recruiting KMEP business board members mid-term

A business vacancy could arise ‘mid-term’ (such as when an existing business member resigns from the KMEP Board part-way through their two-year tenure). In that event when a new KMEP business member is appointed mid-term, their tenure is aligned to the existing two-year tenure period, i.e. rather than the new member serving a full two years, they will serve only for however many months remain of the current tenure, and be discharged at the end of that tenure alongside the existing KMEP business members.

If the mid-term vacancy arises and there is more than six months remaining of the original two-year tenure period, then the vacancy will be advertised as per the procedure listed above.

However, a mid-term vacancy does not need to be recruited to if fewer than six months remain of the original two-year tenure period.

Kent and Medway Business Advisory Board (BAB)

The KMEP business board member positions are open to any business to apply to; membership of the Kent and Medway BAB is not a condition of joining the KMEP board.

However, on becoming a member of KMEP, the business board member will be expected to join the Kent and Medway Business Advisory Board.

KMEP Board Member Specification for business & industry leaders

Being a Business Member

By taking part in KMEP (the local federated board of the South East LEP), Board Members are collectively able to input to and make key decisions which influence the Kent and Medway economy. The KMEP board brings together leaders from: business, business membership organisations, all the local councils, the Kent and Medway Universities, and the Further Education Colleges to act with one strong voice.

All members of the board bring their specialist experience, expertise and knowledge to help to drive forward economic growth in the area, by setting strategy and determining investment priorities, and work collaboratively to provide a strong, informed and independent voice for Kent and Medway to the Government at a national, regional and local level.

Business Members' specialisms include (but are not limited to) infrastructure, skills, industry, innovation, productivity and wellbeing.

As a board member representing business, it is essential that you are able to see the bigger economic picture and are keen to offer your advice and make decisions on topics which may not always directly impact on the day-to-day work of your business but will ultimately benefit the wider population of Kent and Medway by raising productivity and reducing inequality.

We seek a balanced representation of business leaders on the KMEP board, who can reflect the diversity of Kent and Medway's business sectors (particularly from the key sectors³), and the scale of local businesses (from large multi-nationals to SMEs, freelancers, and third sector businesses). We also seek business leaders to reflect the different geographical areas within Kent and Medway, and the different backgrounds that business leaders may have (e.g. young entrepreneurs of new start-ups to business leaders with years of experience).

Desired Experience, Knowledge, Qualities and Skills

- A confident and articulate business leader, who either owns or manages a business in Kent and/or Medway. Company Chairmen, Owners, Chief Executives, Senior Officers, Directors or Partners are welcome to apply.
- A business leader who can take a strategic view in understanding and influencing the economic growth agenda. You should be able to communicate your views clearly to help influence strategy in the best interest of the Kent and Medway residents.
- It is desirable for you to have an established reputation and public profile/network of contacts within the Kent and/or Medway area which directly relate to the ambitions of the region.
- Enthusiasm for driving forward economic growth in Kent and Medway & a strong desire to make a positive contribution.

³ The key sectors in Kent and Medway according to Locate in Kent in 2019 are: Creative & Digital, Food & Drink, Manufacturing, and Life Sciences/Healthcare.

- Integrity, transparency and accountability.
- Knowledge of the key opportunities and/or challenges facing Kent and Medway businesses and the economy, with ideas for how to achieve success.
- Ability to work effectively as a member of a team in which colleagues work co-operatively with each other, accepting collective responsibility. Good interpersonal, teamwork and negotiation skills are desired in potential board members. Also, having a history of partnership working and stakeholder engagement is desirable.
- Ability to consider and prioritise competing priorities and make appropriate well-informed investment decisions based on clear and transparent rationale.
- Successful candidates will ideally be able to display the ability to problem-solve, use their initiative, and have strong organisational skills.
- Successful candidates should value diversity and difference, and will be asked to abide by the Nolan's "Seven Principles of Public Life". These principles relate to acting with: 1) Selflessness, 2) Integrity, 3) Objectivity, 4) Accountability, 5) Openness, 6) Honesty and 7) Leadership.
- Bring a range of expertise to their role, for example a business leader, who is also a charity trustee, a school governor or leads a social enterprise as well.

Responsibilities of Business Members

- Support and influence the economic growth agenda in and around Kent and Medway.
- Actively contribute to the development of working groups and networks to ensure engagement of the wider business community.
- Act as an ambassador, promote and champion the work of the KMEP from the perspective of business.
- Contribute knowledge and expertise to illuminate the business issues facing the area, the strengths and opportunities and the initiatives which could be taken to drive business growth.
- Actively participate in Board meetings (these meetings are typically 2.5 hours in duration, and usually occur four or five times per year). During board meetings, members will input into discussions from a business perspective, offer advice and assist in overall strategic planning for the Kent and Medway economy.
- Engage with the secretariat between meetings to offer advice, drive activity and progress the ambitions of the Board.
- Vote on key decisions, including matters where the board makes a recommendation or adopt an approach.

- Take an active role in the KMEP's sub-group entitled the Kent and Medway Business Advisory Board (BAB), including attendance at its bi-monthly meetings (which last typically 2.5 hours). [For reference, the Business Advisory Board (BAB) is a business-led forum which provides a 'sounding board' with the business community to review and reflect on economic strategy. The BAB is made up of 50 representatives from key sectors of the local economy. It meets bi-monthly and each meeting provides an insight from the business community in Kent and Medway on current trading conditions and experience of the local economy, on a sector by sector basis.]
- Members with a particular affinity to the skills agenda will have the opportunity to take an active role in the KMEP Skills Commission (KMEP's other sub-group).

Remuneration

- The post is not remunerated.

Appendix C – Chairman’s Recruitment Process

The KMEP Chairman shall be either a business leader or a representative from private-sector membership organisations.

The KMEP Chairman shall be elected by a simple majority of the 17 KMEP board members that are business leaders and private-sector membership organisation representatives at a vote that will take place every two years (or following the Chairman’s resignation mid-term).

Specifically, the recruitment process is:

- The KMEP Secretariat emails the existing 17 KMEP board members from the private sector and its membership organisations.
- The Secretariat asks these board members if they interested in becoming the KMEP Chairman.
- If they are interested in the opportunity, they are to alert the KMEP Secretariat by a specified deadline.
- Once the selection of the new business board members has been completed (in early January), the Secretariat will circulate the nominees’ names via email.
- The KMEP board members from the private sector and its membership organisations will be asked to vote by electronic procedure, expressing their first and second preference for Chairman. Please note a member cannot vote for themselves, and the vote will remain strictly confidential, with only the name of the successful candidate shared following completion of the vote.
- The business member with the greatest number of first preference votes is granted the position. In the event of a tie, the second preference votes will be taken into consideration, and the candidate with the greatest overall number of votes will become the KMEP Chairman.

If no candidates put themselves forward for the role, the two KMEP Vice-Chairmen will be approached, and asked to consider taking on the position.

About the Board

The Kent and Medway Economic Partnership (KMEP) has a vital role to play in influencing and driving a visionary and forward-thinking economy. It acts as one of four federated boards for of the South East Local Enterprise Partnership (SELEP).

The board represents the following local authority areas: Ashford, Canterbury, Dartford, Dover, Folkestone & Hythe, Gravesham, Maidstone, Medway, Sevenoaks, Swale, Thanet, Tonbridge & Malling, Tunbridge Wells, but aims to have a strategic influencing role on wider functional economic area of SELEP where clear benefits are apparent.

It brings together leaders from business, business membership organisations, the local councils, the Universities, and the Further Education Colleges.

KMEP takes a leading role in driving forward strategic economic growth priorities for Kent and Medway; informing key decisions and providing a strong collaborative voice for the private and public sector to lobby for funding and unlock opportunities for the Kent and Medway economy.

Typical Responsibilities of the Chair

The Chair will be responsible for:

- Chairing the KMEP board meetings. (these meetings are typically 2.5 hours in duration, and usually occur four or five times per year).
- Chairing the BAB board meetings. (these meetings are typically 2.5 hours in duration, and usually occur four or five times per year).
- Approving minutes and setting meeting agendas within the timeframe of Federated Board governance.
- Working closely with the secretariat to progress the work of the board, oversee the work of the Business Advisory Board sub-group, and generally ensure the progress of the board’s work between meetings; this will require additional meetings⁴.
- Providing strong representation for KMEP in meetings with the SELEP Chairman and Deputy Chairman, and act as a conduit for information between KMEP and the SELEP Chairman.
- Providing representation for KMEP at the quarterly SELEP Strategic Board Meetings and other additional sub-groups as agreed by SELEP Board as part of their governance arrangements. Please note, at the time of writing SELEP is still in the process of incorporating as a legal entity and understanding its wider governance processes as part of this change.
- Developing a solution focused attitude at the board and fostering positive working relationships amongst Board members exemplifying Board member behaviour and input.
- Contributing relevant knowledge and expertise to illuminate the business issues facing the area, the strengths and opportunities and the initiatives which could be taken to drive business growth.

⁴ BAB meets bi-monthly and meetings typically last 2.5 hours. The agenda setting meetings occur before every KMEP board meeting, and typically last 1 hour. Other meetings may be arranged on an ad-hoc basis with the Secretariat, as the workload dictates.

- In liaison with the KMEP Secretariat, providing the SELEP Secretariat with clear and updated nominations for membership of the SELEP Strategic Board
- Supporting the KMEP board to act in accordance with the rules specified in KMEP's terms of reference.
- Championing KMEP and SELEP amongst the local business community and encouraging participation by other businesses in KMEP's activity (as appropriate).

About the Person

The Board is seeking an experienced business leader who is, engaging and dynamic and passionate about strengthening the future Kent and Medway economy for all. The Chairman will possess the following attributes:

Experience and Abilities

In addition to having the *desired experience, knowledge, qualities and skills* required of all KMEP business leaders⁵, KMEP seeks a Chairman that has:

- A successful track record operating as a leader in the private sector, understanding the challenges and areas of opportunity for innovative business growth.
- A proven track record of leading and providing focus and direction in meetings to ensure all views are considered, driving consensus in order to achieve outcomes. Proven ability to articulate and implement strategies and plans and to give passionate leadership to their execution.
- Ability to operate as a high-profile advocate for Kent and Medway and generate enthusiasm for the aims of the Board.
- Ability to lobby for the interests of the KMEP across the SELEP region and nationally, with a range of stakeholders.
- Ability to work effectively as a member of a team in which colleagues work cooperatively with each other, accepting collective responsibility.

Skills and Characteristics

- An engaging public speaker with presence, good communication skills and excellent interpersonal skills.
- Impartial, passionate and driven leader.
- Experienced political awareness.

Remuneration

The post is not remunerated.

⁵ These are listed in the Business Board Member Role Specification

Term	Acronym (where applicable)	Description
Accountable Body	None	An Accountable Body retains overall legal accountability for the investment of public funds. Essex County Council is the Accountable Body for public funds, that are passported through the South East LEP.
Branding Guidelines	None	The guidelines issued by the Ministry of Housing Communities and Local Government, which LEPs and partners must use when promoting projects via Local Growth Fund, Growing Places Fund, and any other UK Government funded projects.
Business and Industry Leaders	None	Individuals representing the private sector, for example is the Chairman, Owner, a Chief Executive, Senior Officer, Director or Partner in a business in Kent or Medway.
Cities and Local Growth Unit	CLGU	A division of staff in the Central Government's civil service. These staff work for the Ministry of Housing, Communities and Local Government, and are tasked with LEP liaison along with an extensive list of other duties.
Co-opted members	Co-opts	Board members who are chosen by the appropriate body to represent a specific area of interest or issue of consideration. These representatives are not elected / publicly recruited members, rather are directly appointed because of their level of knowledge and experience.
Federated Boards	Fed. Boards	The Federated Boards of SELEP are local public/private partnerships tasked with driving forward economic growth. There are four Federated Boards: Kent and Medway Economic Partnership (KMEP), Opportunity South Essex (OSE), SuccessEssex (SE) and Team East Sussex (TES).
Freedom of Information request	FOI	The Freedom of Information Act 2000 provides the public with access to information held by public authorities.
Further Education	FE	Further Education is the post-compulsory secondary or pre-university education in the UK. FE courses typically focus on vocational or basic skills. There are now three groups that operate the various Kent and Medway FE Colleges. They are: North Kent College, Mid-Kent College, and East Kent College.
Growing Places Fund	GPF	A capital loan, awarded as a low or zero percent interest rate. This funding aims to tackle barriers to economic growth.
Growth Deal	None	Growth Deals provide funds (such as LGF) from the Government to LEPs for projects that benefit the local area and economy.

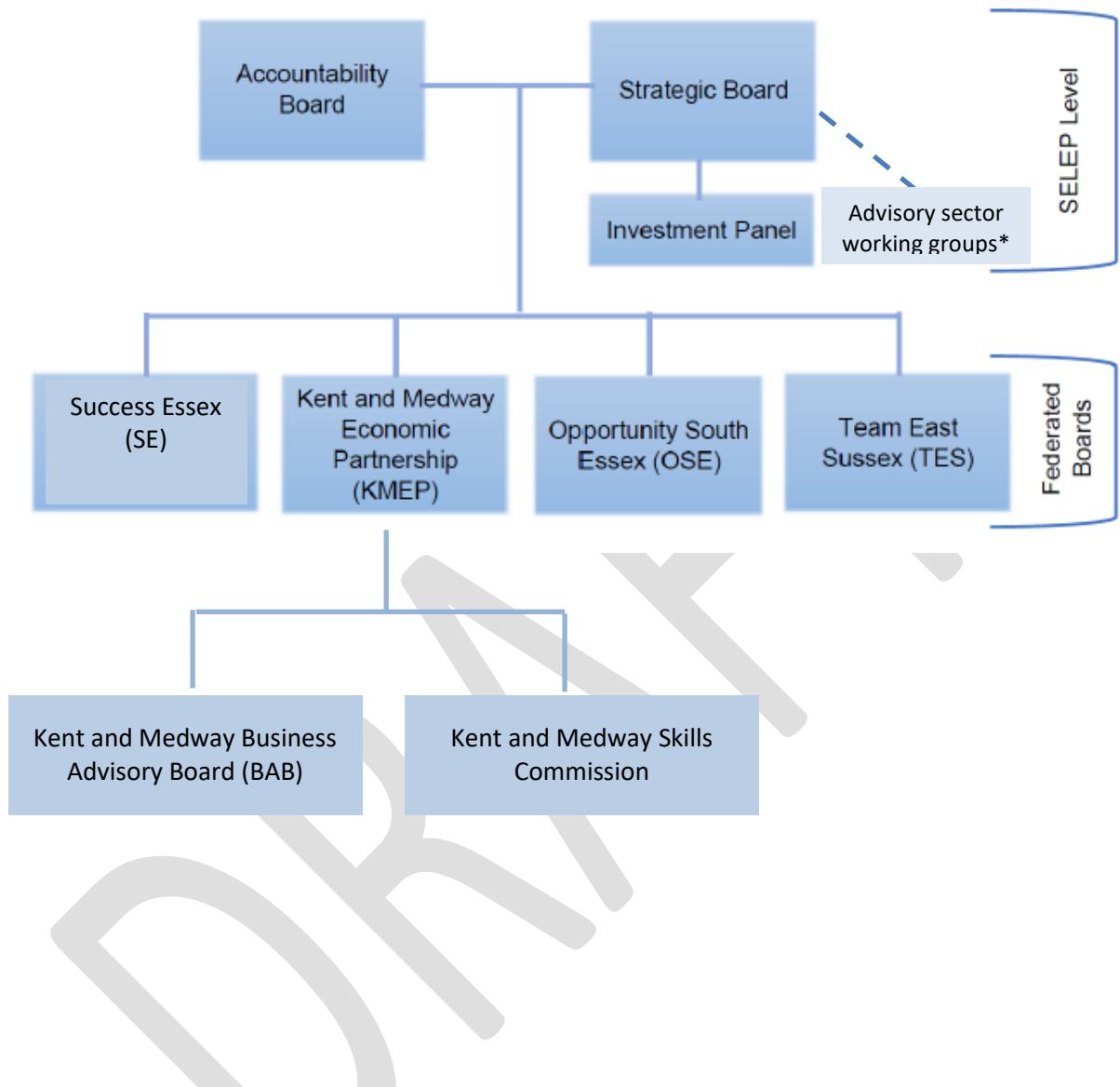
Growth Deal Period	None	The period in which Growth Deal Funding may be used, i.e. from 2015 to 2021. Any unspent Growth Deal funding is expected to be returned to the Government at the end of 2021.
Higher Education	HE	Education delivered by universities and other Higher Education Institutes. They offer a range of courses from undergraduate degrees to postgraduate courses, etc.
Independent Technical Evaluator	ITE	The consultant, on contract to SELEP, tasked with providing impartial technical advice to SELEP and local project sponsors on a project's value for money and deliverability. Presently, the SELEP contract is with Steer Group (www.steergroup.com).
Kent and Medway Business Advisory Board	BAB	The Business Advisory Board is a business-led forum which provides a 'sounding board' with the business community to review and reflect on economic strategy. The BAB is made up of 50 representatives from key sectors of the local economy. It meets bi-monthly and each meeting provides an insight from the business community in Kent and Medway on current trading conditions and experience of the local economy, on a sector-by-sector basis
Kent and Medway Economic Partnership	KMEP	<ul style="list-style-type: none"> • An unincorporated association that drives economic growth in Kent and Medway. • It brings together businesses, local authorities, universities and further education colleges. • Among its functions, it is a federated board of SELEP. • KMEP represents the following areas: the Districts of Ashford, Canterbury, Dartford, Dover, Folkestone & Hythe, Gravesham, Maidstone, Sevenoaks, Swale, Thanet, Tonbridge & Malling, Tunbridge Wells, and the Unitary Authority area of Medway.
KMEP Secretariat	None	The officer that supports the activity of the KMEP board. There is 1 officer undertaking this role currently. They are employed as the 'KMEP Strategic Programme Manager' by Kent County Council.
KMEP Skills Commission	None	A sub-group of KMEP. It seeks to provide a business voice to support local partners, that are working to raise skills attainment and residents' aspirations with regard to their careers.
LEP Network	None	A peer network for LEPs, whose purpose is to enable LEPs to discuss issues of shared importance as a sector, engage with Government, and share knowledge and good practice.

Local Authority	LA	Local councils, which is the most common type of local authority, are made up of councillors who are elected by the public in local elections. Local councils deliver a range of vital services for people and businesses in defined areas. Among them are well known functions such as social care, schools, housing and planning and waste collection, but also lesser known ones such as licensing, business support, registrar services and pest control.
Local Enterprise Partnerships	LEPs	Local Enterprise Partnerships are public-private partnerships between local authorities, businesses and educators. They were established at the request of the Coalition Government in 2010/11. They are tasked with driving forward economic growth and creating jobs.
Local Growth Funding	LGF	A capital grant for investment in capital infrastructure projects. This funding aims to support the delivery of jobs, homes, new learners and other economic growth objectives. The source of LGF is central government, and LEPs must competitively bid to receive an allocation of this funding.
Local Growth Projects	None	Projects which are all or part funded by Local Growth Funding.
Local Industrial Strategy	LIS	Local Industrial Strategies, co-designed by the LEPs with central government, are to capture the economic strengths and opportunities of an area and provide the long-term plan for how national and local partners can ensure they seize those opportunities. The LIS effectively replaces the Strategic Economic Plan.
Monitoring Officer	None	The Monitoring Officer is a member of staff employed by a council. The Monitoring Officer has the specific duty to ensure that the Council, its officers, and its elected Councillors, maintain the highest standards of conduct in all they do.
National Assurance Framework	NAF	The National Assurance Framework sets out central government's expectations relating to the governance and activities of a LEP. All LEPs must have a Local Assurance Framework that describes how it will meet locally the requirements specified by the Government in the NAF.
Nolan's Seven Principles of Public Life	None	The seven ethical principles expected of public office holders, including people who are elected or appointed to LEPs and to public office, both nationally and locally.
Opportunity South Essex	OSE	<ul style="list-style-type: none"> • A federated board of SELEP, tasked with growing the South Essex economy. • It is an informal public/private partnership. • The board represents the following local authority areas: the Districts of Brentwood, Basildon, Rochford, Castle Point, and Unitary Authority areas of Thurrock and Southend-on-Sea.

Pecuniary interest	None	A pecuniary interest in a matter is one where there is a reasonable likelihood or expectation of appreciable financial loss or gain to the person, their business, or their spouse/partner/family.
Private Sector	None	The part of the national economy that is not under direct state control.
Private-sector Membership / Subscription Organisations	None	Legal entities that are membership or subscription organisations of a generic, sector-based or geographic-based nature and which represent and speak on behalf of the interests of private-sector businesses with their consent. These types of organisations include: <ul style="list-style-type: none"> • Trade Associations; • Chambers of Commerce; • Chartered Institutes; and • other professional membership bodies with a significant membership.
Protected Characteristics	None	The Equality Act identifies certain groups with characteristics that are protected by existing equality legislation. The Protected Characteristic are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.
Public Sector	None	The part of the national economy that is under direct state control.
Registers of Interest	ROI	All members of the KMEP and SELEP are required to complete a Register of Interests form, recording details of any relationship or other financial or personal interest which might conflict with their duties as a board member.
Section 151 Officer	S151	An officer appointed under section 151 of the Local Government Act 1972 which requires every Local Authority to appoint a suitably qualified officer responsible for the proper administration of its affairs (especially its financial affairs).
SELEP Accountability Board	None	The Accountability Board for the South East LEP provides the accountability structure for decision-making and approval of funding within the overarching vision of the SELEP Strategic Board. It is one of SELEP's three main boards, alongside the Strategic Board and Investment Panel. In March 2020, SELEP is due to be incorporated as a company limited by guarantee. <u>This glossary will be update at that time to reflect the changes to the SELEP structure and organisation.</u>
SELEP Investment Panel	None	A sub-committee of the SELEP Strategic Board. The Investment Panel has responsibility for the prioritisation of projects following an approach agreed by the Strategic

		<p>Board.</p> <p>It is one of SELEP's three main boards, alongside the Strategic Board and Accountability Board.</p> <p>In March 2020, SELEP is due to be incorporated as a company limited by guarantee. <i>This glossary will be updated at that time to reflect the changes to the SELEP structure and organisation.</i></p>
SELEP Local Assurance Framework	LAF	<p>The Assurance Framework reflects the expectations of Government with regard to LEP Governance and Operation, as set out in the revised National Local Growth Assurance Framework published in January 2019.</p>
SELEP Secretariat	None	<p>The officers that support the activity of the SELEP board. There are currently 15 officers and their positions are described at:</p> <p>https://www.southeastlep.com/about_us/meet-our-people/secretariat/</p>
SELEP Strategic Board	None	<p>The primary private/public partnership board within the SELEP structure. It is responsible for providing clear strategic direction and leadership.</p> <p>It is one of SELEP's three main boards, alongside the Accountability Board and Investment Panel.</p> <p>In March 2020, SELEP is due to be incorporated as a company limited by guarantee. <i>This glossary will be updated at that time to reflect the changes to the SELEP structure and organisation.</i></p>
SME	SME	<p>Small and medium sized enterprises.</p>
Social Value	None	<p>Added economic, social or environmental benefits.</p>
South East Local Enterprise Partnership	SELEP	<p>The South East Local Enterprise Partnership is one of 38 LEPs across the nation. It is a public-private partnership, that brings together businesses with local authorities, universities and further education colleges.</p> <p>It is tasked with driving forward economic growth, in Kent, Medway, East Sussex, Essex, Southend-on-Sea and Thurrock.</p> <p>Currently SELEP operates three main boards:</p> <ul style="list-style-type: none"> • SELEP Strategic Board • SELEP Investment Panel • SELEP Accountability Board. <p>In March 2020, SELEP is due to be incorporated as a company limited by guarantee. <i>This glossary will be</i></p>

		<p><i>updated at that time to reflect the changes to the SELEP structure and organisation.</i></p> <p>SELEP is, by far, the largest LEP in the country by population, once London LEP is excluded. To facilitate informed discussion of local economic development priorities over such a large geographical area, SELEP operates a federated board model. This is an essential and fundamental component of SELEP.</p> <p>The four local federated boards of SELEP are:</p> <ul style="list-style-type: none"> • Essex Federated Board (EFB) • Kent and Medway Economic Partnership (KMEP) • Opportunity South Essex (OSE) • Team East Sussex (TES) <p>In addition, SELEP has advisory working groups, focusing on specific sectors and themes.</p>
Strategic Economic Plan	SEP	A Strategic Economic Plan outlines the priorities, aims, and actions of an organisation to drive a more productive and prosperous economy for the area.
Success Essex	SE	<ul style="list-style-type: none"> • A federated board of SELEP, tasked with growing the Essex economy. • It is an informal public/private partnership. • The board represents the following local authority areas: The Districts of Uttlesford, Braintree, Chelmsford, Epping Forest, Maldon, Tendring, Colchester & Harlow.
Team East Sussex	TES	<ul style="list-style-type: none"> • A federated board of SELEP, tasked with growing the East Sussex economy. • It is an informal public/private partnership. • The board represents the following local authority areas: the Districts of Eastbourne, Hastings Lewes, Rother, and Wealden.
Third Sector	None	The part of an economy or society comprising non-governmental and non-profit-making organizations or associations, including charities, voluntary and community groups, co-operatives, etc.



*The SELEP advisory sector working groups are:

- Coastal Communities
- Clean Growth (Energy)
- ESIF Committee
- Growth Hub
- Housing and Development
- Rural
- Senior Officer Group (SOG)
- Skills Advisory Panel, supported by the Skills Advisory Group
- Social Enterprise
- South East Creative Economy Network (SECEN)
- Tourism
- Transport
- U9

More details on these working groups are shown on the SELEP website.