

Version agreed: November 2019	Scheduled review: November 2022
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**CONSTITUTION**

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

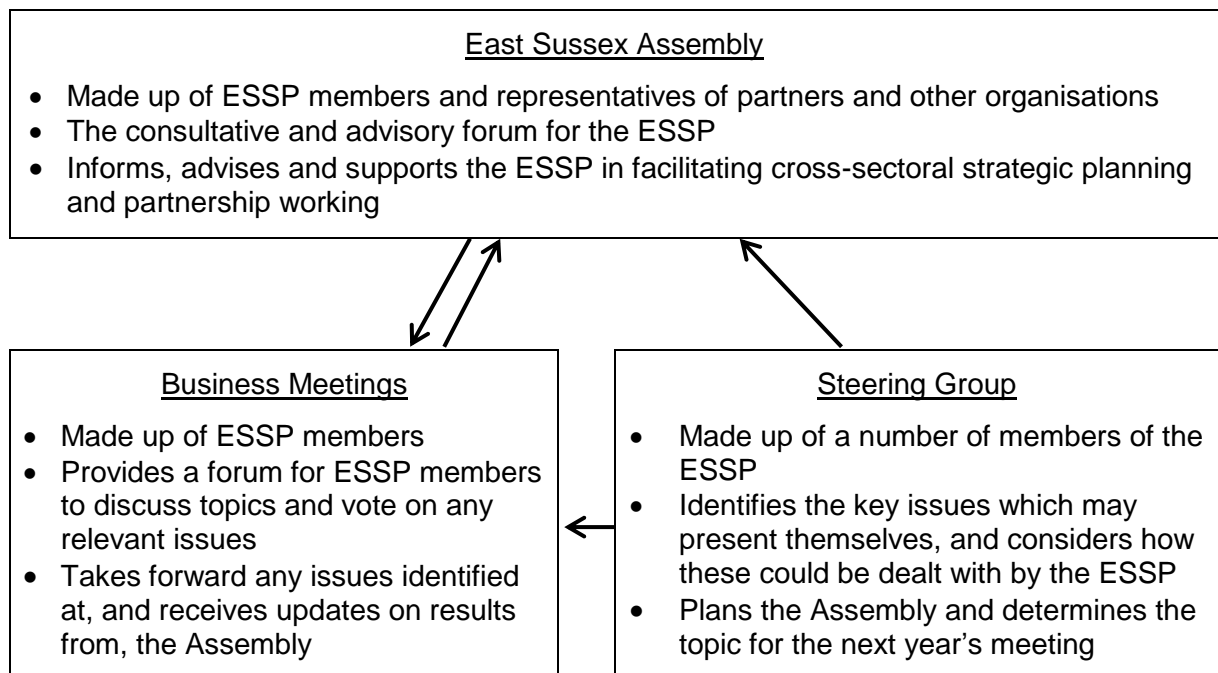
This Constitution does not change, replace, substitute or amend in any way the statutory duties or other responsibilities of partners. Neither does it substitute or amend in any way partner organisations’ own management or accountability frameworks, or prevent any individual partner organisation from pursuing its own individual actions.

**1. Purpose**

- 1.1. To facilitate cross-sectoral strategic planning and partnership working in the county of East Sussex.

**2. Structure and meetings**

- 2.1. The East Sussex Strategic Partnership (ESSP) is a multi-sector partnership.
- 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 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 made up of the East Sussex Assembly, Business Meetings and a Steering Group.
- 2.5. The diagram below outlines the membership, roles and workflow for each section of the ESSP.



**3. Key Tasks**

- 3.1. To facilitate and organise partnership working amongst organisations in East

Sussex.

- 3.2. 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. 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 East Sussex County Council Chief Operating Officer.
- 4.3. The specific responsibilities of the ESSP are:
  - 4.3.1. to identify the most important shared priorities for improving quality of life in East Sussex, establishing a strategic framework for action by partner organisations to provide a forum for organisations from across the county to facilitate partnership working; and
  - 4.3.2. 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 key sector partnerships and organisations that make up its membership and to the East Sussex Assembly.
- 4.5. 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. Any recommendations for improvement will be brought to a Business Meeting for discussion.
- 4.6. 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 Business Meeting.

#### **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. The composition, remit, powers and authority of any sub-committees and working groups shall be determined by a Business Meeting and may include co-opted members.
- 5.2. The ESSP will support, and be supported by:
  - 5.2.1. 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.
  - 5.2.2. Business Meetings of ESSP Members. The membership, remit, and authority of the Business Meetings are governed by Terms of Reference, set out in Appendix 2.
  - 5.2.3. A Steering Group. The membership, remit, and authority of the Steering Group are governed by Terms of Reference, set out in Appendix 3.
- 5.3. The ESSP will work collaboratively with key countywide thematic partnerships and the District and Borough LSPs. 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).

## 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, especially the marginalised and disadvantaged;
  - 6.1.2. work positively and collaboratively to improve economic, social and environmental sustainability, thereby improving quality of life;
  - 6.1.3. ensure that all data produced meets a high standard of data quality and is fit for purpose;
  - 6.1.4. strive to eliminate discrimination, deprivation and to value diversity;
  - 6.1.5. value and respect the contribution of all partners and provide mutual support, irrespective of sector or organisation; and
  - 6.1.6. communicate positively the work of the ESSP and its partners.

## 7. ESSP Membership

- 7.1. The ESSP will consist of senior representatives from those organisations playing a lead or key role in meeting the operating values as set out in paragraph 6, as follows:

### **Public Sector**

East Sussex County Council (2)  
Eastbourne Borough Council (2)  
Hastings Borough Council (2)  
Lewes District Council (2)  
Rother District Council (2)  
Wealden District Council (2)  
East Sussex Association of Local Councils (1)  
Sussex Police (2)  
East Sussex Fire and Rescue Service (1)  
Environment Agency (1)  
National Probation Service (Sussex) (1)  
Clinical Commissioning Groups (2)  
Sussex Police and Crime Commissioner (2)  
Department of Work and Pensions (1)  
NHS (1)  
Kent, Surrey and Sussex Community Rehabilitation Company (1)

***The ESSP will also ensure private and voluntary and community sector organisations involved in the East Sussex Sustainable Community Strategy are represented, as follows:***

### **Private Sector (x2)**

Team East Sussex (1)  
Federation of Small Businesses (1)

### **Voluntary and Community Sector (x2)**

Action in Rural Sussex (1)  
Hastings Voluntary Action (1)

- 7.2. Any member of the ESSP may resign by giving not less than one month's notice, in writing, to the Policy & Performance 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.
- 7.3. 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.

- 7.4. 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. 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 ESSP Members**

- 8.1. Members of the ESSP must be able and willing to:
  - 8.1.1. abide by the Operating Values of the ESSP;
  - 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 East Sussex Assembly, Steering Group meetings, Business Meetings and other events as necessary.
- 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 any of its associated meetings or groups 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.
- 9.2. Nominations for Chairperson shall be invited prior to the appropriate Business Meeting. Such nominations should be made in writing to the Policy and Performance Team at East Sussex County Council.
- 9.3. Decisions on the appointment of the Chairperson shall be made by a quorate Business Meeting, in accordance with the rules on decision-making set out in the Terms of Reference of the Business Meetings, paragraph 6.1.
- 9.4. The Chairperson, once appointed, shall serve for two years, at which time the appointment shall be reviewed.
- 9.5. The Chairperson will act in all matters with impartiality and neutrality, and provide a strong sense of purpose and direction for the ESSP. They will chair

the meetings of the East Sussex Assembly, the Steering Group and Business Meetings.

- 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 had the duty to prepare the East Sussex Sustainable Community Strategy. The Vice-Chairperson will not take the Chair of the ESSP when the Chairperson stands down.

## **10. Support to the ESSP**

- 10.1. East Sussex County Council will provide the time of a suitably qualified and experienced manager to provide direction and co-ordination to the ESSP in order to progress its 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.
- 10.2. This Manager will also provide direction and co-ordination to the East Sussex Assembly, Business Meetings and the Steering Group in order to enable it to fulfil its role as ESSP's consultative and advisory forum.
- 10.3. This Manager will be accountable to the Head of Policy and Performance at East Sussex County Council. He/She will work in co-operation with the Chair and Vice Chair of the ESSP.
- 10.4. Members of the ESSP do not have line-management rights over members of the co-ordinating team. Members can, though, request support, in writing, to the Head of Policy and Performance at East Sussex County Council, where they feel such core support will help realise the ESSP's objectives. Each request will be considered on its merits.

## **11. Financial Year**

- 11.1. 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.

## **12. Changes to the Constitution**

- 12.1. This constitution may be changed by a resolution passed by a two-thirds majority of members present and voting at a Business 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.
- 12.2. 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 relevant Business Meeting's agenda and the implications fully discussed. Notwithstanding, the ESSP shall 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 a Business Meeting.

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

### **1. Purpose**

- 1.1. The Assembly has been set up by ESSP as its consultative and advisory forum.

### **2. Structure and Membership**

- 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.
- 2.2. Any organisation, network or partnership that operates across East Sussex, or fills a countywide or community representational gap, may be invited to join the Assembly, or put itself forward for membership of the Assembly, in writing, to the Policy and Performance Team at East Sussex County Council. Decisions on membership shall be made by the ESSP.
- 2.3. A list of members will be maintained by the Policy and Performance Team at East Sussex County Council.

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

- 3.1. The specific responsibilities of the Assembly are to:
  - 3.1.1. to inform, advise and support ESSP in facilitating cross-sectoral strategic planning and partnership working in the county of East Sussex;
  - 3.1.2. assist the ESSP to identify the most important shared priorities for improving quality of life in East Sussex; and
  - 3.1.3. scrutinise the work and proceedings of the ESSP at the East Sussex Assembly annual meeting.
- 3.2. Members of the Assembly must be able and willing to:
  - 3.2.1. abide by the Operating Values of the ESSP laid out in paragraph 6 of the Constitution;
  - 3.2.2. abide by the Role of ESSP Members laid out in paragraph 8 of the Constitution; and
  - 3.2.3. attend and participate in East Sussex Assembly meetings and events.
- 3.3. The Assembly's accountability is to ESSP and the key organisations, networks and partnerships that make up its membership.

### **4. Chairperson and Vice Chairperson**

- 4.1. The ESSP Chairperson and Vice-Chairperson will chair the Assembly.

### **5. Meetings**

- 5.1. The Assembly will meet at least once a year.
- 5.2. Assembly members can bring members of staff, guests and specialist advisors to support them when discussing specific issues at Assembly meetings.
- 5.3. Any member of the Assembly who is unable to attend a meeting may nominate a named deputy to represent their organisation, network or partnership.

### **6. Decision Making**

- 6.1. 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.

### **7. Declarations of Interest**

- 7.1. 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.

## **8. Support to the Assembly**

- 8.1. East Sussex County Council will provide support to the Assembly as set out in paragraph 10 of the ESSP Constitution.

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

- 9.1. The Terms of Reference may be changed by a resolution passed by a two-thirds majority of ESSP members present and voting at a Business Meeting of the ESSP. Any proposed amendments must appear as a separate item on the Business Meeting 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.

## **Appendix 2: Business Meetings Terms of Reference**

### **1. Purpose**

- 1.1. The Business Meetings have been set up by the ESSP to take forward any issues arising from the Assembly and make decisions which require a formal vote of the ESSP.

### **2. Structure and Membership**

- 2.1. The Business Meetings are made up of ESSP Members.
- 2.2. A list of members will be maintained by the Policy and Performance Team at East Sussex County Council.

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

- 3.1. The specific responsibilities of the Business Meetings are to:
  - 3.1.1. To take forward any issues identified at the Annual Assembly (Assembly), and consider any issues affecting the county or partners not dealt with at the Assembly.
  - 3.1.2. receive nominations and vote for a new ESSP Chairperson; and
  - 3.1.3. update members of the ESSP on issues and progress since the previous Assembly.
- 3.2. Members of the Business Meetings must be able and willing to:
  - 3.2.1. abide by the Operating Values of the ESSP laid out in paragraph 6 of the Constitution;
  - 3.2.2. abide by the Role of ESSP Members laid out in paragraph 8 of the Constitution; and
  - 3.2.3. attend and participate in Business Meetings and events.
- 3.3. The Business Meeting accountability is to ESSP and the key organisations, networks and partnerships that make up its membership.

### **4. Chairperson and Vice Chairperson**

- 4.1. The ESSP Chairperson and Vice-Chairperson will chair the Business Meetings.

### **5. Meetings**

- 5.1. The Business Meetings will take place at least once a year.
- 5.2. The Chair and/or Vice Chair may convene an extraordinary Business Meeting 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.
- 5.3. No business shall be transacted at a Business Meeting unless a quorum of members is present. A quorum shall be 12 out of the 29 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. A list of ESSP members is available from the Policy and Performance Team at East Sussex County Council.
- 5.4. Business Meetings shall ordinarily be open to members of the East Sussex Assembly and the public to attend as observers. Observers shall be requested to sit in a designated area. 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 speaker's 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".

5.5. Members can bring in specialist advisors to support them when discussing specific agenda items. Such advisors will be requested to sit in a designated area until the meeting is ready to discuss the item, and to leave the table once discussion on the item is concluded.

5.6. Any member of the ESSP who is unable to attend a Business 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.

5.7. The ESSP may resolve to remove any member who fails to attend for three consecutive Business 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.

## **6. Decision Making**

6.1. Any decisions of the Business Meetings 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.

## **7. Declarations of Interest**

7.1. Where a member or attendee at a Business Meeting 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 to vote on the issue falling for consideration.

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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.

## **8. Support to the ESSP**

- 8.1. East Sussex County Council will provide support to the Business Meetings as set out in paragraph 10 of the ESSP Constitution.

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

- 9.1. These Terms of Reference may be changed by a resolution passed by a two-thirds majority of members present and voting at a Business Meeting. 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.

## **Appendix 3: Steering Group Terms of Reference**

### **1. Purpose**

- 1.1. The Steering Group has been set up by the ESSP to identify the key issues which may present themselves in the next year and consider how these could be dealt with by the ESSP.

### **2. Structure and Membership**

- 2.1. The Steering Group is made up of members of the ESSP.
- 2.2. A list of members will be maintained by the Policy and Performance Team at East Sussex County Council.

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

- 3.1. The specific responsibility of the Steering Group is to:
  - 3.1.1. identify the key issues coming up in the next year and consider how they are best dealt with by the ESSP;
  - 3.1.2. decide on the topic of, and plan, the East Sussex Annual Assembly (Assembly); and
  - 3.1.3. discuss any other issues which may be of relevance to the ESSP as necessary.
- 3.2. The Steering Group must be able and willing to:
  - 3.2.1. abide by the Operating Values of the ESSP laid out in paragraph 6 of the Constitution;
  - 3.2.2. abide by the Role of ESSP Members laid out in paragraph 8 of the Constitution and;
  - 3.2.3. attend and participate in Steering Group meetings and events.
- 3.3. The Steering Group accountability is to ESSP and the key organisations, networks and partnerships that make up its membership.

### **4. Chairperson and Vice Chairperson**

- 4.1. The ESSP Chairperson and Vice-Chairperson will chair the Steering Group.

### **5. Meetings**

- 5.1. Steering Group meetings will take place a number of times a year as necessary, these meeting may be virtual.
- 5.2. Steering Group meetings will not be open to Members of the East Sussex Assembly or the public.
- 5.3. Members of the steering group can bring in specialist advisors to support them when discussing specific agenda items. Such advisors will be requested to sit in a designated area until the Steering Group is ready to discuss the item, and to leave the table once discussion on the item is concluded.

### **6. Decision Making**

- 6.1 Any decisions of the Steering Group 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.

### **7. Declarations of Interest**

- 7.1. Where a member or attendee at a Steering Group has a vested personal interest or organisational interest in a matter being brought before the meeting, 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.

## **8. Support to the ESSP**

- 8.1. East Sussex County Council will provide support to the Steering Group as set out in paragraph 10 of the ESSP Constitution.

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

- 9.1. These Terms of Reference may be changed by a resolution passed by a two-thirds majority of members present and voting at an ESSP Business Meeting. 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 of the ESSP Business Meeting 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.