

APPENDIX 4
TO THE CONSTITUTION OF THE ESPO MANAGEMENT COMMITTEE
FUNCTIONS OF, AND DELEGATIONS TO, THE DIRECTOR OF ESPO
DELEGATIONS TO THE DIRECTOR OF ESPO

DELEGATIONS

1. **Appointment of staff:** Power to appoint (within the approved ESPO budget) all staff below director level in accordance with the Servicing Authority's recruitment and HR policies and procedures. The appointment may be at any point within the approved salary scale of the Servicing Authority as appropriate.
2. **Personnel procedures:** Power to take decisions in relation to employment matters delegated to him from time to time in accordance with the local conditions of service and other HR policies and procedures in place at the Servicing Authority. The Chief Executive of the Servicing Authority may determine at any time those matters which may be exercised by the Director of ESPO without the prior consultation with the Chief Executive.
3. **Power to Incur Expenditure:** Power to incur capital or revenue expenditure in accordance with the Financial Regulations and the Standard Financial Instructions of the Management Committee.
4. **Power to decide pricing:** Power to decide pricing, discounting and offers on a customer basis in accordance with the Financial Regulations and the Standard Financial Instructions of the Management Committee.
5. **Contracts:** The Director of ESPO may negotiate and agree tenders and quotes and the entering into contracts on behalf of ESPO (subject to the Contract Procedure Rules of the Management Committee at **Appendix 7** of this Constitution and any restrictions in the Consortium Agreement) and request that the Servicing Authority formally enter into such contracts if this is legally required.
6. **Surplus Equipment:** Power to dispose of surplus or obsolete items (vehicles apparatus or other equipment) in accordance with the Financial Regulations and the Standard Financial Instructions of the Management Committee.
7. **ESPO Stock:** Power to 'write off' (or adjusting surpluses or deficits) ESPO stock in accordance with the Financial Regulations and the Standard Financial Instructions of the Management Committee.
8. **Irrecoverable Items:** Power to 'write off' other irrecoverable amounts in accordance with the Financial Regulations and the Standard Financial Instructions of the Management Committee.

9. **Lost or uncollected property:** Power to deal with items under Section 41 of the Local Government Miscellaneous Provisions Act 1982 in relation to lost and uncollected property on ESPO premises.

RESPONSIBILITIES

1. Operational day to day management of the ESPO business and ESPO staff and responsibility for implementing Management Committee/Finance and Audit Subcommittee decisions within the ESPO business.
2. Ensuring that the ESPO Services are developed in accordance with the Management Committee's overall requirements.
3. Responsible to the Management Committee which shall have overall responsibility for overseeing and scrutinising his/her activities.
4. Responsible to the Chief Executive Officer of the Servicing Authority as his/her employing authority in the context of that employer/employee relationship.
5. Effectively liaising with the Management Committee and its advisory groups, sub-committees and officers to ensure the effective operation of the ESPO business.
6. Providing such proactive assistance and information to the Management Committee and its advisory groups, sub-committees and officers as shall be required to enable the Management Committee to monitor the performance of ESPO.
7. Raising any issue of concern in relation to the ESPO business in the first instance to the COG.
8. Ensuring that the ESPO Services continue to be affordable and represent value for money for the Member Authorities.
9. Ensuring the continuous improvement of the ESPO Services and to ensure that opportunities for shared working are maximised.
10. In conjunction with the Servicing Authority, advising the Member Authorities generally as to the resources and arrangements required for the effective operation of ESPO.
11. Responsibility for ensuring that the Financial Regulations and the Standard Financial Instructions of the Management Committee/Finance and Audit Subcommittee are observed throughout the ESPO business.
12. Responsibility for ensuring that Contract Procedure Rules of the Management Committee are observed throughout the ESPO business and to ensure every contract and variation to a contract is executed in writing.

13. Ensuring that business risk is appropriately managed and maintaining an appropriate risk framework for ESPO with effective and timely reporting mechanisms to the Finance and Audit Subcommittee.
14. Responsibility for seeking to resolve in good faith any disputes or disagreements between the Member Authorities and to carry out the functions set out in clause 18 of the Consortium Agreement
15. Providing advice to the Management Committee on proposed policies, projects, budgets, strategic plans and the performance of ESPO in order to maintain the support and engagement of Management Committee and to ensure that each Member Authority uses ESPO to best effect.
16. In consultation with the Consortium Treasurer, responsible for producing the Annual Report of ESPO (containing the activities and financial performance of ESPO for the preceding Financial Year) to the Management Committee in each Financial Year for its approval and (once approved) providing copies to each Member Authority.
17. Receiving the resignation of the Member Authority acting as Servicing Authority at any time and providing this notification to the Management Committee.
18. Responsible for producing and maintaining the following strategic and operational documentation for ESPO, advising and updating the Management Committee, its sub-committees, advisory groups or officers on these as appropriate and ensuring that these are observed throughout the ESPO business:

A. ESPO STRATEGIC DOCUMENTATION

Document	Purpose	Submitted to	Frequency
Business Continuity Plan	This document defines how ESPO will maintain its business and support to Member Authorities in the event of an incident which impacts adversely on business critical ESPO Services	Chief Officer Group Management Committee	Annual
Business Progress Report	This document defines: <ul style="list-style-type: none"> • progress against business plan • progress against work plans within strategic projects 	Chief Officer Group Management Committee	Quarterly
Business Plan	This document defines how ESPO will deliver the Business Strategy in each Financial Year including any investments to be made and: <ul style="list-style-type: none"> • Budget, financial plan and risk register • Financial and performance targets 	Chief Officer Group Management Committee Finance and Audit Subcommittee	Annual
Business Strategy	This document sets out the overriding purpose of ESPO (its mission), the	As required	As required

Document	Purpose	Submitted to	Frequency
	aspiration of the organisation (its strategic vision), a set of business objectives and the nature of the business		
Category Strategies	This document defines the roadmap for managing a spend category and presenting a plan of quick-win and longer term savings opportunities which will include collaboration at the local, regional and national levels (including Pro 5)	SOG Management Committee	Annual
ESPO Service Review Report	This document defines: <ul style="list-style-type: none"> the purpose of the work required (objectives and outcomes); any conflict of interest that may arise; the level of risk exposure 	Chief Officer Group Management Committee	As and when the ESPO Director is requested to take on Additional ESPO Services
Financial Statements (External Audit/ Quality Assurance)	This document defines: <ul style="list-style-type: none"> The end of year financial position of ESPO against plan 	Chief Officer Group Management Committee Finance and Audit Subcommittee	Annual
ICT Strategy	(Through the ESPO Assistant Director of Finance): To set out the technical and capacity requirements of ESPO to match the needs to the Business Strategy	As required	As required
Management Accounts	This document defines the monthly/quarterly financial position of ESPO against plan	Chief Officer Group Management Committee	Quarterly
Marketing Strategy	This document defines the marketing priorities in relation to ESPO's customers, suppliers and other Public Sector Buying Organisation relationships	Chief Officer Group Management Committee	Annual

B. ESPO OPERATIONAL DOCUMENTATION

Document	Purpose	Submitted to	Frequency
Customer Access Agreement (Terms of Business)	Governs the relationship between ESPO and the Member Authorities or Customers in relation to ESPO granting access by the Customer to the Framework Agreement. ESPO clarifies the terms and conditions on which it is contracting with suppliers and permits Member Authorities and Customers to enter into call-off contracts with suppliers. The Member Authority or Customer is able to enforce the terms and conditions in the Framework Agreement	Chief Officer Group	As required
Equality Impact Assessment	This document defines: <ul style="list-style-type: none"> The impact the Additional ESPO Services may have upon ethnicity and user groups as assessed by the relevant Member Authorities 	COG	As and when the ESPO Director is requested to take on Additional ESPO Services
Framework Agreement for Good and Services (including Call Off Agreement)	Precedent Framework Agreement to govern the relationship between ESPO and suppliers in relation to the provision of goods and/or services by suppliers to ESPO and or the Member Authorities and/or Customers	COG	As required
Internal Audit Report	This document defines: <ul style="list-style-type: none"> Level of internal risk and control experienced within ESPO; The recommendations ESPO will need to address to mitigate any risks highlighted 	Finance and Audit Subcommittee Servicing Authority	As and when internal audit has a high level of residual concern
Order Form for the Purchase of Goods (one off purchases)	Issued subject to the provisions of the framework agreement entered into between ESPO and the Supplier	or COG	As required
Terms of Business for Suppliers	Sets out the terms of business for suppliers	COG	As required
Statement of Works	Sets out ESPO's role and the way in which it provides a service to the Member Authorities and/or Customers throughout a tender process	COG	As required
Work Plans (including Pro 5)	This document captures: <ul style="list-style-type: none"> Type and value of activities to be undertaken by ESPO on behalf of consortium authorities and non-members (including collaborative and individual projects) 	COG	Quarterly

	<ul style="list-style-type: none">• These work plans are derived from consortium authorities' priorities and work plans in place as well as the category strategy		
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