

From: Derek Murphy, Cabinet Member for Economic Development
Simon Jones, Director of Growth Environment & Transport

To: Growth, Economic Development and Communities Cabinet
Committee, 11 September 2024

Subject: Investment Advisory Board Terms of Reference and
Recruitment of Volunteer Board Members to the Investment Advisory
Board and Investment Advisory Board Sub-Groups

Key decision: 24/00081

Classification: Unrestricted

Past Pathway of report: N/A

Future Pathway of report: For Cabinet Member Decision

Electoral Division: All

Summary: This report provides an overview of the formal review process of the Investment Advisory Board Terms of Reference and recruitment of volunteer board members. It summarises the full recruitment process of volunteer appointments made to the Investment Advisory Board and/or one of its Sub-Groups.

Recommendation(s):

The Growth, Economic Development and Communities Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Economic Development on the Investment Advisory Board Terms of Reference and the voluntary appointments made to the Boards: The Investment Advisory Board, ("IAB"), IAB Sub-Group and the IAB Debt Recovery Group as shown at Appendix A.

1. Introduction

1.1 The Investment Advisory Board ("IAB), the IAB Sub-Group and the IAB Debt Recovery Group convene monthly to support the operational delivery of the Kent & Medway Business Fund, Innovation Initiative Investment Fund (i3), the Discovery Park Technology Fund (DPTIF), Kent Life Sciences Fund (KLS) and the RGF Bespoke Equity Fund (RGFBEF). The role of the board and sub groups is to make:

- Recommendations to KCC to approve, reject or defer a funding application, to include what conditions should be set if funding is approved.
- Recommendations to KCC to reprofile repayment schedules for companies in receipt of funding within the Loan Portfolio and/or make recommendations to recover loan funds where all other repayment options have been exhausted.

1.2 The work of The Boards are covered by a number of Key Decisions attributable to specific loan schemes, the latest being 23/00088 in conjunction with a revised set of Terms of Reference

2. Investment Advisory Board - Terms of Reference

2.1 The original Terms of Reference have been formally reviewed, by the KCC Office of General Counsel, officers of the GET Directorate Business Investment Team in conjunction with external support from a specialist lawyer within Bevan Brittan. This work provided a new draft set of Terms of Reference for review and subsequent approval on 16 January 2024 by the Investment Advisory Board.

2.2 The Terms of Reference can be found at Appendix 1. They require greater oversight of the Growth, Economic Development and Communities Cabinet Committee.

3. Update on Investment Advisory Boards Composition

3.1 Recruitment, vetting process, and exit interview process of Volunteer Board Members

To support an interim recruitment exercise and thereafter an annual recruitment drive (subject to requirements for additional board members), the Business Investment Team developed a recruitment pack, consisting of:

- Advertisement
- KMBF Board Overview
- Board Member Case Study
- Application Form
- Equality Form
- Recruitment Assessment Form

3.1.1 A recruitment panel has also been established consisting of five existing Board Members and one KCC officer, consisting of both public and private sector existing members. The recruitment panel is supported by the Interim Head of Economy, Steve Samson and Susan Berdo, Strategic Programme Manager.

3.1.2 Following receipt of volunteer board member applications, these are circulated to the recruitment panel with a request to complete an assessment form. The completed assessment forms are then collated into one single response to support panel members at face-to-face interviews undertaken by the recruitment panel.

3.1.3 Following interview, should an appointment be made, private sector volunteer board members are provided with an appointment letter and a Consent to Credit Checks with a request to complete, sign and return. Due diligence checks are then undertaken by KCC's Data and Intelligence Team on each newly appointed member.

3.1.4 Board Members then undergo a full induction programme, which consists of the following, and its completion is monitored via a Declaration of Induction Checklist:

- Reading of the
 - Kent & Medway Business Fund Standard and KMBF Small Business Boost Guidance Notes
 - Member and Officer Code of Conduct
 - Investment Advisory Board Terms of Reference
- Observing two Board Meetings
- Attending a two-hour induction programme, where possible delivered face to face.

3.2 Exit Interviews

Included in the recruitment process, is an exit interview for departing volunteer board members, which is used to learn, review and improve the activity the Boards undertake and the administrative processes that support it.

3.3 Resignations received from Volunteer Board Members:

Quarter 3 2023-24

- IAB – Susie Warran-Smith.
- IAB Sub-Group – Greg Taylor, MHA Macintyre Hudson

Quarter 4 2023-24 (February)

- IAB – Cllr Robert Thomas
- IAB and IAB Debt Recovery Group – Ron Roser
- IAB – Simon Thomas, Contacta Systems Ltd

3.4 Interim Recruitment Exercise

A recruitment exercise took place in Quarter 4 2023-24 (January 2024), to ensure that the minimum number of total Volunteer Board Members was compliant with the Terms of Reference in place for the activity of The Boards (namely a minimum of 14 and a maximum of 20 members).

3.5 Annual Recruitment Exercise – 2024-25

To support the work of the Boards and to ensure that we have the required minimum number of board members as determined by the Terms of Reference a further recruitment exercise will commenced towards the end of Quarter 1 2024-25 and the beginning of Quarter 2 2024-25.

3.6 Appointments

Quarter 4 2023-24

- IAB – Rachel Emmerson, Kreston Reeves.
- IAB Sub-Group – Dr Kouros Kouchakpour, Metro Bank

Quarter 2 2024-25

- IAB – Alison Soltani-Davies
- IAB – Valerie Marshall

- IAB – Nick Fenton
- IAB Sub-Group – Tunde Daczo
- IAB Sub-Group – Alex Sammonds
- IAB Debt Recovery Group – Alex Sammonds

3.7 The current Board Composition can be found at Appendix 2.

4. Financial Implications

4.1 Volunteer Board Member posts attract nil remuneration and/or expenses.

5. Legal implications

5.1 The Terms of Reference were produced with the support of the KCC Office of General Counsel and a legal representative from external law firm Bevan Brittan.

5.2 Volunteer Board Members when they carry out their duties as a Board Member will be covered by KCC's insurance policy, but please note that Board Members remit is limited to support the recommendation to approve, reject or defer a funding application during Board Meetings which take place at Invicta House.

6. Equalities implications

6.1 Equality Impact Assessments (EqIAs) are in place for the various funds that form part of The Boards operational remit.

6.2 The developed recruitment pack has been designed to support recruitment of Voluntary Board Members from under-represented groups.

7. Data Protection implications

Data Protection Impact Assessment screening have been undertaken leading to a full DPIA being submitted with an Approved status and Outcome date of 2 January 2024. Actions pertaining to the DPIA have been completed or are work in progress as activity is ongoing.

8. Governance

8.1 The Director of Growth and Communities and the Interim Head of Economy will inherit the main delegations via the Officer Scheme of Delegation, and approve Recommendations made by the IAB of one of its Sub-Groups, via and Officer Record of Decision.

9. Conclusions

9.1 The Investment Advisory Board ("IAB), the IAB Sub-Group and the IAB Debt Recovery Group convene monthly to support the operational delivery of the Kent & Medway Business Fund, Innovation Initiative Investment Fund (i3), the Discovery Park Technology Fund (DPTIF), Kent Life Sciences Fund (KLS) and the RGF Bespoke Equity Fund (RGFBEF).

9.2 Following review of the Terms of Reference a recruitment process has been established to vet and recruit voluntary board members and several appointments have been made.

10. Recommendation

10.1 The Growth, Economic Development and Communities Cabinet Committee is asked to consider and endorse or make recommendations to the Cabinet Member for Economic Development on the Investment Advisory Board Terms of Reference and the voluntary appointments made to the Boards: The Investment Advisory Board, ("IAB"), IAB Sub-Group and the IAB Debt Recovery Group as shown at Appendix A

11. Appendices:

Appendix A: Proposed Record of Decision

Appendix 1: Investment Advisory Board - Terms of Reference

Appendix 2: Current Board Composition

12. Contact Details

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