

Education, Skills and Employability Board

Terms of Reference

## 1. Purpose and Role

1.1 The purpose of the Education, Skills and Employability Board is to provide leadership, the development of policy and the delivery of activity aligned to the priorities of the Strategic Economic Plan, the Recovery Action Plan and other approved strategies associated with education, skills and employability.

1.2 The role of the Education, Skills and Employability Board is to:

- Shape future policy development and priorities on issues related to education, skills and employment
- Develop new education, skills and employment programmes
- Make investment decisions up to £2 million within the agreed budget and policy on education, skills and employment, as delegated by the Mayoral Combined Authority (MCA)
- Accept grants with a value of less than £2 million
- Monitor programme delivery and performance on skills and employment.
- Act as the Programme Board for Adult Education Budget delivery

## 2. Responsibilities

2.1 The Education, Skills and Employability Board is responsible for:

### ***Funding***

- Approving, deferring or rejecting funding applications for education, skills and employment projects that fall within the financial limit of delegated authority, and which are within the education, skills and employment budgets agreed by the MCA and, where appropriate, Local Enterprise Partnership (LEP);
- Making recommendations to the MCA to approve, defer or reject funding applications for education, skills and employment projects that exceed the financial limit of delegated authority, and which are within the education, skills and employment budget; and
- Making recommendations to approve, defer or reject funding applications for education, skills and employment projects to form part of the project pipeline where relevant.
- Commissioning adult education provision and allocating funding to grant funded providers, monitoring performance

### ***Strategy and Policy***

- Ensuring that education, skills and employment policies developed by the Board and agreed by the MCA and LEP are enacted effectively through appropriate investments including provision funded through the Adult Education Budget
- Reviewing economic intelligence and evidence of economic performance on skills and employment (e.g. qualification levels,

attainment, unemployment) and identifying propositions to accelerate growth

- Developing and managing relationships with key stakeholders and partners

### ***Programme Delivery***

- Commissioning of activity to deliver and implement priorities on education, skills and employment
- Monitoring education, skills and employment programme and project delivery including provision funded by the Adult Education Budget.

### ***Performance and Risk Management***

- Reviewing project performance, outputs and outcomes
- Identifying and recommending mitigations for any programme risks or poor performance
- Escalating any strategic, policy or programme risks to the MCA and LEP Boards

## 3. Delegated Authority

- 3.1 In order to enact its responsibilities, the Education, Skills and Employability Board will have delegated authority from the MCA to approve investment decisions for agreed pipeline projects up to £2 million.
- 3.2 The Education, Skills and Employability Board will have delegated authority to accept grants with a value of less than £2 million.
- 3.3 The Education, Skills and Employability Board will have delegated authority to accept a tender or quotation for the supply of good, materials or services for which financial provision has been made in the Authority's Revenue Budget up to a limit of £200,000.00 in value for any one transaction.
- 3.4 The Education, Skills and Employability Board may refer a matter or decision within their delegated authority to the MCA or LEP.

## 4. Membership

- 4.1 The Education, Skills and Employability Board will be co-chaired by the MCA portfolio lead for education, skills and employability and a private sector LEP Board member.
- 4.2 Membership of the Education, Skills and Employability Board will comprise:

- One Leader, who is the portfolio lead, from an MCA constituent Local Authority who will co-Chair the Board
- A nominated representative for each of the constituent Local Authorities
- A lead Chief Executive from a constituent Local Authority
- Two private sector LEP Board members, one of whom will co-Chair the Board
- The MCA Head of Paid Service (or their nominated representative)

4.3 Elected members can nominate a deputy to attend meetings of the Board in their absence. All deputies must be named, elected members and must complete a Register of Interests Form.

4.4 Each of the non-constituent Local Authorities can nominate an elected member to attend and participate in the meetings but not vote.

## 5. Frequency

5.1 The Education, Skills and Employability Board will meet on an eight-weekly cycle.

## 6. Secretariat

6.1 The MCA Executive Team will provide the secretariat for the Education, Skills and Employability Board.

6.2 Papers and presentations for Board meetings will be circulated to Board members five clear working days in advance of the meeting.

## 7. Attendance

7.1 Consistent attendance at the Education, Skills and Employability Board meetings is essential, and attendance will be recorded.

## 8. Quorum

8.1 Meetings of the Education, Skills and Employability Board will be quorate when five members are present and provided that there are at least 2 constituent Local Authority elected member representatives and one LEP member present. A member who is obliged to withdraw under the Code of Conduct for Members shall not be counted towards the quorum.

8.2 A Board member may be counted in the quorum if they are able to participate in the meeting by remote means e.g. telephone, video or electronic link and remain available for the discussion and decision items on the agenda.

## 9. Decision Making

- 9.1 Board decisions are legally taken by the Head of Paid Service (or their nominated representative) in consultation with the co-Chairs of the Board. By protocol, decisions will not be taken unless there is Board consensus for the decision. Where consensus cannot be reached the issue will be escalated to the MCA and/or the LEP as appropriate for final decision.
- 9.2 Decisions made by the Education, Skills and Employability Board will be presented to the MCA Board in a written Delegated Decisions Report at the next meeting. As the delegating body, the MCA will have the right to review or amend decisions made by the Education, Skills and Employability Board where such decision has not been acted upon subject to giving due reason for doing so.

## 10. Conflicts of Interest

### ***Register of Interests***

- 10.1 All Board Members and deputies must complete a Register of Interests Form within 28 days of being appointed to the Education, Skills and Employability Board. This must disclose any disclosable pecuniary interests (as defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) for the Member, their spouse, their civil partner or partner. Completed Register of Interests Forms for all Board Members are published on the website.
- 10.2 It is the responsibility of every Education, Skills and Employability Board Member to ensure that their Register of Interests Form is up-to-date and declare any new interests within 28 days of this being known.
- 10.3 Interests declared by Education, Skills and Employability Board Members will be listed on the Register of Members' Interests and published on the website.

### ***Declarations of Interest at Board Meetings***

- 10.4 It is the responsibility of Board members to declare any disclosable pecuniary interests (as defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) and any other personal interests whether financial or non-financial in specific agenda items at the start of each Education, Skills and Employability Board meeting.

## 11. Urgent decisions between meetings

- 11.1 This procedure is to be used only by exception.
- 11.2 When an urgent matter or decision falls outside the parameters of the meeting cycle, the Education, Skills and Employability Board will be permitted to make decisions through this procedure. If the matter is a Key Decision the procedure in Part 5B (Access to Information Procedure Rules) of the Constitution also needs to be complied with.
- 11.3 The Head of Paid Service (or their nominated representative), in consultation with the Chairs of the Education, Skills and Employability Board, will contact Board Members by email to notify them of the following:
- Details of the matter requiring comment and/or decision;
  - The name of the person or persons making or putting forward the proposal/decision
  - The reason why the matter cannot wait until the next Board; and
  - The date responses are required by.

Two working days after the close of responses, the following will be circulated to all Board Members:

- The outcome of the decision taken noting that for a decision to be agreed the unanimous agreement of all those Board Members that respond by the date set for responses is needed;
  - The date when any decision comes into effect; and
  - Any mitigating action taken to address stated views or concerns.
- 11.4 Decisions and actions taken will be retrospectively reported to the next meeting of the Education, Skills and Employability Board and MCA in accordance with paragraph 9.2 above.

## 12. Advisory Groups

- 12.1 The Skills Advisory Network Board will be an advisory board to the Education, Skills and Employment Board. The Education, Skills and Employment will approve changes to the advisory board terms of reference and will receive regular reports from the Skills Advisory Network Board Chair.
- 12.2 The Education, Skills and Employability Board will be supported in making investment decisions an independent Appraisal Panel. The Appraisal Panel will assess all applications for funding and will present their findings

and recommendations to the Board on whether the application should be approved, deferred or rejected.

- 12.3 The Education, Skills and Employability Board is permitted to form Task and Finish groups of key stakeholders and advisors to assist in the management and monitoring of individual programmes or projects. Any such groups are purely advisory and must submit reports to the Education, Skills and Employability Board.

## 13. Transparency

### ***Key Decisions***

- 13.1 Key decisions to be taken by the Education, Skills and Employability Board will be published in the Forward Plan of Key Decisions on the website 28 days in advance of the decision being made.
- 13.2 Questions and comments submitted by the public on the pending decisions will be notified to the Education, Skills and Employability Board and will be responded to in writing.

### ***Meeting Papers***

- 13.3 Agendas and papers for the Education, Skills and Employability Board will be published on the website at least five clear working days before the meeting date.

### ***Exemptions***

- 13.4 Where reports or information for Board meetings is exempt from disclosure under Section 12A of the Local Government Act 1972 or the Freedom of Information Act 2000, these papers will either be reserved or specific information in the paper will be redacted.
- 13.5 Reserved papers and reports can still be requested under the Freedom of Information Act. Requests will be considered on a case by case basis (taking into consideration such factors as timing, any applicable exemptions and the public interest test).

### ***Meeting Record***

- 13.6 Draft minutes will be published on the website within ten clear working days of the Education, Skills and Employability Board meeting taking place. The meeting record (approved minutes) will be published on the

website within ten clear working days of the subsequent Education, Skills and Employability Board meeting.

#### 14. Amendments to Terms of Reference

- 14.1 These Terms of Reference will be reviewed annually. Any changes will be approved by the MCA and LEP.