

BE BIRMINGHAM

EXECUTIVE BOARD GOVERNANCE PACK

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TERMS OF REFERENCE – Be Birmingham Executive Board

- a) To have an oversight role and responsibility on behalf of Be Birmingham for leading and agreeing the LAA and Community Strategy for approval by the Be Birmingham Partnership and Birmingham City Council.
- b) To develop detailed proposals on the LAA including indicators, targets, budget allocations and delivery arrangements (which will remain the responsibility of the relevant partner agency).
- c) To contribute, where appropriate, within the authority of Be Birmingham Partnership to other emerging or new strategies e.g RDA's Single Integrated Strategy.
- d) To performance manage the delivery of the LAA and Community Strategy recommend necessary actions to ensure that the LAA and Community Strategy outcomes and budgets are achieved, submitting reports to Be Birmingham and the Accountable Body as appropriate.
- e) To manage the delivery of the Working Neighbourhoods Fund.
- f) To negotiate with, and as required submit reports to GOWM/Central Government.
- g) To work with the Thematic Partnerships/Executive Boards on the delivery of their LAA responsibilities and ensure cross-cutting working between partnerships.
- h) To promote the development of robust delivery arrangements for the LAA and help evaluate the effectiveness of interventions.
- i) To lead on communication arrangements for promoting the work and achievements of Be Birmingham.
- j) To oversee development and delivery of practical arrangements for strategic commissioning for delivery and performance monitoring of LAA outcomes.
- k) To respond to issues arising from diversity.
- l) To co-ordinate partners contribution to the Comprehensive Area Assessment.
- m) To promote good practice and new areas of working.



MEMBERSHIP

The membership of the Executive Board needs to be such to ensure that each Thematic Executive Board and each key agency involved in taking forward the Local Area Agreement is represented:

- i)** The chairs of the executive board (the relevant nominated senior officer from each thematic partnership):
 - Culture
 - Children and Young People
 - Environment
 - Economic Development
 - Health and Wellbeing
 - Housing
 - Safer
 - Neighbourhoods

- ii)** In addition, the Executive Board will include a senior person at Chief Executive or Director level from the following:
 - Police
 - Primary Care Trust
 - Job Centre Plus
 - Advantage West Midlands
 - Birmingham Chamber of Commerce
 - West Midlands Fire Service
 - Birmingham Voluntary Service Council
 - Local Authority Chief Executive
 - Local Authority Deputy Leader
 - Local Authority Opposition Leader
 - Be Birmingham

- iii)** A community champion

- iv)** Government Office West Midlands to attend as an observer.

- v)** Birmingham Race Action Partnership to act as an adviser on diversity and equality issues.

- vi)** The Chair of the Be Birmingham Summit



GOVERNANCE ARRANGEMENTS

The proposed governance arrangements for meetings are set out below:-

- a) **Frequency of meetings** – The Executive Board will meet on a six week basis or at such frequency as it considers appropriate to undertake its responsibilities.
- b) **Chairing** – The Executive Board will agree its Chairing arrangements (including Vice-chairs) on an annual basis. The Chair will work closely with the Be Birmingham Partnership Team on agendas and reports and associated work between meetings. (The chair of the Executive Board will need to be recognised by Accountable Body Executive).
- c) **Reporting** – The Executive Board will report to the Be Birmingham Summit on those strategies and initiatives that it has responsibility for as well as annually on the performance delivery of the LAA.
- d) **Quorum** – For the Executive Board to be quorate and where it wishes to make a decision on behalf of the Executive Board, it will require a minimum of one third of its members present to include either the Chair or one Vice-Chair.
- e) **Voting** – It is presumed that the Executive Board will generally operate by consensus but in the event that a vote is necessary, the Chair will have the casting vote or in their absence the Vice-Chair who is acting as the Chair for the meeting.
- f) **Operating Arrangements** – The Executive Board has authority to set up such Task Groups as it considers necessary to undertake its responsibilities.
- g) **Declaration of interests** – All members of the Executive Board will observe declaration of interest responsibilities set out this governance document. These include conflicts of interests.
- h) **Deputies** – There is an expectation that Board Members will attend the scheduled meetings unless there are exceptional circumstances. In those exceptional circumstances the named deputy may attend in their place.
- i) **Change of terms of reference** – The terms of reference of the Executive Board will be reviewed after the first year of operation.



EQUALITY AND INCLUSION

The Executive Board will promote equality by treating everyone with respect, and not unlawfully discriminating against any person. All individuals will be expected to comply with equal opportunities legislation and/or the agreed equal opportunities policy of their host organisation.

Be Birmingham recognises that we are all different and this diversity will be respected, valued and welcomed. Each member has a valuable contribution to make and a unique set of experiences to share.

Equality Impact and Needs Assessments will be carried out on all of the Board's major policies, functions and services as identified by the initial screening process. This does not override the requirement of responsible authorities to carry out their own EINA's in line with the duty placed on them.

ACCOUNTABILITY

Birmingham City Council is the designated Accountable Body for Be Birmingham Executive Board.

Partner structures are accountable to Be Birmingham Executive Board within the stated role and responsibilities. They are also accountable to their own organisations and to the people whose interests they represent.

Members of Be Birmingham as a whole are accountable to the citizens of Birmingham and to each other for the successful delivery of the Community Strategy and Local Area Agreement.

CONFIDENTIALITY

Meetings of the Executive Board are held in private. Bulletins and other published papers are available to the public via the Be Birmingham website.

Freedom of Information requests will only be kept confidential if it is consistent with Freedom of Information obligations.

REVIEW OF EXECUTIVE BOARD MEMBERSHIP

Membership of the Executive Board will be reviewed and agreed annually by Board members.

REVIEW OF GOVERNANCE DOCUMENTS

The governing document will be reviewed annually in line with the review of membership.



CONFLICT RESOLUTION

It is important for members of the partnership to see disagreement as a natural and healthy consequence of partnership working which can lead to more creative thinking, and as such should be viewed positively.

Board members will endeavour to resolve disputes or disagreements before they have an adverse effect on the Board. Disputes should not be brought before the Board, unless they concern a fundamental partnership issue and/or every effort has been exhausted.

Complaints of service delivery or unsatisfactory response should be directed to the partner agency (or agencies) of concern.

Complaints about Elected Members of the City council should be raised with the City Council's Monitoring Officer. The Code of Conduct for Members, Member/Officer Relations Protocol and monitoring Officer Protocol can be found in the link below:

http://www.birmingham.gov.uk/GenerateContent?CONTENTITEMID=21354&CONTENT_ITEM_TYPE=O&MENU_ID12337

Other complaints should be notified to the Chair or secretariat as appropriate and attempts will be made to resolve conflicts through mediation and negotiation. If necessary, the Board may commission a small group, depending on the issue, to investigate and report back to the partnership with recommendations.

In the event of a dispute that cannot be resolved by Board Members, the Chair will attempt to mediate and resolve any disagreements through mediation and negotiation.

Complaints about funding matters should be dealt with in accordance with the complaint procedures of the accountable body.



EXPECTED BEHAVIOURS

The behaviours expected of members of Be Birmingham Executive Board are as follows:

Belief

Members should believe in themselves and in what Be Birmingham can achieve in order that they have the commitment, energy and determination to drive forward the agenda

Commitment

Members should be committed to the agreed aims and objectives of the Board, and to ensuring that they act in the interest of the public.

Honesty

Members should have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts in a way that protects the public interest

Openness

Members will be as open as possible about all their decisions and the actions they take. They should give reasons for their decisions and restrict information only when the wider interest clearly demands.

Leadership

Members will promote and support these principles by leadership, and by example.

RELATIONSHIP BUILDING

An Executive Board away day will be held annually in order that partnership behaviours are embedded, and effective relationships between members are secured and maintained.

TERMINATION OF PARTNERSHIP INVOLVEMENT

Partners may terminate their involvement with Be Birmingham Executive Board by written notification to the Chair.

A notice period of three months will be required for membership termination.



DECLARATION OF INTEREST PROTOCOL

It is acknowledged that all those involved in a partnership will, due to its nature, have an interest of some sort. Such interests should not be allowed to result in actual or perceived undue benefit or conflict and consequently to unsound decision making.

1 – PERSONAL INTERESTS

You have a personal interest in any business of Be Birmingham (and its partnerships), where it relates to or is likely to affect:

- i) any body of which you are a member or in a position of general control or management, with the exception of your official position in a public sector body (where applicable);
- ii) any employment or business owned or carried on by you, or who employs or has appointed you;
- iii) any contract for goods or services made between Be Birmingham (and its partnerships) and any employment or business in which you are involved;
- iv) any land in Birmingham City Council's area in which you have a beneficial interest;
- v) the well-being or financial position of you, a family member, close associate or your/their employer, to a greater extent than the majority of other Birmingham council tax payers and service users, through a decision taken by Be Birmingham (and its partnerships) in relation to that body or business in which you are involved.

2 – DISCLOSURE OF PERSONAL INTERESTS

- i) Where you have a personal interest in any business of Be Birmingham (and its partnerships) and you attend a meeting of Be Birmingham (and its partnerships) at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the beginning of that consideration.
- ii) Where you have a personal interest in any business of Be Birmingham (and its partnerships) which relates to or is likely to affect a person described in sub-paragraph 1.v) above, you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- iii) Where you have a personal interest in any business of business of Be Birmingham (and its partnerships) such as a gift or hospitality worth at least £25, you don't need to disclose that interest to the meeting if it was registered more than three years before the date of the meeting.



- iv) Where you have a personal interest but sensitive information relating to it is not registered, because its public availability is likely to create a serious risk for you, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- v) Where you have a personal interest in any business of Be Birmingham (and its partnerships) and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

3 – PREJUDICIAL INTEREST GENERALLY

- i) Subject to sub-paragraph ii) below, where you have a personal interest in any business of Be Birmingham (and its partnerships), you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- ii) You do not have a prejudicial interest in any business of Be Birmingham (and its partnerships), where that business does not affect the financial position of – or relate to any approval, consent or permission linked to – you or any person or body described in paragraph 1 above.

4 – EFFECT OF PREJUDICIAL INTERESTS ON PARTICIPATION

- i) Subject to sub-paragraph iii) below, where you have a prejudicial interest in any business of Be Birmingham (and its partnerships) you must withdraw from the room where a meeting considering the business is being held, whenever it becomes apparent that the business is being considered at that meeting.
- ii) You must not exercise executive functions in relation to that business and you must not seek improperly to influence a decision about that business.
- iii) Where you have a prejudicial interest in any business of Be Birmingham (and its partnerships), you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.
- iv) You must then withdraw from the room where the meeting considering the business is being held, immediately after making representations, answering questions or giving evidence.



SCHEDULE OF MEETINGS 2009

Thursday 15 January	West Midlands Fire Service – Safeside 101 Vauxhall Road, Nechells B7 4HW	0830 – 1100 hours
Thursday 26 February	BVSC 138 Digbeth, Birmingham B5 6DR	0830 – 1100 hours
Wednesday 8 April	Main Committee Room West Midlands Police Headquarters Colmore Circus B4 6NQ	0830 – 1100 hours
Thursday 14 May	Committee Room 6 Council House Victoria Square	0830 – 1100 hours
Thursday 25 June	West Midlands Fire Service Safeside 101 Vauxhall Road, Nechells B7 4HW	0830 – 1100 hours
Thursday 30 July	Committee Room 6 Council House Victoria Square	0830 – 1100 hours
Thursday 10 September	Hospitality Suite Birmingham Chamber of Commerce 75 Harborne Road, Edgbaston B15 3DH	0830 – 1100 hours
Thursday 22 October	Committee Room 1 Council House Victoria Square	0830 – 1100 hours
Thursday 26 November	Heart of Birmingham Teaching PCT Conference Room 1 Bartholomew House 142 Hagley Road, Edgbaston B16 9PA	0830 – 1100 hours Not many parking spaces

Please note these venues may be subject to change.