

## Part 4

### 4.1 - Procedure Standing Orders

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**Standing Orders Applying to Committees and Sub-Committees**

These Procedure Standing Orders apply to meetings of committees and sub-committees of the Combined Authority except that:

- Standing Orders 3, 4, 5.1 and 5.2, 6, 8.2, 14.2, 18 and 24.1 shall not apply to any committee or sub-committee of the Combined Authority, and
- Standing Orders, 14.3 and 19 shall not apply to any overview and scrutiny committee or overview and scrutiny sub-committee. (See below)

In relation to a meeting of any committee and sub-committee, except where the context requires otherwise:

- references to the Combined Authority are to the committee or sub-committee,
- references to the Chair are to the Chair of the committee or sub-committee, and
- references to the Deputy Chair are to the Deputy Chair of the committee or sub-committee.

**1. Definitions**

- 1.2 “Committee” or “sub-committee” means any committee or sub-committee appointed by the Combined Authority including any overview and scrutiny committee or sub-committee, and the committee appointed to discharge audit committee functions, except where the context otherwise requires.
- 1.3 “The offices of the Combined Authority” means The Guildhall, Alfred Gelder Street, Kingston-Upon-Hull, HU1 2AA.

**2. Interpretation**

- 2.1 The Chair of a meeting will make any final decision in consultation with the Monitoring Officer or their nominee about:
- how Procedure Standing Orders should be interpreted, or
  - any question of procedure not provided for by the Procedure Standing Orders.

**3. Suspending and Amending Standing Orders**

- 3.1 The Combined Authority may by resolution suspend Standing Order 18 (order of debate) for the duration of a meeting if at least 3 Constituent Council Combined Authority Members are present.

### 3.2 Any motion to:

- add to, vary or revoke any Standing Orders, or
- grant, vary or revoke the voting rights of the Non-Constituent Body Members

will, when proposed and seconded, stand adjourned without discussion to the next meeting of the Combined Authority<sup>1</sup>.

## 4. Annual Meeting

4.1 The Combined Authority will hold an Annual Meeting every year, between 1 March and 30 June. It shall be held at a time fixed by the Combined Authority, or if the Combined Authority does not fix a time, at twelve noon.

4.2 The Annual Meeting will:

- note the **Mayor and other Combined Authority Members**, and **appoint** the Co-Optees and Substitute Members,
- receive any **declarations of interest** from members,
- approve the **minutes** of the last meeting,
- receive any **announcements and/or update** from the Chair and/or Head of Paid Service,
- receive details of the **Mayor's appointment of the Deputy Mayor and arrangements** in respect of **Mayoral Functions**,
- approve **committee arrangements and appointments to committees**,
- agree and note Combined Authority **Officer arrangements**,
- approve any **constitutional documents** not considered under any other item,
- appoint to **outside bodies**,
- approve the Combined Authority's Members' **Allowances Scheme**,
- decide the dates and time of the ordinary **meetings** and committee meetings of the Combined Authority for the municipal year, and
- consider **any other business** set out in the notice convening the meeting.

## 5. Ordinary Meetings

5.1 The Combined Authority may decide to hold any number of ordinary meetings in a municipal year, in addition to the Annual Meeting. Each ordinary meeting shall be held at such date and time as the Combined Authority decides.

5.2 At an ordinary meeting, the Combined Authority will:

- approve the **minutes** of the last meeting,
- receive any **declarations of interest** from members,
- receive any **announcements** from the Chair or the Head of Paid Service,
- deal with any business from the last ordinary meeting of the Combined Authority,
- consider reports and recommendations from any **overview and scrutiny committee** of the Combined Authority,
- receive **reports from any other committee** of the Combined Authority and receive questions and answers on any of those reports,
- receive reports and receive questions and answers on any **Statutory Consent** required in relation to the exercise of a Concurrent Function,
- consider any petition referred to it in accordance with the Combined Authority's Petition Scheme<sup>7</sup>,
- consider **motions**, and
- consider **any other business** specified in the summons to the meeting, and for debate.

5.3 A committee may hold any number of ordinary meetings in a municipal year.

## 6. Extraordinary Meetings

6.1 The following may call an extraordinary meeting of the Combined Authority:

- the Mayor in their capacity as Chair of the Combined Authority, at any time;
- any three Combined Authority Members who have signed a requisition which has been presented to the Mayor in their capacity as Chair of the Combined Authority:
  - if the Mayor refuses to call a meeting, or
  - after seven days if the Mayor has failed to call a meeting within seven days after being presented with the requisition.

## 7. Place of Meetings

7.1 The Combined Authority shall hold its meetings at any place within or outside of the Combined Authority's Area, as the Combined Authority directs.

## **8. Notice of Meetings**

- 8.1 The Monitoring Officer shall give public notice of the time and place of a meeting by posting it at the Offices of the Combined Authority:
- at least five clear days before the meeting or,
  - if the meeting is convened at shorter notice, at the time it is convened.
- 8.2 Where the meeting is called by three Combined Authority Members under Standing Order 6.1, the notice must:
- be signed by those members, and
  - specify the business to be carried out at the meeting.

## **9. Summons to Attend a Meeting**

- 9.1 At least five clear days before a meeting of the Combined Authority, the Head of Paid Service will sign a summons to attend the meeting, which sets out the business to be carried out at the meeting.
- 9.2 The Monitoring Officer will send the summons by post to every Combined Authority Member or leave it at their usual place of residence.

## **10. Public Access to Agenda and Reports**

- 10.1 Subject to 10.3 below, at least five clear days before a meeting of the Combined Authority, the Monitoring Officer will make available for inspection by the public at the offices of the Combined Authority:
- a copy of the agenda, and
  - (subject to 10.4 below) reports for the meeting.
- 10.2 Where an item is added to an agenda, copies of which are open to inspection by the public, copies of the item (or of the revised agenda) and copies of any report for the meeting relating to the item (subject to 10.4 below), shall be open to inspection from the time the item is added to the agenda.
- 10.3 Nothing in 10.1 or 10.2 above requires copies of any agenda, item or report to be open to inspection by the public until copies are available to members of the Combined Authority.
- 10.4 If a report relates only to an item during which, in the Monitoring Officer's opinion, the meeting is likely not to be open to the public<sup>16</sup>, the Monitoring Officer may decide not to make the report (or part of it) open for inspection.
- 10.5 Where a report or any part of a report is not open to public inspection the Monitoring Officer will:
- mark every copy of the report (or the part) "Not for publication"; and
  - state on every copy of the report (or the part) the description of the exempt information by virtue of which the Combined Authority is likely to exclude the public.

## 11. Public Access to Meetings

- 11.1 Any meeting of the Combined Authority shall be open to the public except to the extent that the public are excluded (during the whole or part of the proceedings):
- to prevent the likely disclosure of confidential information, or
  - by resolution, to prevent the likely disclosure of exempt information, or
  - under Standing Order 24 relating to general disturbances.
- 11.2 A motion to exclude the press and public may be moved without notice at any meeting in relation to an item of business whenever it is likely that if members of the press or public were present for that item there would be disclosure of exempt information.

## 12. Public Questions

- 12.1 At Ordinary meetings of the Combined Authority, questions may be asked by members of the public of the Mayor, Combined Authority Members and/ or Committee Chairs.
- 12.2 The total time set aside for such questions and answers will be limited to 30 minutes with no extension of time, and questions not dealt with in this time will be dealt with by written responses.
- 12.3 No person may submit more than one question at any one meeting and no more than two questions may be asked on behalf of any one organisation.
- 12.4 Questions must be submitted in writing at least seven clear working days before the meeting and include the name and address of the questioner and the name of the Member to whom the questioner would like the question put. Questions so received will be referred to the Monitoring Officer for consideration and inclusion at a meeting.
- 12.5 The Monitoring Officer may reject a question if it:
- is not about a matter for which the Combined Authority has a responsibility, or which specifically affects the Combined Authority.
  - is defamatory, vexatious, frivolous, or offensive.
  - is substantially the same as a question which has been put at a meeting of the Combined Authority in the past six months.
  - requires the disclosure of confidential or exempt information.
  - refers to legal proceedings taken or anticipated by or against the Combined Authority.
  - relates to a day-to-day Combined Authority function or the provision of a Combined Authority service and has not been asked first of the relevant service area
  - is not related to policy or budget issues

- is a statement rather than a question.
  - names or identifies individual service users, members of staff or members/staff of partner agencies.
  - makes or relates to allegations against, or comprise comments about, the conduct of individual Members or officers.
  - relates to an individual or the questioner's own particular circumstances.
  - would more appropriately be responded to under the Freedom of Information Act 2000 or the Data Protection Act 1998.
  - is from, or on behalf of, a political party, or bears the name, insignia, or other device of a political party.
- 12.6 All approved questions will be listed in the summons for the meeting of the Combined Authority in the order that they were received (except the Mayor may decide to group similar questions together).
- 12.7 Those persons who submitted questions and who are present at that meeting of the Combined Authority will be invited to read aloud the questions put. Questioners may by written notice nominate a substitute to ask a question in their place. One supplementary question is allowed.
- 12.8 If a member of the public or their nominated substitute who has submitted notice of a question is unable to be present at the meeting, the question falls. However, the Combined Authority will nevertheless provide a written response to the questions put

### **13. Substitute Members**

- 13.1 A Substitute Member may only act for the Combined Authority Member for whom they are the designated substitute.
- 12.3 With the exception of the Substitute Member for the Deputy Mayor where the Deputy Mayor is acting in the place of the Mayor, a Substitute Member may only act in the absence of the Combined Authority Member.
- 13.3 A Substitute Member may not exercise any special powers or duties exercisable by the member for whom they are substituting.

### **14. Chair**

- 14.1 The Mayor in their capacity as Chair shall preside at each meeting of the Combined Authority.
- 14.2 If the Mayor is absent from a meeting of the Combined Authority, the Deputy Mayor, if present, and acting in their role as Deputy Chair, shall preside.
- 14.3 Where the Deputy Mayor is acting in place of the Mayor they cannot also act in their capacity as a Combined Authority Member who is not the Mayor. The Substitute Member for the Deputy Mayor may act in the place of the Deputy Mayor.

- 14.4 In relation to any committee or sub-committee of the Combined Authority only, in the absence of the Chair or Deputy Chair, the meeting may elect a Chair to preside at that meeting from amongst the voting members of the Committee.

## 15. Quorum

- 15.1 During any meeting if the Chair counts the number of members present and declares there is not a quorum present, the meeting will adjourn immediately to a time and date fixed by the Chair. If the Chair does not fix a date, the remaining business will be considered at the next ordinary meeting. No business shall be transacted at a meeting of the Combined Authority unless the Mayor or the Deputy Mayor acting in place of the Mayor and at least three Constituent Council Combined Authority Members are present.

## 16. Items of Business

- 16.1 No item of business may be considered at any meeting except:

- the business set out in the summons,
- business required by law to be transacted at the annual meeting, or
- business brought before the meeting as a matter of urgency in accordance with 16.2 below.

- 16.2 Nor may an item be considered at any meeting unless:

- a copy of the agenda including the item (or a copy of the item) has been open to public inspection for at least five clear days before the meeting, or
- by reason of **special circumstances** which shall be specified in the minutes, the Chair of the meeting is of the opinion that the item should be considered at the meeting as a matter of urgency.

## 17. Order of Business

- 17.1 If the Chair and Deputy Chair are absent from any committee meeting of the Combined Authority, the meeting shall select a person to preside.
- 17.2 All other items of business will be dealt with in the order specified in the notice of the meeting, except that such order may be varied:
- at the discretion of the Chair, or
  - on a request agreed to by the meeting.

## 18. Order of Debate

- 18.1 The Chair will introduce each item and may invite an officer to explain the item.



18.2 Each member shall then be given an opportunity to speak on the item and any recommendations contained in the report. This will be in the order decided by the Chair. Unless the Chair decides otherwise, each member shall speak only once on each item.

18.3 Any member while exercising the right to speak on the item may:

- move an **amendment** to the recommendations, or
- move that an item be **withdrawn**.

Any such motion if seconded shall be voted upon.

18.4 Subject to the outcome of any such motion, once each member who wishes to speak has done so, the Chair shall move the item, which if seconded, shall be voted upon.

## 19. Motions on Notice

19.1 Except for Procedural Motions which can be moved without notice, written notice of every motion, signed by at least one Combined Authority Member, must be delivered to the Monitoring Officer, not later than midday, at least seven clear working days before the date of the meeting.

19.2 Motions for which notice has been given will be listed on the agenda in the order in which they were received, unless the Member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

19.3 No more than one motion may be proposed by any individual Member for each meeting.

19.4 Each motion must:

- clearly and succinctly identify the matter to be debated.
- be capable of being passed as a formal resolution; and
- be about matters for which the Combined Authority has a responsibility, or which specifically affect the Combined Authority area.

19.5 The Monitoring Officer may reject a motion which, in their opinion:

- is irrelevant, defamatory, frivolous, offensive, vexatious, unlawful, or otherwise improper.
- refers to legal proceedings taken or anticipated by or against the Combined Authority.
- requires the disclosure of confidential or exempt information.
- names or identifies specific service users, members of staff or members of staff of third-party organisations without the mover demonstrating they have provided consent.

- relates to the Member's own personal circumstances.
  - expresses support or objection to proposals where the Combined Authority is in the process of consulting with the public or responding to a formal consultation process.
- 19.6 A proposer may alter a motion on which they have given notice when they come to move it, in which case the amendment becomes part of the substantive motion without debate. Only alterations that could be made as an amendment may be made.
- 19.7 Where a motion on notice is before the Combined Authority having been formally moved and seconded, the mover may subsequently withdraw it only with the consent of the seconder and the meeting. The meeting's consent will be signified without discussion. No member may speak on the Motion after the proposer has asked permission to withdraw it unless permission is refused.
- 19.8 If a motion set out in the summons is not moved by the Member who gave notice of it, it shall, unless postponed by consent of the Combined Authority, be treated as withdrawn and shall not be moved without fresh notice.
- 19.9 No motion or amendment may be proposed to rescind any resolution of the Combined Authority passed within the preceding six months, or which is to the same effect as one which has been rejected within that period, unless:
- It is proposed by a committee of the Combined Authority,
  - It is required to comply with a statutory duty; or
  - Notice of such motion has been given and signed by at least one third of the total number of committee members who include members from more than one political group.

## 20. Amendments

- 20.1 An amendment to a motion must:
- Be relevant to the motion.
  - Add and/or delete a word or words.
  - Not introduce a new topic.
  - Not negate the motion.
  - Be worded so that, if it is agreed by the Combined Authority, it can be passed as a valid resolution.
- 20.2 The Mayor, following consultation with the Monitoring Officer, may reject an amendment on the grounds set out in Rule 18.5 or 19.1. An amendment will not be accepted if it is substantially the same as a motion or amendment which has already been submitted to the same meeting of the Combined Authority.

- 20.3 Number of Amendments. Only one amendment may be moved and discussed at a time. No further amendment shall be moved until the amendment under discussion has been disposed of.
- 20.4 Status of Amendments. If an amendment is lost, another amendment may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.
- 20.5 After all amendments have been considered and determined there shall be an opportunity for further debate on the original motion, as amended or otherwise as the case may be, prior to the taking of a vote.

## **21. Motions and Amendments that may be moved without Notice**

- 21.1 The following motions and amendments may be moved without notice for consideration when a Chair is in place for the meeting:
- Relating to the accuracy of the minutes of the Combined Authority, a committee or sub-committee.
  - For a change in the order of business.
  - Extending the time limit for speeches.
  - That the meeting proceeds to the next business.
  - That the question be now put.
  - That the debate be now adjourned.
  - That the meeting does now adjourn.
  - To suspend Procedure Rules.
  - Giving consent where consent of the Combined Authority is required by the Procedure Rules.
  - Reference of a matter to a committee or sub-committee.
  - Appointment of or appointment to committees or sub-committees occasioned by an item mentioned in the summons to the meeting.
  - That a Member should not be heard further or should leave the meeting.
  - Adoption of recommendations of committees and subcommittees and any consequent resolutions.
  - That leave is given to withdraw a motion.
  - That leave is given to alter a motion by the mover of that motion.

- Receipt of reports of officers and any consequent resolutions.
  - Amendment to reports of which notification has been included within the summons of the meeting but where the reports were circulated at a later date than the summons.
  - Authorising the sealing of documents.
  - To exclude the press and public.
- 21.2 Motions designed to close a debate, eg (e)-(h) above, may be moved provided no-one else is speaking at the time. Closure motions cannot be moved by anyone who has moved, seconded, or already spoken in the debate. No person may intervene in discussion on a motion by moving more than one closure motion.
- 21.3 When one of the following motions has been seconded, the Mayor shall proceed as follows:
- On a motion to proceed to next business - unless in their opinion the matter before the meeting has been insufficiently discussed, they shall first give the mover of the original motion the right of reply and then put to the vote the motion to proceed to next business.
  - On a motion that the question, be now put - unless in their opinion the matter before the meeting has been insufficiently discussed, they shall put to the vote the motion that the question be now put and, if it is passed, give the mover of the original motion the right of reply before putting the motion to the vote.
  - On a motion to adjourn the debate or the meeting - if in their opinion the matter before the meeting has been insufficiently discussed on that occasion, they shall put the adjournment motion to the vote without giving the mover of the original motion the right of reply on that occasion.
  - On a motion to exclude the public - they shall ascertain the grounds for the motion and seek the advice of the Monitoring Officer. If members of the public may be lawfully excluded, the Mayor will allow the mover of the original motion a right of reply on the proposal to exclude the public and then put the motion to the vote. If it is passed, the Mayor may, at their discretion, either immediately require the public to leave the room or adjourn the debate until some convenient time later in the meeting when the public shall have been excluded.
  - On a motion that a named Member, be not further heard or leave the meeting - they shall put the motion to the vote without discussion. If it is passed, the named Member shall not be permitted to speak again during the meeting on any motion or amendment relating to the same matter or shall be required to leave the room.

## 22. Voting

- 22.1 Except as provided below, each Combined Authority Member (or Substitute Member acting in their place) has one vote.

The following are non-voting Combined Authority Members:

- the Non-Constituent Body Combined Authority Members

unless the voting Combined Authority Members unanimously resolve that this provision is not to apply to a specific issue.

22.2 No Combined Authority Member is to have a casting vote.

22.3 If a vote is tied on any matter, it shall be deemed not to have been carried.

22.4 Subject to 21.5, 21.6 and 21.7 below, any question will be decided by a majority of the Combined Authority Members present and voting on that question at a meeting.

22.5 Any question relating to functions of the Combined Authority conferred by the Order and not solely exercisable by the Mayor pursuant to Article 27 of the Order cannot be carried without the Mayor's vote in favour of the question.

22.6 Any decision to

- approve the Combined Authority's budget, or
- issue the levy pursuant to Article 29(5) of the 2024 Order

require those voting in favour to include at least both the Lead Members of each Constituent Council (or their Substitute Member) to vote in favour.

22.7. Any decision relating to the Mayor's draft budget must be agreed in accordance with the Budget and Policy Procedure Rules in Part 4 of the Constitution.

## 23. Committees

23.1 Except as provided below, each Combined Authority Member (or Substitute Member acting in their place) on a committee has one vote.

23.2 The following are non-voting members of any committee to which they are appointed:

- the Non-Constituent Body Combined Authority Members

unless the voting Combined Authority Members unanimously resolve that this provision is not to apply.

23.3 Associate members are non-voting members of any committee to which they are appointed.

23.4 Any Co-optee on a committee will be non-voting unless granted voting rights by resolution of the Combined Authority.

23.5 Except as otherwise provided for by law, any question will be decided by a majority of members of a committee present and voting on that question at a meeting.

23.6 No member is to have a casting vote.

## 24. Method of Voting

- 24.1 Unless a ballot or recorded vote is demanded under Standing Order 23.3 or 23.4, the Chair will take the vote by **show of hands**, or if there is no dissent, by the affirmation of the meeting.
- 24.2 Where a vote is taken by show of hands any member may request, immediately after the vote is taken, that their vote is recorded in the minutes to show whether they voted for or against the recommendation or abstained from voting.
- 24.3 Where the majority of members present at the meeting demand it, the vote will take place by ballot. The Chair will announce the numerical result of the ballot immediately once the result is known.
- 24.4 If any member present at the meeting demands it, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. A demand for a recorded vote will override a demand for a ballot.

## 25. Voting on Appointments

- 25.1 If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

## 26. Point of Order

- 26.1 A member may raise a point of order any time, by specifying how a specific Standing Order or law has been breached.
- 26.2 The Chair will hear the point immediately. The Chair's decision on the point will be final.

## 27. Record of Attendance

- 27.1 The Monitoring Officer will ensure that the name of any member present during the whole or part of a meeting is recorded.

## 28. Attendance at Meetings

- 28.1 The Chair of any committee or sub-committee of the Combined Authority may be invited to attend and speak at any meeting of the Combined Authority to:
- present any reports or recommendations of the committee or sub-committee, or
  - answer questions about any matter in the minutes of that committee or sub-committee, or
  - contribute to discussion about any matter which is relevant to the functions discharged by the committee of which they are Chair.

28.2 The Chair may invite any person to attend and speak at any meeting.

## 29. Reporting Proceedings

29.1 Without prejudice to the Chair's powers in Standing Order 26, and subject to 25.2 and 25.3, while any meeting of the Combined Authority is open to the public, any person attending may report on the meeting, and publish or disseminate the recording at the time of the meeting or after the meeting.

29.2 The Chair may decide not to permit oral reporting or oral commentary of the meeting as it takes place if the person reporting or providing the commentary is present at the meeting.

29.3 Where the public is excluded from a meeting to prevent the likely disclosure of confidential or exempt information, the Chair may also prevent any person from reporting on that meeting using methods:

- which can be used without that person's presence, and
- which enable persons not at the meeting to see or hear the proceedings at the meeting as it takes place or later.

29.4 Any meeting of the Combined Authority may be recorded and made available for public viewing on the internet. The Chair may restrict the recording of any meeting where an external participant in the meeting objects to being recorded and the Chair considers that the public interest in upholding their objection outweighs the public interest in allowing the recording to continue. The Chair will ask those reporting to respect the wishes of the external participant.

## 30. General Disturbance

30.1 If a general disturbance makes orderly business impossible, the Chair may:

- adjourn the meeting for as long as the Chair thinks necessary, or
- call for any part of the meeting room open to the public to be cleared, if the disturbance is in that part.

30.2 If a member of the public interrupts proceedings, the Chair shall warn the person concerned. If they continue to interrupt, the Chair may order them to be removed from the meeting room.

## 31. Members

31.1 If the Chair considers at any meeting that a Member is behaving improperly or offensively, or is deliberately obstructing business, the Chair may move that the member should not be heard further. If seconded, the motion will be voted on without discussion. If the member continues to behave in the same way, the Chair may:

- adjourn the meeting for a specified period, or

- move that the Member leaves the meeting (such a motion will be voted on without seconding or discussion).

### **32. Minutes**

- 32.1 Minutes of a meeting shall be recorded on loose leaves consecutively numbered.
- 32.2 The minutes of a meeting must be signed at the same or next suitable meeting<sup>38</sup> by the person presiding at that meeting, and the person signing the minutes shall also initial each leaf of the minutes.
- 32.3 No discussion shall take place upon the minutes except about their accuracy.

### **33. Members' Conduct**

- 33.1 A Combined Authority Member or voting Co-optee shall comply with the Members' Code of Conduct in Part 5 of the Constitution, including those provisions relating to registering and disclosing disclosable pecuniary and other interests.
- 33.2 Where a such Member has a disclosable pecuniary interest in a matter to be considered at a meeting, the Member may attend the meeting to:
- make representations,
  - answer questions, or
  - give evidence relating to the matter.

provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

- 33.3 As soon as the Member has finished, they must leave the room. The Member may not remain in the room during the discussion or vote on the matter.



## 4.2 - Access to Information Rule

Rights to attend meetings, inspect documents and record proceedings.

### Rights of the Public: Non-Mayoral and Mayoral General Functions

References to meetings of the Combined Authority include meetings of any ordinary or statutory committee or sub-committee appointed by the Combined Authority.

These provisions do not affect any other rights to information arising under any standing orders of the Combined Authority, or by law.

#### **1. Public Access to a Combined Authority Meeting**

- 1.1 Any meeting of the Combined Authority shall be open to the public except where the public is excluded (during the whole or part of the proceedings) in accordance with the following:

##### **A Confidential Information**

- 1.2 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

- 1.3 Confidential information means:

- information given to the Combined Authority by a Government department on terms which forbid its public disclosure, or
- information the public disclosure of which is prohibited by or under an Act or Court Order.

##### **B Exempt Information**

- 1.4 The Combined Authority may resolve to exclude the public from a meeting during an item whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that exempt information would be disclosed to the public if the public were present during the item.
- 1.5 Exempt information means information falling within one of the following descriptions (as set out in Part 1 of Schedule 12A of the Local Government Act 1972):

Description
<b>Paragraph 1:</b> Information relating to any <b>individual</b> .
<b>Paragraph 2:</b> Information which is likely to reveal the <b>identity of an individual</b> .
<b>Paragraph 3:</b> Information relating to the <b>financial or business affairs of any particular person</b> (including the Combined Authority holding that information), except information which must be registered under various statutes, such as the Companies Acts or the Charities Act 2011. “Financial or business affairs” includes contemplated, as well as past or current, activities.
<b>Paragraph 4:</b> Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any <b>labour relations matter</b> arising between the Combined Authority or a Minister of the Crown and employees of, or officer-holders under the Combined Authority.
<b>Paragraph 5:</b> Information in respect of which a claim to legal professional privilege could be maintained in <b>legal proceedings</b> .
<b>Paragraph 6:</b> Information which reveals that the Combined Authority proposes: <ul style="list-style-type: none"> <li>• to give under any enactment a <b>notice</b> under or by virtue of which requirements are imposed on a person, or</li> <li>• to make an <b>order or direction</b> under any enactment.</li> </ul>
<b>Paragraph 7:</b> Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of <b>crime</b> .

1.6 (NOT USED)

1.7 Information falling within any of these descriptions may only be exempt if and so long as, in all the circumstances of the case, the **public interest** in maintaining the exemption outweighs the public interest in disclosing the information.

1.8 A resolution to exclude the public from a meeting must:

- identify the proceedings, or the part of the proceedings, to which it applies,
- state the description of the exempt information giving rise to the exclusion of the public, and
- confirm (by referring to reasons in a relevant report or otherwise) that in all the circumstances of the case, the **public interest** in maintaining the exemption outweighs the public interest in disclosing the information.

## C General Disturbance

1.9 Procedure Standing Order 26 in Part 4 of the Constitution provides for the public to be excluded from a meeting where general disturbance arises.

## 2. Public Access to Agenda and Reports of a Combined Authority Meeting

2.1 The Monitoring Officer shall make the following open to public inspection, at the offices of the Combined Authority<sup>3</sup>, in accordance with the Combined Authority's Procedure Standing Orders in Part 4 of the Constitution:

- copies of the **agenda** for a meeting of the Combined Authority, and
- copies of any **report** for the meeting open to the public.

## 3. Public Access to Copies at a Combined Authority Meeting

3.1 The Monitoring Officer will make available for the use of members of the public present at a meeting a reasonable number of copies of:

- the **agenda**, and
- those **reports** open to the public.

## 4. Public Access to Documents After a Combined Authority Meeting

4.1 The Monitoring Officer will make available for inspection copies of the following for six years after a meeting:

- the **minutes** of the meeting (excluding any part of the minutes when the meeting was not open to the public or which disclose exempt or confidential information),
- a **written summary** of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record,
- the **agenda** for the meeting, and
- **reports** relating to items when the meeting was open to the public.

## 5. Public Access to Background Papers to a Combined Authority Meeting Report

5.1 The author of any report will set out in the report a list of the background papers relating to the subject matter of the report which in the author's opinion:

- disclose any facts or matters on which the report or an important part of the report is based, and
- have been relied on to a material extent in preparing the report.

This requirement does not extend to:

- published works, or
- papers which disclose exempt or confidential information.

5.2 The Monitoring Officer will make available any **background documents** listed on the Combined Authority's website at the same time as the report is available for public inspection and make a **copy** of each available to the public at the offices of the Combined Authority, on payment of a reasonable fee.

- 5.3 The Monitoring Officer will make available for public inspection one copy of each of the documents on the list of background papers, for four years after the date of the meeting.
- 5.4 The Monitoring Officer will make available for public inspection one copy of each of the documents on the list of background papers, for four years after the date of the meeting.

## **6. Reporting and Recording a Combined Authority Meeting**

- 6.1 The Combined Authority will provide so far as practicable, reasonable facilities to any person attending a meeting for the purpose of reporting on the meeting.
- 6.2 A person attending a meeting for the purpose of reporting on it may use any communication method, including the internet, to publish, post or otherwise share the results of the person's reporting activities.
- 6.3 Publication and dissemination may take place at the time of the meeting or occur after the meeting.
- 6.4 Any person reporting on a meeting is expected to comply with the attached Code of Practice.
- 6.5 Meetings of the Combined Authority may be recorded and made available for public viewing on the internet. The Chair of a meeting may restrict the recording of meetings where an external participant in the meeting objects to being recorded and the Chair considers that the public interest in upholding their objection outweighs the public interest in allowing the recording to continue. The Chair will ask those reporting to respect the wishes of the external participant.

## **7. Forward Plan: Non-Mayoral and Mayoral General Functions**

### **A Definition of a Key Decision**

- 7.1 A Key Decision means a decision of a decision maker, which in the view of an overview and scrutiny committee of the Combined Authority is likely:
- (i) to result in the Combined Authority or the Mayor incurring **significant expenditure**, or the making of **significant savings**, having regard to the Combined Authority's budget for the service or function to which the decision relates; or
  - (ii) to be **significant** in terms of its effects on persons living or working in an area comprising **two or more wards** or electoral divisions in the area of the Combined Authority.
- 7.2 For the purposes of (i) above, this includes any decision likely to result in the Combined Authority incurring expenditure or making savings (including the receipt or loss of income) of **£1 million or more in any financial year**.

(a) to approve or vary:

- the Hull and East Yorkshire Investment Strategy,
- the Adult Education Budget Strategy,
- the Combined Authority's budget, or

(b) to jointly approve, vary, revoke or postpone an **advanced quality partnership scheme**,

(c) to jointly make, vary or revoke an **enhanced partnership plan**,

(d) to jointly make, postpone or revoke an **enhanced partnership scheme**,

(e) to jointly approve, vary or revoke an **advanced ticketing scheme**,

(f) to jointly make, vary or terminate a **voluntary partnership agreement**

(g) to set the **Transport Levy**,

(h) to consent to regulations relating to:

- a Sub-National Transport Body,
- a levy in relation to functions other than transport, or
- borrowing, or

(i) to exercise a function relating to a **road user charging scheme**.

(j) In respect of Non-Mayoral Functions, a decision-maker is the Combined Authority or any decision-making committee or officer taking a decision under authority delegated from the Combined Authority. In respect of Mayoral General Functions, a decision maker is the Mayor, or (under arrangements made by the Mayor), the Deputy Mayor, another Combined Authority Member or an officer.

(k) All programmes and schemes require approval from the Combined Authority at least once in their lifetime. At the point where the project goes to the Combined Authority for approval, the decision should be treated as a Key Decision, where projected scheme expenditure/savings as a whole are anticipated to be £1 million or more (or the scheme is otherwise significant) – whether or not the amount which the Combined Authority is actually committing at decision point 2 is less than the £1 million threshold. The following will also constitute a Key Decision:

- At a future key decision point if an increase in costs takes it above the £1m threshold, when previously it was below that threshold.
- At a future key decision point if the project has substantively changed. That is, a substantive change in scope or the change would result in an increase or decrease in scheme costs by £1m or over.
- Further to the above, at Decision Point 4 where more than 12 months have elapsed since the previous Key Decision.
- the Mayor's budget in relation to Mayoral General Functions.

7.4 For the purposes of (i) and (ii) above, the following shall **not** be treated as a Key Decision:

- any decision which is a direct consequence of implementing a previous Key Decision,
- any decision which is the result of varying a previous Key Decision in line with recommendations made by an overview and scrutiny,
- committee following a call-in of that decision,
- a Treasury Management decision in relation to the making, payment or taking out of a loan,
- a decision by an officer under delegated authority to vary any document for updating or clarification purposes only, or
- the urgent settlement of proceedings to which the Combined Authority is a party.
- any decision relating to the acceptance of funding

## **B Notice Provisions**

7.5 Except where impracticable, a Key Decision cannot be made unless until a notice has been published which states:

- that a **Key Decision is to be made** in relation to the discharge of functions which are the Combined Authority's responsibility,
- the **matter** in respect of which the decision is to be made,
- the **decision maker's name and title** if any,
- the **date** on which, or the period within which, the decision is to be made,
- a **list of documents** submitted to the decision maker for consideration in relation to the matter in respect of which the key decision is to be made,
- the **address** from which, subject to any prohibition or restriction on their disclosure, copies of or extracts from, any document listed is available,
- **that other documents** relevant to those matters **may be submitted** to the decision maker, and
- the **procedure** for requesting details of those documents (if any) as they become available.

7.6 The Monitoring Officer will publish any such notice on the Forward Plan on the Combined Authority's website at least **28 clear days** before the Key Decision is made and make it available for public inspection at the Offices of the Combined Authority (subject to C and D below).

7.7 Where in relation to any matter:

- the public may be excluded under section 100A of the Local Government Act 1972 from the meeting at which the matter is to be discussed, or
- documents relating to the decision need not (because of confidential information<sup>15</sup>) be disclosed to the public,

the notice must contain particulars of the matter but may not contain any confidential information or exempt information.

**C General Exception**

7.8 Subject to cases of special urgency, where it is impracticable to publish a notice of a Key Decision at least 28 clear days before the Key Decision is to be made, the decision may only be made:

- where the Monitoring Office has **informed the Chair of any relevant overview and scrutiny committee by notice** in writing of the matter about which the decision is to be made,
- where the Monitoring Officer has **published the notice** on the Combined Authority's website and **made the notice available for public inspection** at the Combined Authority's offices, and

7.9 The Monitoring Officer will publish any such notice on the Forward Plan on the Combined Authority's website at least **28 clear days** before the Key Decision is made and make it available for public inspection at the Offices of the Combined Authority (subject to C and D below).

7.10 As soon as reasonably practicable after the Monitoring Officer has served a notice on the Chair, published the notice and made it available to the public, the Monitoring Officer must make available to the public and publish a **notice setting out the reasons why it was impracticable** to publish the notice of a Key Decision at least 28 days before the Key Decision was to be made.

**D Cases of Special Urgency**

7.11 Where the date by which a Key Decision must be made makes it impracticable to comply with the general exception provision above, the Key Decision may only be made where the decision maker has obtained **agreement from the Chair of any relevant overview and scrutiny committee** that the making of the Key Decision is urgent and cannot reasonably be deferred.

- where the Monitoring Officer has **informed the Chair of any relevant overview and scrutiny committee by notice** in writing of the matter about which the decision is to be made,
- where the Monitoring Officer has **published the notice** on the Combined Authority's website and **made the notice available for public inspection** at the Combined Authority's Offices

- 7.12 The Order provides that the exercise of some Non-Mayoral and Mayoral General Concurrent Functions are subject to a consent provision, ("Statutory Consent"), to safeguard the Constituent Councils' role in local decision-making and delivery - see further Section 2.1 Table B (Non-Mayoral Functions) and Section 3.1.1 Table D in Part 3 of the Constitution.
- 7.13 As soon as reasonably practicable after the Monitoring Officer has served a notice on the Chair, published the notice and made it available to the public, the Monitoring Officer has complied with 7.8, they must make available to the public and publish a **notice setting out the reasons why it was impracticable** to publish the notice of a Key Decision at least 28 days before the Key Decision was to be made. To facilitate this, and to promote transparency, the Combined Authority will publish a notice of the request for Statutory Consent (Statutory Consent Request Notice) on the Combined Authority's **Forward Plan** at least 28 clear days before the Combined Authority meeting at which it is sought, subject to this requirement being waived in exceptional circumstances by any relevant Chief Executive.

## **8. Public Access to Written Records of Decisions Made by Officers: Non-Mayoral and Mayoral General Functions**

- 8.1 The Monitoring Officer will publish any such notice on the Forward Plan on the Combined Authority's website at least **28 clear days** before the Key Decision is made and make it available for public inspection at the Offices of the Combined Authority (subject to C and D below).
- under a specific **express authorisation**, or
  - under the **Officer Delegation Scheme** where the effect of the decision is to:
    - (a) grant a **permission** or **licence**,
    - (b) affect the **rights of an individual**, or
    - (c) award a **contract** or **incur expenditure** which, in either case, **materially affects the Combined Authority's financial position**.
- 8.2 For the purposes of (c) above, any award of a contract or expenditure of **£1 million or over** will be deemed to materially affect the Combined Authority's financial position.
- 8.3 An Officer must also record and publish any **Key Decision** they make, whether or not it is outside the criteria set out above
- where the Monitoring Officer has **informed the Chair of any relevant overview and scrutiny committee by notice** in writing of the matter about which the decision is to be made,
  - where the Monitoring Officer has **published the notice** on the Combined Authority's website and **made the notice available for public inspection** at the Combined record and publish,
  - after **five clear days** have elapsed following the day on which the Monitoring Officer made the copy of the notice available.





- 8.4 As soon as reasonably practicable after the Monitoring Officer has served a notice on the Chair, published the notice and made it available to the public, the Monitoring Officer has complied with 7.8, they must make available to the public and publish a **notice setting out the reasons why it was impracticable** to publish the notice of a Key Decision at least 28 days before the Key Decision was to be made.
- 8.5 As soon as reasonably practicable after an officer has made a written record in accordance with 8.1 or 8.4, the Monitoring Officer shall make any written record and any background papers available for inspection by the public:
- at all reasonable hours, at the offices of the Combined Authority,
  - by such other means that the Combined Authority considers appropriate.
- 8.6 On request the Monitoring Officer will provide:
- a copy of the written record, and
  - a copy of any background papers.
- 8.7 The Combined Authority will retain each written record and make it available for public inspection for 6 years beginning with the date on which the decision was made.

## **9. Public Access to Written Records of Decisions Made by the Mayor (Mayoral General Functions)**

- 9.1 Where a decision has been taken outside of a Combined Authority meeting:
- any **Key Decision** taken by the Mayor or a Combined Authority Member acting on the Mayor's behalf will be recorded and published on the Combined Authority's website, together with a copy of the written report considered in respect of the decision, and
  - any decision taken by an Officer will be recorded as a **written record** of their decision in accordance with the Access to Information Rule 8 above

### **Press Access to a Combined Authority Meeting**

- 1.1 The Monitoring Officer shall supply on request for any newspaper:
- a copy of the **agenda** and those **reports** open to the public,
  - any **further statements** necessary to indicate the nature of the items on the agenda, and
  - if the Monitoring Officer thinks fit, copies of **any other documents supplied to** Combined Authority Members in connection with the item.
- 1.2 Procedure Standing Order 25 and rights relating to recording proceedings set out above apply to members of the press, in the same way as they apply to the public.

- 1.3. The Freedom of Information Act 2000 ('FOIA') and Environmental Information Regulations 2004 ('EIR') apply to the Combined Authority, which therefore publishes information under a Publication Scheme<sup>25</sup>. The Scheme specifies:
- the **classes of information** which the Combined Authority publishes or intends to publish,
  - **how** information in each class is, or is intended to be, published, and whether the material is, or is intended to be, available to the public **free of charge** or on **payment**.
- 1.4. The public also has a general right of access to information held by the Combined Authority, but this is subject to exemptions<sup>26</sup>.
- 1.5. A request for information must be submitted to and dealt with by the Monitoring Officer
- 1.6. A request for information under the FOIA must:
- be in writing
  - state the name of the applicant
  - state an address for correspondence, and
  - describe the information requested.
- 1.7. A request for information under the EIR must state a name and address for written correspondence, however the request can be made verbally or in writing.
- 1.8. The Combined Authority publishes information as required by the Local Government Transparency Code 2015, which includes but is not limited to the following:
- spending and expenditure including grants,
  - procurement information including contracts,
  - organisation chart detailing senior management personnel, and
  - land and assets.
- 1.9. As soon as reasonably practicable after an officer has made a written record in accordance with 8.1 or 8.4 b, the Monitoring Officer shall make any written record and any background papers available for inspection by the public:
- 1. General**
- 1.1. Any Member of the Combined Authority is entitled to inspect any document which:
- is in the possession of or under the control of the Combined Authority, and
- 1.3. Unless it appears to the Monitoring Officer that it discloses information falling within any of the descriptions of exempt information (set out in Part 1 of Schedule 12A of the Local Government Act 1972 as listed under section 1B above), **other than** the following (which will be open for inspection by members):

(a) Information relating to the financial or business affairs of any particular person including the Combined Authority (except to the extent that the information relates to any terms proposed or to be proposed by or to the Combined Authority in the course of negotiations for a contract), or

(b) Information which reveals that the Combined Authority proposes:

- to give under any enactment a notice under or by virtue of which requirements are imposed on a person, or
- to make an order or direction under any enactment.

1.4. These rights are in addition to any other rights the Member may have (such as those arising from a member's need to know at common law).

1.5 The accounts of the Combined Authority shall be open to the inspection of any Member and any such Member may make a copy of or extract from the accounts.

## **2. Additional Rights of Access to Documents for Members of Any Overview and Scrutiny Committee or Sub-Committee**

2.1 Any document must be provided as soon as reasonably practicable and, in any case, no later than 10 clear days after the Monitoring Officer receives the request.

- if the Monitoring Officer thinks fit, copies of **any other documents supplied to** Combined Authority Members in connection with the item., unless that information is relevant to:
- an action or decision that the member is reviewing or scrutinising, or
- any review contained in any programme of work of the committee or sub-committee.

2.2 Where the Monitoring Officer determines that a Member is not entitled to a copy of a document or part of any such document, they must provide the overview and scrutiny committee or sub-committee with a written statement setting out the reasons for that decision.

### **List of Members**

1.1 The Monitoring Officer will publish a list stating the name and address of all current Members of the Combined Authority and the Constituent Council they represent.

1.2 A member of the public may inspect the list.

## 1.3 The Mayor must publish the following specified information:

Information	Timing of publication
The Mayor's <b>name</b>	As soon as practicable after an election, to be reviewed each year thereafter and any variation published.
The Mayor's <b>correspondence address</b>	As soon as practicable after an election, to be reviewed each year thereafter and any variation published.
The Mayor's <b>salary</b>	As soon as practicable after an election, to be reviewed each year thereafter and any variation published.
Any <b>allowances</b> paid to the Mayor in respect of expenses	Quarterly, as soon as practicable after the end of the quarter to which it relates.
A register of the Mayor's <b>interests</b> , including paid employment or officer or other pecuniary interests	As soon as practicable after an election, and any variation is to be published as soon as practicable after it becomes known to the Mayor.
The number of <b>complaints or conduct matters</b> brought to the Mayor's attention by the Police and Crime Panel	As soon as practicable after the end of the financial year to which it relates.
The number of members of <b>staff</b>	As soon as practicable after an election, to be reviewed every six months thereafter and any variation published.
The proportion of the <b>staff</b> who: <ul style="list-style-type: none"> <li>• are women,</li> <li>• are, to the knowledge of the Combined Authority, members of an ethnic minority,</li> <li>• have, to the knowledge of the Combined Authority, a disability</li> </ul>	As soon as practicable after an election, to be reviewed every six months thereafter and any variation published.
An <b>organisational chart</b> showing the structure of the staff	As soon as practicable after an election, to be reviewed every six months thereafter and any variation published.
The job title, responsibilities, and salary of each <b>senior employee</b> and the name of the senior employee	As soon as practicable after an election, to be reviewed each year thereafter and any variation published.
A register of each offer of a <b>gift or hospitality</b> made to a relevant office holder or member of staff, indicating whether the offer was accepted or refused	As soon as practicable after an election, and any variation is to be published as soon as practicable after it becomes known to the Mayor.

Information	Timing of publication
The total <b>budget</b>	Before the beginning of the financial year to which it relates.
Information as to <b>proposed expenditure</b>	Before the beginning of the financial year to which it relates.
A copy of the <b>annual investment strategy</b>	Before the beginning of the financial year to which it relates.
Information as to each <b>item of expenditure</b> of the Mayor <b>exceeding £500</b> including the recipient of the funds, the purpose of the expenditure and the reasons why the Mayor considered that good value for money would be obtained	Each month, as soon as practicable after the end of the month to which it relates.
Information as to each <b>item of expenditure</b> of the Mayor in relation to <b>travel</b> by, <b>accommodation</b> for, or the subsistence of, a relevant office holder, including the recipient of the funds, the purpose of the expenditure and the reasons why the Mayor considered that good value for money would be obtained	Quarterly, as soon as practicable after the end of the quarter to which it relates.
The identity of any <b>premises or land</b> owned by the Combined Authority occupied for the purpose of, the Mayor	As soon as practicable after an election, to be reviewed each year thereafter and any variation published.
A87 copy of each <b>contract</b> with a value exceeding £5,000 to which the Mayor is or is to be a party	As soon as practicable after it becomes available to the Mayor.
A copy of <b>each invitation to tender</b> issued by the Mayor in relation to a contract which the Mayor expects will have a value exceeding £5,000	As soon as practicable after it becomes available to the Mayor.
The date, time, and place of each <b>public meeting</b> to be held by the Mayor	As soon as practicable after it becomes available to the Mayor.
A copy of the agenda for each public meeting held by the Mayor, and any report or other document that is the subject matter of an item on the agenda	
A copy of the minutes of meeting held by the Mayor	

Information	Timing of publication
A statement of the policy of the Mayor in relation to the conduct of relevant office holders, including procedures for the handling of qualifying <b>complaints and conduct</b> matters	As soon as practicable after an election, to be reviewed each year thereafter and any variation published.
A statement of the policy of the Mayor in relation to <b>records management</b> , including procedures for the security and sharing of information and the retention and destruction of documents	
A statement of the policy of the Mayor in relation to the handling of <b>qualifying disclosures</b>	

## 4.3 - Code of Practice for Recording Meetings

### 1. Recording by the Public

The right to record meetings are set out in Procedure Standing Order 23, and the Access to Information Rules in Part 4 of the Constitution. This Code of Practice supplements those provisions.

The right to record extends only to formal meetings of the Combined Authority, and its committees or sub-committees which are open to the public.

Recording in this context includes filming, photographing and making an audio recording.

No recordings should be made or published in breach of this Code of Practice.

The agenda for each meeting will state that the meeting may be recorded. We will also display signs in the meeting room stating that the meeting may be recorded.

Please inform the Chair of the meeting **before** the meeting starts if you do not want to be recorded. The Chair will inform any person recording the meeting that you do not wish to be recorded.

If you record a meeting, you must comply with the following: **Before the meeting**

Before the meeting starts, please inform the Chair (or clerk) of the committee that you want to record the meeting.

To minimise disruption, and ensure a safe environment, you must also ask the Chair's **permission** before the meeting if you wish to:

- use **large equipment** (that is, **larger** than a smart phone, tablet or compact camera)
- **move** around the room or film from different angles or
- use **lighting** for filming/**flash** photography.

#### **Making your recording**

You should record **overtly** (that is, in a way which is clearly visible to others at the meeting).

You must record from the **public seating area** and from **one fixed position**, (unless you have the Chair's permission to do otherwise).

Do not block other people's view of proceedings with your recording device.

Please put your recording device on **silent mode**.

You should **focus** recording on:

- members and officers attending the meeting, and
- any other people invited to address the meeting, who have not objected to being filmed.

Do not record any member of the public who has asked not to be recorded.



Do not record any child or young person present under the age of 18 unless their parents/guardians have given you written consent.

### Stopping recording

You must stop recording if the Chair instructs you to.

### Publishing recordings

You must comply with all relevant laws when recording reporting and publishing, including those relating to libel and defamation.

The Combined Authority will not be liable for recordings or reports made or published by you or any other person.

When you publish a recording, please publish an **explanatory statement** identifying:

- **when and where** the recording was made,
- the **context** of the discussion,
- the **main speakers** and their **role or title**.

Do not edit the recording in a way that could:

- lead anyone to misinterpret the proceedings or comments recorded,
- misrepresent anyone in the recording, or
- show a lack of respect for anyone in the recording.

Recordings may start and end at any point of a meeting, but you should publish the material between those points without editing it, or alternatively, make it clear when breaks in recordings occur.

## 2. Combined Authority Recording of Meetings

Details of recording and webcasting activities carried out by the Combined Authority will be made available on meeting agendas and notices displayed at each meeting. Data collected as part of recording activities carried out by the Combined Authority will be processed in accordance with the Combined Authority's privacy notice.

## 4.4 - Mayoral Rules

### 1. Introduction

#### 1.1 Scope

These Rules apply to the Mayor or any other decision-maker exercising any Mayoral Function under arrangements made by the Mayor.

#### 1.2 Decision-Making Principles

The decision-maker must make decisions in accordance with the principles set out in Article 13 (Decision-making) in Part 2 of the Constitution.

#### 1.3 Advice from Statutory Officers

In relation to a Key Decision or any decision of significant public interest, the decision-maker may make a decision only after considering a **written report** setting out advice from the Section 73 Chief Finance Officer and the Monitoring Officer.

#### 1.4 Conflict of Interest Provisions

The decision-maker must comply with any applicable Code or Protocol set out in Part 5 of the Constitution, including the relevant Code of Conduct.

### 2. Mayoral General Functions

#### 2.1 Key Decisions

The decision-maker must give **notice of any Key Decision** on the Forward Plan, in accordance with the Access to Information Rules in Part 4 of the Constitution, subject to the general exception and cases of special urgency provisions.

Where the decision-maker is the Mayor the Key Decision must be taken **at a meeting of the Combined Authority**, unless the decision-maker has obtained agreement from the Chair of any relevant overview and scrutiny committee that the making of the Key Decision is urgent and cannot be deferred.

#### 2.2 Statutory Consent Requests for Mayoral General Functions

A Statutory Consent is required in relation to the exercise of Mayoral General Functions as follows:

- where the function is a **Function** conferred by the Order which requires the Statutory Consent of a Constituent Council Combined Authority Lead Member (or Substitute Member), or
- any decision of the Mayor which gives rise to a **financial liability for a Constituent Council** requires the Statutory Consent of the Constituent Council Combined Authority Lead Member appointed by that Constituent Council (or Substitute Member).

Where a Statutory Consent is required, the Statutory Consent Request should be sought at a meeting of the Combined Authority.

The Mayor must seek any Statutory Consent Request in a timely way. To facilitate this and to promote transparency, the Mayor should publish a notice of the Statutory Consent Request (a Statutory Consent Request Notice) on the Combined Authority's **Forward Plan** at least 28 clear days before the meeting of the Combined Authority at which the Statutory Consent Request will be sought, subject to this requirement being waived in exceptional circumstances by any relevant Chief Executive.

Any Statutory Consent given will be **recorded in the minutes** of the next available meeting following its issue by the relevant Constituent Council.

## 2.3 Other Decisions

The decision-maker may take any decision which is not a Key Decision nor a Statutory Consent Request outside of a meeting of the Combined Authority, subject to the requirements below in relation to recording and publishing decisions.

## 2.4 Recording and Publishing Decisions

A decision-maker must record and publish any decision in respect of a Mayoral General Function in accordance with the Access to Information Rules in Part 4 of the Constitution.

# 4.5 - Budget and Policy Rules

## 1. General

These rules reflect specific statutory requirements relating to the approval of budgets and policies by the Combined Authority and the Mayor, or other decision-makers on their behalf.

Decision-makers should consider whether any **consultation** is required in respect of their proposals, in addition to the statutory requirements specified in these rules.

Decision-makers should also engage with a Combined Authority **Overview and Scrutiny Committee** (and any other committee of the Combined Authority) as appropriate in the development and scrutiny of proposals.

When approving budgets or policies, decision-makers must comply with the provisions relating to **Key Decisions** in the Access to Information Rules in Part 4 of the Constitution.

## 2. Mayor's Budget

The Mayor must prepare a draft budget for the Mayoral Functions by 1 February. The draft budget must:

- set out the Mayor's spending plans and how the Mayor intends to meet the costs of the Mayoral General Functions, and

- include the relevant amounts and calculations.

If the Mayor fails to present a draft budget to the Combined Authority by 1 February, the Combined Authority must determine the relevant amounts and calculations for the financial year. The decision must be made by a minimum 2/3 majority of the Combined Authority Members present and voting. The Combined Authority must review any draft budget presented by the Mayor and may make a report on the draft budget to the Mayor. The Mayor does not vote on this decision, which is decided by a simple majority of the other Combined Authority Members present and voting.

The Mayor's draft budget shall be deemed to be approved by the Mayor, unless the Combined Authority makes such report by 8 February.

Any report made by the Combined Authority:

- must set out whether or not the Combined Authority would approve the draft budget in its current form, and
- may include recommendations, including recommendations as to the relevant amounts and calculations that should be used for the financial year.

Where the Combined Authority has made a report, it must specify a period of at least five working days (beginning on the day after the day on which the Mayor receives the report) within which the Mayor may:

- decide whether or not to make any revisions to the draft budget, and
- notify the Combined Authority of the reasons for that decision and, where revisions are made, the revised budget.

Where any specified period has expired, the Combined Authority must decide (taking into account the reasons given by the Mayor) whether to:

- approve the Mayor's draft budget, or the revised draft budget; the Mayor does not vote on this decision, which is decided by a simple majority of the other Combined Authority Members present and voting, or
- veto the Mayor's draft budget (or revised draft budget) and approve the Mayor's draft budget incorporating the Combined Authority's recommendations contained in the report to the Mayor; this decision must be made by a 3/4 majority of the Combined Authority Members present and voting.

The Mayor's draft budget (or the revised draft budget) shall be deemed to be approved unless vetoed within 5 working days beginning with the day after the date on which the period specified for the Mayor to consider the Combined Authority's report.

### **3. Approval of Policies - Non-Mayoral Functions**

The Combined Authority will approve any policy in relation to Non-Mayoral Functions. Where a Non-Mayoral Function has been conferred on the Combined Authority by the Order, approval of that policy requires the support of the Mayor.

Approving the Hull and East Yorkshire Investment Strategy is a Non-Mayoral Function. However, no spending commitments beyond an initial five-year allocation may be made until the Mayor has agreed the HEYIS.

#### 4. Approval of Policies - Mayoral Functions

Preparing and reviewing a **Local Transport Plan** is a Mayoral Function, (that is, exercisable only by the Mayor), subject to paragraph 18 below. The Mayor must have regard to any relevant statutory guidance when discharging this function.

In preparing and keeping the Local Transport Plan under review, the Mayor must consult:

- each local traffic authority for the Combined Authority's Area,
- the Secretary of State in relation to functions which the Secretary of State has as highway authority and traffic authority, and
- each Constituent Council.

In preparing and keeping the Local Transport Plan under review, the Mayor must also consult such of the following as the Mayor considers appropriate:

- operators of any network or station, or of any railway services in the Combined Authority's Area,
- operators or providers of other transport services in the Combined Authority's Area, or representative organisations,
- organisations appearing to the Mayor to represent the interests of users of transport services and facilities in the Combined Authority's Area, and
- other persons whom they consider appropriate.

By majority vote (including at least three members in favour), the Combined Authority may amend any Local Transport Plan made by the Mayor. The Combined Authority must have regard to any relevant statutory guidance when discharging this function.

As soon as practicable when a new Local Transport Plan has been prepared or an existing Plan reviewed or altered, the Mayor must:

- publish the Local Transport Plan and send a copy of it to the Secretary of State and such other persons as specified in statutory guidance,
- cause a copy of the Local Transport Plan to be made available for inspection and give public notice of this,
- supply a copy to any person on request.

The Mayor will approve **any other policy** in relation to Mayoral Functions, unless authority to do this has been delegated under the Mayor's arrangements.



## 4.6 - Scrutiny Standing Orders

### 1. Membership

Members of the overview and scrutiny committee are appointed in accordance with Article 7 (Overview and Scrutiny) in Part 2 of the Constitution.

In appointing members to the overview and scrutiny committee, the Combined Authority will have regard to any nominations made by the Constituent Councils and ensure that the members of the committee nominated by the Constituent Councils reflect, as far as is reasonably practicable, the balance of political parties across Hull and East Yorkshire.

The Combined Authority may appoint a **substitute member** (to be known as a "deputy" or "deputy member") for each member of overview and scrutiny committee, from the same party and Council as the member, to act in the absence of that member at a meeting of the committee.

A deputy member may only act in the absence of a member for whom they are the designated substitute or a member from the same political party and Council, and where the member will be absent for the whole of the meeting.

A deputy member may not exercise any special powers or duties exercisable by the member for whom they are substituting but may be appointed to a working group or be assigned scrutiny duties by the scrutiny committee in their own right

Neither the Mayor nor any other Combined Authority Member (or Substitute Member), a member of any decision-making committee or any Executive Member of a Constituent Council may be a member of the overview and scrutiny committee.

### 2. Voting

Each member of the overview and scrutiny committee appointed from a Constituent Council has one vote.

All matters coming before a committee meeting shall be decided by a simple majority of the members present and voting on the question, in accordance with the Procedure Standing Orders.

No member of the committee has a casting vote.

If a vote is tied on any matter, it is deemed not to be carried.

### 3. Chair and Vice Chair(s)

The Combined Authority will appoint the Chair of the overview and scrutiny committee, in accordance with Article 7 (Overview and Scrutiny) in Part 2 of the Constitution.

Where the Combined Authority does not appoint the Chair of the overview and scrutiny committee, the committee may appoint its own Chair.

The committee may appoint up to two Vice Chairs, in accordance with Article 7 (Overview and Scrutiny) in Part 2 of the Constitution.

The Chair(s) and Vice Chair(s) of any sub-committee will be appointed by the appointing overview and scrutiny committee.

A Vice Chair may exercise any of the powers and duties of the Chair of the overview and scrutiny committee in their absence, as directed by the Chair.

In the absence (or vacancy) of both the appointed Chair and Vice Chair(s) at a committee meeting, the overview and scrutiny committee may select any member present to chair that meeting.

#### **4. Conflicts of Interest**

No member of the committee may scrutinise a decision (whether or not implemented) in which they were directly involved as a member of the committee or sub-committee which made the decision.

Such a member may only attend the overview and scrutiny committee or sub-committee to:

- make representations,
- answer questions, or
- give evidence about the decision.

This does not prevent any such member being counted in the quorum of the meeting.

#### **5. Quorum**

At least two-thirds of the total number of members of the overview and scrutiny committee must be present at a meeting for business to be transacted.

The committee may delay the start of a meeting for up to 15 minutes beyond the scheduled time to allow for quorum to be met. If the meeting is still not quorate after that time, the meeting must be cancelled, rescheduled or held as an informal discussion session.

Business includes:

- Approving minutes.
- Approving reports and recommendations
- Appointment of working groups, sub-committees, chairs and vice chairs.

#### **6. Working Groups**

The overview and scrutiny committee may appoint a temporary or permanent working group to contribute to and inform the scrutiny process, including by making recommendations.



## **7. Work Programme and referral of matters to the Overview and Scrutiny Committee**

- 7.1 The committee will set its own work programme in accordance with its Terms of Reference.
- 7.2 The Combined Authority, any of its committees or the Mayor may ask the committee to review any matter or assist in developing budget and policy proposals, provided that the request is made in writing to the Chair or Scrutiny Officer, who will ensure that the matter is included in the agenda for, and discussed at, a meeting of the committee.
- 7.3 The following matters may be referred to the overview and scrutiny committee:
- (a) a member of the committee may refer to it any matter which is relevant to the functions of the committee,
  - (b) a Combined Authority Member or member of any Combined Authority committee may refer to the overview and scrutiny committee any matter which is relevant to the function of the committee and is not an excluded matter; and
  - (c) any member of a Constituent Council may refer to the committee any matter which is relevant to the functions of the committee and is not an excluded matter.
- 7.4 Where a matter is referred to the committee by any member under Standing Order 7.3 (b) or (c) above, in considering whether to review or scrutinise a matter referred to the committee, the committee must have regard to any representations made by the member referring the matter as to why it would be appropriate for the committee to review or scrutinise the matter. If the committee decides not to review or scrutinise the matter, it must notify the member of its decision and the reasons for it.
- 7.5 The committee must provide a member with any copy of any report or recommendations which it makes in connection with any matter referred to it by the member under Standing Order 7.3 (b) or (c) above.

## **8. Meetings**

- 8.1 The overview and scrutiny committee will schedule regular committee meetings and meet as often as required to effectively discharge its functions.
- 8.2 An extraordinary meeting of the committee may be called by:
- the Chair of the committee, or
  - one third of the total number of members of the committee including at least one member from each Constituent Council.

## **9. Attendees**

- 9.1 The overview and scrutiny committee may require the Mayor, any other Combined Authority Member or an officer of the Combined Authority to attend before it to

answer questions or to provide information and submit reports about any matter within its terms of reference.

- 9.2 Where a committee requires the Mayor or any other Combined Authority Member or officer to attend, the Scrutiny Officer shall inform that person or their office in writing giving at least five clear working days' notice of the meeting. The notice will state:
- the date of the meeting they are required to attend,
  - the nature of the item, and
  - whether they must produce any papers or information for the committee,
  - which officers may also attend.
- 9.3 The Mayor, any other Combined Authority Member, or officer must comply with any reasonable notice they are given. <sup>5</sup>
- 9.4 Where, in exceptional circumstances, the person is unable to attend on the required date, the Scrutiny Officer shall consult with the person to arrange an alternative date.
- 9.5 The committee may invite any other person to attend any meeting to:
- address it,
  - provide information and submit reports,
  - discuss issues of local concern, and/or
  - ask and answer questions.
- 9.6 Each member of the committee will be given the opportunity to ask attendees questions, contribute and speak.
- 9.7 Attendees assisting the committee must be treated with respect and courtesy.

## **10. Reports and Recommendations**

- 10.1 The overview and scrutiny committee may make reports or recommendations to any decision-maker including the Combined Authority, the Mayor, any decision-making committee or decision-making officer.
- 10.2 If the committee cannot agree a final report, a minority report may be prepared and submitted as an appendix to the majority report by the dissenting members present, if they number at least one-third of the total number of voting members appointed from the Constituent Councils.
- 10.3 The committee may publish any report, statement or recommendations, subject to Standing Order 12, according to its own processes.
- 10.4 Where in the opinion of the committee, any report or recommendation is of particular significance to any Constituent Council over and above any other Council, the report or recommendation shall also be submitted to that Council for consideration. Any response of that Council shall be reported back to the scrutiny committee which made the report or recommendation.

## 11. Notice

- 11.1 The overview and scrutiny committee may, by notice, require the decision-maker in question within two months of receiving any report or recommendations or (if later) the notice, to:
- consider the report or recommendations,
  - respond to the committee indicating what (if any) action they propose to take,
  - publish the response, if the committee has published the report or recommendations, subject to Standing Order 12 below.
- 11.2 A decision-maker must respond to a report, or recommendations made by the committee, within two months beginning with the date on which they received the notice, and subject to Standing Order 12 below.

## 12. Publishing a Document: Confidential and Exempt Information

- 12.1 Standing Order 12.2 applies to the publication of any document comprising a report or recommendations of the overview and scrutiny committee, or a response of a decision-maker to any such report or recommendations.
- 12.2 In publishing the document, the committee or decision-maker must exclude any confidential information and may exclude any relevant exempt information, see further the Access to Information Rules in Part 4 of the Constitution.
- 12.3 When providing a copy of a document, the committee or decision-maker may exclude any confidential information or relevant exempt information.
- 12.4 Where information is excluded, the committee or decision-maker:
- may replace so much of the document as discloses the information with a summary which does not disclose that information, and
  - must do so if, in consequence of excluding the information, the document published would be misleading or not reasonably comprehensible.

## 13. Call-In of Decisions

- 13.2 The following decisions may be called-in for scrutiny:
- any decision of the Combined Authority or of any decision-making committee of the Combined Authority, and
  - any Key Decision taken by the Mayor, other Combined Authority Member (on behalf of the Mayor) or an officer.

With the exception of:

- any decision which the decision-maker has resolved is urgent
- any decision relating to approving or amending governance arrangements.

- 13.2 **One-third of the total voting members of the overview and scrutiny committee** to include **at least one member from each of the two Constituent Councils** may call-in a decision eligible for call-in by submitting a completed and signed “**call-in pro forma**” to the Scrutiny Officer by midday 12.00 pm on the **fifth clear working day** following publication under Standing Order 13.3 or 13.4.
- 13.3 The Monitoring Officer shall publish details of any decision taken at a meeting of **the Combined Authority or committee** eligible for call-in within **two clear working days** of a meeting.
- 13.4 Any other **Key Decision taken by the Mayor, a Combined Authority Member** (on behalf of the Mayor) **or taken by an officer** will be published as a written record within **two clear working days** of the decision being made, see further Article 13 (Decision Making) in Part 2, and the Access to Information Rules in Part 4 of the Constitution.

#### **14. Implementing and Scrutinising Decisions which are Eligible for Call-In**

- 14.1 An urgent decision may be implemented immediately.
- 14.2 Any other decision of the Combined Authority or a committee, or Key Decision taken by the Mayor, any other Combined Authority Member (on behalf of the Mayor) or an officer may be implemented only after **midday 12.00 pm** of the **sixth clear working day** after the publication of the decision, unless it is called-in.
- 14.3 On receipt of a call-in request, the Scrutiny Officer shall notify the Chair of the overview and scrutiny committee and the decision-maker of the call-in.
- 14.4 Where a decision is called-in, the Chair of the overview and scrutiny committee may direct that the decision is not to be implemented while it is under review or scrutiny by the committee, for a period not exceeding 10 working days from the date on which the direction is issued. The Monitoring Officer may extend this period in exceptional circumstances in the interests of fairness in coordination with the committee and decision-maker.
- 14.5 The committee must scrutinise the decision within 10 working days of the Scrutiny Officer receiving the request for call-in, or before the expiry of any direction, if different. The Monitoring Officer may extend this period in exceptional circumstances in the interests of fairness in coordination with the committee and decision-maker.
- 14.6 Members who have submitted a call-in notice must attend, or nominate a representative to attend, the meeting scrutinising the decision which has been called-in.
- 14.7 Where the committee has scrutinised a decision, it may recommend that the decision is re-considered by the decision-maker. Any decision which is recommended for re-consideration may not be implemented while any direction under this Standing Order is of effect, except in accordance with Standing Order 14.8 below.

- 14.8 The Scrutiny Officer will notify the decision-maker of the outcome of the scrutiny by the committee within **two clear working days** of the meeting. Where the decision has not been recommended for re-consideration, it may be implemented on receipt of this notification.
- 14.9 The decision-maker must reconsider any decision not later than 10 working days after the date on which the recommendations of the committee are received.
- 14.10 The Chair of the committee or any other members nominated to do so and, where applicable, a representative of the dissenting members who have appended a “minority report” must attend any meeting which is reconsidering the decision, to present the report or recommendations
- 14.11 The decision-maker may confirm, amend or rescind the decision. Their response should be published in accordance with Standing Order 12.
- 14.12 A decision which has been confirmed or amended by the decision-maker may be implemented immediately.

## **15. Guidance of the Secretary of State**

- 15.1 The Combined Authority and the committee must have regard to any guidance issued by the Secretary of State.

## **16. Statutory Scrutiny Officer**

- 16.1 Any references in these Standing Orders to the Scrutiny Officer are to the officer designated as such by the Combined Authority, see further Article 12 (Officers) at Part 2 of this Constitution.
- 16.2 The statutory functions of the Scrutiny Officer are:
- to promote the role of the overview and scrutiny committee,
  - to provide support and guidance to the committee and its members, and
  - to provide support and guidance to members and officers of the Combined Authority in relation to the functions of the committee.

## **17. Additional Rights of Access to Documents**

- 17.1 Additional rights of access to documents for members of any overview and scrutiny committee or sub-committee are set out in the Access to Information Rules in Part 4 of the Constitution.
- 17.2 The Chair or in their absence, a Vice Chair of the committee, shall have a standing invitation to attend meetings of the Combined Authority as a non-voting observer.

## **18. Public Notice of Proposed Key Decisions**

- 18.1 Provisions relating to the public notice of proposed Key Decisions are set out in the Access to Information Rules in Part 4 of the Constitution.

**19. Interpretation**

- 19.1 The Chair, or acting chair, of the overview and scrutiny committee meeting shall make any final decision at that meeting about:
- how the Scrutiny Standing Orders should be interpreted with respect to the conduct of the meeting, or
  - any question of procedure not explicitly provided for by the Scrutiny Standing Orders.
- 19.2 The Monitoring Officer shall make any final decision about how to interpret any Scrutiny Standing Order outside of a formal committee meeting or any question of procedure not explicitly provided for by the Scrutiny Standing Orders.

## 4.7 - Contract Standing Orders

### Definitions and Principles

#### 1. Introduction

- 1.1 In the Contracts Standing Orders these definitions shall apply:
  - 1.1.1 “Budget Holder” and “Budget Controller” have the meanings set out in the Financial Regulations of Hull and East Yorkshire Combined Authority.
  - 1.1.2 “Combined Authority” means Hull and East Yorkshire Combined Authority.
  - 1.1.3 “Chief Finance Officer” means the S. 73 Officer for the time being of the Combined Authority
  - 1.1.4 “Director” means any Director of the Combined Authority and includes the Chief Executive and Monitoring Officer.
- 1.2 The principles of Contracts Standing Orders are:
  - 1.2.1 To guide and protect the Combined Authority, its Directors and other officers involved in the procurement and award of contracts;
  - 1.2.2 To demonstrate that the Combined Authority is obtaining value for money in the award of contracts and best value under S. 3 Local Government Act 1999;
  - 1.2.3 To provide the means of securing competition in the advertising of tenders and award of contracts;
  - 1.2.4 To ensure equality and transparency and prevent allegations of corruption in the award of contracts; and
  - 1.2.5 To ensure compliance with legislation and regulations and the adoption of best practice.
- 1.3 These Contracts Standing Orders govern the Combined Authority’s rules and procedures for the advertisement, evaluation and award of contracts. These Standing Orders exclude grants and funding agreements.

#### 2. Compliance with Standing Orders and Legislation

- 2.1 Every contract made by or on behalf of the Combined Authority and all procedures relating to them shall comply with these Contracts Standing Orders and the Financial Regulations. The only permissible exceptions are:
  - 2.1.1 Contracts procured through either constituent Council which have been novated or otherwise transferred to the Combined Authority.
  - 2.1.2 Exceptions in accordance with Standing Order 14.

- 2.2 Any subsidiary company of the Combined Authority shall be required to adopt the provisions of these Contracts Standing Orders insofar as they are not inconsistent with, or in conflict with, any provisions of the Companies Act and regulations made under that Act or the Articles of Association of that Company.
- 2.3 No contract for goods, services or works shall be granted to any:
- 2.3.1 current employee
  - 2.3.2 close relative of any current employee
  - 2.3.3 ex-employee of the Combined Authority within two years of leaving without the written approval of the Monitoring Officer.
- 2.4 All relationships of a business or private nature with external contractors, or potential contractors, must be made known to the Monitoring Officer in accordance with the Officers' Code of Conduct. Contracts must be awarded on merit, by fair competition against other tenders with pre-set evaluation criteria and no special favour shall be shown to any businesses or bidding organisations.
- 2.5 Officers who engage or supervise contracts must declare any interest or relationship in accordance with the procedures set out under the Officers' Code of Conduct and the Declaration of Interest process.
- 2.6 All officers must take all necessary precautions to safeguard the Combined Authority, its staff and themselves against allegations that any person, business or organisation has been unduly favoured.
- 2.7 It shall be a guiding principle, when any officer is making a determination under this part of Standing Orders, that in making such determination they have regard to the need to demonstrate that the Combined Authority will obtain value for money and that reasonable steps are taken to ensure that no supplier or potential supplier is treated unfairly in the selection process and that a written record of each determination and the reasons for making it is kept on a file maintained by an officer for that purpose or on any purchase ordering system in use for that purpose by the Combined Authority.

### ***UK Legislation***

- 2.8 These Contracts Standing Orders shall be subject to any procedures that may apply pursuant to the Procurement Act 2023 and by reason of the United Kingdom's membership of the World Trade Organisation and if any conflict with Contracts Standing Orders arises, the Procurement Act 2023 shall prevail.
- 2.9 A contract, or series of contracts, the aggregate amount or value of which (including VAT) exceeds the financial thresholds set by the Public Procurement (Agreement on Government Procurement) (Thresholds) (Amendment) Regulations 2023 ("the Regulations"), shall be let only in accordance with the requirements of the Procurement Act 2023. The Monitoring Officer shall notify all Budget Holders and Budget Controllers of any changes in the financial thresholds.
- 2.10 Contracts, tenders or quotes must never be artificially divided to bring them below the relevant threshold.



- 2.11 As part of the business planning process Budget Holders will with the Chief Executive and Monitoring Officer identify potential new contracts to be let in the following financial year to enable consideration to be given to the need to publish a Pipeline Notice or Planned Procurement Notice on the Central Digital Platform.

### ***Frameworks***

- 2.12 National and Regional Framework Contracts (Frameworks) should be considered before undertaking any tender process. Only where a suitable Framework offering value for money cannot be identified should a full tender process be undertaken. Where a Framework offers direct award further competition advice must be taken from the Monitoring Officer prior to the procurement option being selected.

### ***British Standards***

- 2.13 Where an appropriate British, EU or International Standard specification or code of practice issued by any such Standards Institution is current at the date of the tender then, unless there is in the opinion of the Budget Controller concerned good and sufficient reason to the contrary, every written contract shall require that, as the case may be, all goods and materials used or supplied and all workmanship shall be in accordance with that standard **provided that** in all cases due consideration will be given to a tender which demonstrates equivalent functionality or performance even though it does not conform to the standard stipulated.

### ***Data protection***

- 2.14 Where a contract involves data processing by the contractor on behalf of the Combined Authority, then sufficient due diligence shall be undertaken to ensure that the Combined Authority only uses contractors who provide guarantees to implement appropriate technical and organisational measures in such a manner so as to meet the requirements of the General Data Protection Regulation and protect the rights of individuals.

## **Works Goods and Services**

### **3. Tendering - Financial Categories**

- 3.1 This section applies to **all** contracts except contracts for the acquisition or disposal of interests in land.
- 3.2 For the purpose of determining the tendering procedure, the following financial categories shall apply to all contracts for the execution of works, the supply of goods or the supply of services (whether by or to the Combined Authority) unless a Framework or Central Purchasing Body is being utilised:

Category A	Up to and including £30,000 including VAT
Category B	Over £30,000 up to and including £139,000 including VAT
Category C	Over £139,000 up to and including £1,000,000 including VAT
Category D	Over £1,000,000 including VAT

- 3.3 Categorisation is to be determined on the basis of a proper and reasonable estimated value of the contract and contracts including VAT and must not be

artificially divided or otherwise disaggregated to bring them into a lower value category.

#### **4. Category A Procedures**

- 4.1 No minimum number of quotations or tenders is required for this category, although best practice is to obtain more than one quote or as a minimum in order to benchmark the cost. The relevant Budget Holder must be satisfied that they are obtaining value for money and keep a written record of this.

#### **5. Category B Procedures**

- 5.1. The Budget Holder must invite at least three written quotations for contracts within this category. Quotations must be submitted via the electronic tender management system unless price lists are held in the purchase ordering system. All procurements above £12,000 must be advertised in the Contracts Finder service.

#### **6. Category C Procedures**

- 6.1. The Budget Holder must invite at least three tenders for contracts within this category using the electronic tender management system. Contracts for goods and services within Category C that exceed the Procurement Act thresholds must follow the statutory procedure. All procurements above £139, 000 must be advertised in the Contracts Finder and Find A Tender services.

#### **7. Category D Procedures**

- 7.1. The officer responsible must advertise via Contracts Finder and Find a Tender, tenders for all contracts within this category using the electronic tender management system. Engagement with the market, supervised by the Budget Holder, must be undertaken before the tender is issued.
- 7.2 Publication of Category D tenders shall be carried out strictly in accordance with applicable statutory requirements or terms of the Framework being utilised and any Contract Award Notices shall be submitted in accordance with the relevant legislation.

#### **8. Category D Supplementary**

- 8.1 A detailed procurement strategy document for each procurement in this Category must be produced and signed off by Budget Holders and the Monitoring Officer. Opportunities will automatically be advertised via Contracts Finder and FTS in this category.
- 8.2 Sufficient time must be allocated to ensure correct processes are followed for Category D procurements

**9. Issuing Orders and Contracts**

- 9.1. Any orders can only be placed and confirmed by an official Purchase Order on the purchase ordering system. Funds must never be committed verbally, or in writing, without a Purchase Order being issued.
- 9.2. A contract should be created for Category C and Category D in all circumstances. Contracts for other Categories should also be considered if terms and conditions above the standard purchase order terms are required. Advice should be sought from the Monitoring Officer.

**10. Waiving Contracts Standing Orders**

- 10.1. Contracts Standing Orders should only be waived in exceptional circumstances and only when the conditions set out in the Procurement Act apply. These are:
- 10.1.1 Competition is absent for technical reasons.
  - 10.1.2 The protection of exclusive rights applies, including intellectual property rights
  - 10.1.3 Extreme urgency brought about by unforeseen events: insufficient time and lack of planning are not deemed to be valid reasons.
  - 10.1.4 The contract has been classified as secret by the Chief Executive or by the S73 Officer making the use of a particular contractor essential or by limiting competition to a select list of contractors; use of this criterion will be exceptional.
- 10.2. The Monitoring Officer must be consulted on all waiver requests.
- 10.3. A waiver may only be approved where the criteria in 10.1 can be met and value for money can be demonstrated.
- 10.4. Any waiver must be approved as follows before a Purchase Order is raised:
- Category B: Director
  - Category C: Chief Executive or Director
  - Category D: Chief Executive or Director

**11. Tender Criteria and Weighting**

- 11.1. In all cases where tenders are invited, the relevant selection and evaluation criteria and weightings shall be agreed between the Budget Holder and the monitoring Officer, and in all cases be clear in the Invitation to Tender.
- 11.2. Social value criteria with a weighting of at least 10% must be included in all Category C and Category D tenders. For each Category C and D contract, the criteria for selection of the successful tenderers shall be only those permitted by the relevant UK legislation, but subject to that, shall be such criteria as may have been specified in the tender documents (eg price, quality, technical merit, social value, aesthetic and functional characteristics, technical assistance, after-sales service delivery date, delivery period and completion date).

- 11.3 Tender evaluation criteria shall be set so that the criteria may be scored on a numerical basis with the intention that the highest score taking all criteria into account will be awarded the tender. Contracts should be awarded on the basis of the most advantageous tender (MAT), taking account of price, quality and social value scoring criteria. Price should not be omitted from the evaluation without the prior approval of the Monitoring Officer and S. 73 Officer.

## **12. Nominated Sub-Contractors and Suppliers**

- 12.1 This Standing Order shall have effect where a sub-contractor or supplier is to be nominated to a main contractor.
- 12.2 The requirements of Contracts Standing Orders Section II shall apply to the procurement of sub-contractors and suppliers who are to be nominated to a main contractor by the Combined Authority.
- 12.3 The terms of any invitation to a sub-contractor or supplier to submit a tender or quotation shall require an undertaking by them that if they are selected they will be willing to enter into a contract with the main contractor on terms which indemnify the main contractor against the sub-contractor's or supplier's obligations under the main contract in relation to the work or goods included in the sub-contract unless provision is made to the contrary under the conditions of contract.

## **13. Duties of Agents**

- 13.1 It shall be a condition of the engagement by the Combined Authority of any person (not being an officer of the Combined Authority) to supervise a contract that, in relation to such contract, they shall comply with the requirements of these Standing Orders and Financial Regulations as if they were an officer of the Combined Authority, and also with all other requirements of the officer concerned.

## **14. Exceptions**

- 14.1 This Section II of Contracts Standing Orders shall not apply to:
- 14.1.1 The execution of works or the purchase of goods or materials necessary for urgent maintenance repairs to land, buildings, vehicles or plant to prevent danger to authorised users or the general public or to prevent rapid and progressive deterioration, or to maintain essential or statutory services.
- 14.1.2 Where spend is dictated by the terms of a preceding contract or agreement.
- 14.2 Expenditure incurred shall be recorded and reported in accordance with the requirements for contracts of the relevant Category with Purchase Orders being raised as required.

## **15. Tendering Procedure**

- 15.1 All tendering must be carried out via a secure electronic tender management system operated and managed by the Head of Commercial.

- 15.2 All invitations to tender must contain precise details as to:
- 15.2.1 the information required from the tenderers;
  - 15.2.2 the evaluation criteria and weightings;
  - 15.2.3 a closing date and time;
  - 15.2.4 a statement that a tender that does not contain all the information required **may** not be considered valid;
  - 15.2.5 a statement that a tender which is submitted late **will** not be considered; and
  - 15.2.6 a statement that there is no obligation to accept the lowest price or any tender.
- 15.3 Any tender which is submitted late or submitted outside the electronic tender management system will only be accepted in exceptional circumstances with the approval in writing of the Monitoring Officer.

## **16. Acceptance of Tenders and Quotations**

- 16.1 The Monitoring Officer or a named officer authorised by them must be consulted on any request to approve a contract award in Category C or D.
- 16.2 Any acceptance must be approved as follows, unless the officer named considers that any decision should be escalated to a higher level:
- Category A: Budget Holder or Budget Controller
  - Category B: Budget Controller
  - Category C: Chief Executive or Director
  - Category D: Chief Executive or Director
- 16.3 Contracts shall be awarded to the party that achieves the highest scoring tender.
- 16.4 Where the amount of a tender or a quotation exceeds the expected Category the approvals for the higher Category shall apply. Consideration must be given to the need to readvertise and advice should be sought from the Monitoring Officer.
- 16.5 The acceptance or rejection of a tender by or on behalf of the Combined Authority shall be notified in writing to the organisation submitting the tender by the Budget Holder.

## **17. NOT USED**

## **18. Equality of Quotations**

- 18.1 In any Category A or B contract where there are two or more equal quotations all bidders shall be sent written or electronic invitations in identical terms to submit a revised quotation which will be considered in accordance with these Contracts Standing Orders and Financial Regulations. Should a further tie occur the award of the contract will be determined by the drawing of lots.

**19. Records and Notifications**

- 19.1 The requirements for keeping records of the details of all quotations, tenders, bids and awards under all categories of contract and the notification of any such information to officers shall be in accordance with the policy approved by the Combined Authority, the Chief Finance Officer and the Monitoring Officer from time to time.
- 19.2 This policy shall be implemented by the Budget Controllers and Budget Holders as appropriate.

**20. Compliance**

- 20.1 Compliance with these Contracts Standing Orders is a mandatory requirement. Any noncompliance identified will be reported to the Chief Executive and to the Monitoring Officer. Non-compliance may be treated as a disciplinary matter.

**Local Bus Services, Education Transport Bus and Tax Services****21. Contracts for Local Bus Services, Education Transport Bus and Taxi Services**

- 21.1 It shall be the responsibility of the officer designated by the Combined Authority as responsible for passenger transport services to identify all local public, social services and education transport requirements in accordance with the policies formulated by the Combined Authority pursuant to its statutory powers and duties.
- 21.2 All procurement of services in accordance with the Combined Authority's said policies shall be in accordance with the procedures set out in the Combined Authority's local and education transport services policy from time to time in force. Copies of these policies of the Combined Authority shall be maintained for public inspection.
- 21.3 All procurement of subsidised services and invitations to tender shall be pursuant to sections 88-91 of the Transport Act 1985 and all associated Regulations.
- 21.4 Invitations to quote or tender shall be issued by the officer referred to in 21.1 and sent to any persons that have indicated in writing or electronically that they wish to receive such invitations to quote or tender.
- 21.5 Invitations to quote or tender shall contain the following documents, information and requirements in every case:
- 21.5.1 the identity of the party requesting the invitation;
  - 21.5.2 the Combined Authority's Instructions to bidders including a closing date and time;
  - 21.5.3 the Service Specification setting out the full details of the services being quoted or tendered for;
  - 21.5.4 the Combined Authority's General Conditions of Contract for the relevant service, together with any schedules of special requirements;

- 21.5.5 the Combined Authority's Form of Quotation or Tender and Form of Agreement;
- 21.5.6 clear and unambiguous scoring criteria and weightings;
- 21.5.7 a statement that the Combined Authority is not obliged to accept the cheapest or any quotation or tender;
- 21.5.8 a statement that, provided it is accompanied by a fully compliant bid, a bidder **may** propose an alternative approach to meeting the transport requirement set out in the tender;
- 21.5.9 a statement that a late submission will not be considered;
- 21.6 Where the de-minimis provisions of the Transport Act 1985 and Regulations made under it apply, contracts for local services may only be awarded in accordance with those Regulations and any criteria approved from time to time by the Combined Authority.
- 21.7 Notwithstanding the above, emergency contracts may be awarded without tender subject to the provisions of section 91 of the Transport Act 1985.
- 22. Acceptance of Local Bus Services, Education Transport Bus and Taxi Services Tenders by the Combined Authority**
- 22.1 Acceptance of quotes and tenders for passenger transport services shall be in accordance with Contracts Standing Order 16 above.
- 23. Tender Procedures for Local Bus Services, Education Transport Bus and Taxi Services**
- 23.1 Tendering must be via the electronic tender management system.
- 24. Tender Criteria and Weighting**
- 24.1 In all cases where tenders are invited, the relevant evaluation criteria and weightings shall be clearly set out in the tender materials. A tender shall not be evaluated on criteria that are not set out in the tender materials.
- 24.2 Tender evaluation criteria shall be set so that, as far as possible, the criteria may be scored on a numerical basis with the intention that the party with the highest score taking all criteria into account will be awarded the tender.
- 24.3 A contract above the Category B threshold should not be evaluated solely on the basis of price unless otherwise approved by the Budget Controller and the evaluation criteria must be set in conjunction with the Monitoring Officer.
- 24.4 The Budget Controller shall determine the criteria under which tenders are evaluated in consultation with the relevant Constituent Council.

**25. Equality of Tenders for Local Bus Services, Education Transport Bus and Taxi Services**

- 25.1 Standing Order 17 shall apply where two or more tenders achieve an equal score or equal price quotation.

**26. Records and Notifications**

- 26.1 The Budget Controller shall be responsible for:

- 26.1.1 maintaining a full record of all tenders bids quotations and awards in respect of any contract for local and education transport services which shall be in accordance with the Combined Authority's approved tendered services policy from time to time;
- 26.1.2 ensuring that a summary of all accepted quotations, tender awards, re-tenders, extensions and contract variations be reported to the Director with responsibility for passenger transport services periodically.
- 26.1.3 ensuring that the extent of commitment to de-minimis contracts is monitored regularly and in any event so as to ensure that no such contract may be awarded in excess of the levels permitted under Regulations.

**Issuing Contracts**

**27. Preparation and Signature of Contracts - Non-Local and Education Services**

- 27.1 A Contract can be entered into via the generation of a Purchase Order on standard terms and conditions or via a contract in writing issued by the Monitoring Officer.
- 27.2 Contracts covered by Section II should be prepared as follows:
- 27.2.1 Category A: No formal contract required.
- 27.2.2 Category B: A formal contract is not mandatory but a formal contract in writing should be utilised if terms and conditions above the standard purchase order terms are required.
- 27.2.3 NOT USED
- 27.2.4 Category C and D: A formal contract in writing must be prepared in all cases which must be agreed by the Monitoring Officer or their nominee.
- 27.3 Formal contracts in writing must be signed by the Monitoring Officer or their nominee, unless that the Monitoring Officer determines that the contract shall be executed under the Common Seal of the Combined Authority.
- 27.4 All formal contracts in writing should contain the relevant transparency clauses to allow for the Combined Authority to meet its transparency obligations.



**28. Preparation and Signature of Contracts - Local and Education Services**

- 28.1 Contracts for local services and education transport must be in writing incorporating by reference the Combined Authority's Agreement, Terms and Conditions, services specification and any schedules, provided within the tender materials as appropriate and signed by the Monitoring Officer.

**29. Contents of Contracts**

- 29.1 Every contract in writing shall specify:
- 29.1.1 the work, goods, materials, services or other matter to be supplied or undertaken;
  - 29.1.2 the price to be paid, with a statement of discounts or other deductions;
  - 29.1.3 the time or times within which the contract is to be performed;
  - 29.1.4 such of the matters referred to in Standing Order 30.1 as are relevant to the contract.
- 29.2 Unless the Monitoring Officer and the Chief Finance Officer, having regard to all the circumstances, consider it to be unnecessary:
- 29.2.1 contracts for the execution of work shall provide for liquidated damages or delay damages to be paid by the contractor in case of delays; and
  - 29.2.2 the Combined Authority shall require, and take sufficient security for, the due performance of any contract in excess of the upper limit for contracts within Category B in amount or value, except for local transport services contracts.
- 29.3 In every written contract for the supply of goods or materials a clause shall be inserted to secure that, should the contractor fail to deliver the goods or materials, or any portion thereof, within the time or times specified in the contract, the Combined Authority, without prejudice to any other remedy for breach of contract, shall be at liberty to determine the contract either wholly or the extent of such default and to purchase other goods or materials, as the case may be, of the same or similar description to make good (a) such default or (b) in the event of the contract being wholly determined, the goods or materials remaining to be delivered. The clause shall further secure that the amount by which the cost of so purchasing other goods or materials exceeds the amount which have been payable to the contractor in respect of the goods or materials, as the case may be, replaced by such purchase, if they had been delivered in accordance with the contract, shall be recoverable from the contractor. This Contracts Standing Order shall be drawn to the attention of all persons tendering or submitting a quotation for a contract with the Combined Authority.
- 29.4 Unless the Monitoring Officer or their nominee determines otherwise, every contract for works entered into in writing by the Combined Authority shall include the right of the Combined Authority to have access to the site of works and documents of the contractor. This right shall entitle the Combined Authority to nominate such officer as it shall deem appropriate to undertake any inspection at the site or of any documents

including the right to nominate persons not in the employment of the Combined Authority.

- 29.5 Every written contract that involves the processing of personal data by a contractor on behalf of the Combined Authority shall set out the subject matter and duration of the processing, the nature and purpose of the processing, the type or personal data and categories of data subjects and the obligations and rights of the Combined Authority. In particular the contract shall contains clauses that meet the requirements of Article 28(3) of the General Data Protection Regulation.

### **30. Use of Email in Contracts and Awards**

- 30.1 Where these Contracts Standing Orders require that a contract shall be in writing, this will not normally be satisfied by the use of emails.
- 30.2 Except where express provision is otherwise made in these Contracts Standing Orders, email should only be used exceptionally in a contractual situation (including those circumstances where a contract is to be varied or extended) and then only with the prior approval of the Monitoring Officer or Chief Finance Officer.

### **31. Variations to Contracts**

- 31.1 During the term of a contract it may be necessary to vary the terms. This could include amending the requirements, costs and/or dates. Variations to existing contracts may be made provided they are made in compliance with the Procurement Act 2023.
- 31.2 Contracts can be varied as follows:

Variation Type	Value Limits	Approval Required
Variation is provided for in the original contract.	None	Budget Holder or Budget Controller
Novation to a new provider who takes on the obligations of the original contractor.	None	Budget Holder or Budget Controller
Increase in the original contract value up to and including 10% where there is no change to the overall nature of the contract.	None	Budget Holder or Budget Controller

Variation Type	Value Limits	Approval Required
<p>Increase in the original contract value over 10% and up to and including 50% where there is no change to the overall nature of the contract, and which is</p> <ul style="list-style-type: none"> <li>• due to circumstances which as a diligent contracting authority the Combined Authority could not have foreseen, or</li> <li>• for technical reasons where significant inconvenience or cost would otherwise be incurred.</li> </ul>	<p>Where the resulting contract value is up to and including £139,000</p> <p>Over £139,000 and up to and including £1m</p> <p>Over £1m NB: Values are inclusive of VAT</p>	<p>Budget Holder or Budget Controller</p> <p>Budget Controller</p> <p>Chief Executive or Director in writing<sup>5</sup></p>

### 32. Cancellation of Contracts in Cases of Corruption

- 32.1 There shall be inserted in every written contract a clause empowering the Combined Authority to cancel the contract and to recover from the contractor the amount of any loss resulting from such cancellation, if the contractor shall have offered or given or agreed to give to any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do or for having done or forborne to do any action in relation to the obtaining or execution of the contract or any contract with the Combined Authority, or showing or forbearing to show any favour or disfavour to any person in relation to the contract or any other contract with the Combined Authority, or if the like acts shall have been done by any person employed by them or acting on their behalf (whether with or without the knowledge of the contractor) or if, in relation to any contract with the Combined Authority, the contractor or any person employed by them or acting on their behalf shall have committed any offence under the Prevention of Corruption Acts 1889 to 1916, the Bribery Act 2010 or shall have given any fee or reward the receipt of which is an offence under Section 117(2) and (3) of the Local Government Act 1972.

### 33. Assignment and Underletting of Contracts

- 33.1 In every contract the contractor shall be prohibited from assigning or underletting or subcontracting the contract, or any part of it, except with the consent of the Budget Holder and upon such conditions as they think fit.
- 33.2 In the case of tender for services which provides for the possibility of subcontracting some or all of the services, appraisal of the tender must include appropriate appraisal of both the main and any sub contractor's proposals to ensure that the sub-contractor is capable of delivering the services and complying with the contract and all relevant legislation. The principal contractor shall be expressly responsible for all work done

by the sub-contractor and for it being carried out under the same conditions as the main contract, so far as reasonably possible.

### **34. Electronic Signatures**

- 34.1 Signatures may be affixed to a contract either using physical, handwritten means or by way of an electronic signature using the Combined Authority's chosen electronic signature system only, and in accordance with any legal requirements.
- 34.2 Where electronic signatures are to be affixed to a contract, written confirmation agreeing to the use of electronic signatures must first be exchanged.

## **Land**

### **35. Acquisition and Disposal of Interests in Land**

- 35.1 Where the Combined Authority is acquiring or disposing of an interest in land, the procedures to be followed in each case shall be the responsibility of the Monitoring Officer and Director responsible for property and assets, in accordance with any current policy of the Combined Authority.

## **Legal**

### **36. Legal Proceedings**

- 36.1 Where any document is a necessary step in legal proceedings it shall be signed by the Monitoring Officer or by any officer authorized by them, unless otherwise required or authorised by law, or where the Combined Authority gives authority, to some other person for the purpose of such proceedings.
- 36.2 Where there is a likelihood of the Combined Authority being involved in any legal proceedings or where the Police investigate any matter involving the Combined Authority or any of its personnel, the Monitoring Officer and Chief Executive shall immediately be informed by the Budget Holder.

### **37. Sealing of Documents**

- 37.1 A resolution of the Combined Authority, the Mayor in respect of Mayoral General Functions, a committee of the Combined Authority, or a decision of an officer (where the committee or officer has the power) authorising the taking of any action shall be sufficient authority for sealing of any document necessary to give effect to such resolution. In other cases the Combined Authority's Seal shall be affixed to any document only when:
  - 37.1.1 sealing has been authorised by a resolution of the Combined Authority or of a Committee or officer to which the Combined Authority has delegated its powers in this behalf, or
  - 37.1.2 the Monitoring Officer has delegated authority to enter into the contract or agreement.

- 37.2 The Combined Authority's Seal may be affixed physically or inserted by electronic means using the Combined Authority's chosen electronic system only, provided that the use of electronic seal meets any relevant legal requirements<sup>7</sup>.
- 37.3 The application of the Combined Authority's Seal shall be authenticated by the signature of the Monitoring Officer or other officer or Director authorised by them.
- 37.4 Any signature authenticating the Combined Authority's Seal may be a physical handwritten signature, or an electronic signature using the Combined Authority's chosen electronic signature system only, provided the use of electronic signatures meets any relevant legal requirements.
- 37.5 The sealing of a document in accordance with paragraphs 39.1 to 39.4, whether by physical or electronic means, shall be entered in a register kept and maintained for that purpose by the Monitoring Officer.
- 37.6 The Combined Authority's Seal shall be kept in a safe place in the custody of the Monitoring Officer or some other person authorised by them.

## 4.8 - Financial Regulations

These Regulations apply to all officers conducting Combined Authority matters including general Mayoral matters.

### 1. General

- 1.1 These Regulations lay down for the guidance of Members and officers, principles to be followed in securing the proper administration of the Combined Authority's financial affairs and shall be reviewed at intervals of not more than three years.
- 1.2 Members and officers will be reminded annually of their responsibility to comply with these Financial Regulations (and associated Contracts Standing Orders). Reminders will be sent by the Finance Team in the month following the Annual General Meeting of the Combined Authority.
- 1.3 The Director of Finance is designated under Section 73 Local Government Act 1985 as the officer who is responsible for the proper administration of the financial affairs of the Combined Authority (the Section 73 Chief Finance Officer) and shall report to the Combined Authority any significant failure to comply with these Regulations which comes to their attention.
- 1.4 The Chief Executive and the Section 73 Chief Finance Officer shall be responsible for the accountability and control of all resources managed by them on behalf of the Combined Authority.
- 1.5 For the purposes of complying with these Regulations, the Section 73 Chief Finance Officer shall be provided with any information they may require and shall have access to any documents and records, as necessary.
- 1.6 Whenever any matter arises which may involve financial irregularity the Section 73 Chief Finance Officer shall be notified immediately, and if an irregularity is disclosed the matter shall, at the discretion of the Section 73 Chief Finance Officer and after consultation with the Chief Executive, be referred by them to the Combined Authority. Further, in a case where the Head of Paid Service advises that there is prima facie evidence of a criminal offence having been committed, the matter shall be reported to the Police forthwith.

### 2. Staffing

- 2.1 The Chief executive as statutory Head of Paid Service will be responsible for providing overall management to staff employed by the Combined Authority.
- 2.2 The Chief Executive will be responsible for ensuring that there is proper use of evaluation or other agreed systems for determining remuneration.

- 2.3 The Section 73 Chief Finance Officer is responsible for:
- 2.3.1 arranging and controlling the secure payment of wages and any other emoluments to officers in their capacity as employees, in accordance with procedures prescribed by the Section 73 Chief Finance Officer, on the due date
  - 2.3.2 recording and making arrangements for the accurate and timely payment of tax, national insurance, pension deductions and any other deductions;
  - 2.3.3 making arrangements for the payment of travel and subsistence claims;
  - 2.3.4 ensuring that appropriate systems, records and documentation are maintained on behalf of the administering pension body.
- 2.4 Directors must ensure that appointments are made in accordance with the approved establishment and scales of pay and the adequate budget provision is available. An annual staffing budget must be produced (including on costs and overheads) which should be an accurate forecast of staffing levels and associated costs.
- 2.5 Payroll documents must be retained and stored for the defined period in accordance with guidance issued by the Section 73 Chief Finance Officer.
- 2.6 Directorate managers shall notify the HR Team of all matters affecting payment to employees - including appointments, resignations, dismissals, suspensions, secondments and pay awards, absences from duty for sickness and other reasons affecting pay, information necessary to maintain records of service for pension purposes, income tax and national insurance.

### 3. Accounting Arrangements

- 3.1 The Section 73 Chief Finance Officer shall prepare a manual of financial and accounting procedures to be operated by officers working on Combined Authority matters.
- 3.2 All accounting and financial arrangements shall be determined by the Section 73 Chief Finance Officer who shall be consulted before any form or document of a financial or costing nature is introduced.
- 3.3 The Section 73 Chief Finance Officer shall be responsible for the certification of all claims for grant to Government Departments, or other funders. All officers must ensure that any expenditure of grant funding is compliant with the relevant grant conditions.
- 3.4 The Section 73 Chief Finance Officer is responsible for ensuring, not later than the date specified in government regulations, the preparation and submission to the Combined Authority of the annual statement of accounts for the year ending on the preceding 31 March, in a form prescribed by the Section 73 Chief Finance Officer in compliance with the Accounts and Audit Regulations currently applicable.
- 3.5 The Annual Accounts should be approved by the Combined Authority within the statutory deadlines.

- 3.6 At the end of the financial year, Directors must supply the Section 73 Chief Finance Officer with information in such form and by such date as is determined to enable the prompt close of the Combined Authority's Annual Accounts.
- 3.7 If the External Auditor's Report requires any material amendment to be made to the Annual Accounts, this must be then reported to the Combined Authority as soon as practicable after the receipt of the audit report.

#### **4. Banking Arrangements**

- 4.1 All arrangements with the Combined Authority's bankers, including the ordering and safe custody of cheques and online banking arrangements, shall be made by the Section 73 Chief Finance Officer who shall be authorised to operate such banking accounts, as they consider necessary.
- 4.2 All cheques drawn on behalf of the Combined Authority shall be signed by, or bear the facsimile of the Section 73 Chief Finance Officer, or the signature of any other duly authorised officer.
- 4.3 The Section 73 Chief Finance Officer will maintain a schedule of signatories for each bank account in line with the agreed mandate with the bankers.

#### **5. Budgetary Control**

- 5.1 The detailed form of the programme of capital expenditure and revenue estimates shall be determined by the Section 73 Chief Finance Officer after consultation with appropriate Directors, in accordance with any general directions of the Combined Authority and the Mayor for the Mayoral General Functions.
- 5.2 The Section 73 Chief Finance Officer shall monitor the Combined Authority's expenditure and controls in relation to its budget and report any significant variations to the appropriate Committee and together with any recommendation of that committee to a subsequent meeting of the Combined Authority.
- 5.3 It is the responsibility of Directors to ensure business plans reflect agreed budget estimates. Directors are responsible for the continuous exercise of budgetary control and service performance throughout the year. Directors are responsible for, in consultation with the Section 73 Chief Finance Officer, nominating and maintaining authorised budget holders for each of the cost centres. These assigned roles are responsible for reporting on variations to the Directors and the Section 73 Chief Finance Officer and complying with all accounting and budget management guidance issued by the Section 73 Chief Finance Officer.
- 5.4 The Budget Holders should be officers of the Combined Authority.
- 5.5 Though budget responsibility remains with the budget holders, they may propose assignees to have the authority to approve purchase requisitions or invoices up to predetermined levels. This must be agreed in writing with the Section 73 Chief Finance Officer.



- 5.6 The assigned budget holders are responsible for the monitoring and control of the budgets assigned to them by Directors and must immediately bring to the Directors attention any expected overspend or underspend against approved budgets. The budget holder must also ensure that all monies are spent in the best interests of the Combined Authority and ensure maximum efficiency.
- 5.7 No expenditure shall be authorised or incurred which is not provided for in the approved budget. If a Director / budget holder wishes to spend money which is not included in their approved revenue budgets and where it is not possible to vire money from an existing budget, in line with the approved budget management delegations, then they must notify the Section 73 Chief Finance Officer who will advise on how to proceed.
- 5.8 Where the Combined Authority operates in partnership or similar arrangements, Directors must set out the roles and responsibilities of all parties including a sound framework of internal controls. All proposed financial arrangements must be subject to prior approval of the Section 73 Chief Finance Officer and subject to compliance checks as deemed necessary.

## **6. Capital and Revenue Budget Planning - Medium Term Financial Plans**

### **6.1 Combined Authority Budget**

- 6.1.1 The Section 73 Chief Finance Officer shall prepare a medium-term financial plan comprising a forecast of revenue expenditure and income for discussion with the Constituent Councils in relation to future levies and funding and report such discussions to the Combined Authority. Such a strategy must reflect the priorities and plans of the Combined Authority and the Mayor; it is the responsibility of Directors to advise the Section 73 Chief Finance Officer of changes to their resource requirements over the period under review.
- 6.1.2 The Section 73 Chief Finance Officer shall ensure that a revenue budget is prepared on an annual basis for consideration and approval at a meeting of the Combined Authority by 1st February prior to the start of the financial year, allowing for call in if required. At that meeting determination shall be made of the level of the levy, Mayoral precepts and other contributions for the following year.
- 6.1.3 The Section 73 Chief Finance Officer, in consultation with appropriate Directors, shall prepare an annual estimate of capital expenditure for submission and approval to the Combined Authority, together with proposals for financing that programme. Full approvals for capital projects and funding / financing proposals will be considered through the Combined Authority's governance processes.
- 6.1.4 The Section 73 Chief Finance Officer, in consultation with appropriate Directors, shall prepare annual estimates of revenue expenditure and income, indicating the levy and additional amounts payable by the Constituent Authorities necessary to finance the net expenditure for the next financial year.

## 7. Control of Expenditure

### 7.1 Capital Schemes

- 7.1.1 Capital expenditure involves acquiring or enhancing fixed assets with a long-term value to the Combined Authority and its partners, such as land, buildings and vehicles. They may create financial commitments for the future in the form of financing costs and revenue running costs.
- 7.1.2 Before a capital scheme for which provision is made may proceed, it must proceed through the Hull and East Yorkshire Combined Authority Assurance Framework processes and approval routes. This is applicable too for proposals submitted by the Mayor.
- 7.1.3 The proposal will report on the ongoing revenue implications of the scheme as part of the approval requested.
- 7.1.4 After a capital scheme has been approved, relevant Directors shall inform the Section 73 Chief Finance Officer as soon as practicable of any likely overspending and submit the relevant change request using the Hull and East Yorkshire Combined Authority Assurance Framework approval processes.

### 7.2 Combined Authority Revenue Budget

- 7.2.1 The Combined Authority will determine the amounts to be allocated to Combined Authority functions. The Head of Paid Service, in conjunction with Directors, will monitor expenditure against this approval, and report on a regular basis agreed with the Section 73 Chief Finance Officer to the Combined Authority showing forecast variations from the budget allocated. It will be a matter for the Combined Authority to determine from this information whether expenditure priorities should be changed within the funding envelopes available.
- 7.2.2 The Section 73 Chief Finance Officer is responsible for advising on the format of the revenue budget and for ensuring that the mechanism for financial control and management of the budget is in place and for providing appropriate financial information to Directors to enable them to effectively monitor their budgets.
- 7.2.3 For revenue expenditure any likely overspending shall be reported by Directors as soon as practicable to the Section 73 Chief Finance Officer. Where it is not possible to address overspending by a transfer between expenditure budget heads (see virements and delegations below), the matter shall be referred to the Combined Authority for consideration.
- 7.2.4 The Section 73 Chief Finance Officer will determine guidelines for carrying forward of surplus and deficits on budget headings.

## **8. Virements**

- 8.1 The Section 73 Chief Finance Officer shall be authorised to approve virements between expenditure heads up to £1,000,000. Anything in excess of these limits shall be reported for approval to the Combined Authority or Mayor as appropriate. Virements are deemed to be:
- 8.1.1 Revenue - A transfer of budget for a different purpose to that set out in the approved budget;
- 8.1.2 Capital - a movement of budget between approved capital schemes.
- 8.2 In accordance with the scheme of virement and associated thresholds, the Section 73 Chief Finance Officer is responsible for virement proposals submitted by Directors for revenue. The capital expenditure approved virement / changes will be processed through the Hull and East Yorkshire Combined Authority Assurance Framework processes.
- 8.3 In conjunction with Directors, the Section 73 Chief Finance Officer is to report to and seek the prior approval of the Combined Authority or the Mayor for any revenue expenditure where it is for the release of earmarked sums from reserves for a purpose or scheme that is different to the purpose or scheme for which they have been earmarked.
- 8.4 The Section 73 Chief Finance Officer is to report and seek the approval of the Chief Executive (in consultation with the Mayor) to the exercise of the virement powers of the Combined Authority where a matter is urgent.

## **9. Maintenance of Balances / Reserves / Provisions**

- 9.1 The Section 73 Chief Finance Officer will ensure that there are clear protocols for the establishment and use of balances/reserves/provisions and, in consultation with Directors, will establish reserves and/or provisions and provide guidance on how to incur expenditure from balances/reserves/provisions.
- 9.2 The Section 73 Chief Finance Officer is to seek Combined Authority or Mayoral, as appropriate, approval for the use of balances, reserves or provisions in addition to those already approved in setting the original budget.
- 9.3 Directors must ensure that the use of reserves or provisions when approved is planned into the budget and used only for the purposes for which they were intended.

## **10. Borrowing and Investments**

- 10.1 The Section 73 Chief Finance Officer shall be the Combined Authority's registrar of stocks, bonds, bills and mortgages and all borrowings shall be made by, or under the supervision of, the Section 73 Chief Finance Officer in the name of the Combined Authority.

- 10.2 The Section 73 Chief Finance Officer shall maintain records of all monies borrowed and shall be responsible for the day-to-day administration of borrowed monies, whether through a service level agreement / contract arrangement or an in-house team.
- 10.3 The Section 73 Chief Finance Officer shall ensure that the Treasury Management Code of Practice and the Prudential Code are complied with and shall, as recommended by the Codes of Practice, periodically submit relevant reports to the Combined Authority in relation to the Combined Authority's borrowings.

## **11. Contracts**

- 11.1 All contracts and their management on behalf of the Combined Authority shall be subject to the Combined Authority's Contracts Standing Orders. The Section 73 Chief Finance Officer shall be informed as soon as possible by Directors of all contracts, agreements, awards or other instruments involving the payment or receipt of money on behalf of the Combined Authority and shall carry out such checks as considered necessary during the currency of a contract.
- 11.2 Payment to contractors on account shall be authorised only on certified documents signed by a duly authorised officer, showing the total amount of the contract, value of the work executed to date, retention money, amount paid to date and the amount now certified.
- 11.3 Every variation of a contract or addition to the original specification shall be authorised, in writing, by a duly authorised officer. Any such variation or addition which necessitates an increase in the amount of an accepted tender are managed in line with the Combined Authority's Contracts Standing Orders. No order shall be placed, nor any payment certified, in respect of any such variation or addition until this has been approved.

## **12. Estates and Property**

- 12.1 The Chief Executive shall maintain a record of all estates and properties owned by the Combined Authority in a form approved by the Section 73 Chief Finance Officer.
- 12.2 The Monitoring Officer shall be responsible for the safe custody of all legal documents under secure arrangements agreed with the Section 73 Chief Finance Officer.
- 12.3 Directors shall ensure that records and assets are properly maintained and securely held. They shall also ensure that contingency plans for the security of assets and continuity of service in the event of disaster or system failure are in place.

## **13. Assets for Disposal**

- 13.1 The Chief Executive is responsible for arranging the disposal of any assets deemed to be obsolete, non-repairable or unnecessary.
- 13.2 The Chief Executive is authorised to dispose of surplus or obsolete stores or equipment up to and including a value of £50,000, in consultation with the Section 73 Chief Finance Officer. Where the estimated sales value exceeds £5,000 for each transaction, then sales must be made by competitive tender, quotations or public

auction. Disposals with a value above £50,000 must be approved by the Combined Authority.

- 13.3 All disposals to officers, related parties or members require the prior approval of the relevant Director/Chief Executive.
- 13.4 Any acquisition or disposal of land must be carried out in accordance with the Combined Authority's policies relating to land and property.

#### **14. Income**

- 14.1 The collection of all money due to the Combined Authority shall be under the supervision of the Section 73 Chief Finance Officer who shall issue detailed procedural guidance to be followed by relevant officers.
- 14.2 All money received by an officer on behalf of the Combined Authority shall, without delay, be paid intact to the Section 73 Chief Finance Officer, or if directed, to the Combined Authority bank account.
- 14.3 Directors will provide the Section 73 Chief Finance Officer details in connection with work completed, goods, supplies or services rendered and of all other amounts due as may be required to record correctly all sums receivable by the Combined Authority and to ensure prompt rendering of accounts for the collection of income.
- 14.4 Directors will notify the Section 73 Chief Finance Officer promptly of all money due to the Combined Authority and of contracts, leases and other agreements and arrangements entered into which involve the receipt of money by the Combined Authority.
- 14.5 All receipt forms, books, tickets and other such items shall be ordered and supplied to departments by the Section 73 Chief Finance Officer who shall satisfy themselves as to the arrangements for their control.
- 14.6 The Section 73 Chief Finance Officer is responsible for managing the Combined Authority's debt recovery procedures and processes, including authority for writing off bad debts. The Section 73 Chief Finance Officer is authorised to write-off bad debts up to and including a value of £50,000. All debts proposed for write-off in excess of this value must be referred to the Combined Authority for approval.
- 14.7 Every transfer of official money from one officer to another shall be evidenced in the records of the departments concerned by the signature of the receiving officer.

#### **External Funding and Grants**

- 14.8 The Section 73 Chief Finance Officer is responsible for:
  - 14.8.1 ensuring there are proper processes and procedures in place for the completion, assessment, authorisation and submission of applications for external funding and any subsequent claims;

- 14.8.2 authorising the acceptance of any grant offer on behalf of the Combined Authority and identifying the appropriate budget holder for expenditure of the funding in compliance with the terms and conditions imposed by the grant awarding body;
- 14.8.3 ensuring all statutory financial returns related to external funding are completed and submitted in line with relevant guidelines, and;
- 14.8.4 ensuring the income due from grant claims is received and that records are kept for the reconciliation of grants due and received. Such records must have robust audit trails and meet External Audit requirements.

## **15. Insurance**

- 15.1 The Section 73 Chief Finance Officer shall, subject to any general direction of the Combined Authority, arrange such insurances in the name of the Combined Authority as they consider necessary (including officials' indemnity and public and employer's liability), and shall inform Directors annually of the insurance policies in force.
- 15.2 Directors shall give prompt notification to the Section 73 Chief Finance Officer of all new risk, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 15.3 Directors shall inform the Section 73 Chief Finance Officer promptly in writing of any loss, liability or damage or any event which would likely lead to a claim against the Combined Authority.

## **16. Risk Management**

- 16.1 Risk management is the planned and systematic approach to the identification, evaluation and control of risk. It evaluates the measures already in place to manage identified risks and recommends the action required to control these risks effectively.
- 16.2 The Combined Authority shall approve the risk management strategy and shall review the effectiveness of risk management. The Monitoring Officer in consultation with the S. 73 Officer shall prepare and promote the risk management strategy and develop appropriate risk management controls.
- 16.3 Directors shall be responsible for the identification, classification and control of all risks falling within their areas of responsibility. The risks identified shall be included in the Corporate Risk Register which will be subject to periodic review.
- 16.4 Directors shall take responsibility for risk management within their areas of responsibility, having regard from relevant advice from specialists (eg fire safety, health and safety, insurance) and shall undertake regular reviews of risk within their own service areas.

## 17. CIPFA Treasury Management Code of Practice

17.1 In line with CIPFA recommendations, the Combined Authority will adopt the following:

- To create and maintain, as the cornerstones for effective treasury management.
- A Treasury Management Policy statement, stating the policies,
- objectives and approach to risk management of its treasury management activities.
- Suitable Treasury Management Practices (TMPs), setting out the manner in which the Combined Authority will seek to achieve those policies and objectives, and prescribing how it will manage and control those activities.
- The Combined Authority will receive reports on its Treasury Management Policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year, a midyear review and an annual report after its close, in the form prescribed in its TMPs.
- The Combined Authority delegates responsibility for the implementation and regular monitoring of its Treasury Management Policies and Practices to the Governance and Audit Committee, and for the execution and administration of treasury management decisions to the Section 73 Chief Finance Officer of the Combined Authority, who will act in accordance with the Combined Authority's policy statement and TMPs and CIPFA's Standard of Professional Practice on Treasury Management.
- The Combined Authority has nominated its Governance and Audit Committee to ensure effective scrutiny of the Treasury Management Strategy and Policies.

## 18. Internal Audit

18.1 The Combined Authority is required by legislation to provide an internal audit function. The internal audit function is an independent and objective appraisal function established by the Combined Authority. It examines, evaluates and reports on the adequacy of internal controls, compliance with Contracts Standing Orders and Financial Regulations, security of assets and adequacy of the financial systems. It also evaluates the effectiveness of internal controls in operation and assesses their adequacy in relation to the prevention or detection of fraud.

18.2 The Section 73 Chief Finance Officer shall, so far as they consider necessary:

- Arrange for the internal audit of all accounts and financial transactions of the Combined Authority and its officers.
- Supervise security arrangements and the custody and safeguarding of Combined Authority moneys and property, including any funds entrusted to the Combined Authority or its officers.



18.3 The Section 73 Chief Finance Officer shall or their authorized representative shall have authority to:

- have access to Combined Authority premises or land at reasonable times.
- to have access to documents, records and equipment in the possession of the Combined Authority.
- to require any officer of the Combined Authority to account for cash, stores or any other Combined Authority asset under their control.
- where possible, to have access to records belonging to third parties, such as contractors, when required.
- to receive information concerning any matter under investigation.
- to report uncensored to the Chief Executive, the Audit Committee, and the Combined Authority as considered necessary.

18.4 The Audit Committee shall approve a strategic internal audit plan, which takes account of the characteristics and relative risks of the activities involved.

## **19. External Audit**

19.1 External audit shall be carried out by an auditor appointed in accordance with the legislative requirements who will report annually, or more often if deemed necessary, to the Governance and Audit Committee.

19.2 All reports written by external audit must be considered by the Governance and Audit Committee.

## **20. Orders for Goods, Works or Services**

20.1 The procedures are set out in the Contracts Standing Orders.

## **21. Payment of Accounts**

21.1 Directors shall be responsible for the certification and submission of invoices and other claims to the Section 73 Chief Finance Officer who shall make safe and efficient arrangements for the payment of such accounts, ensuring the accurate payment of supplier invoices to agreed terms and, where applicable, to matched/cleared purchase orders.

21.2 The Section 73 Chief Finance Officer will ensure compliance with directives issued by HM Revenue and Customs and the Construction Industry Tax Deduction Scheme.

## **22. Petty Cash and Purchase Cards**

22.1 The Section 73 Chief Finance Officer shall make such arrangements as they consider necessary for defraying petty cash and other expenses by means of an imprest system.



- 22.2 Purchase card accounts shall be operated strictly within procedures determined by the Section 73 Chief Finance Officer.

## **23. Taxation**

- 23.1 The Section 73 Chief Finance Officer is responsible for:

- 23.1.1 ensuring that taxation advice is available to Directors to ensure compliance with relevant legislation;
- 23.1.2 maintaining the Combined Authority's tax records, making all tax payments, receiving tax credits and submitting tax returns by their due date as appropriate;
- 23.1.3 completing all HM Revenue and Customs returns regarding Pay As You Earn (PAYE) and compliance with the HMRC IR35 regulations (off payroll taxation);
- 23.1.4 completing a monthly return of VAT inputs and outputs to HM Revenue and Customs
- 23.1.5 providing details to the HM Revenue and Customs of deductions made under the Construction Industry Tax Deduction Scheme;
- 23.1.6 maintaining an up-to-date register of VAT de minimis payments in accordance with the VAT Act 1994

- 23.2 The Directors are responsible for:

- 23.2.1 ensuring that the correct VAT liability is attached to all income due and that all claims for VAT recoverable on purchases complies with HM Revenue and Customs regulations and all output tax is properly identified and recorded;
- 23.2.2 ensuring, where construction and maintenance works are undertaken, the contractor fulfils the necessary construction industry tax deduction requirements;
- 23.2.3 ensuring that the Combined Authority is not put at risk in any funding arrangements by identifying the correct VAT treatment in accordance with the VAT Act 1994;
- 23.2.4 ensuring that all persons employed by the Combined Authority are added to the payroll and that tax is deducted from any payments, except where the individuals are bona fide self-employed or are employed by a recognised staff agency;
- 23.2.5 following any guidance on taxation that may be issued by the Section 73 Chief Finance Officer.

## **24. Internal Control**

- 24.1 Internal control refers to the systems of control devised by management to help ensure the Combined Authority's objectives are achieved in a manner that promotes economical, efficient and effective use of resources and that the Combined Authority's assets and interests are safeguarded.

The Section 73 Chief Finance Officer is responsible for advising on effective systems of financial control that will provide reasonable assurance of effective and efficient operations, financial stewardship, probity and compliance with laws and regulations.

- 24.2 The Chief Executive is responsible for advising on effective systems of internal control. These arrangements shall ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice.
- 24.3 The responsibility for maintaining and reviewing the system of internal control rests with the Combined Authority.

## **25. Stocks and Stores**

- 25.1 Each Director shall be responsible for the care and custody of stocks and stores within their area of responsibility.
- 25.2 The Section 73 Chief Finance Officer shall arrange for periodic checks of stocks by persons other than store-keepers where such stocks are of a significant value.
- 25.3 Directors will dispose of surplus materials, stores or equipment by competitive tender, public auction, online auction or in a manner approved by the Section 73 Chief Finance Officer and in accordance with Contracts Standing Orders.
- 25.4 Adjustments which may be necessary for surpluses or deficiencies of stock shall be subject to the approval of the Section 73 Chief Finance Officer, or delegated officer.
- 25.5 The Section 73 Chief Finance Officer shall be authorised to write-off or make adjustments in respect of deficiencies or surpluses of stock. Requests to write off items in excess of £50,000 must be approved by the Combined Authority for information.

## **26. Security**

- 26.1 Directors are responsible, with budget holders, for maintaining proper security at all times for buildings, stocks, stores, furniture, equipment, cash, keys, documentation and information under their control. The responsibilities are to:
- 26.1.1 make proper arrangements for the secure control and safe custody of all assets in respect of their area of responsibility;
- 26.1.2 ensure that the property procedures are adhered to by all officers;
- 26.1.3 inform the Chief Executive of any instances where they believe the security to be inadequate;
- 26.1.4 ensure that designated officers are personally responsible for the safekeeping of keys;
- 26.1.5 ensure that designated officers review the security of the premises under their control on a regular basis.

- 26.2 The Section 73 Chief Finance Officer is responsible for ensuring an asset register is maintained for all fixed assets with a value in excess of £10,000. All items of furniture, fittings, plant and equipment shall be included on an inventory.
- 26.3 The Section 73 Chief Finance Officer may write-off/write down asset and stock valued at less than or equal to £50,000. Assets and stock valued at more than £50,000 shall be written-off/written down by the Combined Authority following a recommendation of the Section 73 Chief Finance Officer.
- 26.4 Any instance of loss or theft of Combined Authority property must be notified to the Chief Executive.
- 26.5 If the loss or theft involved data that could be deemed sensitive or confidential then this must be managed in line with the Combined Authority's Data and Systems Security Incident Management Policy and Procedure.
- 26.6 Each Director shall be responsible for maintaining proper security and privacy of information and data held, as required by the Data Protection Act.
- 26.7 All staff shall comply with the standards and principles set out in the Combined Authority ICT security policies.

## **27. Preventing Fraud and Corruption**

- 27.1 The Combined Authority will not tolerate fraud and corruption in the administration of its responsibilities. The expectation of propriety and accountability is that members of the Combined Authority and officers at all levels will lead by example in ensuring adherence to legal requirements, rules, procedures and practices. The Director of Human Resources will ensure an effective anti-fraud and anti-corruption policy is maintained.
- 27.2 All members of the Combined Authority and officers shall follow the appropriate codes of conduct adopted by the Combined Authority in relation to declarations of interests, gifts and hospitality as well as following agreed staffing policies.
- 27.3 The Monitoring Officer is responsible for issuing guidance to officers regarding what to do when offered goods and/or services by actual or potential suppliers to the Combined Authority.
- 27.4 The Monitoring Officer maintains a register of interests in which officers must record details of notifiable financial or other interests and any hospitality or gifts offered to them and their responses to the offer. This register is formally reviewed by the Monitoring Officer on a regular basis.
- 27.5 Detailed procedures in relation to the supply of all works, goods and services are set out in Contracts Standing Orders.

## **28. Financial Systems and Procedures**

- 28.1 The Section 73 Chief Finance Officer is responsible for:
- 28.1.1 the operation of the Combined Authority's accounting system, the form of accounts and the supporting financial records;

- 28.1.2 issuing guidance and advice and procedures to officers;
- 28.1.3 approving any changes to existing financial systems;
- 28.1.4 approving the introduction of any new financial systems;
- 28.1.5 ensuring the operation of appropriate controls covering input to the financial system, the processing of the information and any output;
- 28.1.6 ensuring that the organisational structure provides an appropriate segregation of duties to provide adequate internal controls;
- 28.1.7 ensuring that the business recovery plan makes adequate preparations for ensuring that financial systems can be recovered in the event of an interruption;
- 28.1.8 ensuring that finance systems are documented and staff are trained in how to operate them;
- 28.1.9 issuing appropriate instructions on the systems for collecting and recording income and ordering and payment of goods and service

## **4.9 - Recruitment and Appointment Procedure for Private Sector Representatives**

To follow.