

**ESSEX PROBATION (the “Trust”)  
BUSINESS DEVELOPMENT COMMITTEE TERMS OF REFERENCE**

**1. Introduction**

The Business Development Committee’s main purpose is to consider, advise and make recommendations to the Board on all strategic matters relating to best value, contracting and business development that need to be considered by the Board.

**2. Membership and attendance**

- (1) The chair and members of the Business Development Committee shall be 5 non-executive Board members appointed by the Board for a term of 3 years, with the possibility of renewal to ensure that continuity of experience is maintained. The Board Chair shall be an ex-officio member of the Committee. The Director-Commissioning and Contracts and the Contracts Manager will be in attendance. The PA to the Director-Commissioning and Contracts will be minute taker.
- (2) The Committee Chair shall be a non-executive member of the Board (other than the Board Chair) elected by the Board and ratified by the Board for a term of 2 years. In the absence of the Committee Chair, the Committee shall elect a chair for that meeting.
- (3) The Business Development Committee requires a quorum of three Committee members present in order to transact business.
- (4) Board members who are not members of the Business Development Committee have the right of attendance. The Board Secretary will circulate minutes of meetings of the Business Development Committee to all members of the Board via the Board Meeting Agenda and Papers.
- (5) The PA shall provide an attendance list at each meeting and the names recorded there shall be accepted as the record of attendance.
- (6) The nature of the business of the Committee, in particular the discussion of tenders and proposed contracts, being confidential, its disclosure to the public would be prejudicial to the public interest and the Committee therefore shall meet in private.

**3. Frequency of Meetings and Transaction of Business**

- (1) The Business Development Committee will normally meet 4 times a year. The dates, times and places of the meetings for the forthcoming year will be set by the Chief Executive’s PA in the annual planning cycle of the business meetings for the Trust and circulated to all members of the Board. Additional meetings can be arranged if required, by the PA, provided that, other than for urgent business, at least five clear working days’ notice of the meeting is given. Meetings may be cancelled if there is no relevant business to transact.
- (2) The Agenda for Business Development Committee meetings will be produced by the Committee Chair and Director-Commissioning and Contracts, in liaison with the PA. Except with the permission of the Committee Chair, no business other than that specified in the agenda shall be transacted.

- (3) The Committee Chair shall seek to conduct the business of the Committee by consensus, but in the event of a formal vote being required, the question shall be determined by majority of those Committee members present.

#### **4. Authority**

- (1) The Business Development Committee is a sub group of the Board with no executive powers.

#### **5. Duties**

- (1) The specific duties of the Committee shall be:
  - a. to review and monitor any Commissioning and Contracting Action Plans in place, derived from the Trust's Business Plan, to improve performance.
  - b. to consider all relevant Commissioning and Contracts reports received from NOMS impacting significantly on the Trust;
  - c. to oversee the best value programme of the Trust, ensuring that competitiveness and efficiency are maximised;
  - d. to contribute to the consultation process for all Commissioning and Contracting Policy and to ensure that the Trust's Policies comply, or exceed Regional and National standards;
  - e. to assist Trust's market development activity, so as to ensure that there is a strong market of external providers for outsourced work;
  - f. to develop and review annually, a strategy for bidding for new work, including determination of the resources required, and to monitor implementation of that strategy as agreed by the Board;
  - g. to oversee risk appraisals of business development/diversification proposals and in particular to consider whether proposed activities by the Trust or any proposed extension of the Trust's existing activities are covered by adequate insurance arrangements or give rise to requirements for additional insurance cover to be effected;
  - h. to assist the Trust in the maintenance and further development of its current wider 'partnership' activity so as to ensure that this is as comprehensive and effective as possible, reflecting both the Board's desire to discharge fully its responsibilities in this area of work and its wish to realise fully the benefits of partnership working
  - i. to consider any other matters where requested to do so by the Board; and
  - j. to report and make recommendations to the Board in respect of any of the above, following each Business Development Committee meeting.