

## CONSTITUTION & TERMS OF REFERENCE

This is the Constitution of the East Sussex Strategic Partnership - the Local Strategic Partnership (LSP) for the county of East Sussex.

This Constitution does not change, replace, substitute or amend in any way the statutory duties or other responsibilities of partners. It does not change, replace, substitute or amend in any way partner organisations' own management or accountability frameworks, or prevent any individual partner organisation from pursuing its own individual actions.

### 1. Purpose

- 1.1. To facilitate cross-sectoral strategic planning and partnership working in the county of East Sussex in order to improve the quality of life for local people and communities.

### 2. Structure

- 2.1. The East Sussex Strategic Partnership (ESSP) is a partnership of public, private and voluntary and community sector organisations and networks.
- 2.2. The ESSP may commission existing partnerships to undertake work on its behalf. The arrangements for reporting and monitoring such work shall be determined by the ESSP in negotiation with the respective partnership.
- 2.3. Where no appropriate existing partnership can be identified, the ESSP may establish sub-committees and working groups, as it sees fit, to oversee the implementation of the Local Area Agreement (LAA) and, as required, to carry out any of its key tasks. It may also dissolve any such sub-committees and working groups if it determines it necessary or advisable to do so.
- 2.4. The ESSP is supported by a permanent group, known as the East Sussex Assembly, which acts as its consultative and advisory forum.

### 3. Key Tasks

- 3.1. To consult and work in partnership with local people, communities and organisations to ensure that the partnership updates the shared vision and priorities for improving quality of life in East Sussex when appropriate to reflect changing needs, aspirations and local priorities.
- 3.2. To provide, through the Sustainable Community Strategy for East Sussex, Pride of Place, an evidence-based strategic framework to deliver the vision and priorities for a better quality of life for those living and working in East Sussex.
- 3.3. To provide strategic direction for the development and implementation of the East Sussex LAA, and other action plans which aim to tackle the priorities set out in Pride of Place.
- 3.4. To report progress and performance to partners, the general public and the Government Office for the South East (GO-SE).
- 3.5. To provide strategic leadership on any countywide issue, identified by the ESSP or the East Sussex Assembly, and agreed by the ESSP, where no other appropriate existing organisation or partnership can be identified.

#### 4. Roles and Authority

- 4.1. The ESSP is a non-statutory, non-executive partnership structure established pursuant to the Local Government Act 2000 and subsequent Government guidance on local strategic partnerships. It does not have the legal status to contract with other bodies to achieve its objectives. It is not the accountable body for any grant or funding regime.
- 4.2. East Sussex County Council will act as the Accountable Body for financial matters on behalf of the ESSP. All accounting arrangements will be made under the supervision of the Director of Corporate Resources.
- 4.3. The specific responsibilities of the ESSP are:
  - 4.3.1. to secure partnership commitment and action to delivering the Sustainable Community Strategy and the Local Area Agreement, promoting dialogue between partners;
  - 4.3.2. to consult with local people, communities and organisations to identify the most important shared priorities for improving quality of life in East Sussex, establishing a strategic framework for action by partner organisations through an evidence-based Sustainable Community Strategy;
  - 4.3.3. to oversee the development and implementation of a Local Area Agreement and other action plans for East Sussex and report to partners, the public and GO-SE on progress; and
  - 4.3.4. to provide a strategic lead on any other countywide issue as shall be determined by the ESSP from time to time.
- 4.4. The ESSP's accountability is jointly to the public, private and voluntary and community sector partnerships and organisations that make up its membership and to the East Sussex Assembly.
- 4.5. The ESSP oversees performance in connection with the LAA and Sustainable Community Strategy and advises partner organisations on performance management issues. It is not authorised to make detailed decisions on pooled funding which more properly sit with the relevant Accountable Body.
- 4.6. While individual partner organisations cannot be held directly to account by ESSP, and the individual public bodies will have their own scrutiny arrangements, the work and proceedings of the ESSP shall be subject to scrutiny by the East Sussex Assembly at its annual meeting and by East Sussex County Council's Scrutiny Committee from time to time. Any recommendations for improvement will be brought to a meeting of the ESSP for discussion.
- 4.7. Any disputes between members of the ESSP pertaining to any decision of that body, perceived failure to co-operate or perform on behalf of one or more partners or any other issue shall be referred, in the first instance, to the Chairperson of the ESSP. The Chairperson shall have the power to mediate between parties. If the matter cannot be resolved to the satisfaction of all parties, the Chairperson may decide to refer the issue back to a meeting of the ESSP.

## 5. ESSP Sub-committees and working groups

- 5.1. The ESSP may decide at any time to establish sub-committees and working groups to undertake work in connection with the development and implementation of the LAA or Sustainable Community Strategy for East Sussex. The composition, remit, powers and authority of any sub-committees and working groups shall be determined by the ESSP and may include co-opted members.
- 5.2. The ESSP will support, and be supported by, a permanent group known as the East Sussex Assembly, which will act as ESSP's consultative and advisory forum. The membership, remit, and authority of the East Sussex Assembly are governed by Terms of Reference, set out in Appendix 1.
- 5.3. The ESSP will work collaboratively with key countywide thematic partnerships and the District and Borough LSPs on the development, implementation, review and updating of the LAA and Sustainable Community Strategy for East Sussex. Chairs of these partnerships, or their designated representatives, will be kept informed of progress and engaged in discussions, meetings and any relevant sub-groups as necessary. These partnerships shall also be members of the East Sussex Assembly (5.2 above).
- 5.4. The ESSP may commission other existing partnerships to undertake work in connection with the development, implementation and updating of the LAA or Sustainable Community Strategy for East Sussex.

## 6. Operating Values

- 6.1. The ESSP, any sub-committees and working groups, will adopt the following operating values in all business activities and transactions:
  - 6.1.1. maintain a focus on the county of East Sussex as a whole and the needs of its citizens whilst recognising the distinctiveness of areas within the county and the differing needs that cannot be addressed in a uniform way;
  - 6.1.2. work positively and collaboratively to improve economic, social and environmental sustainability, thereby improving quality of life;
  - 6.1.3. adopt and promote the values, principles and codes of practice of the East Sussex Compact;
  - 6.1.4. ensure that all data produced meets a high standard of data quality and is fit for purpose;
  - 6.1.5. strive to eliminate discrimination, deprivation and to value diversity;
  - 6.1.6. value and respect the contribution of all partners and provide mutual support, irrespective of sector or organisation; and
  - 6.1.7. communicate positively the work of the ESSP and its partners using plain English and language that is clear and accessible to all.

## 7. ESSP Membership

- 7.1. The ESSP will consist of senior representatives from those organisations playing a lead or key delivery role in the LAA and/or East Sussex Sustainable Community Strategy, as follows:

### ***Local Authorities***

- East Sussex County Council (1)
- Eastbourne Borough Council (1)
- Hastings Borough Council (1)

Lewes District Council (1)  
Rother District Council (1)  
Wealden District Council (1)  
East Sussex Association of Local Councils (1)

**Statutory Agencies**

Sussex Police (1)  
East Sussex Fire and Rescue Service (1)  
Environment Agency (1)  
Learning and Skills Council (Sussex) (1)  
National Probation Service (Sussex) (1)  
JobCentre Plus (1)  
Highways Agency (1)  
Primary Care Trusts (2)

**Non-Statutory Organisations and Sector Representatives**

Hastings and Bexhill Economic Alliance (1)  
Federation of Small Businesses (1)  
Action in Rural Sussex (1)  
Churches Together In Sussex (1)  
SpeakUp (2)

7.2. There will also be 'Critical friend/observer' places (non-voting) nominated from the following agencies:

Government Office South East (1)  
South East England Development Agency (1)

7.3. Any member of the ESSP may resign by giving not less than one month's notice, in writing, to the Community Partnerships Team at East Sussex County Council and to the key sector partnership and/or organisation that they represent. The key sector partnership and/or organisation concerned will put in place arrangements for determining a new representative as quickly as practically possible.

7.4. If a member of the ESSP changes to a different employer, loses his or her seat, or loses his or her honorary position, then their membership of the ESSP will automatically cease with immediate effect. If a member of the ESSP is facing adverse proceedings, declared bankrupt or is charged or summonsed for a criminal offence, other than a minor traffic offence, then the Partnership will expect the nominating body to consider whether they remain an appropriate nominee.

7.5. Should the ESSP consider the need to terminate the membership of an individual for good and sufficient cause they may resolve to expel that member from the ESSP. The member shall have the right to be heard. The reason for the expulsion and the vote cast will be recorded in the minutes. Any vacancy arising from termination will be referred to the relevant organisation to be filled as soon as it is reasonably practical.

**8. Role of the ESSP**

8.1. The ESSP must be able and willing to:

- 8.1.1. focus on the needs of the whole county with an inclusive concern for all citizens, especially the marginalised and disadvantaged;
- 8.1.2. exert influence within their own partnership or organisation in order to shape decisions, commit resources, adjust priorities and deliver any necessary changes;

- 8.1.3. champion and communicate the work of the ESSP throughout their organisation, partnership and sector;
  - 8.1.4. work in collaborative partnership with a range of partners from different sectors and organisations, including countywide thematic partnerships and the District and Borough Local Strategic Partnerships; and
  - 8.1.5. attend and participate in ESSP and East Sussex Assembly meetings and events.
- 8.2. All members should seek to act co-operatively, in an open and honest manner, value others' contributions and be prepared to learn from each other in seeking to achieve the objectives of the ESSP.
- 8.3. All members are responsible for taking reasonable steps to ensure that their contribution is genuinely representative of their organisation, and/or sector. Members must engage in two-way communications with their organisation and/or sector on key issues being considered by the ESSP so that they can express the views and interests of their organisation and/or sector. Members must report back to their organisation and/or sector on key decisions taken by the ESSP. This approach will ensure that all the key sector partnerships, other partnerships, organisations, forums and groups are engaged in the work of the ESSP.
- 8.4. ESSP members undertake not to criticise publicly the functioning of the ESSP and/or East Sussex Assembly meetings without first discussing any criticisms or concerns with the co-ordinating team at East Sussex County Council and allowing an opportunity to address them.

## **9. Chairperson and Vice Chairperson**

- 9.1. The ESSP will have a Chairperson whose role is to drive forward the Partnership's work programme. The Chairperson will act in all matters with impartiality and neutrality, and provide a strong sense of purpose and direction for the ESSP. He/She will chair the meetings of the ESSP and East Sussex Assembly.
- 9.2. The Chairperson, once appointed, shall serve for two years, at which time the appointment shall be reviewed.
- 9.3. Nominations for Chairperson shall be invited at least three months before the ESSP meeting at which the Chairperson is to be elected and appointed. Such nominations should be made in writing to the Community Partnerships Team at East Sussex County Council.
- 9.4. To facilitate the election process, all nominees will be asked to submit a short personal statement which will be circulated to ESSP members prior to the meeting at which the Chairperson will be elected and appointed.
- 9.5. The election and appointment of the Chairperson shall be made at a quorate meeting of the ESSP, in accordance with the rules on decision-making set out in paragraph 11.
- 9.6. The position of Vice-Chairperson will be permanently held by the East Sussex County Council representative to the ESSP in recognition of the fact that that Council has the duty to prepare the East Sussex Sustainable Community Strategy and is the Accountable Body for the LAA. The Vice-Chairperson will not take the Chair of the ESSP when the Chairperson stands down.

## 10. Meetings

- 10.1. The ESSP will meet a minimum of four times per year.
- 10.2. The Chair and/or Vice Chair may convene an 'extraordinary' meeting of the ESSP provided that not less than five working days shall elapse between the date the notice calling the meeting was dispatched and the date of the meeting.
- 10.3. No business shall be transacted at a meeting of the ESSP unless a quorum of members is present. A quorum shall be 12 out of the 22 voting members of the ESSP. If a quorum is not present within thirty minutes of the scheduled start time, the meeting shall be adjourned to such a date, time and place as may be determined. Notice of the date, time and place of the resumed meeting shall be sent to members as soon as practicable.
- 10.4. Meetings of the ESSP shall ordinarily be open to members of the East Sussex Assembly and the public to attend as observers. Observers shall be requested to sit at the back of the meeting room. In order to facilitate confidential debate, protect commercial confidentiality or encourage openness and the sharing of information, however, the Chairperson may decide to:
- a) exclude East Sussex Assembly members and the public for all or part of the meeting where information is to be discussed that falls within one of the following categories:
    - i. Information relating to any individual.
    - ii. Information which is likely to reveal the identity of an individual.
    - iii. Information relating to the financial or business affairs of any particular person, including the organisation holding that information.
    - iv. Information relating to any consultations or negotiations being undertaken by a partner organisation, or contemplated consultations or negotiations, in connection with any labour relations matter arising between that organisation or a Minister of the Crown and employees of, or office holders under, that organisation.
    - v. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
    - vi. Information which reveals that any partner organisation proposes to (a) give under any enactment a notice under or by virtue of which requirements are imposed on a person or (b) make an order or direction under any enactment.
    - vii. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime; and
  - b) at a speakers request, invoke the Chatham House Rule<sup>1</sup> which states that, "when a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed; nor may it be mentioned that the information was received at the meeting".

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<sup>1</sup> Chatham House is officially known as The Royal Institute of International Affairs. The Chatham House Rule was first devised in 1927 with the aim of providing anonymity to speakers and thus encouraging free discussion. It is now used throughout the world.

- 10.5. Members can bring in specialist advisors to support them when discussing specific agenda items at ESSP meetings. Such advisors will be requested to sit at the back of the meeting room until the Partnership is ready to discuss the item, and to leave the table once discussion on the item is concluded.
- 10.6. Any member of the ESSP who is unable to attend a meeting may nominate a named deputy to represent the key sector partnership and/or organisation which selected, elected or nominated him or her. The deputy may speak and vote on behalf of that member of the ESSP. If a deputy is used more than 3 times in a year, the member sending the deputy shall automatically cease to be a member. If any member is so removed, the key sector partnership and/or organisation selecting, electing or nominating that member shall appoint a new member to the ESSP who shall hold membership until the next review period.
- 10.7. The ESSP may resolve to remove any member who fails to attend for three consecutive meetings. If any member is so removed, the key sector partnership and/or organisation selecting, electing or nominating that member shall appoint a new member to the ESSP who shall hold membership until the next review period.

## **11. Decision Making**

- 11.1. Decisions of the ESSP should be reached by consensus. Where consensus cannot be reached, then a vote may be requested. Specifically, where there is more than one nomination for the election of Chairperson, a vote will be taken. Should the need for a vote be agreed or required, it should be resolved by a two-thirds majority of those present with voting rights at the meeting.
- 11.2. At meetings of the ESSP, only the 22 nominated voting members, or their deputies, are entitled to vote. Representatives from GO-SE and SEEDA are excluded from the voting process.
- 11.3. If a vote is to be taken, the Chair will have the casting vote. The Chair's casting vote will be delegated to the Vice Chair if the Chair is absent or if the Chair has declared an interest in the matter being voted upon.

## **12. Declarations of Interest**

- 12.1. Where a member or attendee at a meeting of the ESSP has a vested personal interest or organisational interest in a matter being brought before the ESSP, they will declare the same to either the meeting or, if a confidential matter, to the Chair. It will be at the discretion of the Chair as to whether the member or attendee is allowed to participate in the debate and/or, if a voting member, is allowed vote on the issue falling for consideration.

## **13. Support to the ESSP**

- 13.1. East Sussex County Council will provide the time of a suitably qualified and experienced manager (currently known as the Partnership Development Manager) to provide direction and co-ordination to the ESSP, and a range of support services to the partnership, in order to progress its objectives and work programme. He/She will undertake day-to-day management of any resources, financial or in-kind, which may be provided by partners from time to time and will develop and implement a performance management framework on behalf of the Partnership.
- 13.2. The Partnership Development Manager will also provide direction, co-ordination and support services to the East Sussex Assembly in order to enable it to fulfil its role as ESSP's consultative and advisory forum.

13.3. The Partnership Development Manager will be accountable to the Head of Community Partnerships and the Director of Policy Management and Communications at East Sussex County Council. He/She will work in co-operation with the Chair and Vice Chair of the ESSP. Members of the ESSP do not have line-management rights over members of the co-ordinating team.

#### **14. Financial Year**

14.1. For accounting purposes, the ESSP financial year will correspond to that of East Sussex County Council and will, therefore, commence on 1 April each year and end on 31 March the following year.

#### **15. Changes to the Constitution**

15.1. This constitution may be changed by a resolution passed by a two-thirds majority of members present and voting at a meeting of the ESSP. This power can only be utilised to facilitate the better working of the ESSP. Any proposed amendments must appear as a separate item on the agenda setting out the terms of the changes proposed and must be formally put out for consultation amongst the members of the ESSP before a decision is taken on the matter.

15.2. Any member(s) proposing a change in structure and/or membership levels of any part of the ESSP structure must do so in writing, so that the proposed change can be incorporated into the ESSP's agenda and the implications fully discussed. Notwithstanding, the ESSP shall carry out a self-assessment of governance, communications and engagement once a year, and review the appropriateness and balance of the structure and membership of the ESSP a minimum of once in every three years. Proposed changes to the structure and/or membership levels can only be approved by a two-thirds voting majority of the ESSP.

## **Appendix 1: East Sussex Assembly Terms of Reference**

### **1. Purpose**

- 1.1. To inform, advise and support ESSP in facilitating cross-sectoral strategic planning and partnership working in the county of East Sussex in order to improve the quality of life for local people and communities.

### **2. Structure**

- 2.1. The East Sussex Assembly, herein referred to as the Assembly, is made up of ESSP members, key countywide thematic partnerships, the District and Borough Local Strategic Partnerships and other organisations, networks and partnerships interested and/or involved in the East Sussex Sustainable Community Strategy and Local Area Agreement. The public, private and voluntary and community sectors are all represented within the Assembly membership.

### **3. Roles and Authority**

- 3.1. The Assembly has been set up by ESSP as its consultative and advisory forum.
- 3.2. The specific responsibilities of the Assembly are to:
  - 3.2.1. assist the ESSP to identify the most important shared priorities for improving quality of life in East Sussex
  - 3.2.2. consider progress with the Sustainable Community Strategy, LAA and other action plans and to advise on future direction; and
  - 3.2.3. scrutinise the work and proceedings of the ESSP at the East Sussex Assembly annual meeting.
- 3.3. The Assembly must be able and willing to:
  - 3.3.1. focus on the needs of the whole county with an inclusive concern for all citizens, especially the marginalised and disadvantaged;
  - 3.3.2. exert influence within their own partnership or organisation in order to achieve the objectives of the ESSP and Assembly;
  - 3.3.3. champion and communicate the work of the ESSP and Assembly throughout their organisation, partnership and sector;
  - 3.3.4. work in collaborative partnership with a range of partners from different sectors and organisations; and
  - 3.3.5. attend and participate in East Sussex Assembly meetings and events.
- 3.4. All members should seek to act co-operatively, in an open and honest manner, value others' contributions and be prepared to learn from each other in seeking to achieve the objectives of the ESSP and Assembly.
- 3.5. All members are responsible for taking reasonable steps to ensure that their contribution is genuinely representative of their organisation, and/or sector. Members must engage in two-way communications with their organisation and/or sector on key issues being considered by the ESSP so that they can express the views and interests of their organisation and/or sector. Members must report back to their organisation and/or sector on key discussions and decisions taken by the ESSP and Assembly. This approach will ensure that all the key sector partnerships, other partnerships, organisations, forums and groups are engaged in the work of the ESSP.

- 3.6. Assembly members undertake not to criticise publicly the functioning of the ESSP and/or Assembly meetings without first discussing any criticisms or concerns with the co-ordinating team at East Sussex County Council and allowing an opportunity to address them.
- 3.7. The Assembly's accountability is to ESSP and the key organisations, networks and partnerships that make up its membership.

#### **4. Operating Values**

- 4.1. The Assembly will adopt ESSP's operating values in all its activities, namely:
  - 4.1.1. maintain a focus on the county of East Sussex as a whole and the needs of its citizens whilst recognising the distinctiveness of areas within the county and the differing needs that cannot be addressed in a uniform way;
  - 4.1.2. work positively and collaboratively to improve economic, social and environmental sustainability, thereby improving quality of life;
  - 4.1.3. adopt and promote the values, principles and codes of practice of the East Sussex Compact;
  - 4.1.4. ensure that any data produced meets a high standard of data quality and is fit for purpose;
  - 4.1.5. strive to eliminate discrimination, deprivation and to value diversity;
  - 4.1.6. value and respect the contribution of all partners and provide mutual support, irrespective of sector or organisation; and
  - 4.1.7. communicate positively the work of the ESSP and its partners using plain English and language that is clear and accessible to all.

#### **5. Membership**

- 5.1. The Assembly will consist of ESSP members, key countywide thematic partnerships, the District and Borough Local Strategic Partnerships and representatives of other organisations, networks and partnerships involved or interested in the development and delivery of the East Sussex Sustainable Community Strategy and LAA.
- 5.2. Only organisations, networks and partnerships that operate across East Sussex, or more local organisations, networks or partnerships that can fill an identified countywide representational gap, may be invited to join the Assembly, or put themselves forward for membership of the Assembly, in writing, to the Community Partnerships Team at East Sussex County Council. Decisions on membership shall be made by the ESSP.
- 5.3. A list of members will be maintained by the Community Partnerships Team at East Sussex County Council.

#### **6. Chairperson and Vice Chairperson**

- 6.1. The ESSP Chairman and Vice-Chairman will chair the Assembly, in accordance with the standards for the ESSP Chairman and Vice-Chairman set out in the ESSP Constitution and Terms of Reference.

## **7. Meetings**

- 7.1. The Assembly will meet at least twice a year, one meeting being the annual meeting at which a report back on the work of ESSP will be made.
- 7.2. Assembly members can bring members of staff, guests and specialist advisors to support them when discussing specific issues at Assembly meetings.
- 7.3. Any member of the Assembly who is unable to attend a meeting may nominate a named deputy to represent their organisation, network or partnership.

## **8. Decision Making**

- 8.1. Any decisions of the Assembly should be reached by consensus. Where consensus cannot be reached, then a vote may be requested. Should the need for a vote be agreed, it should be resolved by a majority of those present.

## **9. Declarations of Interest**

- 9.1. Where a member or attendee at a meeting of the Assembly has a vested personal interest or organisational interest in a matter being brought before the Assembly, they will declare the same to either the meeting or, if a confidential matter, to the Chair. It will be at the discretion of the Chair as to whether the member or attendee is allowed to participate in the debate and/or, if a voting member, is allowed vote on the issue falling for consideration.

## **10. Support to the Assembly**

- 10.1. East Sussex County Council will provide the time of a suitably qualified and experienced manager (currently known as the Partnership Development Manager) to provide direction, co-ordination and support services to the Assembly in order to enable it to fulfil its important role as ESSP's consultative and advisory forum.

## **11. Changes to the Terms of Reference**

- 11.1. Changes to the Terms of Reference may be proposed to the ESSP if supported by a majority of Assembly members. Changes can only be proposed to facilitate the better working of the Assembly.
- 11.2. The Terms of Reference may be changed by a resolution passed by a two-thirds majority of ESSP members present and voting at a meeting of the ESSP. Any proposed amendments must appear as a separate item on the ESSP agenda setting out the terms of the changes proposed and must be formally put out for consultation amongst the members of the ESSP and Assembly before a decision is taken on the matter.