

Dorset and East Devon FLAG Terms of Reference

July 2016

The **Dorset and East Devon Local Action Group** is the partnership responsible for the Local Development Strategy under the authority of the Accountable Body. It has responsibility for the leadership, implementation, monitoring and review of the Local Development Strategy, and is responsible for taking all major decisions affecting its successful delivery, including decisions on the allocation of funding to projects to achieve the LDS objectives. Members are volunteers and operate under a set Terms of Reference.

The Fisheries Local Action Group will:

- Develop and agree the Local Development Strategy (LDS)
- Conduct its business in a compliant manner, acting on the advice of the Accountable Body on legal and technical issues as necessary
- Promote bidding opportunities, with clear selection criteria, to all potential applicants in the FLAG area
- Select and prioritise projects according to their contribution to the LDS objectives
- Monitor the implementation of the LDS, and review as necessary
- Make effective links with other key organisations within and outside the FLAG area
- Approve projects with funding levels, outputs, timescales and any conditions
- Approve the Annual Delivery Plans

1. Main Role of a FLAG Member

- Participate in partnership decision making on the Local Development Strategy
- Assist with the development and implementation of the Local Development Strategy
- Act in the best interests of both the sector and the organisation/ group that you are representing on the FLAG when making decisions regarding the investment of funding and/or general operational matters.
- Work closely to assist with the development of initiatives and projects at a local level that are innovative, sustainable, environmentally sensitive and most importantly community led.
- Participate in networking opportunities with other FLAG groups and associated regulatory agencies
- Promote the work of the Dorset and East Devon FLAG, and offer support and guidance to interested parties as appropriate.

2. Key Role and Responsibilities

- Attend FLAG meetings, training sessions, special events and working-groups as appropriate.
- Choose the projects to recommend to be financed according to the LDS and that they reflect the needs of the area
- Receive and consider information on the progress of the programme generally, the performance of activities, delivery of outputs and actual/ forecast expenditure.
- Act as a key link between the FLAG and the organisation/ group that you represent, providing regular feedback regarding the programme at every opportunity.
- Work closely with local communities to offer advice, guidance and support concerning the programme and the availability of funding where appropriate.
- Contribute positively to the successful development and implementation of co-operation projects with FLAG members and officers from other FLAG groups in the UK and Europe – including participation in exchange visits etc.
- Ensure that the principles and objectives of the programme's Equal Opportunities Policy are complied with at all times.

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- If you become aware of any conduct by another Member that you reasonably believe will have a damaging effect on the programme, the FLAG and/or projects supported by the EMFF programme, you must make a written allegation to that effect to the Lead partner as soon as possible.

3. FLAG Board Membership

3.1 The FLAG board will comprise members of the public, private and community sectors, ensuring that it represents a broad range of interests across the area. Membership should reflect both the area's geographical extent and its sectoral composition.

3.2 Members do not have to live in the area of benefit, but must have knowledge of the area or of the sectors that we support.

3.3 There must be at least 49% representation from fishing and fishing related sectors on the FLAG and on any decision-making group. No more than 49% of the members on any group awarding funding may be from the public sector or from any single interest group E.g. aquaculture, fishing, restaurants.

3.4 Members must represent an organisation on the FLAG board.

3.5 Members must choose a substitute representative to attend meetings if needed.

3.6 Members engaged in activity related to their position on the FLAG must comport themselves appropriately and respectfully in relation to other FLAG members, programme staff, applicants and members of the public. Inappropriate behaviour may result in exclusion from the FLAG at the discretion of the Chair. All members will be required to sign the Code of Conduct at the beginning of their membership.

3.7 Relevant training and background information related to responsibilities associated with FLAG membership will be made available to any members requiring this.

4. FLAG Meetings

4.1 We will hold at least three FLAG meetings a year but, occasionally, during peak activity times meeting could be up to six weeks apart. A calendar of meetings will be agreed each year for the next twelve months.

4.2 Regular attendance at meetings is required. Non-attendance for more than 3 consecutive meetings may result in loss of a place on the board, at the discretion of the Chair.

4.3 An additional officer of the Accountable Body may attend meetings in an advisory capacity.

4.4 The Chair will be neutral and independent so will be from the Dorset Coast Forum.

5. Process for deciding outline applications

5.1 Outline Applications will be approved or rejected by the FLAG board following an eligibility check of the application by the programme team and an appraisal by the Programme Manager

5.2 An appraiser undertaking an appraisal is expected to register any conflict of interest as soon as they are aware of it. If this occurs the Programme Manager will immediately assign another team member to undertake the appraisal.

6. Process for dealing with project calls

6.1 Where competitive calls for projects are issued outline applications will be submitted to a call deadline. All applications will be appraised after the deadline, sifted by the Programme Manager and prioritised according to the selection criteria and call specification.

6.2 Recommendations will be submitted to the FLAG board who will invite the most relevant project(s) to submit a full application.

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7. Conduct of Business

7.1 The administrative arrangements for all FLAG meetings will be undertaken by the programme staff team.

7.2 The agenda for meetings is drawn up by the programme staff. Any registered FLAG board member can request an item to be added to the agenda, at the discretion of the Chair. The programme staff will circulate the agenda and papers, electronically, five working days before each meeting.

7.3 The programme staff will record decisions and will publish draft minutes. Minutes will be approved by the Chair at the next FLAG meeting. Agendas and approved minutes will be available on the website. Restricted items will be sent directly to members by email.

7.4 FLAG members who are directly involved or have a direct interest in any application submitted will declare an interest and take no part in the consideration of the application unless invited by the Chair to respond to questions pertaining to the application. If members represent an organisation which has an involvement in an application, but that organisation will not receive any financial benefit, representatives should declare an interest but can participate fully in the consideration.

7.5 Decisions will be by a majority of those present. The Chair or Vice Chair has a casting vote.

7.6 The quorum for meetings will be one third of voting members as long as no single interest group or public sector members are more than 49% of those present.

8. Decision making

8.1 The programme staff team will attend FLAG meetings to provide information. Information for meetings should be sufficiently detailed to allow informed decisions to be made. Information should include:

- Details of projects to be approved
- Quarterly financial statement on overall spend on all projects and core cost spend
- Quarterly statement on achievement of outputs, outcomes, targets, milestones
- Notification of significant gaps in achievement of objectives, spend or outputs
- Notification of significant problems on funded projects

8.2 The FLAG's recommendation as to whether an Outline or Full Application should be approved or rejected can only be decided at a meeting of the FLAG board.

8.3 The FLAG programme staff will send the recommendation decision to the Marine Management Organisation for overall approval.

8.4 Views and decisions of the FLAG will be recorded by the staff team and signed by the Chair at the beginning of the following meeting.

8.5 Information on successful Grant Awards will be reported through the FLAG's website, local press and social media

9. Appeals Procedures

Any applicant who has a concern about the way in which their application has been handled should write in the first instance to the Chair of the Local Action Group who will notify the complainant of any action that they propose to take in relation to the appeal within 10 working days.

Applicants can ask the FLAG to review a decision if they think that:

- The decision was based on an error of fact;
- The decision was wrong in law; or
- The FLAG made a procedural error.

Applicants must make this request within 60 days of receiving any decision.

10. Declaration of Interests at meetings

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10.1 You should declare any interests in relation to programme issues and projects put before the FLAG for discussion at the start of the meeting. In order to be able to do that, you should seek early advice from the Lead Body if you are in any doubt whatsoever. If for some reason it is not possible, however, for an interest to be declared by yourself at the outset of a meeting, or if it becomes clear at a later stage during the meeting that you have an interest in an item under discussion, then you must declare that interest at the first opportunity.

10.2 When declaring an interest, you must specify the nature of the interest, and whether it is personal or prejudicial. The minutes of the meeting must record the fact that a declaration has been made and by whom.

10.3 If you declare a prejudicial interest, you must be silent during the meeting while the matter concerned is under discussion.

11. Voting at meetings

You should not vote on an issue if: -

- You have declared a prejudicial interest;
- You have not been present for the whole of the presentation of and discussion of the item concerned.

12. Variance to Terms of Reference

The Terms of Reference for the LAG will be reviewed annually by the Accountable Body and the LAG, and they may vary or add to these Terms of Reference by agreement with the RPA.

Signed Name

Date Position: Chair

On behalf of the Dorset and East Devon Local Action Group