

STRATEGIC LEADERSHIP BOARD

TERMS OF REFERENCE

ARTICLES

1. Context

- 1.1 With the establishment of the East Midlands Mayoral Combined County Authority bringing new opportunities to effect change, Councils across Derby and Derbyshire have agreed to establish a collaborative working model which seeks to exercise all functions granted from the EMMCCA to improve outcomes for people and place through a shared ambition and collective priorities for local government.
- 1.2 These governance arrangements provide a framework to reach the intended outcome of a model that will enable local authorities in Derbyshire to work collaboratively to make strategic choices according to the needs of our people and place, as well as to speak with one voice to residents, business and regional and national stakeholders.
- 1.3 A joint committee, to be known as the **Strategic Leadership Board**, will work to the following principles:-
 - Strong collective leadership and seek to deliver better local outcomes and more joined-up public services
 - Clear, transparent and accountable decision-making which will ensure best value for taxpayers' money and maintain strong ethical standards
 - An inclusive model of governance across an appropriate geographical footprint in Derbyshire
 - Flexibility to work across organisational boundaries to deal with strategic and emergent challenges whilst maintaining local control

1.4 The model allows local authorities to blend working at a hyper-local level with a large strategic level. Authorities will collaborate at three levels:

- regional/national
- county-wide or
- local place level,

depending on the nature of the outcome that the authorities are looking to improve. In adopting this way of working, authorities across Derbyshire can blend strategic, county-wide and local approaches to tackle outcomes in a multi-faceted way, and maintain focus on people and places, not organisational boundaries.

1.5 To enable the delivery of the above, the Strategic Leadership Board will act as the enabling body, through the political leadership of councillors from the participating authorities. Councils within Derbyshire may choose to appoint members to the Strategic Leadership Board, but not to delegate any functions. Should any council choose to do this, then they will still be required to agree to the Terms of Reference for the Board and contribute towards the cost of funding the Board.

2. Membership of the Strategic Leadership Board

2.1 *[named local authorities who are delegating functions]* shall appoint one of their Elected Members to be a member of the Strategic Leadership Board and one Member to be a substitute Member.

2.2 All other councils within Derbyshire, whether or not delegating functions to the Board, will be permitted to appoint one member to the Strategic Leadership Board and to nominate one member as a substitute.

2.3 A Substitute Member will have the same rights to receive meeting papers and to access information as the Member for whom s/he is a substitute.

- 2.4 All appointments as Members or Substitute Members of the Board shall be for a term of one year, but an individual may be re- appointed to serve as a Member or Substitute Member any number of times.
- 2.5 All councils shall be entitled at any time to terminate the appointment of a Member or Substitute Member appointed by it and to appoint another of its Elected Members in that person's place. Where a Council exercises this power it shall give written notice of the new appointment and the termination of the previous appointment to the Monitoring Officer responsible for the Board and the new appointment shall take effect and the previous appointment terminate at the end of one week from the date on which the notice is given or such longer period not exceeding one month as is specified in the notice.
- 2.6 A Member or Substitute Member of the Board who ceases (for whatever reason) to be an Elected Member of the Council that appointed them shall immediately cease to be a Member or Substitute Member of the Board, and the relevant Council shall as soon as practicable give written notice of this to the Monitoring Officer responsible for the Board and appoint another of its Elected Members in that person's place.
- 2.7 A person may resign as a Member or Substitute Member of the Board by written notice served on the Proper Officer of the Council that appointed them and the resignation shall take effect on receipt of the notice by the Proper Officer. The relevant Council shall as soon as practicable give written notice of this to the Monitoring Officer responsible for the Board and appoint another of its Elected Members in that person's place.
- 2.8 Where an appointing Council operates executive arrangements (within the meaning of the Local Government Act 2000), the appointment, removal and replacement of Members and Substitute Members of the Board shall be decided in accordance with the constitutional requirements of that Council, but it is anticipated that all Members and Substitute Members appointed by it shall

be Members of its executive and will include its executive leader or elected mayor.

2.9 All appointments, removals and replacements of Members and Substitute Members of the Board by Councils shall be made by notice in writing addressed to the Monitoring Officer responsible for the Board. Any such notice shall be deemed to have been given when received by the Monitoring Officer.

2.11 All Members of the Board (including any Substitute Members acting in place of Members of the Board) will:-

- (a) (subject to the Board's voting arrangements) collectively be the ultimate policy makers of the Strategic Leadership Board;
- (b) bring views of their communities into the Strategic Leadership Board's decision making process; and
- (c) maintain the highest standards of conduct and ethics.

2.12 Members will at all times observe the Code of Conduct for Members which is in force in their own Council and any breaches will be reported to the Monitoring Officer of their own Council.

2.13 No remuneration shall be payable to Strategic Leadership Board Members other than allowances for travel and subsistence in accordance with the Members' Allowances Schemes in operation at the participating Councils and non-participating Councils. (It is acknowledged that a participating Council or a non-participating Council may, in accordance with its own procedures, pay a special responsibility allowance to any Elected Member appointed by it to the Board in respect of duties and responsibilities undertaken as a Member or Substitute Member of the Board.)

3 Chairing the Strategic Leadership Board

3.1 The Chair of the Strategic Leadership Board will be appointed by the Board. The Board can only be chaired by a Member of the Board appointed by a

Council which has delegated functions to the Board for the duration of a municipal year.

- 3.2 In the event that there are more than two Members nominated for the role of Chair, and there is not a clear majority of votes in favour of one Member, then the name of the Member with the least number of votes will be eliminated and that process will continue until a Chair is elected with a majority of votes.
- 3.3 The Board will appoint a Vice-Chair to deputise for the Chair when they are not present or available. The Vice-Chair must also be from a Council which has delegated functions to the Board and will be appointed for the duration of a municipal year.
- 3.4 In the event that there are more than two Members nominated for the role of Vice-Chair, and there is not a clear majority of votes in favour of one Member, then the name of the Member with the least number of votes will be eliminated and that process will continue until a Vice-Chair is elected with a majority of votes.
- 3.5 The Chair or Vice-Chair of the Board will cease to hold such office when they cease to be a Member of the Board, in accordance with the provisions set out at paragraph 2.6 above.

4. Procedural Arrangements

- 4.1 The Board shall meet in accordance with its agreed calendar of meetings throughout a municipal year, but additional meetings may take place should the need arise.
- 4.2 Each Member of the Board shall have one vote, other than in the following circumstances:

- (a) where districts and boroughs are selecting representatives to serve as non-constituent Members of the East Midlands Mayoral Combined County Authority
- (b) where matters reserved to the constituent Members of the East Midlands Mayoral Combined County Authority are to be discharged
- (c) where matters reserved to specific authorities are to be discharged, e.g. housing functions that are reserved to borough, district and unitary authorities

In such circumstances Members from authorities that have no remit will not be entitled to vote.

- 4.3 The proceedings of the Board shall not be invalidated by any vacancy among its Members or Substitute Members or by any defect in the appointment or qualifications of any Member or Substitute Member.

5. Records of Proceedings

- 5.1 The Board shall make arrangements for the names of Members and Substitute Members present at any meeting to be recorded.
- 5.2 Minutes of the proceedings of a meeting of the Board, or any sub-committee, shall be kept in such form as the Board may determine.
- 5.3 Any such minutes are to be agreed as a true record and signed at the same or next suitable meeting of the Board or sub-committee by the Member chairing that meeting.
- 5.4 A Member of the Board, or any sub-committee, has the right to have their vote on any matter recorded in the minutes of the meeting at which the vote was cast.

6. Sub-Committee

6.1 The Board may establish such sub-committees as it thinks fit to discharge its functions.

7. Officers

7.1 The Section 151 Officer (appointed under Section 73 of the Local Government Act 1975) and Monitoring Officer (appointed under section 5 of the Local Government and Housing Act 1989) of the host authority for the Board will serve as the statutory officers in support of the Board.

7.2 The Board may call upon any officer of any of the local authorities who have members on the Strategic Leadership Board for advice and assistance, as it considers necessary to carry out its functions.

8. Scrutiny of decisions

8.1 Each constituent authority which operates executive arrangements will be able to scrutinise the decisions of the Board in accordance with that constituent authority's overview and scrutiny arrangements. Any authority that operates a committee system model of governance will have the discretion to scrutinise decisions of the Board according its own specific governance arrangements.

9 Winding up of the Strategic Leadership Board and Cessation of Membership

9.1 The Board may be wound up immediately by a unanimous vote of all constituent authorities.

9.2 Where an authority determines through its own governance arrangements that it no longer wishes to be a member of the Board, that authority may cease its membership with effect from the date of its decision. However authorities will remain liable for any previously agreed financial contributions until the end of the financial year for which those contributions

have been agreed regardless of any decision to cease membership. Where long term liabilities, such as any Pension Fund shortfall, exists they will be calculated at the point membership ceases and any council exiting the arrangement will pay the host authority an amount to cover their share of that liability.

FUNCTIONS AND RESPONSIBILITIES

- a. The Strategic Leadership Board is established pursuant to Section 101(5) of the Local Government Act 1972, which permits local authorities to make arrangements for two or more authorities to discharge functions jointly, so long as it is a function that the law reserves to a specified committee. The Strategic Leadership Board is established for the following purposes:
- Provide collective strategic leadership for local government in Derby and Derbyshire
 - Drive forward shared ambition and collective priorities for local government across Derbyshire
 - Improve joint working across local government in Derbyshire
 - Have a collective understanding of matters impact Derbyshire
 - Form a collective view on matters impacting Derbyshire
 - Understand the pros and cons of matters impacting Derbyshire
 - Exercise all functions that the Combined Authority is granting
 - Enable agile, timely and effective decision making
- b. The Board, on behalf of the participating authorities, will be responsible for improving the delivery of functions already within the remit of local authorities through statute or through specific collaborative work to improve the economic, environmental or social wellbeing of the areas within Derbyshire from the following broad definitions:-
- Incorporating existing partnership arrangements
 - Areas for collaborative system changes across authorities
 - Specific thematic projects and priorities
- c. Within those broad definitions, the Strategic Leadership Board will:-
- (i) Develop strategy on behalf of Derbyshire to support the work of the East Midlands Mayoral Combined County Authority
 - (ii) Determine commissioning arrangements on matters for which funding is provide on a sub-regional basis

- (iii) Determine the prioritisation of issues affecting Derbyshire to influence commissioning at a regional level
- (iv) Nominate District and Borough representatives as non-constituent Members of the East Midlands Mayoral Combined County Authority and committees of the Combined Authority
- (v) Act as the local public sector decision-making body for strategic economic development across Derbyshire (including potential alignment of resources, commissioning, and performance / contract management) in respect of
 - (a) Skills and training
 - (b) Inward Investment
 - (c) Investor Development
 - (d) Sector Development
 - (e) Regeneration Delivery
 - (f) Low carbon
 - (g) Land Use
- (vi) Develop and subsequently monitor investment plans utilising Government and Combined Authority Funds for Derbyshire
- (vii) Act as the accountable body for decision making on funding streams allocated to the Strategic Leadership Board by other bodies
- (viii) Own, monitor and review the Derbyshire Growth Plans and associated investment plans
- (ix) Maintain an ongoing dialogue with the Derbyshire business community through the relevant Economic Advisory Boards
- (x) Oversee the planning, alignment and performance of delivery partners and organisations to achieve more effective and efficient commissioning and ultimately better outcomes
- (xi) Hold to account relevant bodies whose work impacts on the economic well-being of Derbyshire
- (xii) Determine the programme of projects and work streams, how those will be managed and communicated to stakeholders and the public

- (xiii) Monitor and review performance in respect of services delivered in partnership through the Strategic Leadership Board and authorise the publication of an annual report of performance and outcomes
- (xiv) Commission strategic outline and full business cases for individual councils to consider opportunities for more collaborative working in respect of shared services
- (xv) Provide a forum for consideration of opportunities for joint working across Derbyshire
- (xvi) Provide or assume democratic oversight for existing joint committee and partnership arrangements
- (xvii) Provide a platform for the devolution of powers from Government to specific authorities in Derbyshire
- (xviii) Determine requests from individual authorities or groups of authorities to work collaboratively on specific projects or work streams
- (xix) Provide a forum for councils and their representatives to provide challenge to each other with the aim of increasing collaboration to deliver efficient, effective and economic services, which equally improve the offer and outcomes to residents and businesses
- (xx) Delegate functions and responsibilities to sub-committees or officers as the Board deems appropriate and keep any governance arrangements associated with the Board under review.

d. The functions of the Strategic Leadership Board conferred or imposed upon it by any Orders from the Secretary of State and / or the functions of the Board delegated to it by Orders approved by participating authorities will be set out within these terms of reference.

e. The Strategic Leadership Board will exercise all its powers and duties in accordance with the law and these terms of reference and procedure rules.

f. The authorities appointing to the Strategic Leadership Board are:

- INSERT AUTHORITIES

- g. It is a matter for each individual Council to determine which functions and responsibilities it chooses to delegate to the Strategic Leadership Board according to its own individual governance arrangements.
- h. No authority represented on the Strategic Leadership Board may participate in voting upon or discharging a function for which it has no responsibility in law.