Local Action Group - Governance framework

1. Background

1.1 The LAG area covers much of the East Riding of Yorkshire but omits the sizeable towns of Bridlington and Goole as well as Beverley and surrounding rural areas. In North Yorkshire, it includes relevant and contiguous parts of Ryedale District. Together these form a clearly identifiable and coherent area of economic need and opportunity.

1.2 The area covers approximately 986 square miles and includes 168 parishes. The total rural population is 139,269 and the total small ‘hub’ town (urban) population is 13,080, giving a total population of 152,349. The inclusion of the urban hub town of Driffield is seen as essential for the coherence of the Area. The wards, towns and parishes included, together with population figures for each ward (2011 Census and Defra NOMIS), are included on our website.

1.3 Reflecting on the needs and opportunities established throughout the analysis of the LAG area, the aim of the Programme is:

To utilise the unrealised potential of the area's rural economy to stimulate innovation and growth to tackle market failures, and thereby improve the area's economic performance and social and environmental sustainability.

2. Values

2.1 This programme will adopt a set of values which underpin its working practice. These include:

2.1.1 The principles of good governance defined by the European Commission
- Openness
- Participation
- Accountability
- Effectiveness
- Coherence
- Subsidiarity
- Proportionality

2.1.2 The seven Leader specificities
- Area Based Approach
- Partnership approach
- Bottom up approach to development
- Integrated & multi sectoral approach
- Innovation/experimentation
- Co-operation
2.2 Networking at regional, national and EU-level Equality of opportunity within the area, irrespective of gender, race, colour, ethnic or national origin, marital status, disability, sexual orientation, religious beliefs, age or socio economic disadvantage. Diversity will be both acknowledged and enabled.

2.3 The Behavioural Code of conduct is appended to this document and is as laid down in the Defra National Delivery Framework (Appendix 1).

2.4 Public Sector Equality Duty – information on the duty is appended to this document. All LAG members as part of their training and induction will receive a copy of the quick start guide: public sector Equality Duty (Appendix 2).

2.5 Privacy and security will be respected, with reference to:
   - Data Protection Act
   - Freedom of Information
   - The Defra Behavioural Code of Conduct – working well together

2.6 The evaluation of the previous Coast, Wolds, Wetlands & Waterways (CWWW) LEADER programme highlighted a number of areas of best practice that the LAG wanted to replicate and develop further.
   - The LAG Job Description and Person Specification are innovative and effective examples of good practice nationally;
   - The LAG was chosen on an inclusive and effective basis;
   - The inclusion of LAG members in the wider structure of the LAG has been an effective means of accessing their expertise.

2.7 Defra will be producing an Operational Guidance Manual later in 2014. This document will be reviewed to ensure that it reflects the recommendations in that document when it is available.

3. LAG

3.1 Structure

3.1.1 The LAG’s commitment to its wider community is reflected in its adopted structure which is made up of five main groupings:

   - **LAG** - the principal governing body;
   - **DECISION-MAKING BOARD** – the body which assesses and makes decisions on project applications;
   - **COORDINATION AND SCRUTINY GROUP** – this group monitors the programme delivery as a whole and ensures alignment with LEP programmes and national policy contexts.
   - **WLAG** - The wider partnership to whom programme information is explicitly communicated;
• OTHER GROUPS - Sub Groups - LAG members volunteer to meet in regular sub groups for programme management relating to communication and cooperation, plus for example time limited groups such as Governance. They report to the LAG and present reports, plans and annual action plans. **Steering groups** – LAG members develop project steering groups that monitor LAG Commissioned and other key projects. They meet regularly to develop annual plans and report to the full LAG.

### Diagram 1 - The relationship between the three main groups of the LAG structure:

3.1.2 The LAG structure reflects the LAG’s commitment to enable participation at a number of levels and entry points. For instance, the Wider LAG (WLAG) is made up of individuals and organisations who wish to remain in close communication with the LAG and the Programme. Members of the WLAG receive briefing notes at least twice a year and are invited annually to review programme progress and to ensure strengths, weaknesses, opportunities and threats are continue to be identified.

3.1.3 A full list of LAG members is available on our website which provides the contact name, organisation and sector that each group primarily represents, including the anticipated nature of involvement in the LAG.
3.1.4 The LAG has a membership of 44 made up as follows:

- Number of public sector = 12 28%
- Number of social/economic = 32 72%
- Male = 26 59%
- Female = 16 36%
- Awaiting named representatives = 2 5%
- New members = 18 41%

3.1.5 LAG members are required to complete a Personal Profile to collect skills, knowledge and experience of LAG members and also determine gaps and training needs as shown in appendix 3.

3.2 The Local Action Group - Terms of Reference

3.2.1 To be responsible for rolling out the Programme in the Area in accordance with:

- the approved programme
- any subsequent reasonable requirements of the funding body,
- the agreed and approved Action Plan that is in place at the time
- this Governance Framework and;
- the Communications strategy

3.2.2 To set the strategic vision and direction of the Programme and approve annual plans. It will normally play no part in taking decisions on the funding of projects put forward for consideration, this power being delegated to the DMB.

3.2.3 To promote and raise awareness and understanding of issues relating to the Programme for the benefit of the area's partners, local communities and visitors in line with the communications strategy.

3.2.4 To act as a forum for discussion, liaison, communication and feedback of major issues affecting rural development and regeneration across the Area.

3.2.5 This includes providing information and seeking response from other agencies, bodies and strategies.

3.2.6 To encourage partnership working between all sectors to maximise benefits for all.

3.2.7 To promote innovation and best practice in rural development and regeneration.

3.2.8 To share experience and develop co-operative projects with other relevant groups and networks in the UK and elsewhere, especially within the European Union.

3.2.9 Members of the Decision Making group may not also be members of the Coordination & Scrutiny group and vice versa.
3.2.10 LAG members will adhere to the value of this governance document and its appendices.

3.3 **Membership of the Local Action Group**

3.3.1 The LAG shall be composed of members having the relevant strategic delivery experience, positioning and skills as outlined in the personal profile template attached (Appendix 3). They will either be resident in or have appropriate interest in the LAG area in accordance with LEADER guidance.

3.3.2 There will be a maximum of 40 members plus or minus 20% on the LAG. Not more than 49% of Representatives will be Members or officers of public sector bodies (including Parish and Town Councils).

3.3.3 LAG members who are unable to attend a particular meeting may arrange for an appropriate substitute from their organisation to attend in his/her place.

3.3.4 An individual acting as a representative of an organisation shall cease to be a member of the LAG should he/she resign from that organisation.

3.3.5 If a member of the LAG is absent from 3 consecutive meetings, the LAG shall have the right – in default of an acceptable reason being given by such member – to declare a vacancy, whereupon the member shall cease to be a member of the LAG.

3.3.6 All representatives will be responsible for disseminating information to their respective communities/organisations and to the WLAG as appropriate.

3.3.7 Individuals and/or representatives from organisations/WLAG with particular skills may be co-opted on to any LAG sub or steering groups as non-voting members and for a specified period.

3.3.8 Membership of the LAG is related to a skills/strategy matrix.

3.3.9 Should an organisational position be vacant or a new position be created, then individuals/parties may nominate themselves against the role identified. If there is more than one nominee, then the nominees may decide whom should be the member. This membership must then be endorsed by the LAG. Should the nominees be unable to self-select, then the LAG will take a vote on all nominees and record the results in the minutes. The nominee taking membership will be invited to take their position from the next meeting.

3.3.10 Should a sector/skills vacancy arise then the LAG will seek to recruit a member with the appropriate sector/skills to fulfil that vacancy.

3.3.11 A list of members will be kept up to date and made available to the LAG/WLAG.

3.3.12 The LAG will endeavour to achieve reasonable, proper and fair representation across all the Area (where possible) based on geographic skills and knowledge.
3.3.13 LAG members will adhere to the value of this governance document and its appendices.

3.4 Election of Chairperson and Vice Chairperson

3.4.1 Elections for the Chairperson and Vice Chairperson will be held at the Annual General Meeting. The Chair and Vice Chair will act in the best interests of the LAG as a whole. The Chairperson will conduct LAG meetings and have a second or casting vote in the case of an equality of vote.

3.4.2 In the case where a vacancy arises the LAG will nominate an Acting Chairperson or Vice Chairperson until the formal election is held.

3.4.3 The Chairperson and Vice Chairperson may hold office for up to two consecutive years without re-election.

3.5 Operating Procedures

3.5.1 The LAG shall meet at least three times per year, one of which will be an AGM, the dates to be fixed a year in advance on a rolling basis. Minutes of all meetings shall be kept, disseminated to the LAG members, and agreed at the next regular meeting of the LAG.

3.5.2 The LAG will hold an Annual General meeting each year, which will elect/confirm the Chairperson, Vice Chairperson, Members of the Decision Making Body and the Co-ordination and Scrutiny body.

3.5.3 The LAG will co-ordinate its work with other relevant initiatives, strategies and funding programmes.

3.5.4 The LAG will receive consolidated information on performance from the Programme staff.

3.5.5 The LAG will review the progress of the programme on an annual basis.

3.5.6 Administrative support for the LAG will be provided by the Accountable Body.

3.5.7 All administrative staff will adhere to the programme values.

3.5.8 All meetings of the Local Action Group will be formal meetings and open to the public.

3.5.9 The quorum for all meetings will be 15 Representatives. Not more than 49% of Representatives at any meeting will be Members or officers of public sector bodies (including Parish and Town Councils). There must be a Representative from the Accountable Body at each meeting.
3.5.10 All decisions will be put to the vote. A matter will be decided by a simple majority of those present and eligible to vote. In the event of a tied vote the Chair shall have a second or casting vote.

3.5.11 Implicit in being a LAG member is the ethos of acting in the interest of the Programme and its associated values.

3.5.12 Members have a joint interest in the implementation of all projects in the programme but, from time to time, will need to take part in discussions on issues and projects in which they have a direct or indirect interest. Members having a direct financial interest or organisational link to issues or projects under discussion shall declare their interest at the commencement of the item. All such interests shall be minuted. Direct Declaring members shall take no part in the discussion, unless invited by the Chairperson. Direct Declaring interest Members will not be entitled to vote.

3.5.13 Where urgent decisions are needed in between regular meetings the Chairperson shall decide whether to call a special meeting of the LAG or a meeting of the Coordination & Scrutiny group as appropriate.

3.5.14 A complaints procedure will be made publicly available. It will identify the chain of communication for the filing of a complaint which will be:

- Through the LAG Coordination and Scrutiny group
- then through the vice chairperson- if this is not satisfactory or inappropriate then;
- then through the chairperson- if this is not satisfactory or inappropriate then;
- finally through the accountable body’s recognised complaints procedures

3.5.15 The LAG may set up, manage and dissolve such Sub-Groups as it sees fit.

3.5.16 The LAG lifetime is a minimum of the lifetime of the Programme and its succession has to be agreed in the last year of the Programme.

3.5.17 Voting members of the LAG will be identified as one vote per organisation. Officers who support the process are not voting members.

4. **The Decision Making Board (DMB)**

4.1 Local Action Group Decision Making Body is responsible for:

- Approving Programme projects,
- Commissioning Programme projects,
- Monitoring and reviewing the progress of projects to meet agreed outputs/expenditure.
4.2 The role of the DMB is to take prompt decisions on project applications, monitor the operation of approved projects and to function as a discussion group to develop the Annual Action Plan for consideration by the LAG.

4.3 There will be a maximum of 12 Members of the DMB. Not more than 5 will be Members or officers of public sector bodies (including Parish and Town Councils). The system of a rotating Chairperson will operate.

4.4 Members of the DMB will be nominated prior to an AGM and appointments confirmed at the AGM by the LAG. Members of the DMB must be representatives serving on the LAG. Any vacancies will be filled by election at any meeting of the LAG.

4.5 The DMB will meet on an annual pre-determined schedule as appropriate nominal 4 times a year.

4.6 All meetings of the DMB will be formal meetings and not open to the public.

4.7 The quorum for all meetings will be 5 Members. There must be a representative of the Accountable Body present at each meeting. No more than 49% of members present will be representatives of Statutory organisations.

4.8 All decisions will be put to the vote. Any matter will be decided by a simple majority vote of those present and eligible to vote. In the event of a tied vote the Chair shall have a second or casting vote.

4.9 Members have a joint interest in the implementation of all projects in the programme but, from time to time, will need to take part in discussions on issues and projects in which they have a direct or indirect interest. Members having a direct financial interest or organisational link to issues or projects under discussion shall declare their interest at the commencement of the item. All such interests shall be minuted. Direct Declaring members shall take no part in the discussion, unless invited by the Chairperson. Direct Declaring interest Members will not be entitled to vote.

4.10 Significant changes to approved activities or variations in budget must be reviewed by the DMB.

4.11 New activities requiring funding have to present their proposals to the DMB, subject to lower funding limits as set by the LAG.

4.12 Members of the Decision Making group may not also be members of the Coordination & Scrutiny group and vice versa.
5 Coordination & Scrutiny Group

5.1 Is responsible for:

- The direction and scope of LAG activity and its relationships with external partners especially with the LEPs and the developing Community Led Local Development initiative.
- Overview and scrutiny - Monitoring and reviewing the performance of the LAG and its programme, including identification of gaps and direction for annual plans.
- The complaints process.

5.2 The Coordination & Scrutiny group of up to 8 persons is elected from the LAG membership.

5.3 No more than 49% will be public sector representatives.

5.4 The role and purpose of the group is to provide overview and scrutiny to the whole process.

5.5 Engage with and understand the fit with developing and emerging structures, LEPs and CLLD.

5.6 The group will meet at least twice a year but will frequently communicate by email as the need arises.

5.7 The meetings will be formal and not open to the public.

5.8 The quorum will be four members.

5.9 All decisions will be put the vote. In the event of a tied vote the Chair shall have a second or casting vote.

5.10 The Chair of the LAG will be the chair of the Coordination & Scrutiny Group.

5.11 Members have a joint interest in the implementation of all projects in the programme but, from time to time, will need to take part in discussions on issues and projects in which they have a direct or indirect interest. Members having a direct financial interest or organisational link to issues or projects under discussion shall declare their interest at the commencement of the item. All such interests shall be minuted. Direct Declaring members shall take no part in the discussion, unless invited by the Chairperson. Direct Declaring interest Members will not be entitled to vote.

5.12 Members of the Coordination & Scrutiny Group may not also be members of the Decision Making Board and vice versa.
6. Other LAG Groups

6.1 Sub groups have been created to assist with the efficient and effective delivery of the programme. Membership is drawn from the LAG, WLAG and other organisations where professional expertise is required. Sub groups cover such subjects as:-

- Governance
- Co-operation
- Communication & Publicity

The sub groups meet regularly and provide an annual update to the LAG on activity and prepare a plan of activity for the forthcoming year for the LAG to approve and for LAG staff to action.

6.2 Project steering groups will be created to manage LAG or other key programme projects on behalf of the LAG. The steering groups meet regularly to monitor project progress against the project plan, provide an annual update to the LAG on activity and prepare a plan of activity for the forthcoming year for the LAG to approve and for project/LAG staff to action.

7. The WLAG

7.1 Terms of reference

7.1.1 To act as one forum for discussion of major issues affecting rural development and regeneration across the Area.

- To support the wider communications infrastructure of the LAG with reference to the communications strategy
- To work within the LAG values
- To offer up items for the LAG agenda as appropriate
- To approve annual action plans

7.2 Membership

7.2.1 The WLAG shall have a membership of interested parties from across the Area or having a definable interest in the LAG area

8. Legal and Financial Matters

8.1 The LAG has appointed East Riding of Yorkshire Council to be the Accountable Body.

8.2 The main role of the Accountable Body is to be the legally responsible body to accept and efficiently distribute the European and Defra grant to projects and to satisfy Defra on behalf of Europe that all necessary procedures have been properly undertaken.
8.3 The Accountable Body will be the employing organisation for the LAG staff and has the final say in matters of detail relating to personnel issues and in matters relating to the financial probity of projects.

8.4 Programme staff will provide financial updates to the LAG at least twice per year.

8.5 LAG members will be encouraged to offer appropriate support to those developing projects. Members must ensure that any such advice is in line with their own personal and professional skills and experience and ensure that such support does not result in personal liability.

8.6 The appraisal of project applications may involve access to sensitive business information. In this event, members must respect requests for confidentiality.

8.7 Members who have no organisation for claiming back expenses will be entitled to reasonable refunds from Programme subject to any regulations in place at the time and sufficient funds.

9. Changes to the Constitution

9.1 This Constitution shall be open to review at any time but any proposed variation shall require the agreement of the LAG in accordance with its normal voting procedures.

Signed: -

_______________________________________________________________
(Chairman of the CWWWW LEADER Local Action Group)
Date: ______________________________________________
Appendix 1

Extract - LEADER National Delivery Framework
Behavioural Code of Conduct – working well together

As government, we are expected to carry out our roles with dedication and a commitment to the Civil Service and its core values: integrity, honesty, objectivity and impartiality. If you become a LEADER group in the next RDP, we will expect you to carry out your roles - whether as an employee of the Accountable Body or as a member of a Local Action Group - with a similar commitment to these values. This means that:

- We want to see Defra and LEADER groups working effectively together. We believe that the quality and cost effectiveness of services can be improved significantly when organisations work well together.

- We expect LEADER groups to be productive in how you work with Defra. The way in which we challenge each other should be professional, respectful and avoiding grievances. Any disputes you have with Defra must be dealt with professionally and privately and must not be aired with applicants and grant recipients. You are expected to create a good impression with customers, representing the programme, Defra and the LAG.

- We expect you to co-operate with us and respond positively to the challenges of LEADER delivery. We have a common goal which is to use LEADER to secure benefits to your local communities. We will work with you to solve policy and operational problems around LEADER delivery.

- We need to share information with each other to help improve our approach and ensure delivery of a co-ordinated and compliant programme.

- We will expect you to have a flexible approach and be open to new ways of thinking, helping us find new solutions to delivery/policy and operational problems. With new policy priorities, changes to the delivery landscape and the introduction of the new CAP payments system, those that have been involved in LEADER in the past won’t be able to do things as you’ve always done them.

- Once an issue has been resolved, accepting this may mean a compromise has been made; all parties will ensure that this is explained to relevant parties in a measured and reasoned way, explaining the rationale for the collective decision that has been taken.

If you are successful in your application, part of the contractual arrangements will be to set out a clear framework of responsibilities and accountability for all parties. Activity against these requirements, including the effectiveness of the implementation of the behavioural code of conduct, will be monitored regularly. Results and conclusions of the monitoring process will form part of the LEADER section in the RDPE annual report.
Appendix 2 Public sector Equality Duty

Public sector Equality Duty

The public sector Equality Duty came into force across Great Britain on 5 April 2011. It means that public bodies have to consider all individuals when carrying out their day-to-day work – in shaping policy, in delivering services and in relation to their own employees.

It also requires that public bodies:

- have due regard to the need to eliminate discrimination
- advance equality of opportunity
- foster good relations between different people when carrying out their activities

Who the Equality Duty applies to

The Equality Duty applies across Great Britain to the public bodies listed in Schedule 19 (as amended), and to any other organisation when it is carrying out a public function.

Specific duties

The Equality Act 2010 (Specific Duties) Regulations 2011 came into force on 10 September 2011.

The specific duties require public bodies to publish relevant, proportionate information showing compliance with the Equality Duty, and to set equality objectives.

Guidance for public bodies

The Government Equalities Office has published 2 quick-start guides to help public bodies understand the Equality Duty and the specific duties:

- Quick start guide: public sector Equality Duty
- Quick start guide: Specific duties

The Equality and Human Rights Commission is the statutory body established to help eliminate discrimination and reduce inequality. The Commission has published new non-statutory guidance on:

- The essential guide to the public sector Equality Duty
- Meeting the Equality Duty in policy and decision-making
- Engagement and the Equality Duty
- Equality objectives and the Equality Duty
- Equality information and the Equality Duty
- Technical guidance on the public sector Equality Duty - England
Equalities Act 2010: legislation

Equality Act 2010 on the legislation.gov.uk website

Explanatory notes on the legislation.gov.uk website

Legislation repealed or revoked by the Equality Act

A list of all legislation that was repealed or revoked on 1 October 2010 is available in Schedule 27 to the act.

Equality Act Statutory Instruments

Statutory Instruments made under the act are available:

- all UK Statutory Instruments related to the Equality Act on the legislation.gov.uk website
- all Welsh Statutory Instruments related to the Equality Act on the legislation.gov.uk website
- all Scottish Statutory Instruments related to the Equality Act on the legislation.gov.uk website

Guidance on the Equality Act

We have produced a series of guides outlining the key changes in the law made by the act.

To sign up to receive email updates of the work of the Government Equalities Office please contact GEOcomms@geo.gsi.gov.uk.
Appendix 3  Personal Profile template for a skills audit

What is a Skills Audit?

A skills audit is used to find out about all the knowledge and skills individuals involved in the current LAG have. It also provides information on where there are gaps and how these might be addressed by recruiting new LAG members with particular skill sets.

Why now?

Defra is providing Transition support to current and prospective LEADER groups during 2014 CWWW LAG has received funding to undertake evaluation, research, consultation and LAG activities.

The CWWW Transition Plan includes an action to “develop the LAG” by undertaking “a gap/skills analysis” and “recruit new members as appropriate”.

This skills audit is therefore intended to assist CWWW in:

- Identifying skills among existing LAG members.
- Identifying skills not available from the current LAG.
- Building the capacity of the LAG so that it is able to implement a Local Development Strategy (LDS) under the new Programme (2014-2020) and monitor progress.

How does the Skills Audit work?

The Personal Profile below lists the skills required by LAG members. These skills areas have been adapted from the National Delivery Framework for LEADER 2014-2020 (published by Defra on 11 April 2014). For each skill, the profile is seeking to capture:

- Any evidence/relevant experience you have of using the skill.
- For you to tell us the level of experience you have of using the skill
- For you to identify any future skills development needs.
LEADER LAG Member Personal Profile

Please complete any sections relevant to you to indicate the skills, knowledge and experience you can bring to the LAG and also to indicate where more training or information is required. You do not need to complete this profile in order to be a member of the LAG, but any information you give will help to recruit for LAG sub groups such as the Decision Making Board and the Coordination and Scrutiny Group. It will also help to plan the training requirements for the LAG. Please read the LAG members Job Description prior to completing this profile. Please send back via the post or email to leader@eastriding.gov.uk or bring it along on 3rd September if you wish to discuss completing the profile.

Name........................................................................................................................................Representing.........................................................................................................................

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<tr>
<th>Your understanding of being an effective LAG member</th>
<th>I have sufficient knowledge</th>
<th>Training or information needed</th>
<th>What is needed, please explain your needs</th>
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<td>1 Understanding of the general role of the LAG</td>
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<td>2 Understanding of the LAG Chair role</td>
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<td>3 Understanding the Accountable Body role</td>
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<td>4 Understanding LAG staff role</td>
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Understanding of LEADER as part of the Rural development Programme for England (RDPE)

Understanding of LEADER and the RDPE as part of the EU

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<th>What skills do you bring to the LAG?</th>
<th>Tick as appropriate</th>
<th>Explain your skills/experience</th>
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<td>Media skills &amp; public relations</td>
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<td>Influencing &amp; negotiating</td>
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<td>Employment &amp; Human Recourses</td>
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<td>5</td>
<td>Handling conflict</td>
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<td>Giving advice</td>
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<td>Problem solving &amp; analysis</td>
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<td>8</td>
<td>Working in a team</td>
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<td>Empowering the community</td>
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<td>Monitoring a strategy</td>
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<td>Other skills not listed above</td>
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</table>

Thank you for taking the time to complete this profile. This information will be retained confidentially and securely on file and will only be used for selection purposes within the LAG. You may also wish to refer to the Governance Framework document for more detailed information on our operating procedures.

Signed…………………………………………………………Date……………………………..

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