

Viridor in East Sussex (ViES) Fund
Terms of Reference

1. INTRODUCTION

1.1. Viridor in East Sussex Fund

1.1.1 A requirement within the Provision for the processing and disposal of dry mixed recyclables for East Sussex County Council procurement Q62 Social Value Charter, which forms part of the Contract, is that Viridor Waste Management establishes a social fund. Viridor have proposed the setup of a Fund to support environmental projects, local education or employment and local arts and culture. To achieve this, the Viridor in East Sussex Fund will be established on the basis set out below.

1.2. ViES Fund Contributions

1.2.1 The sums available to be allocated to successful projects that meet the qualifying criteria consist of the following:

Annual contribution from the Viridor Group of - £15,000 (Fifteen thousand pounds) and shall constitute the “ Fund”

1.2.2 The Fund shall be paid into an interest bearing bank account opened by Viridor which shall only be used for ViES Trust Purposes (the “ViES Account”).

1.3. ViES Board

1.3.1 The Trust will be administered by the ViES Board (the “Board”). This Board will be established by Viridor and will consist as a minimum of the following representations:-

- 2 representative from Viridor management ;
- 1 senior officer from East Sussex County Council (ESCC);
- 1 elected member;

In addition the Board may elect:

- 1 or more representatives from other interested groups

1.3.2 The objectives of the Board will be weighted towards environmental projects but shall also accept applications from schemes to promote local arts and culture as well as sport and wellbeing. The Fund shall present significant opportunities to reinvest within East Sussex and also offer the community a path for engagement with the Project.

1.3.3 The final decision on the make-up of the Board rests with the 4 core members, being the Viridor and ESCC representatives (the “Core Members”). The maximum size of the Board will be limited to 7 members (the Panel Members)

2.0. Governance of the ViES Board

2.1 Governance

2.1.1 Good governance is acknowledged to be essential for the success of any organisation and that includes the ViES Board. Panel Members play a vital role in serving their communities, bringing commitment as well as skills and experience to the meetings. Fundamental to this success is the accountability of Panel Members in ensuring equality of treatment for all applications.

2.2. Membership of the ViES Board

2.2.1 The Core Members will collectively invite applications (on-line and/or through other advertisement).

2.2.2 In the event that consensus cannot be reached, the Chair (as appointed by the core members) shall have the casting vote.

2.3. Removal and Replacement of Members of the ViES Board

2.3.1 If a member of the Board decides to resign, they are requested to advise the Chair of the Board in writing providing a minimum of one month's notice. Where appropriate the resigning member may recommend a successor to represent the same stakeholder group and the details of the successor should be provided to the Chair in advance of the next meeting.

2.3.2 If a successor is not recommended, then East Sussex County Council will appoint replacement representatives for its members and Viridor Waste Management Limited will appoint replacement representatives for its members.

2.3.3 Members of the Board are expected to conduct related business in a professional and courteous manner and to have consideration for the opinions of views of their fellow Board Members and other stakeholders at all times. Board Members will be expected to be impartial and to consider each application on its merits.

2.3.4 Where the behaviour of a Board Member, is deemed to be in conflict with the Board's objectives this will be debated at the next Board meeting allowing the views of all parties to be heard. Ultimately if a satisfactory outcome cannot be achieved, the continued membership of the individual on the Board may have to be decided by vote.

2.3.5 In the event that a vote is not conclusive, the Chair shall have the casting vote.

2.4. Appointment of a Chairman

- 2.4.1 The Core members will elect a chairperson for the Board on either an annual basis or on a rotational basis.

2.5. Administration Team

- 2.5.1 The Board will require an administrator/s whose role will be to assist in the production, collation and distribution of Agendas, Minutes and other supporting information to assist the Board. The administrator will also review new applications against the agreed funding criteria to ensure that only qualifying applications are put forward for consideration at the Board meetings.
- 2.5.2 Once an application has been determined, the administrator will also be responsible for informing the applicant of the outcome and, for those applications that have been successful, processing the supporting paperwork (including a grant agreement referencing measurable outcomes) ensuring that agreed authorisation procedures are followed to facilitate successful transfer of monies to the applicants account.
- 2.5.3 It is envisaged the administration support will initially be undertaken by Viridor Waste Management Ltd. The administrator will work on a part time basis on matters relating to the Board with the remainder of their time spent on administration relating to the VWML/ESCC Recycling Contract. If or as the administration grows over time it may be necessary to review arrangements and employ administration support on a full time basis if required for which ViES would contribute up to a maximum of 50% of the administrators salary.
- 2.5.4 If the role becomes full time the Core Members of the Board will agree the Job Role for the administrator outlining roles and responsibility.

3. ViES Board Meetings

3.1. Locations and Frequency

- 3.1.1 Meetings will be held quarterly at the Crayford MRF offices or at an alternative venue as might be agreed from time to time.
- 3.1.2 7 days in advance of the meeting an Agenda will be compiled and circulated to all attendees outlining the order and structure of the forthcoming meeting.
- 3.1.3 The meetings will be the forum at which all matters relating to the Board are debated and agreed. The meetings will be overseen by the elected Chair.

3.2. Review of Terms of Reference, Membership and Other Administration Matters

- 3.2.1 It is envisaged that as the Board becomes established changes may be required to the way the scheme is run and administered. To achieve this, it will be a requirement of the Board to regularly review the scheme and to consider any improvements that can be made to ensure the scheme runs more efficiently and maximises the benefits for funding opportunities.

- 3.2.2 Any changes that are considered will be decided by means of a vote with the Chair's vote being the casting vote in the event of a split decision.

3.3. Consideration of Applications for Funding

- 3.3.1 The majority of time allocated to meetings will be spent considering applications for funding.
- 3.3.2 All applications placed before the Board for consideration at quarterly meetings will have already have been assessed and met the key criteria for qualifying. Ineligible or non-compliant applications will have already been declined at this stage.
- 3.3.3 Once a short list of applications has been determined the Board will be asked to vote on those schemes they consider will have the most benefit to the local community and meet the key objectives of the scheme.
- 3.3.4 It is during these discussions that the Board will need to consider each application in advance of a vote to accept a request for financial support of a project.

3.4. Update on Existing Projects

- 3.4.1 An update on those projects that have received funding from the Board will be provided at each meeting. Details will be provided on matters such as planned start date, progress made, estimated completion dates, formal openings etc., on those projects supported. The final detail of the content on the project updates will be decided by the Board.
- 3.4.2 It is proposed that as a condition of funding, there is a requirement for a brief project progress report to be submitted by the applicant to the Board for discussion at each meeting.

3.5. Quorum

- 3.5.1 A quorum of all the Core Members of the Board must be present for any funding decision to be made.
- 3.5.2 Meetings must take place with the Chair in attendance as it will be the Chair who has the casting vote in the event of split decision.

4. APPLICATIONS

4.1. Initial Qualification Criteria

- 4.1.1 The Board will be required to agree, set and review clear criteria against which applications for funding can be assessed. The criteria will allow applications to go through a "stage gate" approach so that only those applications that meet the qualifying criteria will put forward for consideration by the Board at the next quarterly meeting. The details of the qualifying criteria will be agreed by the Board but could include, but not limited to:

- Financial Cap on the funding of any one project
- Limit on the number of projects supported in any one year
- Evidence of additional funding secured (for larger projects)

4.1.2 Once the application qualifying criteria is agreed by the Board it will form part of the “application pack” which will be sent out to applicants that wish to apply for funding. Additional information that will need to be provided might include:

- Brief history of the organisation and project seeking support
- Contact details for queries relating to the bid
- How the applicant envisages that the project will meet the ViES aims namely; supporting local environmental and community beneficial projects with an emphasis on value for money, proven need and sustainability.
- How the project will demonstrate value for money

4.1.3 The specific details and content of the “application pack” and additional information required to support an application will be agreed by the Board.

4.1.4 This initial stage of review does not check the merits of a project; only that it meets the criteria for funding as agreed by the Board and thus can proceed to the next stage, namely review of eligible applications.

4.2. Eligible Applications

4.2.1 Only those applications that meet the set qualifying criteria will be put forward for review by the Board at the quarterly meeting.

4.2.2 A meeting pack will be sent out to all Board members a week before the quarterly meeting. The administrator will ensure that the pack includes a précis of each application for consideration. At the quarterly meeting, the Board will review the new applications for consideration discussing the merits of each and deciding which projects to support.

4.2.3 Board members are encouraged to contribute any knowledge they have of or about the applications or projects at the meeting, particularly in terms of the benefit of the project to the local environment and/or community. Board members must declare any interest they may have in any application which is presented at a meeting. Where such a declaration is made, the member concerned will be invited to speak in connection with the application.

4.2.4 Once all applications have been reviewed, Board Members will be asked to vote on those schemes they consider should be supported by the Board. The decision to award funds should be by consensus and in the event of a split decision the Chair’s vote will be the casting vote provided that prior to any award of Funds the Board must obtain written confirmation from VPL that sufficient funds are available in the Fund to meet the funding of any intended award. (“VWML Confirmation of Funding”)

4.3. Approved Applications

- 4.3.1 Applicants will be notified of the decisions made by the Board following the quarterly meeting. If an application is successful and subject to VWML issuing the VWML Confirmation of Funding to the Board, an offer letter, and “funding pack” will be sent out to the applicant. The content of the “funding pack” will be agreed and regularly reviewed by the Board working together with VWML and ESCC to ensure that all necessary financial regulations have been complied with and all procedures are secure and auditable.
- 4.3.2 Where an application has not been successful, the applicant will be advised in writing of the Board decision.
- 4.3.3 Board members will be advised **not** to discuss any decisions made at the quarterly meetings at all as meetings should be confidential. This has potential to cause embarrassment to the Board, not least if the applicant learns of the decision through a third party.
- 4.3.4 Once projects are approved by the Board, the amount allocated is the maximum amount that will be provided. Applications for additional funding to cover shortfalls will not be accepted by the Board.
- 4.3.5 Applications will not be accepted for funds required as an extension to existing projects.

4.4. Transfer of Funds

- 4.4.1 Payments for projects will be paid on completion of works and on receipt of a Payment Request Form (format of form to be agreed by the Board) with a copy of the relevant invoice attached. No payment will be made against quotations, or for work which was started before the date of confirmation of funding from Board.
- 4.4.2 All projects that are approved for funding must be started within 12 months of receipt of the offer letter, or the application will have to be remade.
- 4.4.3 Following approval of a project by the Board the Core Members including the Chairman will all sign an Authorisation Form outlining details of the project, the approved sum and the anticipated payment date.
- 4.4.4 The completed Authorisation Form will be sent to VWML’s accounts department who will, ensure that the funds are allocated to the specific project and will provide an update on the balance of ongoing funds available for new projects.
- 4.4.5 Once a project is completed and the Payment Request Form and relevant invoice is received by VWML’s accounts department, VWML shall arrange for the payment of the approved money from the ViES Account into the applicants account and the project funding will be deemed closed.

4.5. Acknowledgement and Publicity

- 4.5.1 All projects will be required to recognise the contributions received from the Board in material and publicity associated with the project.
- 4.5.2 The further remit of the Board will be to give consideration to how the scheme can be promoted and gain recognition for the work supported. This may include providing a plaque for projects to display, showing that the project was supported by the Board.
- 4.5.3 Consideration could also be given to making members of the Board aware of events held by projects in the area at which their attendance might increase awareness of the Board and could lead to an application for funding.

4.6. Dissemination of Information

All organisations will be required to make freely available any information and all research findings from projects, as set out in the grant application form.