



CORNWALL &
ISLES OF SCILLY
LOCAL ENTERPRISE PARTNERSHIP

Local Assurance Framework

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Version History			
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3/02/2017	1.6	AD/CB	Incorporates feedback from the LEP Audit and Assurance Committee
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1. Introduction

1.1 Local Assurance Framework - Context

The Department for Business Energy and Industrial Strategy (BEIS) requested¹ a Local Assurance Framework for each Local Enterprise Partnership (LEP) to ensure accountability and robust governance in the decision making processes throughout the country.

The need for such a Framework is welcomed by the Cornwall and Isles of Scilly LEP as a means to encapsulate and properly monitor the far reaching impact of its roles and responsibilities. Therefore the LEP sees this Framework as an essential tool in its natural development and maintaining proper accountability in its practices and decision making.

This document seeks to address the guidance and issues set out by [BEIS](#) but also to bring together all the various frameworks and procedures for investment that are overseen by the LEP. In this context the document must be fit for purpose and principally be to the benefit of the LEP whilst addressing the points made by BEIS.

The Assurance Framework is seen as an evolving document. It is clear that the content of the initiatives and schemes that the LEP oversees will change and therefore a pragmatic and flexible approach needs to take place in relation to amendments to the Assurance Framework. Relevant changes will be incorporated as part of a regular review process.

Summary detail on the LEP and its relationships and responsibilities is set out below. The document will seek to cover the arrangements for the various programmes that are being delivered even where there is clear (and intended) overlap with other activity. For example, part of the content will cover the new EU Structural and Investment Fund (EUSIF) where the LEP will act in an advisory capacity to the managing authority, principally through the ITI Board.

It is also important that the relationship with Cornwall Council (CC) is set out given the local authority's Accountable Body (AB) status.

Throughout the document references will be made to existing frameworks and governance in place (with appropriate hyperlinks, footnotes or appendices). Therefore it is not the intention to create new procedures but rather to bring existing arrangements together into something more cohesive and comprehensive. For example, Cornwall and the Isles of Scilly has considerable experience in being

¹ Letter from BIS to LEP Chairs, dated 9 December 2014

compliant for EU Structural Funds and it is in a strong position to build on existing procedures whilst implementing changes resulting in lessons learned.

It is also important that the Framework reflects the confidence that the LEP has in its relationships and the robustness of its systems.

It is not the aim of this document to duplicate information that exists in other published material. Accordingly, hyperlinks and references to published material are provided.

2. Cornwall & Isles of Scilly Local Enterprise Partnership

2.1 Background and Role

The Cornwall and Isles of Scilly Local Enterprise Partnership (LEP) was launched in May 2011. The LEP activity is administered via an unincorporated (or loose) partnership. The LEP Board is composed of representatives from the private sector, Cornwall Council (CC), Council of the Isles of Scilly and academic or voluntary/charity sector. The LEP Board terms of reference can be found at Appendix 1.

It drives the economic growth strategy for the area, determining local priorities and undertaking activities to improve the economy and create high value local jobs.

The LEP is one of 38 such partnerships set up across England following the Coalition Government's new approach to economic development and its objectives and vision are set out in the refreshed Cornwall and Isles of Scilly [Strategic Economic Plan](#) (Appendix 2) and the Business Plan² (Appendix 3). As such it has the support of Government and therefore has been and continues to be in a position to apply for and receive significant sums of money to invest in Cornwall and Isles of Scilly.

2.2 Key support

The LEP receives the strong support and the endorsement of the business community as well as elected representatives. This is highly relevant for the Assurance Framework since it is required in order to demonstrate one element of the accountability exercised by the LEP and it also ensures that decision making is truly reflective of local interests. This is also further reflected in the membership of the LEP Board and the Sub Boards.

The LEP has the support of Elected Members of both Authorities³, MPs⁴, as well as

² As of January 2017, it is currently being rewritten and will be published when approved by the LEP Board.

³ Cornwall Council and the Council of the Isles of Scilly.

⁴ All 6 MPs, which cover the geographical area of Cornwall and the Isles of Scilly.

with key representative private sector organisations. Some examples include the Chamber of Commerce, the Federation of Small Business (FSB), the Home Builders Federation, the National Housing Federation, the NFU and sector representative bodies in Cornwall and Isles of Scilly (e.g. the Construction Industry Training Board, Cornwall Marine Network and Cornwall Manufacturers Forum)⁵.

2.3 Objectives

There are 3 overarching strategic objectives:

- Business
- People
- Place

The delivery of these objectives will be through the appropriate LEP Sub Board mechanisms.

Underpinning these objectives are the following 6 strategic drivers:

- Innovation and Creativity
- Productivity-led Growth
- Inclusive Growth
- Building Great Careers
- Vibrant Communities
- Global Presence

2.4 LEP Board

The LEP Co is constituted by a board of private sector and individual representatives. Local Authority Members also hold a seat on the board to provide public sector input. They are all directors of the LEP Co. The LEP Co Board has strategy and decision making responsibilities of the unincorporated partnership.

Local Authority partners can perform the accountable body function, administration function and act as employer for the unincorporated partnership. This will be fulfilled by CC.

The LEP board is currently made up of 15 members. Further details are available on the LEP [website](#).

The LEP Board meets formally every two months and all agendas and minutes are made [public](#). The members of the LEP Board are appointed via a [Nolan Principle](#)

⁵ Reflected (and formalised) in the signatures contained at the front of the original LEP bid.

process. In February 2012, the Board established the LEP as a not for profit company limited by guarantee. The Board have formally adopted the [articles](#) of association (Appendix 4).

LEP business is conducted via the main Board and two delegated Committees populated by Board Non-Executive Directors; a Nominations Committee and Audit and Assurance Committee, both of whom are delegated to oversee detailed issues on Board appointments and budget respectively. The terms of reference for the Nominations Committee can be found within the articles of association. The terms of reference for the Audit and Assurance Committee can be found at Appendix 5.

A register of interests for Board members is held in the LEP office and is published on the LEP [website](#).

In order to ensure there is the proper day to day management and support mechanism in place, there is a LEP Executive Team in place with staff and resources provided by CC and Council of the Isles of Scilly⁶. The Executive Team also act as the secretariat for the Board.

The Sub Boards of the LEP stretch across the main themes and priorities and directly link to the objectives of the Strategic Economy Plan:

- Employment and Skills Board - ToR (Appendix 6.1)
- Enterprise Zone Board - ToR (Appendix 6.2)
- CIoS Local Transport Board - ToR (Appendix 6.3)

The groups are illustrated in more detail (e.g. membership) by the summary of Sub Groups and membership, contained in Appendix 6. In addition, it shows the LEP cross cutting led groups which includes the RGF/GPF Sub Group, Rural Sub Group and Business Consultative Group.

These groups support a wider engagement across the priorities of the LEP and include business leaders, voluntary and community based organisations, further and higher education, the two Unitary Councils as well as key Government Agencies.

The LEP has a letter of support process. The LEP asks anyone requiring a letter of support to complete a simple form which can be found at Appendix 7. Further information on this process can be found on the LEP [website](#).

2.5 Accountability and Transparency

The LEP Board and its membership has been referred to above in the context of

⁶ A Chief Executive and a total number of 7 members of staff (including 1 from the Council of the Isles of Scilly).

ensuring that it is private sector led and responsive to the needs of businesses in Cornwall and Isles of Scilly. Its structure provides for a range of sub boards further re-affirming wide representations within its decision making processes. All investment and/or including value for money decisions are made by the LEP Investment Panel on behalf of the LEP Board. Please see Appendix 13 as an example. Ultimately, it will be the responsibility of the LEP CEO to ensure value for money for all projects and programmes and for the scrutiny of and recommendations relating to each business case.

The link (and a critical example of accountability) is that the LEP Board provides a report to the CC Economy and Culture Policy Advisory Committee (PAC) on a quarterly basis. These reports are available on the CC [website](#).

It has been agreed that where CC as Accountable Body and the LEP disagree on any matter, including any potential or perceived conflict of interest by the dual role of the LEP CEO and Head of Economic Growth, there is a period of consultation to come to a mutually acceptable position. Where the consultation does not resolve the issue in a reasonable period it is escalated to the Chief Executive of CC, the Chief Executive of the Council of the Isles of Scilly and the Chair of the LEP for resolution.

In the context of transparency (and ensuring accountability to the wider public), the LEP has an active and extensive website which is regularly updated and can be found [here](#). This is a key communication vehicle for conveying the latest news and developments but also in terms of ensuring the LEP is transparent, exemplified by the availability of the Strategic Economic Plan.

LEP Board minutes, which also include updates from Sub Boards are published on the LEP [website](#) once ratified at the subsequent Board meeting.

Press releases are also published to update the public on progress and these are posted to the LEP [website](#). In addition, there is a dedicated page on the Cornwall Council [website](#).

Further related information is contained below, particularly with reference to the Freedom of Information Act.

2.6 Local Engagement

It is essential that the LEP interacts, engages and builds relationships with both the public and private sector. These relationships are maintained by the LEP Board Directors and the executive team. At times these relationships are tested as the LEP becomes a 'critical friend' to both the public and private sector, this is essential for the LEP to maintain a credible and independent stance in the eyes of the business community in Cornwall and Isles of Scilly.

Communications (Appendix 21) with both the general public and the business community is currently under review (Q1 2017). Regardless, the LEP ensures good relationships with the groups below who disseminate the LEP messaging on our behalf.

The LEP has key relationships with:

- Cornwall Council and the Council of the Isles of Scilly
- LEPs across England
- Cornwall Chamber of Commerce (and their network of local chambers)
- The Islands Partnership (Isles of Scilly)
- Key partners in Higher & Further Education, the FSB and local groups such as the local Business Improvement Districts (BIDs)

LEP Board members chair:

- Growth Hub Management Board
- Enterprise Zone Board
- Employment & Skills Board
- Construction Strategy Steering Group
- Better Business for All Steering Group
- Integrated Territorial Investment Board

LEP Board members or executive team attend:

- Cornwall Lenders Forum
- Cornwall Manufacturing Group
- The EU Business Support Delivery Board
- Cornwall Executive Group
- Cornwall Devolution Monitoring Board
- Cornwall Futures Group

2.7 Intellectual Property, Confidentiality & Publicity

The parties intend that any intellectual property rights created in the course of the LEP shall vest in the party whose employee created them or in the case of any intellectual property rights created jointly by employees of the parties, in the party that is responsible for the activity that the intellectual property right relates to.

In the event that any intellectual property right vests in a party, that party shall grant an non-exclusive, royalty free, irrevocable licence to the other parties to use such intellectual property for the purposes of the LEP.

The parties agree to keep all confidential or proprietary information (however recorded or preserved) relating to the LEP that is disclosed or made available whether

before or after the date of the signed LEP/CC MoU (in any form or medium), directly or indirectly, from one party to the another party or parties (the Confidential Information) secret and confidential, and will not use or exploit the Confidential Information in any way, except for or in connection with the LEP. Any disclosure of Confidential Information can only be made with the disclosing party's or parties' prior consent.

3. Accountable Body

3.1 Relationship

CC will be acting as the accountable body for the Cornwall and Isles of Scilly Local Enterprise Partnership (LEP). In this capacity CC will receive and administer all grants on behalf of the LEP.

CC in accepting this role will be responsible for ensuring compliance with the terms and conditions of all grant funding allocated to the LEP by Central Government (including EU funding).

As accountable body CC are responsible for:

- Ensuring decisions and activities of the LEP conform with all relevant law (including State Aid and public procurement) and ensuring that records are maintained so this can be evidenced.
- Ensuring that the funds are used in accordance with the conditions placed on each grant.
- Ensuring that the LEP's local Assurance Framework is adhered to.
- Maintaining the official record of LEP proceedings and holding copies of all relevant LEP documents relating to Local Growth Fund and other funding sources received from Government funding.
- Responsibility for the decisions of the LEP in approving projects (for example if subjected to legal challenge).
- Ensuring that there are arrangements for local audit of funding allocated by LEP at least equivalent to those in place for local authority spend.
- Stating the arrangements for the Local Growth Fund and other funding sources received from Government.
- An annual independent third party audit of the LEP accounts.

3.2 Freedom of Information

The LEP utilises CC's [Freedom of Information procedures](#) which are in place to ensure that it complies with the relevant legislation and meets its obligations.

The Freedom of Information Act (FoI) policy is set out in Appendix 8 and there is a formal Publication Scheme in place.

3.3 Environmental Information Regulation

Linked to the FoI section, necessary and relevant environmental impact information is also made available and summarised by the Accountable Body on its FoI page (see above).

The procedures are similar to the FoI Act set out by CC but are mentioned separately here given their distinct identity at the statutory level.

3.4 Equality and Diversity

Cornwall and Isles of Scilly are characterised by a dispersed settlement pattern. The LEP recognises the unique cultural identity of the area and including the numbers of residents that identify themselves as having a Cornish identity⁷.

The LEP is clearly bound by the Equality Act 2010. As a private sector led partnership it is acutely aware of its responsibilities and the obligations on the business community, particularly in respect of the nine Protected Characteristics⁸. There is also an appreciation of the particular role that the physical geography of the area plays in terms of running a business as well as how this affects particularly isolated communities in the context of investment funds.

It is clear from some elements of the investment received and won by the LEP that there is also a public⁹ source to the funds. In this context there is a particular need to adhere to the [Public Sector Equality Duty](#) which forms part of the Equality Act.

In linking with CC's equality and diversity procedures, policies and practices, the LEP is able to ensure that the relevant standards are applied where public funds are being invested and managed.

CC has an extensive set of procedures in this area and are publicised on its [website](#). The key Equality of Opportunity Policy is included as Appendix 9.

3.5 Procurement

The range of funds and investments are often governed by their own rules. Therefore although it is true to say that the LEP adheres to the same [general standards](#) and

⁷ 14% of the population in the 2011 census, or 73,200 people.

⁸ Defined as Ethnicity/Race, sexual orientation, religion, disability, gender, gender reassignment, age, marriage and civil partnership, pregnancy and maternity.

⁹ For example, Regional Growth Fund, Round 2, £13m.

objectives to achieve value for money, it is often led by the more detailed funding body level rules which are set nationally or at EU level.

The LEP is private sector led and therefore the businesses that form the basis of the partnership often have robust procurement policies in place, not least because one of their main objectives is to ensure value for money.

In addition, although procurement is an often complex part of any new work or decision making process, the relationship to CC is important to note in since it forms a robust framework from which to link draw good practice and minimum standards. It is also critical that CC, as Accountable Body, will need to comply with the Public Contracts Regulations 2015 and the Council's Contract Procedure Rules.

3.6 Complaints

The LEP has adopted the complaints procedure used by CC. It is well established and publically [available](#).

3.7 Information Storage

The retention of data and records is a key aspect of the governance of the LEP and CC. The needs for particular standards links to ensuring a consistent and efficient approach to retaining key information that may be required to substantiate actions, record achievements, address concerns and to ensure transparency (e.g. to meet an FoI request). In this context the LEP will comply with CC rules and [standards](#) as in Appendix 10.

4. Isles of Scilly

CC will remain Accountable Body for all funding, which will include Isles of Scilly specific projects. The Council of the Isles of Scilly will act as applicant and be responsible for ensuring grant conditions are complied with appropriately.

5. Partnership working

5.1 Cross border

Where appropriate the LEP has actively sought and continue to seek direct links with other LEP areas. As a result of proactive efforts and discussions a number of potential opportunities have been identified to collaborate on alignment, lobbying and joint commissioning on delivery including sector development and infrastructure.

As an example, the LEP has partnered with the Heart of the South West LEP in the

aspirations of the Plymouth City Deal to drive productivity-led growth through the marine sector, with a Growth Hub model driving the approach to offshore renewables. The LEP is also working as part of the 'Deal for Young People', tackling youth unemployment in Plymouth's travel to work area, which includes South East Cornwall. This will be done through the development of an employability gateway, employer charter and youth wage progression project.

Key transport issues have also united both LEPs in a common agenda over recent months.

Other examples include the LEP's work with the West of England LEP on Aerospace connected to the Enterprise Zone and on offshore renewables as a partner in the South West Marine Energy Park.

5.2 Within Cornwall and Isles of Scilly

The LEP is also working in partnership across sectors. It has worked to simplify structures in recent years to now work primarily through three partnerships. All share the same core principle of 'achieving growth whilst ensuring the culture, communities and environment of Cornwall and Isles of Scilly remain special and unique'. Each partnership leads on the three elements of sustainable development:

- i) Economy (Cornwall and IoS Local Enterprise Partnership)
- ii) Environment (Cornwall and IoS Local Nature Partnership)
- iii) Social (Health and Well Being Boards for Cornwall and the IoS)

Cornwall Executive Group brings together chief executives representing Cornwall's key public, private and voluntary sector organisations. The group provides joined up strategic leadership for Cornwall, responding to nationally and locally significant issues and directing a coordinated response focused upon the best interests of Cornwall. Further information on the remit of this group can be found on the CC [website](#).

There are also several other thematic partnerships which have a specific role to play in terms of delivery, for example around the social inclusion agenda, and statutory partnerships like the Safer Cornwall Partnership and the Children's Trust.

The LEP also engages directly with the Cornwall Voluntary, Community and Social Enterprise Commissioning Board. This partnership provides a strategic interface with the third sector across Cornwall and is critical to delivering certain aspects of EU programmes, particularly those requiring strong community engagement.

The relationship of the LEP with these wider partnerships strengthens the quality of intelligence that can be drawn upon to set strategy and to inform decisions. It also

ensures that major investment programmes are aligned to derive maximum benefit and work in the most efficient manner possible; thus avoiding duplication.

6. LEP Investment and Strategic Programmes

6.1 Growth Deal 1 and 2

Please see Appendix 11 - 12.

6.2 Growth Deal 3

Please see Appendix 13 to 13.3.

6.3 Regional Growth Fund

Please see Appendix 14 to 14.2.

6.4 Growing Places Fund

Please see Appendix 15 and 15.1.

6.5 LEP Investments (Non-Programme)

Please see Appendix 16 and 16.1.

7. European Structural and Investment Fund

Please see Appendix 17 to 17.2.

8. Employment and Skills

Please see Appendix 18.

9. Risk Management

Please see Appendix 19 to 19.4.

10. Monitoring and Evaluation Plan

Please see Appendix 20 to 20.2.

11. Media and Communications

Please see Appendix 21 to 21.2.

12. Business Support and Business Regulatory Support

Please see Appendix 22.

13. Signature page

The following bodies endorse the LEP Assurance Framework:

For and on behalf of the Cornwall and Isles of Scilly LEP Board

Signature	
Name (Block Capitals)	MARK DUDDRIDGE
Position	Chairman
Date	27 February 2017

For and on behalf of Cornwall Council as Accountable Body

Signature	
Name (Block Capitals)	ANDY BROWN
Position	Head of Resources (Deputy S.151 officer)
Date	27 February 2017



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