

London Local Enterprise Partnership

Assurance Framework

Supporting accountability, transparency and value for money.

Version 3

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Introduction

In December 2014, HM Government requested that all local enterprise partnerships develop an assurance framework to cover any Government funding received via their “accountable bodies”. This framework meets this requirement for the London Local Enterprise Partnership (London LEP) and is compliant with HM Government’s National Assurance Framework published in October 2016.

The purpose of this framework is to provide assurance that the London LEP has in place the necessary systems and processes to manage delegated funding from HM Government budgets effectively.

Revising the Assurance Framework

Under HM Government requirements, the London LEP Board is required to review and approve the Assurance Framework each year to ensure continuous compliance with HM Government guidelines.

The Section 127 Officer¹ of the London LEP’s Accountable Body (The Greater London Authority (GLA)) must also sign off the revised local assurance framework, and write to DCLG’s Accounting Officer by 28 February each year certifying that the local assurance framework has been agreed, is being implemented and that it meets the revised standards set out in the HM Government’s National Assurance Framework.

Local assurance frameworks must be published on the London LEP’s website.

¹ The Section 127 Officer is required under the GLA Act 1999 and is the GLA’s equivalent of the Section 151 of the Local Government Act 1972 which requires local authorities to make arrangements for the proper administration of their financial affairs and appoint a Chief Finance Officer to have responsibility for those arrangements.

1 Governance and decision making

This section sets out how the London LEP operates, how and when decisions are taken, and by whom.

Board status

- 1.1 The London LEP operates through the Greater London Authority (GLA) which acts as its “accountable body” for funding provided by Government;
- 1.2 The London LEP is a non-incorporated consultative and advisory body established by the Mayor of London under sections 30 and 34 of the GLA Act 1999. It has no separate, independent or corporate legal status.
- 1.3 All decisions are subject to approval by The Mayor of London and as such, must comply with the GLA’s corporate governance, financial, legal and procurement frameworks and processes. The implementation of Board recommendations are undertaken by the GLA through its financial regulations and officer delegations.

Board membership

- 1.4 The London LEP Board comprises the following 16 members:
 - Mayor of London – Chair;
 - Deputy Mayor for Business;
 - Deputy Mayor for Planning, Regeneration & Skills;
 - Mayor of Newham²;
 - 3 representatives of London Councils (as nominated by London Councils)
 - Trades union representative; and
 - 8 business members, at least one of whom must be from an SME background³.
- 1.5 As agreed with HM Government, the London LEP is chaired by the Mayor of London. In accordance with HM Government requirements set out in its National Assurance Framework, 50% of the remaining membership comes from business with the remaining 50% drawn from the Mayoral team, the London Boroughs (as nominated by London Councils) and representation from Trades Unions (as nominated by SERTUC).

² Subject to a legal agreement with the London Borough of Newham (LBN) in relation to the collection and use of the Royal Docks Enterprise Zone income which is wholly located within LBN.

³ Business Members are recruited through an open, transparent and non-discriminatory competition which assesses each candidate on merit.

- 1.6 The London LEP website (lep.london) has a record of the current membership, including the Board Member responsible for representing and engaging with the SME community.

Roles and responsibilities

- 1.7 The London LEP Board acts in an advisory capacity to the Mayor which gives it a different role from that of most local enterprise partnerships.
- 1.8 The purpose of the London LEP Board is to:
- support the development of a long-term vision for economic development in London, including support for delivering the Mayor's statutory Economic Development Strategy;
 - identify and lead on specific priorities for economic development in London, as identified by the Partnership including, but not limited to, the London Growth Hub - the Partnership's business support initiative;
 - advise the Mayor of London on funding allocations as made available to the Partnership and oversee delivery on key work-streams including, but not limited to, the Local Growth Fund;
 - set and deliver the Royal Docks Enterprise Zone economic priorities and allocate funding received through retained business rates growth;
 - provide ongoing strategic oversight of the 2014-2020 European Structural & Investment Funds; and
 - provide a powerful advocacy and lobbying voice as a business-led body supported by London's boroughs and the Mayorality.
- 1.9 The [LEP Constitution](#) sets out further details on the way the LEP operates including its Terms of Reference.

Scheme of Delegation

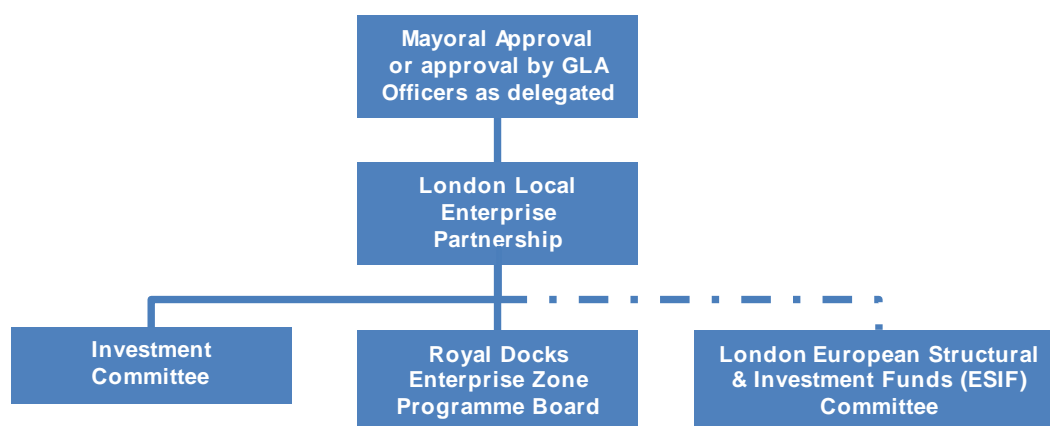
- 1.10 The London LEP has been established to advise the Mayor on jobs and growth priorities for London and their implementation. HM Government has also asked the LondonLEP to lead on the allocation of Growth Deal funds (The Local Growth Fund) and other funding to support growth. Any advice on deployment of these resources is subject to the scheme of delegation of the GLA as the Accountable Body for the LondonLEP and implemented by officers and structures within the Authority.
- 1.11 The London LEP may delegate any of its responsibilities, including to a London LEP Member or employee of the GLA⁴ or to a subordinate body established by the London LEP in relation to such matters, on such terms and conditions as the London LEP thinks fit provided that it may not purport to delegate any statutory function of the Mayor and/ or GLA.

⁴ Subject to compliance with the [GLA's procedures](#).

- 1.12 The London LEP may at any time revoke any delegation in whole or part, or alter the terms and conditions of any such delegation or dissolve any subordinate body established.
- 1.13 Subordinate bodies to which the London LEP has delegated any of its powers and responsibilities must follow procedures which are based, as far as they are applicable, on the provisions set out in the [LEP Constitution](#) which govern the making of decisions by Members of the London LEP and the London LEP may agree rules of procedure for any subordinate body.

Subordinate bodies

- 1.14 The London LEP has created a number of subordinate bodies to oversee key growth priorities for London. The diagram below shows the relationship between the London LEP, its subordinate bodies and the Mayor and GLA.



Note: The London European Structural & Investment Funds (ESIF) Committee is a sub-committee of HM Government’s Growth Programme Board for the 2014-20 ESIF programme. The London LEP has responsibility for providing ongoing strategic oversight of the Funds.

- 1.15 The Investment Committee is responsible for overseeing and managing the London Local Enterprise Partnership’s programmes and projects that fall within the limits set out in the ‘Schedule of Funding Responsibilities’ (Annex B of the [LEP Constitution](#)).
- 1.16 The Royal Docks Enterprise Zone Programme Board is responsible for establishing the Enterprise Zone Delivery Plan for approval by the London Local Enterprise Partnership Board and monitoring its implementation as well as making recommendations on the allocation of funding generated by the uplift in business rates receipts through HM Government’s Enterprise Zone business rates retention scheme so long as recommendations fall within the limits set out in the ‘Schedule of Funding Responsibilities’ (Annex B of the [LEP Constitution](#)) .
- 1.17 The London European Structural & Investment Funds Committee is a sub-committee of HM Government’s Growth Programme Board for 2014-2020. To date, the London LEP has been responsible for providing ongoing strategic oversight of the 2014-2020 European Structural & Investment Funds.

- 1.18 The [London LEP Constitution](#) (as published on lep.london) has a record of all subordinate bodies along with membership requirements, terms of reference and current membership.

Local Authority Partnership Arrangements

- 1.19 The London LEP is committed to working closely with Local Authorities to enable collective engagement in decision-making on growth priorities.
- 1.20 London Councils (the umbrella organisation for the boroughs and City of London Corporation) nominates three Borough leaders to the London LEP Board. With the exception of the Royal Docks Enterprise Zone Programme Board, London Councils may also nominate at least one Member on to any London LEP subordinate body. In the case of the Royal Docks Enterprise Zone Programme Board, this is co-chaired by an elected representative from the London Borough of Newham as the Enterprise Zone is wholly located within the Borough.
- 1.21 In addition to Borough representation on the LEP and its subordinate bodies, the LEP and GLA work closely with London Councils and individual boroughs to determine regional and sub-regional growth priorities. Activities include events and consultation of borough councils and London Councils as their umbrella organisation.
- 1.22 A Congress meeting enables the Leader of London Councils to meet the Mayor to discuss a number of areas including growth.

Arrangements for project delivery

- 1.23 All projects recommended by the London LEP are subject to the GLA's project appraisal and approval and procurement processes. The GLA as delivery body takes responsibility for ensuring effective delivery including where sub-contractor delivery bodies have been appointed. The GLA uses its Funding Toolkit to support officers in ensuring effective arrangements are in place.

Relationship with other local enterprise partnerships

- 1.24 The Business Deputy Chair of the London LEP is a member of the LEP Network's Management Board and also meets regularly with Chairs of other LEPs for example those involved in the London, Stansted, Cambridge Corridor (South East LEP, Hertfordshire LEP, Greater Cambridge and New Anglia LEP). The London LEP also works closely with the South East LEP and other LEPs on matters of mutual interest on a regular basis.

Conduct for Board Members

- 1.25 Before being appointed, all London LEP Board Members (and members of any subordinate bodies) are required to sign terms of appointment which

includes a requirement to observe the [seven principles of public life \('the Nolan Principles'\)](#)⁵.

- 1.26 As part of their duties, as defined in the role specification, business board members are required to “ensure that the diversity of London’s communities and economy is reflected in the work of the London LEP”.

Diversity

- 1.27 London's diversity is its biggest asset and the Mayor of London strives to reflect London's diversity in all Board appointments.
- 1.28 As part of their duties, as defined in the role specification, business Board Members are required to “ensure that the diversity of London’s communities and economy is reflected in the work of the London LEP”.
- 1.29 As such, a [Diversity Statement](#) explaining how the London LEP looks to ensure diverse representation at Board and sub group level which is reflective of their local business community (including geographies and protected characteristics) has been published on the website.

⁵ With the exception of members who hold public office as they are automatically bound by these principles.

2 Transparent Decision Making

Local Enterprise Partnerships are required to operate transparently, thereby giving the public confidence that decisions made are proper, based on evidence, and capable of being independently scrutinised.

This section details the London LEP's commitment to transparent decision making.

London LEP website

- 2.1 The primary source of information relating to the London LEP is its dedicated website (lep.london) which contains key documents and information relating to the delivery on Growth Deal funding. The London LEP website also contains information relating to [funding opportunities](#).

Making and recording decisions

- 2.2 The Mayor of London is [committed to openness and transparency](#) in his administration and is committed to making the work of the London LEP (and any subordinate body it establishes) transparent in line with Mayoral policy and stakeholder expectations.
- 2.3 Agendas and reports for the London LEP and any of its subordinate bodies are published on the London LEP website at least two clear working days before the meeting to which they relate.
- 2.4 Reports are released with the agenda except in those cases where the Secretary reasonably considers that information may be exempt from disclosure under an applicable exemption under the Freedom of Information Act 2000 (FOIA). These reports will be classed as 'reserved from publication'.
- 2.5 The main exemptions that are likely to make information reserved relate to the following (although others may be available under the FOIA):
- commercial sensitivity
 - information provided in confidence
 - personal data
 - legal professional privilege
 - information intended for publication at a future date
 - prejudice to the free and frank provision of advice and exchange of views
- 2.6 LEP meetings are not public, which reflects the accountability arrangements Parliament has put in place for the GLA in that the Mayor is answerable to the Assembly through Mayor's Question Time only after he has taken decisions.
- 2.7 Summary minutes of the meetings of the London LEP and its subordinate bodies are posted on the London LEP's website within two weeks of the meeting to which they relate.

Freedom of Information and Environmental Information Regulations requests

- 2.8 The Mayor of London is committed to ensuring compliance with the Freedom of Information Act 2000 and Environmental Information Regulations 2004.
- 2.9 Reserved reports can be requested under the relevant legislation, at which stage the GLA will consider these requests on a case by case basis (taking into consideration such factors as timing, any applicable exemptions and the public interest test).
- 2.10 The London LEP website includes a link on every page of the website to a dedicated [Freedom of Information](#) page which outlines how to make requests and complaints which is in line with GLA policy.

In taking forward advice from the London LEP

- 2.11 Where the London LEP has recommended to the Mayor a funding decision this is subject to GLA officers conducting due diligence of that decision, including financial appraisal. Transparency in taking this forward is assured through the GLA's decision making processes and through publication of London LEP reports as well as all GLA decision forms.

Managing conflicts of interest, gifts and hospitality and complaints

- 2.12 Publishing the [GLA's Register of Interests](#) and [Code of Conduct on the receipt of gifts and hospitality](#), covering any decision makers and published [complaints policy](#). When undertaking work in connection with the London LEP, London LEP Members are required to agree to comply with the standards and processes relating to conduct as detailed in their Terms of Appointment and the Code of Conduct ('the Code') as set out in letters of appointment, and any relevant applicable provisions of the [GLA Group's Corporate Governance Framework Agreement](#). The Code includes provisions in relation to adhering to the seven principles of public life ('the Nolan principles') and the potential disclosure and registration of personal interests where they are affected by the work of the London LEP. The Code acts to ensure the probity of those appointed to the London LEP.

Local Engagement

- 2.13 The London LEP ensures there is appropriate local engagement, both with public and private stakeholders, to inform key decisions and with the general public around future London LEP strategy development, and progress against delivery of the Mayor's priorities. This includes market warming events, sub-regional events, inclusion of stakeholders within the membership of London LEP subordinate bodies, regular progress updates and consultations with the public and stakeholders.

Developing, prioritising, appraising and approving projects

- 2.14 The London LEP takes a proactive approach in developing, prioritising, appraising and approving projects, ensuring that a wide range of delivery partners can be involved. This includes the use of prospectuses for the procurement of programme and other funding and publishing these and scoring matrices on websites and tender journals. We also publish London LEP reports and decisions as detailed above.

Priorities and mechanisms for maximising the social value

- 2.15 We clearly set out the London LEP's priorities and mechanisms for maximising the social value of its investment funding and activities so that our partners and beneficiaries can play an active role in the programme. Under Section 30 of the Greater London Authority Act 1999 the GLA uses its power to promote economic, social and environmental development, and wealth creation to implement advice to the Mayor from the London LEP. The GLA also uses its [Contracts & Funding Code](#) that guides procurements policy to maximise social value including weighting scoring matrices within tender specifications and influencing its supply chain and those of the GLA Group and partners.

3 Accountable Decision Making

The London LEP is required to operate transparently, thereby giving the public confidence that decisions made are proper, based on evidence, and capable of being independently scrutinised. This section details the London LEP's commitment to accountable decision making.

Accountable body

- 3.1 As indicated above, the GLA is the London LEP's accountable body and is responsible for:
- ensuring decisions and activities of the London LEP conform with all relevant law (including State Aid and public procurement) and ensuring that records are maintained so this can be evidenced;
 - ensuring that the funds are used in accordance with the conditions placed on each grant;
 - ensuring that the London LEP's assurance framework is adhered to;
 - maintaining the official record of London LEP proceedings and holding copies of all relevant documents relating to Local Growth Fund and other funding sources received from HM Government funding;
 - the decisions of the London LEP in approving projects (for example if subjected to legal challenge); and
 - ensuring that there are arrangements for local audit of funding allocated by the London LEP at least equivalent to those in place for local authority spend.

The Mayor's role in decision making and democratic accountability

- 3.2 With regards to the London LEP, decision making rests with the Mayor of London, as the GLA's executive. The [Mayoral Scheme of Delegation](#) sets the detailed framework within which Mayoral decisions are taken and Mayoral powers are delegated.
- 3.3 Democratic accountability for the decisions made by the London LEP is provided through the Mayorality as well as local authority membership via London Councils nominations to the Board and other subordinate bodies as well as other engagement activities (see paragraphs 1.20 – 1.22 above).

Use of resources

- 3.4 Resources are managed under Section 31 of the grant determination and compliance is ensured by GLA officers seeking legal and financial opinions as a part of implementing the Mayor's decisions following advice by the London LEP and full appraisal by the GLA's decision making processes.

- 3.5 The GLA's Financial Framework is contained within the [GLA's Financial Regulations](#) and applies to all London LEP funding provided to the GLA as the London LEP's accountable body.
- 3.6 Under the [Financial Regulations](#), the GLA's Executive Director of Resources acts as the GLA's Chief Finance Officer and has statutory duties in relation to the financial administration and stewardship of the GLA. This statutory responsibility cannot be overridden. The statutory duties arise from:
- Section 127 of the GLA Act 1999 ;
 - The Local Government Finance Act 1988;
 - The Local Government and Housing Act 1989;
 - The Local Government Act 2003; and
 - Accounts and Audit (Amendment) (England) Regulations 2006.

Arrangements for the proper use of funding

- 3.7 The GLA as Accountable Body implements its processes for the proper use and administration of funding and ensuring timely decision making by the London LEP. This includes use of existing systems including:
- Ensuring transparent funding decisions through the GLA's decision making process;
 - Implementing project appraisal and business casing systems;
 - GLA Project management systems, including:
 - A comprehensive suite of documents ('the Funding Agreement Toolkit') to support project managers in making the most out of London LEP funds and protect the GLA as Accountable Body from risk when making small grants to external organisations;
 - Access to a dedicated Procurement Team that provides strategic direction, support and advice on the sourcing of all goods and services;
 - A mandatory requirement for performance reporting which is reported to the GLA's Investment & Performance Board every four weeks for monitoring of delivery progress, risks and issues; and
 - Application of the GLA's internal and external audit system to the examination of funding used by the GLA including London LEP funds, as detailed in the [GLA's Risk Management Framework](#).

Publication of Annual Accounts

- 3.8 The GLA confirms that use of resources to date has been subject to GLA checks and balances as overseen by the Section 127 Officer. This includes publication of the Authority's annual accounts.
- 3.9 As a new commitment, LEAP will publish details of the spending allocations and commitments it has made from all the sources of funding it has received

from HM Government for 2016-17 on its website as soon as practicable with a view to publishing a full annual report from 2017-18.

Non-compliance with London LEP advice

- 3.10 In the event that the London LEP either proposes to take or takes a decision that the Mayor reasonably considers to be in conflict with any significant policy, strategy or framework published by the Mayor or the GLA, or which is likely to place the GLA in breach of any legal obligation it owes the Government in its role as accountable body, the Mayor may issue a direction to the London LEP that either:
- a) prevents the decision from being implemented; or
 - b) prevents the decision from being implemented and directs the LLEP to implement a revised decision that is in proper accordance with Mayoral policy (as interpreted by the Mayor).
- 3.11 The Mayor must confirm any decision to direct the London LEP in writing within ten working days of that decision being taken or proposed, outlining the rationale for the decision.

Use of independent scrutiny

- 3.12 The GLA operates several structures to ensure that London LEP decision making and project implementation is subject to independent scrutiny. Arrangements include scrutiny by the London Assembly in line with its role described in the Greater London Act 1999 and specifically its Economy Committee and Budget and Performance Committee.
- 3.13 In addition the process for confirming that the Mayor is accepting the advice of the London LEP offers independent scrutiny. Officers seeking a Mayoral Decision (MD) or Director Decision (DD) must enter a process of seeking senior officer buy-in (including sign-off from the GLA's Executive Director for Resources and the GLA's legal and finance teams) and make the case for spending and seeking delegated authority to act.

GLA timescales and operating practices

Timescales

- 3.14 The GLA has agreed timescales and operating practices to support effective decision making. These vary according to the type of decision and the funds involved. The Grant Agreement making process is used to implement decisions.
- 3.15 The Grant Agreement process includes arrangements for monitoring delivery and providing clarity about what information the GLA expects to receive from delivery partners.

Arrangements for receiving money

- 3.16 The GLA operates the following systems for administering Government funding:

- Decision making by Directors and the Mayor;
- Financial systems;
- Governance arrangements;
- Equalities impact assessments;
- Corporate Investment Board;
- Grant agreement process;
- Legal and finance officer sign off; and
- Project management system.

4 Ensuring value for money

It is important that the London LEP has robust arrangements in place to ensure value for money and effective delivery.

This section outlines the London LEP's approach to options appraisal and prioritisation and what it considers when deciding how to allocate funding to projects and prioritise between proposals.

Ensuring funding decisions are based on impartial advice

- 4.1 The GLA operates robust processes for ensuring separation of all funding decisions ensuring they are based on financial advice and that project sponsors are not involved in taking funding decisions.

Risk management

- 4.2 The GLA has a [Risk Management Framework](#) that all London LEP funding is subject to. A senior officer (Director of Development, Enterprise and Environment) is the Senior Responsible Owner (SRO) responsible for overseeing officers in identifying and managing risk for London LEP funds.
- 4.3 The GLA project management system has provision for project and programme risk assessment, rating as well as for contingency planning and escalating and closing risks through robust project reporting of management information. These are held in risk registers used by project officers and reported to project governance.
- 4.4 Reports to the Mayor for sign-off include a set of identified risks that act as the starting position for risk management for projects approved to proceed.

Options appraisal and prioritisation

- 4.5 The GLA has a clear and transparent basis against which projects and programmes are initially identified, commissioned, appraised and prioritised.
- 4.6 This [Decision Making Guidance](#) confirms that the GLA:
- Uses an evidence base to determine the need for intervention. This is gleaned using a range of methods including:
 - Links to the Mayor's Economic Development Strategy;
 - Cost benefit analysis;
 - GLA Economics data; and
 - The results of project and programme evaluation.
 - Uses a Gateway process for assessing overall value for money. This enables different types of projects to be compared and assessed;
 - Has a clear rationale for the interventions linked to the priorities in the Economic Development Strategy using the GLA project appraisal process and business casing through the Investment & Performance Board;

- Has clearly defined inputs, activities, outputs and anticipated outcomes, which are additional, ensuring that factors such as displacement and deadweight have been taken into account where appropriate. The GLA project management system enables this.
- Assesses the benefits of projects to ensure they exceed the costs of intervention through the GLA's formal decision-making processes.
- Ensures deliverability and risks have been appropriately considered and if there are likely to be clear mitigations for those through the project management system provisions for managing risks and financial regulations for managing financial risk.
- Uses our team of economists (GLA Economics) to evidence need and ensure rigour and data quality, using this to inform decisions and how the London LEP will build strategy.

Value for money and business cases

- 4.7 The GLA adopts those principles within the HMT Green Book including use of both cost benefit analysis and full economic appraisals. This is delivered through the GLA's formal decision-making processes for developing and approving projects. Individual project proposals (where the project value is £125,000 or more) are reviewed by the GLA's legal, finance and governance teams and then collectively through the Corporate Investment Board, which is chaired by the Mayor's Chief of Staff. Projects below £125,000 are reviewed by the GLA's Finance and Performance teams as well as the legal and procurement teams by exception, with the relevant Assistant Director or Head of Department signing off the decision.
- 4.8 In addition, GLA Policy Officers undertake business casing and economic appraisal (including cost benefit analysis). Evidence is routed from a number of sources including primary and secondary data from GLA Economics (our in- house team of economists)
- 4.9 The GLA's Finance officers are also responsible for ensuring compliance and undertaking financial appraisals.
- 4.10 In terms of business case development, the GLA Gateway process for project appraisal using the principles of Gateway Reviews and including strategic and business case development for consideration by the Corporate Investment Board.
- 4.11 The GLA's Executive Director for Development, Enterprise and Environment is SRO for London LEP funds, including responsibility for ensuring value for money and scrutiny of any recommendation relating to each business case.

Monitoring and Evaluation

- 4.12 The GLA will ensure appropriate and proportionate arrangements are in place for monitoring and evaluating delivery in line with the GLA's Project and Programme Governance requirements. Performance and spend will be

monitored every quarter for expenditure, output and outcome performance, and, risks and issues as a minimum.

- 4.13 The GLA enters into agreements with its delivery partners to ensure effective implementation of decisions and to ensure that expectations relating to monitoring and evaluation are clear. This will normally include:
 - 4.13.1 Details of the project and nature of the funding provided.
 - 4.13.2 Scheme costs and agreed milestones.
 - 4.13.3 Agreed outputs and outcomes to be delivered by the intervention within an agreed timeframe.
 - 4.13.4 Clear expectation of evidence to be provided to demonstrate delivery of outputs and outcomes
 - 4.13.5 A requirement of the delivery partner to undertake a self-evaluation as a minimum, to assess performance against the original business case.
- 4.14 The specific outcomes that will be monitored and measured will differ depending on the type of intervention. Monitoring and evaluation focuses on those outcomes that are most relevant to the impact of the project's objectives.
- 4.15 Programme level evaluations are undertaken as appropriate in accordance with the Growth Deal Evaluation Plan.
- 4.16 GLA officer-led programme boards are established to oversee and monitor investment performance and programme level performance is reported to the LEAP Investment Committee.