

TERMS OF REFERENCE

Approved 26 March 2018

1. Purpose

1.1 This document sets out the terms of reference for the Kent and Medway Economic Partnership (KMEP). The Partnership is a federated board of 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 body which aims to drive forward economic growth and prosperity in Kent and Medway.

2.2 Working collectively, the Partnership is responsible for:

- a) Shaping, defining, endorsing, signing-off and monitoring the Strategic Economic Plan;
- b) Considering the local strategic economic investment priorities and driving forward the vision for economic growth in Kent and Medway;
- c) Considering and developing responses to new economic opportunities and challenges in Kent and Medway;
- d) Providing a strong voice for Kent and Medway business and government at national and regional level;
- e) Championing the work of KMEP and SELEP to local communities;
- f) Maintaining strategic oversight of and reporting on the use of all funding devolved from SELEP to Kent and Medway;
- g) Engaging with public and private sector partners to inform key decisions and set out how they will evidence effective engagement;
- h) Providing local engagement with and feedback to the general public about future strategy development and progress against delivery of the SEP via the KMEP website.
- i) Publishing arrangements for developing, prioritising, appraising and approving projects, with a view to ensuring that a wide range of delivery partners can be involved.

2.3 KMEP will engage local businesses and utilise public and private sector knowledge and expertise to ensure prioritisation and delivery to provide the greatest benefit in terms of achieving economic growth through the delivery of development, infrastructure and regeneration projects.

3. Governance

- 3.1. The Partnership shall be governed by a **Partnership 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 shall consist of 33 members, as follows:
- Business representatives (17)
 - 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)
- 4.2. The Board shall seek to ensure a balanced representation of businesses, reflecting Kent and Medway's geography and the diversity of its business base (by size and scale).
- 4.3 The KMEP Business Representatives shall be selected by the Kent and Medway Business Advisory Board (BAB). The KMEP Secretariat will alert the BAB when a vacancy on KMEP arises. The Secretariat will also provide details to BAB of the geographical, sector and diversity balance of the current KMEP business representatives to support informed decision-making.
- 4.1 Appointments to the Kent and Medway Business Advisory Board are conducted through a competitive procedure which is open, transparent and non-discriminatory. The process is set out within the Business Advisory Board's terms of reference, which are available on the KMEP website.
- 4.2 KMEP also shall have power to co-opt other members as it may from time to time judge necessary to assist it in the discharge of its responsibilities.
- 4.6. Should a Board member be unable to attend a Board meeting, s/he may nominate an alternate to take his/her place. In such cases, the Board member should notify the Chairman in advance, via the Secretariat.

5. Chairman

- 5.1 The Board is business-led, with at least 50% of its membership originating from the private sector. Both the Chairman and the two Vice-Chairmen shall be business representatives
- 5.2 The Chairman and two Vice-Chairmen of the KMEP Board are elected by the Kent & Medway Business Advisory Board (BAB) following an election via electronic procedure. The process is

outlined in BAB's terms of reference, available on the KMEP website. Hence, the Chairman shall serve as the Vice-Chairman of the South East LEP, the Chairman of the KMEP Board, and the Chairman of the Kent and Medway Business Advisory Board.

- 5.3 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.
- 5.4 The KMEP Chairman is responsible for providing the SELEP Team with clear and updated nominations for membership of the SELEP Strategic Board in accordance with the rules specified in paragraph 5.5.
- 5.5 The SELEP Strategic Board membership will include:
 - The KMEP Chairman
 - The two KMEP Vice-Chairmen
 - A KMEP business representative: - The KMEP Chairman will email all KMEP private sector representatives on an annual basis to seek expressions of interest from members to sit on the SELEP Strategic Board. If more than one business member volunteers, the Chairman shall consider the items on the SELEP agenda before each SELEP Board meeting, and select a nominee to attend that meeting based on topic relevance. The KMEP Chairman will also seek to provide diverse representation.
 - 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.

6. Terms of Office

- 6.1 A Local Authority Leader's appointment to the Board will run concurrently with his/her tenure as Leader of the Council.
- 6.2 The HE & FE representatives shall be selected by the universities and FE colleges located in Kent and Medway. The HE & FE representatives shall remain a Board Members until the KMEP Chairman (via the Secretariat) is advised by the universities or the FE colleges that a new nominee is proposed.
- 6.3 The term of the Business Representatives is two years* commencing at the KMEP Annual General Meeting, following which they may be reappointed by the Business Advisory Board for an additional successive term. There is no maximum number of terms that a Business Representative can serve.

6.4 *If a Business Representative does not attend three consecutive meetings of KMEP, without the prior approval of the KMEP Chairman, then it will be deemed that the Business Representative has resigned from the Board.

6.5 Members may resign from the Board by giving no fewer than 20 working days' notice to the Chairman and Secretariat.

7. Induction and Succession Planning

7.1 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.

7.2 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.

8. Quorum

8.1 The quorum of the Board shall be 13 of which no fewer than 7 shall be business representatives.

8.2 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.

9. Other participants

9.1 With the prior agreement of the Chairman, other participants may attend meetings of the Board. Other participants may include representatives of agencies with a significant economic role, such as (*inter alia*) the Environment Agency or Homes England.

9.2 Other participants may, at the discretion of the Chairman, participate in discussion (subject to the Conflicts of Interest procedure set out later in this document). However, they shall not be considered to be Board Members.

9.3 Officers shall also attend Board meetings where they are presenting papers or other information for the Board's consideration.

10. Conflicts of interest

- 10.1. A Register of Interests shall be held by the KMEP Secretariat and published online.
- 10.2 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.
- 10.3 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.
- 10.4 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.
- 10.5 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.
- 10.6 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.
- 10.7 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.

10.8 However, the rule in 10.7 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.

10.9 These rules also apply to any Non-Voting Participant or alternate.

10.10 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.

10.11 The conflicts of interest policy shall apply to Board Members regardless of whether there is a formal meeting.

10.12 Board Members are encouraged to seek advice from the SELEP Secretariat and the Accountable Body's Monitoring Officer if they have queries on the process to complete the Register of Interests.

10.13 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>

11. Secretariat, minutes and agenda-setting

11.1. The Secretariat of the Board and the Partnership shall be carried out by Kent County Council.

11.2 The agenda for the Board meeting shall be agreed by the Chairman prior to circulation. An email will be sent by the KMEP Secretariat to Board Members calling for suggested agenda items at least a month before the meeting.

11.3 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.

11.4 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.

11.5 The KMEP Secretariat is responsible for ensuring that the SELEP Managing Director is informed of the dates of all KMEP meetings.

12. Making recommendations

- 12.1 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.
- 12.2 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.

13. Voting

- 13.1 The Board may vote on the following matters:
- a) Variation to the Terms of Reference of the Partnership and Board;
 - b) Termination of the Partnership and Board
- 13.2 Determination of these matters shall require the support of at least 75% of Board members present at the meeting.
- 13.3 KMEP has the right to take an electronic vote on the matters listed in 13.1. Decisions taken by electronic procedure shall be recorded and published in the action tracker of the next set of KMEP board papers.

14. Formal Decision-Making & Section 151 Oversight

- 14.1 As paragraph 12.1 makes clear, KMEP provides recommendations to the South East LEP for its consideration. It does not make formal decisions on the allocation of funding – rather formal 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).
- 14.2 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.
- 14.3 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.
- 14.4 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.
- 14.5 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.

14.6 Full details are available in the SELEP Assurance Framework on:

- the role of the SELEP Accountability Board, which approves funding decisions
- the role of the SELEP investment panel, which is tasked with assessing and prioritising bids before submission to the government
- 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 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 dealing with any underspends as they emerge
- the method to assess and evaluate business cases and value for money before funding decisions are made,
- the LEP-wide approach to capturing project outputs and outcomes, and
- the use of scrutiny arrangements to monitor decision-making across the LEP (including by KMEP), and monitor the achievements of the LEP.

The latest version of the SELEP Assurance Framework can be accessed at: [http://www.southeastlep.com/images/uploads/resources/SELEP Assurance Framework 010 218 .pdf](http://www.southeastlep.com/images/uploads/resources/SELEP_Assurance_Framework_010_218_.pdf)

14.7 Board Members and the KMEP Secretariat, by endorsing these terms of reference, are agreeing to comply this SELEP Assurance Framework.

15. Sub-groups

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

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

15.2 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.

16. Transparency

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

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

16.3 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) The Local Growth Fund delivery report will be routinely published as part of the Board papers pack
- (i) A published rolling schedule of projects funded, giving a brief description, names of the key recipients of funds/contractors, and the amounts by year.

16.4 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
- c) Reports and business cases
- d) SELEP minutes
- e) Summary of decisions of the SELEP boards
- f) SELEP's governance policies

16.5 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.

16.6 When a funding opportunity is announced (such as the Local Growth 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.

16.7 As well as openly announcing the funding opportunity, the KMEP Strategic Programme Manager will consult and engage with the Business Advisory Board, and its associated private-sector networks. This action will ensure the private sector has a strong role in developing and prioritising projects.

16.8 The Freedom of Information Act 2000 shall apply to Board papers and to records of the Board's discussions.

16.9 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.

17. Definition of Confidential and Exempt Information

- 17.1 'Confidential' and 'Exempt' information will not be included in the publicly-accessible board papers. The following definitions will be used: -
- 17.2 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.
- 17.2 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.
- 17.3 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.
- 17.4 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.

18. Public Questions

- 18.1 KMEP welcomes public interest in its business and has therefore adopted the following procedure for public speaking at KMEP Board meetings.

- 18.2 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.
- 18.3 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 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.
- 18.4 Only one speaker will be permitted to speak on behalf of an organisation.
- 18.5 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.
- 18.6 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.
- 18.7 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.
- 18.8 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.
- 18.9 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 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.
- 18.10 All oral answers to questions should be brief and relevant, with any detailed background or statistics given in writing following the Board meeting.
- 18.11 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.

- 18.12 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.
- 18.13 Questions should relate to an item on the Board agenda, or mentioned within the Board minutes.
- 18.14 Any question may be withdrawn by the person submitting it at any time.
- 18.15 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.
- 18.16 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.

19. Public Misconduct

- 19.1 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.

20. Annual Report and Annual General Meeting

- 20.1 The Board shall consider and approve an Annual Report, setting out the activities and membership of the Partnership and the Board over the course of the year, and its anticipated focus for the year ahead. This shall be publicly available and disseminated widely.
- 20.2 In addition, 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 to attend, and there will be a time-limited period for questions and answers from any attendees.

20. Frequency of Board meetings

- 20.1 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.
- 20.2 Board meetings shall be scheduled and located in such a way that the business of the Board can be expedited efficiently.

21. Termination

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

22. Indemnity

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

23. Variation to Terms of Reference

23.1. The Board may decide to vary its Terms of Reference, provided the procedure in 'voting section' is followed.

24. Equality and Diversity

24.1 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.

25. The Principles of Public Life

25.1 KMP 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.

25.2 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>

26. Code of Conduct

26.1 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

27. Training

27.1 The Chair and KMEP Strategic Programme Manager will seek corporate governance training from the South East LEP's Accountable Body on an annual basis.

28. Confidential Reporting of Complaints

28.1 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.

28.2 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

28.3 The SELEP Confidential Reporting of Complaints Policy includes:

- A confidential means for third parties or the public to contact the LEP, for example a secure website or secure form on the LEP website.
- A contact within the LEP 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 the LEP will investigate and respond to confidential complaints, including reassurance that confidentiality will be maintained.
- Detail of how the LEP 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.

29. Whistleblowing Policy

29.1 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

29.2 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.

30. Gifts, Hospitality and Subsistence

30.1 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.

30.2 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.

- 30.2 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_GiftandHospitalityDeclarationCaptureform-V1.pdf The register of declarations made will be published on the KMEP website.
- 30.3 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](http://www.southeastlep.com/images/uploads/resources/Subsistence_and_Hospitality_Policy_draft_for_approval_010218.pdf)