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**Subject:** Board Matters  
**Report No:** Public Item 2.7  
**Meeting date:** 16 September 2009  
**Report to:** Board  
**Report of:** Debbie Adams, Director of Law and Governance  
**Key Theme:** Corporate

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**Confidentiality Status:** This document will not be treated as confidential.

## 1. Purpose

- 1.1. To advise the Board of the resignation of a Named Board Observer and to seek approval for changes to Committee membership and Board Observer appointments.
- 1.2. To seek authority for the Secretary to the Board to make minor administrative amendments to the LDA's Standing Orders.

## 2. Recommendations

- 2.1. **Approve** the appointment of Anthony Browne, Board Member, to the Investment Committee, to take effect from 16 September 2009.
- 2.2. **Note** the resignation of Sue Rimmer, a Named Board Observer representing further education, which took effect from 1 September 2009.
- 2.3. **Approve** the appointment of Ian Ashman, Regional Council Member of the Association of Colleges (London Region) and Principal of Hackney Community College, as a Named Observer to represent further education, taking effect from 16 September 2009. Kim Clifford, the new Chair of the Association of Colleges (London Region) (AoC) and Principal of Sir George Monoux College, to deputise for Ian when he is unable to attend
- 2.4. **Appoint** Brenda Theodore-Marks (Economic Development Manager, Greater London Authority) as a Nominated Board Observer, taking effect from 16 September 2009. Brenda's appointment is at the request of the Greater London Authority (GLA) and she will formally represent the Mayor's views.
- 2.5. **Approve** that the Secretary make the proposed amendments to the Committee Terms of Reference as set out in the LDA's Standing Orders (as outlined in table 1 on page 3 below).

### **3. Summary**

#### **Appointment of Investment Committee Member**

- 3.1. The Chair proposes that Anthony Browne be appointed to the Investment Committee from 16 September 2009. Anthony was formally appointed as a Board member on 22 July 2009 and has previously attended LDA Board and Investment Committee meetings at the invitation of the Board.

#### **Appointment of Named Observer**

- 3.2. The Chair proposes that Ian Ashman appointed as a Named Board Observer from 16 September 2009. Ian will represent further education, following the resignation of Sue Rimmer who until recently was the Regional Chair of the Association of Colleges (London region). Ian is a Regional Council Member of the Association of Colleges (London Region) and Principal of Hackney Community College.
- 3.3. The Chair proposes that Kim Clifford be appointed as a Named Board Observer from 16 September 2009, to deputise when Ian Ashman is unable to attend. Kim has taken on Sue Rimmer's role as Chair of the Association of Colleges and is also Principal of Sir George Monoux Sixth Form College in Walthamstow.

#### **Appointment of Nominated Observer**

- 3.4. The GLA on behalf of the Mayor (see paragraph 6.2 below) has requested that the LDA Board appoint Brenda Theodore-Marks as a Nominated Board Observer from 16 September 2009.
- 3.5. Brenda Theodore-Marks is the Economic Development Manager at the GLA. She has previously attended LDA Board meetings in an informal capacity at the invitation of the Board.

#### **Amendment to the LDA's Standing Orders**

- 3.6. The proposed amendments do not constitute fundamental changes to the Standing Orders and apply only to Appendix 4 of the Standing Orders - the Committee Terms of Reference. They are minor alterations to reflect the recent change of the Lead Officer for the Human Resources & Remuneration Committee following the restructure and to allow for sufficient flexibility for other Lead Officers to be altered (subject to them being a Group Director or the appropriate designated Officer) without the need for Board approval.

**Table 1: proposed amendments to the LDA's Standing Orders**

<b>Standing Order reference</b>	<b>Current provision</b>	<b>Proposed amendment</b>	<b>Reason for amendment</b>
<b>Audit, Risk &amp; Performance Committee</b>			
Appendix 4, Part 3, Paragraph 13	The Lead Officer will be the Director of Corporate Finance unless otherwise specified by the Board.	The Lead Officer will be the Director of Finance and Performance (or equivalent post) unless otherwise specified by the LDA Board.	The Lead Officer's job title changed on 01 July 2009. The additional provision (as shown in brackets) allows sufficient flexibility to preclude formal Board approval should the appropriate Officer's job title change in the future.
<b>Investment Committee</b>			
Appendix 4, Part 4, Paragraph 11	The Lead Officer shall be the Group Director, Strategy, Resources and Performance	The Lead Officer shall be the Group Director, Resources and Performance (or the Group Director responsible for such matters)	The Lead Officer's job title changed on 01 July 2009. The additional provision allows flexibility for another Group Director to become the Lead Officer without formal Board approval.
<b>Human Resources &amp; Remuneration Committee</b>			
Appendix 5, Part 4, Paragraph 11	The Lead Officer shall be the Group Director Jobs, Skills and Youth / Deputy Chief Executive	The Lead Officer shall be the Group Director responsible for Human Resources matters	The responsibility for HR matters transferred to the Group Director Resources and Performance on 01 July 2009.

**Note:** The full Terms of Reference are included at Appendix 1, with the existing wording and proposed amendments shown.

## **4. Background**

### **Appointing Committee Members**

- 4.1. Under Standing Order 1, Paragraph 14, the LDA Board is required to pass a resolution specifying the membership of any subordinate body, including the Investment Committee.

### **Appointment and role of Board Observers**

- 4.2. Under Standing Order 1, Paragraph 23, the LDA Board may invite such persons as it considers appropriate to act as LDA Board Observers.
- 4.3. Board Observers may be either Named Observers, to provide guidance on specific areas or Nominated Observers, to represent the interests of organisations that the LDA considers as key stakeholders. Observers cannot vote and the LDA Board may revoke these appointments at any time.
- 4.4. In the case of a Named Observer representing the views of further education in London, convention has been that the Chair of the Association of Colleges (AoC) takes up the role. However, the AoC has requested that on this occasion, they be represented by a regional Council Member who has more experience across the whole further education sector. The Council Member, Ian Ashman, would be the regular attendee, with the Chair, Kim Clifford, deputising as required.

### **Amendments to the LDA's Standing Orders**

- 4.5. On 01 July 2009, the LDA implemented a new organisational structure. The changes to responsibilities and job titles impacted on the accuracy of the LDA's Standing Orders.
- 4.6. Under Appendix 4, Part 2, Paragraph 2(e) of the LDA's Standing Orders, any variation to them is a matter reserved to the Board.

## **5. Programme & Project Approval**

- 5.1. Not applicable.

## **6. Consultation & Communication**

- 6.1. The LDA Board Chair has been fully consulted on the proposed membership changes. The London Region Council of the Association of Colleges has considered who among its members would be most appropriate to represent its views on the LDA Board and have made their proposal regarding the candidate for Named Observer.

### **Mayoral Advice & Direction**

- 6.2. In respect of the appointment of Brenda Theodore-Marks as a Nominated Observer to represent the Mayor's views, the LDA received a letter from Jeff Jacobs (the GLA's Deputy Chief Executive & Monitoring Officer) on 13 August 2009 proposing the appointment at the 16 September 2009 Board meeting.
- 6.3. All other matters within this paper are not subject to Mayoral advice or direction.

### **7. Equality, Sustainability, Health and Community Safety implications**

- 7.1. Not applicable.

### **8. Implications for Our People**

- 8.1. Not applicable.

### **9. Risk implications**

- 9.1. The decisions outlined do not pose any particular risk and are administrative in nature. The item is being brought to the Board to ensure compliance with the Standing Orders.
- 9.2. Strong Committee membership is key to their effective functioning and the appointment of Board Observers ensures that the views of key stakeholders are represented alongside those who bring specific knowledge in key areas such as the education sector.

### **10. Financial implications**

#### **10.1. Total budget by financial year**

There are no financial implications arising from this report.

#### **10.2. Comments of the Director of Finance and Performance**

10.3. None specific to the report.

### **11. Comments of the Director of Law & Governance**

- 11.1. No further comments to those outlined in the report.

### **12. Appendices**

- Appendix 1 – Standing Orders, Appendix 4 - Terms of Reference

### **13. Background documents**

- The LDA's Standing Orders:  
[http://www.lda.gov.uk/upload/pdf/Standing\\_Orders\\_Approved\\_09\\_08\\_2008.pdf](http://www.lda.gov.uk/upload/pdf/Standing_Orders_Approved_09_08_2008.pdf)

# Report approval checklist

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	<b>Yes</b>	<b>No</b>
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Approved by Director of Law and Governance or nominee: Caroline McMann, Senior Associate, Public and Corporate Law	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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