HM Treasury

FRAMEWORK DOCUMENT

Ebbsfleet Development Corporation

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July 2026

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Foreword

This Framework Document ("the Framework") has been drawn up by the Ministry of Housing, Communities and Local Government (MHCLG) in consultation with Ebbsfleet Development Corporation ("EDC"). This document sets out the broad framework within which Ebbsfleet Development Corporation should operate and sets out the respective responsibilities and accountability of EDC, the Secretary of State for Housing, Communities and Local Government (the Secretary of State) and the Permanent Secretary for MHCLG.

The document does not convey any legal powers or responsibilities. It is signed and dated by the department and EDC. Copies of the document will be made available to members of the public on EDC's website. The document will be reviewed at when the need arises by MHCLG in consultation with EDC. All changes must be agreed by MHCLG, in consultation with EDC.

Signed for and on behalf of the Ministry of Housing, Communities and Local Government	
Name	Sarah Healey
Position	Permanent Secretary
Signature	
Date	06/07/2026
Signed for and on behalf of Ebbsfleet Development Corporation	
Name	Sara Waller
Position	Accounting Officer

Signature	
Date	06/07/2026

Specimen framework document

Introduction and background

1 Purpose of document

1.1. This framework document (the "framework document") has been agreed between the Ministry of Housing, Communities and Local Government (MHCLG) and Ebbsfleet Development Corporation (EDC) in accordance with HM Treasury's handbook Managing Public Money[1] ("MPM") (as updated from time to time) and has been approved by HM Treasury.

1.2. The framework document sets out the broad governance framework within which EDC and the MHCLG operate. It sets out EDC's core responsibilities, describes the governance and accountability framework that applies between the roles of the MHCLG and EDC and sets out how the day-to-day relationship works in practice, including in relation to governance and financial matters. However, if this framework in any way conflicts with the statutory requirements set out in the Local Government Planning and Land Act 1980 (the Act), the provisions of the Act will prevail.

1.3. The document does not convey any legal powers or responsibilities but both parties agree to operate within its terms.

1.4. References to EDC include all its subsidiaries and joint ventures that are classified to the public sector and central government for national accounts purposes. If the EDC establishes a subsidiary or joint venture, there shall be a document setting out the arrangements between it and EDC, agreed with the MHCLG.

1.5. Copies of the document and any subsequent amendments have been placed in the libraries of both Houses of Parliament made available to members of the public on the EDC website - [Ebbsfleet Garden City - Ebbsfleet Garden City].

1.6. This framework document should be reviewed and updated at least every 3 years unless there are exceptional reasons that render this inappropriate that have been agreed with HM Treasury and the Principal Accounting Officer of the sponsor ministry. The latest date for review and updating of this document is the third anniversary of the date of this Framework Document.

2 Objectives

[1] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1000670/MPM_Spring_21_with_annexes_080721.pdf

2.1 The MHCLG and EDC share the common objective to secure the regeneration of EDC's designated urban development area - encompassing land within the Dartford Borough Council, Gravesham Borough Council and Kent County Council areas - through the creation, at pace, and to a very high level of ambition of a new Garden City for the 21st century. To achieve this EDC and the MHCLG will work together in recognition of each other's roles and areas of expertise, providing an effective environment for the EDC to achieve its objectives through the promotion of partnership and trust and ensuring that EDC also supports the strategic aims and objective of the ministry and wider government as a whole.

2.2 The detailed objectives and specific targets for EDC are agreed through its corporate and annual business plan, the process for which is outlined later in the document.

3 Classification

3.1 In July 2019, the Office of National Statistics (ONS) reviewed EDC's classification and classified it to the Local Government Subsector effective from 20 April 2015, the date the Statutory Instrument setting up the EDC came into effect[2]. Some of the main effects of that classification are that:

- EDC accounts are not consolidated within the MHCLG Group accounts.
- EDC is funded by capital and resource grants from the Ministry via schedule 31 Local Government Planning and Land Act 1980.
- The Secretary of State retains the statutory requirement, set out in the Local Government, Planning and Land Act 1980, to appoint the members of the EDC Board.
- MHCLG's Accounting Officer remains accountable for the EDC and therefore governance arrangements will remain the same, with the level of sponsorship reviewed annually as part of the ALB Impact Assessment exercise.

[2] Statutory Instrument 2015/747: The Ebbsfleet Development Corporation (Area and Constitution) Order 2015

Purposes, aims and duties

4 Purposes

4.1 EDC was established under the Local Government, Planning and Land Act 1980 (the “1980 Act”). EDC’s objectives, as contained in Statutory Instrument 2015/747, are to secure the regeneration of the urban development areas designated in the statutory instrument (encompassing land within Dartford and Gravesham Borough Councils) through creation, at pace, of a new garden city for the twenty-first century.

4.2 The urban development area of Ebbsfleet has the capacity to deliver up to 15,000 new homes and many thousands of new jobs. EDC has an allocated capital budget to deliver investment in infrastructure and to create the conditions for private sector investment in the garden city. It is also the local planning authority for the urban development area in respect of certain planning functions that have been transferred from Dartford and Gravesham Borough Councils and Kent County Council.

5 Powers and duties

5.1 EDC’s powers and duties are conferred by Part XVI of the Local Government, Planning and Land 1980 Act. The EDC’s planning powers are granted to it by order of the Secretary of State under s.149 of the 1980 Act.

5.2 EDC has development control powers and powers to acquire and develop land, including through Compulsory Purchase Order.

5.3 The EDC’s statutory duties and functions include to determine planning applications in accordance with the adopted development plan as the local Planning Authority.

6 Aims

6.1 EDC’s strategic aims are set out in the approved Corporate Plan, and annual business plans.

Governance and accountability

7 Governance and accountability

7.1 EDC shall operate corporate governance arrangements that, so far as practicable and in the light of the other provisions of this framework document or as otherwise may be mutually agreed, accord with good corporate governance practice and applicable regulatory requirements and expectations.

7.2 In particular (but without limitation), both parties should:

- comply with the principles and provisions of the corporate governance in central government departments: code of good practice and Partnerships with arm's length bodies: code of good practice.[3]
- comply with HMT Managing Public Money (MPM);
- have regard to the relevant Functional Standards[4] as appropriate and in particular those concerning Project Delivery, Property, Finance, Commercial, Grants and Counter Fraud;
- take into account the codes of good practice and guidance set out in Annex A of this framework document, in so far as they apply to EDC.

7.3 In line with MPM Annex 3.1 EDC shall provide an account of corporate governance in its annual governance statement including the Board's assessment of its compliance with the Code with explanations of any material departures. To the extent that EDC does intend to materially depart from the Code, the sponsor should be notified in advance.

7.4 EDC shall comply with the Law. 'Law' meaning any applicable law, statute, byelaw, regulation, order, regulatory policy, guidance or industry code, judgment of a relevant court of law, or directives or requirements of any regulatory body, delegated or subordinate legislation. This compliance shall include, but is not limited to the following:

- **Public Sector Equality Duty**
  - EDC will have due regard, as set out in s.149 of the Equality Act 2010, to the equality impacts of all of its decisions made in relation to the delivery of the objectives set out in this Framework Document. This will include undertaking initial impact assessments and giving due regard on an ongoing basis throughout the delivery of its objectives (recognising that this is a live and ongoing legal obligation);

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[3] Microsoft Word - Code of Good Practice - February 2017 FINAL.docx

[4] Functional Standards - GOV.UK

- **Subsidy Control**
    - EDC will fully satisfy itself that each and every release of funding and the administration of funding is compliant in all respects with the Subsidy Control Act 2022;

- **Freedom of Information**
    - EDC will adhere fully to the Freedom of Information Act 2000 (FOIA) and where a request for information is received by MHCLG or EDC under the Freedom of Information Act 2000, or the Data Protection Act 1998 or 2018, Data (Use and Access) Act 2025 the party receiving the request will consult with the other party prior to any disclosure of information that may affect the other party's responsibilities Data (Use and Access) Act 2025 the party receiving the request will consult with the other party prior to any disclosure of information that may affect the other party's responsibilities;

- **Data Protection**
    - EDC shall comply with all data protection legislation including but not limited to UK GDPR and the Data (Use and Access) Act 2025 and all applicable law relating to the processing of Personal Data. For these purposes EDC will be the Controller of all personal data held

- **Fraud**
    - the EDC's Audit and Risk Assurance Committee (see paragraph xx) will complete its own Fraud Risk Assessment to ensure the safe administration of grants from MHCLG and that reasonable measures are put in place to mitigate against the risk of both fraud and payment error in respect of the duties of EDC, and the Board must assure itself of the robustness and accuracy of this Fraud Risk Assessment.

- **Marketing and branding**
    - EDC agrees that UK Government should be acknowledged in all marketing and promotional material as the funding source. Guidance is available at https://gcs.civilservice.gov.uk/wp-content/uploads/2022/12/Branding_Funded_By_UKG-.pdf

Role of the Ministry

8 The responsible Minister

8.1 The Secretary of State is accountable to Parliament for all matters concerning EDC.

8.2 The Minister's statutory powers in respect of the development corporation are set out in the Local Government Planning and Land Act 1980. EDC's planning powers are granted to it by order of the Secretary of State under s.149 of the 1980 Act. The following statutory instruments provide for the establishment of EDC and its planning functions:

- Statutory Instrument 2015/747 (Area and Constitution)
- Statutory Instrument 2015/748 (Planning Functions)

Appointments to the Board

8.3 The chair and other members of the EDC Board are responsible for the recruitment and appointment of the Chief Executive, and for fixing the terms and conditions of their appointment, with the agreement of the Secretary of State.

8.4 The Minister shall have the following appointment and approval rights in relation to the EDC's Board:

- The chair is appointed by the Secretary of State. Although this appointment is not subject to the Public Appointments Order in Council the Ministry considers it good practice to follow, as far as possible and relevant for EDC, the Governance Code on Public Appointments.
- The Statutory Instrument establishing the EDC provides for up to eleven Board members in total.
- The Board will comprise representation from local government , including both upper tier and lower tier authorities and the Chief Executive will be a Board member (ex-officio).
- All appointments to the Board, except for the Chief Executive and the representatives of local government, will be made having regard to the Governance Code for Public Appointments.
- All such appointments should have regard to the principle that appointments should reflect the diversity of the society in which we live, and appointments should be made taking account of the need to appoint boards which include a balance of skills and backgrounds.

Other Ministerial powers and responsibilities

8.5 The Secretary of State is also responsible for:

- the policy framework within which EDC operates;
- setting the performance framework within which EDC will operate including approving EDC's Corporate Plan;

- matters regarding spending approvals in line with delegations as set out in the delegation letter;
- Issuing an annual letter to the Chair which highlights the priorities for the year;
- such other matters as may be appropriate and proportionate.

9 The Principal Accounting Officer

9.1 The Principal Accounting Officer (PAO) is the Permanent Secretary of the Ministry.

PAO's specific accountabilities and responsibilities

9.2 The PAO of MHCLG designates the Chief Executive as EDC's Accounting Officer (AO) and ensures that they are fully aware of their responsibilities. The PAO issues a letter appointing the AO, setting out their responsibilities and delegated authorities.

9.3 The respective responsibilities of the PAO and AOs for ALBs are set out in Chapter 3 of MPM.

9.4 The PAO is accountable to Parliament for the issue of any grant to EDC.

9.5 The PAO is also responsible, usually via the sponsorship team, for advising the responsible Minister on:

- an appropriate framework of objectives and targets for EDC in the light of the Ministry's wider strategic aims and priorities;
- an appropriate budget for EDC in the light of the sponsor Ministry's overall public expenditure priorities;
- how well EDC is achieving its strategic objectives and whether it is delivering value for money;
- the exercise of the Ministers' statutory responsibilities concerning EDC as outlined above.

9.6 The PAO via the sponsorship team is also responsible for ensuring arrangements are in place in order to:

- monitor EDC's activities and performance;
- address significant problems in EDC, making such interventions as are judged necessary;
- periodically and at such frequency as is proportionate to the level of risk carry out an assessment of the risks both to the ministry and EDC's objectives and activities in line with the wider MHCLG risk assessment process;
- ensure that arrangements are coordinated between EDC and the local authorities to deliver efficient and effective administration and discharge of planning approval and related powers e.g., on compulsory purchase orders;
- inform EDC of relevant government policy in a timely manner;

- bring Ministerial or MHCLG concerns about the activities of the EDC to the full EDC Board, and, as appropriate to the MHCLG Board, requiring explanations and assurances that appropriate action has been taken.

10 The role of the sponsorship team

10.1 The London and New Towns Implementation Division in the Ministry is the primary contact for the EDC. The responsible senior civil servant for this relationship is the Deputy Director for London and the South East. They are the main source of advice to the responsible Minister on the discharge of their responsibilities in respect of EDC. They also support the PAO on their responsibilities towards EDC.

10.2 The Director of the New Towns, Infrastructure and Housing Delivery Directorate (Cathy Francis/Lise-Anne Boissiere, or subsequent holder of the role) as senior sponsor has overall responsibility for the MHCLG's relationship with EDC and is responsible for undertaking the Chair's annual appraisal.

10.3 Officials of the London and New Towns Implementation Division in the MHCLG will liaise regularly with EDC officials to review performance against plans, achievement against targets and expenditure against its RDEL and CDEL allocations. This will take place in quarterly Accounting Officer meetings, chaired by Cathy Francis. The Sponsorship Team will also take the opportunity to explain wider policy developments that might have an impact on the EDC.

11 Resolution of disputes between the EDC and the MHCLG

11.1 Any disputes between the ministry and EDC will be resolved in as timely a manner as possible. The ministry and EDC will seek to resolve any disputes through an informal process in the first instance. If this is not possible, then a formal process, involving a meeting of senior representatives of both parties overseen by the senior sponsor, will be used to resolve the issue. Failing this, the senior sponsor will ask the relevant policy Director General to oversee the dispute. The Director General) may then choose to ask the Permanent Secretary to nominate a non-executive member of the ministry's Board to review the dispute, mediate with both sides (including EDC's Chair) and reach an outcome, in consultation with the Secretary of State. The Secretary of State's decision shall be final and binding.

12 Reporting on legal risk and litigation

12.1 The EDC shall provide a quarterly update to the senior sponsor on the existence of any active litigation and any threatened or reasonably anticipated litigation. The parties acknowledge the importance of ensuring that legal risks are communicated appropriately to the sponsor in a timely manner.

12.2 In respect of each substantial piece of litigation involving EDC , the parties will agree a litigation protocol which will include specific provisions to ensure appropriate and timely reporting on the status of the litigation and the protection of legally privileged information transmitted to the sponsor to facilitate this. Until such time as a protocol is agreed, the parties will ensure that:

- material developments in the litigation are communicated to the sponsor in an appropriate and timely manner
- legally privileged documents and information are clearly marked as such
- individual employees handling the legally privileged documents are familiar with principles to which they must adhere to protect legal privilege
- circulation of privileged information within government occurs only as necessary

The Ebbsfleet Development Corporation governance structure

13 The Chief Executive

Responsibilities of EDC's chief executive as accounting officer

13.1 The Chief Executive as AO is personally responsible for safeguarding the public funds for which they have charge; for ensuring propriety, regularity, value for money and feasibility in the handling of those public funds; and for the day-to-day operations and management of EDC. In addition, they should ensure that EDC as a whole is run on the basis of the standards (in terms of governance, decision-making and financial management) that are set out in Box 3.1 of MPM. These responsibilities include the below and those that are set in the AO appointment letter issued by the PAO of the sponsor ministry.

Responsibilities of the Chief Executive for accounting to Parliament and the public include

13.2 Responsibilities to Parliament and the public include:

- signing the accounts and ensuring that proper records are kept relating to the accounts and that the accounts are properly prepared and presented in accordance with any directions issued by the Secretary of State
- preparing and signing a Governance Statement covering corporate governance, risk management and oversight of any local responsibilities, for inclusion in the annual report and accounts
- ensuring that effective procedures for handling complaints about EDC in accordance with Local Government and Social Care Ombudsman's Complaints Handling Code[5] are established and made widely known within EDC and published [on gov.uk/Named ALB's website]
- acting in accordance with the terms of MPM and other instructions and relevant guidance issued from time to time by the Ministry, the Treasury and the Cabinet Office
- ensuring that as part of the above compliance they are familiar with and act in accordance with:
    - any governing legislation
    - this framework document
    - any delegation letter issued to body
    - any elements of any settlement letter issued to the sponsor ministry that is relevant to the operation of the EDC

5 Complaint Handling Code - Local Government and Social Care Ombudsman

- any separate settlement letter that is issued to the EDC from the sponsor ministry
- ensuring they have appropriate internal mechanisms for monitoring, governance and external reporting regarding non-compliance with any conditions arising from the above documents
- giving evidence, normally with the PAO, when summoned before the PAC on EDC's stewardship of public funds.

Responsibilities to MHCLG

13.3 Responsibilities to the MHCLG include:

- establishing, in agreement with the Ministry, EDC's corporate and business plans in the light of the Ministry's wider strategic aims and agreed priorities
- informing the Ministry of progress in helping to achieve the ministry's policy objectives and in demonstrating how resources are being used to achieve those objectives
- ensuring that timely forecasts and monitoring information on performance and finance are provided to the Ministry; that the Ministry is notified promptly if over or under spends are likely and that corrective action is taken; and that any significant problems whether financial or otherwise, and whether detected by internal audit or by other means, are notified to the ministry in a timely fashion
- ensuring that investment decisions and projects (including public private partnerships and joint ventures) are drawn up and implemented in line with agreed delegations, and relevant guidance and requirements
- ensuring that planning decisions are considered and made in compliance with planning law, guidance and good practice
- ensuring that corporate governance arrangements avoid or mitigate potential conflicts of interest and any legal risks.

Responsibilities of the Chief Executive to the board

13.4 The Chief Executive is responsible for:

- advising the Board on the discharge of their responsibilities as set out in this document, in the founding legislation and in any other relevant instructions and guidance that may be issued from time to time
- advising the Board on EDC's performance compared with its aim[s] and objectives
- ensuring that financial considerations are taken fully into account by the Board at all stages in reaching and executing its decisions, and that financial appraisal techniques are followed
- ensuring that all public funds made available to EDC, including money from sources other than MHCLG, are used for the purpose of discharging EDC's functions, and that such moneys, together with EDC's assets, equipment and staff, are used economically, efficiently and effectively
- ensuring that all material, relevant financial considerations are taken fully into account by the EDC Board at all stages in reaching and executing its decisions as part of its governance and approval processes, and that

standard financial appraisal techniques are followed using the Treasury's Green Book, Appraisal and Evaluation in Central Government' (https://www.gov.uk/government/publications/the-green-book-appraisal-and-evaluation-in-central-governent) to evaluate alternatives, and good quality project and programme management techniques are used to track and where necessary take corrective action;

- ensuring effective community engagement and consultation with local communities, communities, residents and businesses
- ensuring that all planning applications and other relevant decisions by the EDC's Planning Committee (or made on their behalf using delegated powers), comply with planning law and guidance
- maintaining a risk register in accordance with the Treasury's Orange Book: Management of Risk – Principles and Concepts 11057A7707D2521F.pdf) and operating a system of risk management to inform financial and operational decisions and assist in achieving objectives and targets, and must ensure the Board's involvement in the strategic and operational risk management process;
- ensuring that appropriate personnel management policies are established and maintained; and
- taking action as set out in para. 3.8.6 of *Managing Public Money* if the EDC Board, or chair, is contemplating a course of action involving a transaction which the chief executive considers would infringe the requirements of propriety or regularity, or does not represent prudent or economical administration, efficiency or effectiveness, is of questionable feasibility, or is unethical.

13.5 The chief executive is the Principal Officer for handling cases involving the Parliamentary Commissioner for Administration. As Principal Officer, they must inform the MHCLG's Departmental Accounting Officer of any complaints about EDC accepted by the Ombudsman for investigation, and about EDC's proposed response to any subsequent recommendations from the Parliamentary Ombudsman.

Managing conflicts

13.6 The Chief Executive should follow the advice and direction of the Board, except in very exceptional circumstances with a clear cut and transparent rationale for not doing so.

13.7 If the Board, or its chairperson, is contemplating a course of action involving a transaction which the Chief Executive considers would infringe the requirements of propriety or regularity or does not represent prudent or economical administration, efficiency or effectiveness, is of questionable feasibility, or is unethical the Chief Executive in their role as AO should reject that course of action and ensure that the Board have a full opportunity to discuss the rationale for that rejection.

13.8 Such conflicts should be brought to the attention of the PAO and the responsible Minister as soon as possible.

13.9 Furthermore, and if agreed with the responsible Minister, the AO must write a letter of justification to the chair of the Board setting out the rationale for not following the advice and recommendation of the board and copy that letter to MHCLG.

13.10 If the responsible Minister agrees with the proposed course of action of the Board it may be appropriate for the Minister to direct the AO in the manner as set out in MPM paragraph 3.6.6 onwards.

14 The Board

Composition of the Board

14.1 EDC will have a board in line with good standards of corporate governance and as set out in its establishing statute and in guidance as set out in Annex A. The role of the Board shall be to run the EDC, and to deliver the objectives, in accordance with the purposes as set out above, their statutory, regulatory, common law duties and their responsibilities under this framework document. Detailed responsibilities of the board shall be set out in the Board terms of reference. Remuneration of the Board will be disclosed in line with the guidance in the Government Financial Reporting manual (FReM).

14.2 The Statutory Instrument establishing EDC provides for up to eleven Board members in total.

Board Committees

14.3 While the Board may make use of committees to assist its consideration of appointments, audit, risk and remuneration it retains responsibility for, and endorses, final decisions in all of these areas. The Chair should ensure that sufficient time is allowed at the board for committees to report on the nature and content of discussion, on recommendations, and on actions to be taken.

14.4 Where there is disagreement between the relevant committee and the Board, adequate time should be made available for discussion of the issue with a view to resolving the disagreement. Where any such disagreement cannot be resolved, the committee concerned should have the right to report the issue to the sponsor team, PAO and responsible Minister. They may also seek to ensure the disagreement or concern is reflected as part of the report on its activities in the annual report.

14.5 The Chair should ensure board committees are properly structured with appropriate terms of reference. The terms of each committee should set out its responsibilities and the authority delegated to it by the Board. The Chair should ensure that committee membership is periodically refreshed and that individual independent non-executive directors are not over-burdened when deciding the chairs and membership of committees.

14.6 The EDC shall set up an Audit and Risk Assurance Committee (ARAC) of its Board in accordance with the Code of Good Practice for Corporate Governance and the Treasury's Audit and Risk Assurance Committee Handbook. The ARAC shall be chaired by an independent non-executive Board member and not include any executive Board members. Notwithstanding the role of the ARAC committee, the Board must assure itself of the effectiveness of the internal control and risk management systems.

Duties of the Board

14.7 The Board is specifically responsible for:

- establishing and taking forward the strategic aims and objectives of EDC, consistent with its overall strategic direction and within the policy and resources framework determined by the Secretary of State
- providing effective leadership of EDC within a framework of prudent and effective controls which enables risk to be assessed and managed
- ensuring the financial and human resources are in place for EDC to meet its objectives
- reviewing management performance
- ensuring that the Board receives and reviews regular financial and management information concerning the management of EDC

- ensuring that it is kept informed of any changes which are likely to impact on the strategic direction of the Board or on the attainability of its targets, and determining the steps needed to deal with such changes and where appropriate bringing such matters to the attention of the responsible Minister and PAO via the executive team, sponsorship team or directly
- ensuring that annual board effectiveness reviews are undertaken and shared with the Senior Sponsor
- ensuring that in reaching planning decisions, EDC operates within the limits of their statutory authority and that corporate governance arrangements, avoids or mitigates potential conflicts of interest and legal risks between development management and other, especially commercial, responsibilities, powers and functions including with regard to Board member and staff responsibilities and duties
- ensuring that any statutory or administrative requirements for the use of public funds are complied with; that the Board operates within the limits of its statutory authority and any delegated authority agreed with the sponsor ministry, and in accordance with any other conditions relating to the use of public funds
- ensuring that in reaching decisions, the Board takes into account guidance issued by the sponsor ministry
- Ensuring that as part of the above compliance they are familiar with:
    - this framework document
    - any delegation letter issued to EDC
    - any elements of any settlement letter issued to the sponsor ministry that is relevant to the operation of EDC
    - any separate settlement letter that is issued to EDC from the sponsor Ministry
    - that they have appropriate internal mechanisms for the monitoring, governance and external reporting regarding any conditions arising from the above documents and ensure that the chief executive and EDC as a whole act in accordance with their obligations under the above documents
- demonstrating high standards of corporate governance at all times, including by using the independent audit committee to help the board to address key financial and other risks
- appointing, with the Secretary of State’s approval, a chief executive and, in consultation with MHCLG, set performance objectives and remuneration terms linked to these objectives for the chief executive which should give due weight to the proper management and utilization of public resources
- determining all such other things which the Board considers ancillary or conducive to the attainment or fulfilment by EDC of its objectives.

14.8 The Board should ensure that effective arrangements are in place to provide assurance on risk management, governance and internal control.

14.9 The Board should make a strategic choice about the style, shape and quality of risk management and should lead the assessment and management of opportunity and risk. The Board should ensure that effective arrangements are in place to provide assurance over the design and operation of risk management, governance and internal control in line with the Management of Risk – Principles and Concepts (The Orange Book)[6]. The Board must set up an Audit and Risk Assurance Committee chaired by an independent and appropriately qualified non-executive member to provide independent advice and ensure that the ministry's Audit and Risk Assurance Committee are provided with routine assurances with escalation of any significant limitations or concerns. The Board is expected to assure itself of the adequacy and effectiveness of the risk management framework and the operation of internal control.

14.10 The travel expenses of board members shall be tied to the rates allowed to senior staff of EDC. Reasonable actual costs shall be reimbursed.

15 The Chair's role and responsibilities

15.1 The Chair is responsible for leading the board in the delivery of its responsibilities. Such responsibility should be exercised in the light of their duties and responsibilities as set out in their contract of employment/appointment letter, the priorities in the chair's letter issued to them by the sponsor team, the statutory authority governing EDC, this document and the documents and guidance referred to within this document.

15.2 Communications between EDC's Board and the responsible Minister should normally be through the Chair.

15.3 The Chair is bound by the Code of Conduct for Board Members of Public Bodies[7], which covers conduct in the role and includes the Nolan Principles of Public Life[8].

15.4 In addition, the Chair is responsible for:

- ensuring, including by monitoring and engaging with appropriate governance arrangements, that EDC's affairs are conducted with probity
- ensuring that policies and actions support the responsible Minister's wider strategic policies and where appropriate, these policies and actions should be clearly communicated and disseminated throughout the EDC.

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[6] https://www.gov.uk/government/publications/orange-book

[7] https://www.gov.uk/government/publications/code-of-conduct-for-board-members-of-public-bodies

[8] https://www.gov.uk/government/publications/the-7-principles-of-public-life

15.5 The Chair has the following leadership responsibilities:

- formulating the Board's strategy
- ensuring that the Board, in reaching decisions, takes proper account of guidance provided by the responsible Minister or the Ministry
- promoting the efficient and effective use of staff and other resources
- delivering high standards of regularity and propriety
- representing the views of the board to the general public

15.6 The Chair also has an obligation to ensure that:

- the work of the Board and its members are reviewed and that they are working effectively. This should include ongoing assessments of the performance of individual board members with a formal annual evaluation and more in-depth assessments of the performance of individual board members when being considered for re-appointment
- that in conducting assessments that the view of relevant stakeholders including employees and the sponsorship team are sought and considered
- that the Board has a balance of skills appropriate to directing the EDC's business, and that all board members including the Chair and Chief Executive continually update their skills, knowledge and familiarity with the EDC to fulfil their role both on the Board and committees. This will include but not be limited to skills and training in relation to financial management and reporting requirements, risk management and the requirements of board membership within the public sector
- board members are fully briefed on terms of appointment, duties, rights and responsibilities
- they, together with the other board members, receive appropriate training on financial management and reporting requirements and on any differences that may exist between private and public sector practice
- the responsible Minister is advised of the EDC's needs when board vacancies arise
- there is a Board Terms of Reference in place, setting out the role and responsibilities of the board, consistent with the Government Code of Good Practice for Corporate Governance
- there is a Code of Practice for Board Members in place, consistent with the Cabinet Office Code of Conduct for Board Members of Public Bodies

16 Individual board members' responsibilities

16.1 Individual board members should:

- comply at all times with the Code of Conduct for Board Members of Public Bodies and EDC's Code of Conduct for Board Members, which covers conduct in the role and includes the Nolan Principles of Public Life as well as rules relating to the use of public funds and to conflicts of interest

- demonstrate adherence to the 12 Principles of Governance for all Public Body Non-Executive Directors as appropriate[9]
- not misuse information gained in the course of their public service for personal gain or for political profit, nor seek to use the opportunity of public service to promote their private interests or those of connected persons or organisations
- comply with the Board's rules on the acceptance of gifts and hospitality, and of business appointments
- act in good faith and in the best interests of EDC
- ensure they are familiar with any applicable guidance on the role of public sector non-executive directors and boards that may be issued from time to time by the Cabinet Office, HM Treasury or wider government.

[9] https://www.gov.uk/government/publications/public-bodies-non-executive-director-principles/12-principles-of-governance-for-all-public-body-neds

Management and financial responsibilities and controls

17 Delegated authorities

17.1 EDC's delegated authorities are set out in the delegation letter. This delegation letter may be updated and superseded by later versions which may be issued by the MHCLG in agreement with HM Treasury and in line with MPM.

17.2 In line with MPM Annex 2.2 these delegations will be reviewed on an annual basis.

17.3 EDC shall obtain the ministry's and, where appropriate, HM Treasury's prior written approval before:

- entering into any undertaking to incur any expenditure that falls outside the delegations or which is not provided for in the EDC's annual budget as approved by the ministry
- incurring expenditure for any purpose that is or might be considered novel or contentious, or which has or could have significant future cost implications
- making any significant change in the scale of operation or funding of any initiative or particular scheme previously approved by the ministry
- making any change of policy or practice which has wider financial implications that might prove repercussive or which might significantly affect the future level of resources required
- carrying out policies that go against the principles, rules, guidance and advice in MPM.

18 Spending authority

18.1 Once the budget has been approved by the MHCLG and set out in the delegation letter, EDC shall have authority to incur expenditure approved in the budget without further reference to the MHCLG, on the following conditions:

- EDC shall comply with the delegations set out in the delegation letter. These delegations shall not be altered without the prior agreement of the sponsor ministry and as agreed by HM Treasury and Cabinet Office as appropriate
- EDC shall comply with MPM regarding novel, contentious or repercussive proposals
- inclusion of any planned and approved expenditure in the budget shall not remove the need to seek formal approval from MHCLG where any proposed expenditure is outside the delegated limits or is for new schemes not previously agreed
- EDC shall provide the MHCLG with such information about its operations, performance, individual projects or other expenditure as the MHCLG may reasonably require.

19 Banking and managing cash

19.1 EDC must effectively utilise its banking provision to minimise its draw down of funds from government and optimise the use of its government banking service account to maximise benefit for the taxpayer.

19.2 EDC should only hold money outside Government Banking Service accounts where there is an operational requirement to do so. Only commercial banks which are members of relevant UK clearing bodies may be considered for this purpose.

19.3 Commercial accounts where approved should be operated in line with the principles as set out in MPM.

19.4 The AO is responsible for ensuring EDC complies with this banking policy and MPM and ensuring that policy is complied with.

20 Procurement

20.1 EDC shall ensure that its procurement policies are aligned with and comply with any relevant UK or other international procurement rules and in particular the Procurement Act 2023.

20.2 EDC shall establish its procurement policies and document these in a Procurement Policy and Procedures Manual.

20.3 All goods, services, and works, with the exception of very low value purchases, should be acquired with an element of competition commensurate with the value of the purchase. Proposals to let single-tender or restricted contracts shall be limited and exceptional, and a quarterly report explaining those exceptions should be sent to the ministry.

20.4 Where appropriate, and commensurate with the value of the purchase, procurement by EDC of works, equipment, goods, and services shall be based on, a full option appraisal and demonstration of value for money (VfM), i.e. the optimum combination and whole life costs and quality (fitness for purpose).

20.5 The EDC shall:

- engage fully with ministry and government wide procurement initiatives that seek to achieve VfM from collaborative projects
- comply with all relevant Procurement Policy Notes issued by Cabinet Office
- co-operate fully with initiatives to improve the availability of procurement data to facilitate the achievement of VfM

20.6 In awarding contracts EDC shall comply with the requirements of the Procurement Act 2023 and ensure that all contracts are awarded openly, transparently and competitively, and will further ensure that any third-party partnership arrangements or procurement activities comply with procurement law and with the EDC procurement policy.

20.7 EDC shall comply with the commercial[10] and grants functional standards[11]. These standards apply to the planning, delivery, and management of government commercial activity, including management of grants in all departments and ALBs, regardless of commercial approach used and form part of a suite of functional standards that set expectations for management within government.

21 Risk management

21.1 EDC shall ensure that the risks that it faces are dealt with in an appropriate manner, in accordance with relevant aspects of best practice in corporate governance, and develop a risk management strategy, in accordance with the Treasury guidance Management of Risk: Principles and Concepts[12] .

22 Counter fraud and theft

22.1 EDC should adopt and implement policies and practices to safeguard itself against fraud and theft.

22.2 EDC should act in line with guidance as issued by the Counter Fraud Function and in compliance with the procedures and considerations as set in in MPM Annex 4.9 and the Counter Fraud Functional Standard[13]. It should also take all reasonable steps to appraise the financial standing of any firm or other body with which it intends to enter a contract or to provide grant or grant-in-aid.

22.3 EDC should keep records of and prepare and forward to the ministry an annual report on fraud and theft suffered by the EDC and notify the sponsor ministry of any unusual or major incidents as soon as possible. EDC should also report detected loss from fraud, bribery, corruption and error, alongside associated recoveries and prevented losses, to the counter fraud centre of expertise in line with the agreed government definitions as set out in Counter Fraud Functional Standard.

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10 https://www.gov.uk/government/publications/commercial-operating-standards-for-government

11 https://www.gov.uk/government/publications/grants-standards

12 http://www.hm-treasury.gov.uk/orange_book.htm

13 https://www.gov.uk/government/publications/government-functional-standard-govs-013-counter-fraud

23 Staff

Broad responsibilities for staff

23.1 Within the arrangements approved by the responsible Minister the EDC will have responsibility for the recruitment, retention and motivation of its staff. The broad responsibilities toward its staff are to ensure that:

- the rules for recruitment and management of staff create an inclusive culture in which diversity is fully valued; appointment and advancement is based on merit; there is no discrimination against employees with protected characteristics under the Equality Act 2010
- the level and structure of its staffing, including grading and staff numbers, are appropriate to its functions and the requirements of economy, efficiency and effectiveness
- the performance of its staff at all levels is satisfactorily appraised and the EDC's performance measurement systems are reviewed from time to time
- its staff are encouraged to acquire the appropriate professional, management and other expertise necessary to achieve EDC's objectives
- proper consultation with staff takes place on key issues affecting them
- adequate grievance and disciplinary procedures are in place
- whistle-blowing procedures consistent with the Public Interest Disclosure Act are in place.

Staff costs

23.2 Subject to its delegated authorities, EDC shall ensure that the creation of any additional posts does not incur forward commitments that will exceed its ability to pay for them.

Pay and conditions of service

23.3 EDC has responsibility for the recruitment, retention, and motivation of its staff. EDC's must ensure that:

- It informs MHCLG of any changes in the number of posts at director level or above and seek the prior approval from MHCLG to any proposed increases.
- MHCLG approval is required for any proposed major structural changes to pay levels and must be supported by a fully costed business case. MHCLG will in turn consult Treasury if necessary
- It will provide MHCLG with details of its annual pay settlement.

23.4 EDC must comply with the following general principles regarding all staff terms and conditions, including fringe benefits:

- all benefits that form part of the remuneration package shall be clearly identified as part of the remuneration package, and costed in money terms as part of the pay bill;
- the use of non-pay benefits shall be justified based on value for money for the Exchequer; and
- effective processes and systems shall be maintained to ensure abuse of benefits does not take place and that pressure is not placed on costs.

23.5 The decision on whether to award the chief executive and staff a performance bonus, and the proposed amount, must be based on a detailed review of the Corporation's performance by the Board against the objectives specified for the year concerned.

23.6 Staff terms and conditions are set out in employee contracts. EDC must ensure that it has proper mechanisms for monitoring and controlling manpower resources. It must periodically review the outputs of these mechanisms and allow access to the department for the purpose of carrying out audits.

23.7 EDC shall comply with the retained EU law implementation into domestic law on contract workers – the Fixed-Term Employees (Prevention of Less Favourable Treatment) Regulations.

Pensions, redundancy and compensation

23.8 EDC staff are eligible to join the statutory, funded, Local Government Pension Scheme.

23.9 The LGPS is a statutory public service pension scheme established by regulation by the Secretary of State for Housing, Communities and Local Government in exercise of powers conferred by section 7 of the Superannuation Act 1972.

23.10 The legal and administrative arrangements covering the Local Government Pension Scheme shall ensure that:

(i) Responsibilities:
Overall responsibility for management of the Scheme and custody of assets is the responsibility of the relevant fund, in this case Kent County Council, in accordance with the Local Government Pension Scheme Regulations 2013, other LGPS scheme regulations and LGPS Investment Regulations.

ii) Solvency
There is an understanding that MHCLG (or any successor department) will provide support for the Local Government Pension Scheme through grant to EDC and meets its obligations under Managing Public Money.

(iii) Reporting Arrangements:

- regular (at least annual) reports must be received by EDC on the scheme administration.
- regular (at least annual) reports must be made available to employee members and pensioner members of the Scheme. LGPS Funds are required by regulation to have a triennial actuarial valuation and copies of valuation reports are required to be published and sent to the Secretary of State for Housing, Communities and Local Government under Regulation 66of the LGPS Regulations 2013.

- The EDC must draw to the attention of Secretary of State for Housing, Communities and Local Government any other circumstances which have a significant bearing on the solvency or management of the scheme or which may have implications for public expenditure, and, if necessary, the relevant administrative authority, may ask for an interim valuation by that authority's actuary and agree an appropriate deficit recovery plan to the satisfaction of the relevant administering authority.

(iv) LGPS Pensions Committee:
The administering authority is required to formulate and publish its funding strategy statement to aid prudent fund management and may publish a pensions administration strategy about levels of performance expected by the administrator and scheme employers.

(v) Administration of Benefits
The responsibilities of those involved in payments of benefits in accordance with the LGPS provisions should be clearly set out in accordance with the LGPS Regulations 2013. Scheme administrators should report to the EDC at least annually showing what pension payments have been made over the previous year. Scheme administrators shall report to the EDC at least annually how their discretion in respect of pension payments has been exercised. Arrangements must be in place for auditing the validity of pension claims to avoid fraud and to ensure propriety.

(vi) Audit Arrangements
These should be in accordance with the Local Government Pension Scheme Regulations 2013.

23.11 Any proposal by EDC to move from the existing pension arrangements, or to pay any redundancy or compensation for loss of office must comply with the rules in Managing Public Money.

23.12 Pay should be set by remuneration committees having due regard to public sector pay including Civil Service Pay Remit Guidance and Local Authority pay awards.

23.13 As EDC follows Managing Public Money principles, senior pay guidance also applies Therefore, EDC requires Chief Secretary to the Treasury (CST) approval for senior staff salaries over £174,000nd bonuses exceeding £25,000, inline with MPM principles.

23.14 As EDC follows MPM principles, it must also refer to MPM guidance on special severance arrangements.

Business plans, financial reporting and management information

24 Corporate and business plans

24.1 EDC are required to publish a corporate plan with a three year forward look, or any other period agreed with MHCLG or specified by the Secretary of State. EDC shall agree with MHCLG the issues to be addressed in the corporate plan and the timetable for its preparation, including targets, outputs, and outcomes. The plan shall reflect EDC's statutory and/or other duties and, within those duties, the priorities set from time to time by the responsible Minister (including decisions take on policy and resources in the light of wider public expenditure decisions). The plan shall demonstrate how EDC plans to contribute to the achievement of the department's medium-term plan and priorities and aligned performance metrics and milestones.

24.2 A draft of the corporate plan needs to be approved by the MHCLG Senior Sponsor. The corporate plan will need to be approved and authorised by MHCLG ministers. Subject to any commercial considerations, the corporate plan should be published on EDC's website and separately made available to staff.

24.3 The following key matters should be included in the corporate plan:

- the Secretary of State's and MHCLG's strategic aims and demonstrate how EDC contributes to the achievement of these
- key objectives and key performance indicators for the period indicated and the strategy for achieving those objectives.
- details of EDC's allocated budget.
- an assessment of the risks associated with investment, projects and other activities set out in the corporate plan

Annual Business Plan

24.4 EDC will also prepare annual business plans that should be consistent with the strategic objectives and targets as set out in the corporate plan. The business plan shall set out key targets and milestones for the year ahead and shall be linked to budgeting information.

24.5 A draft of the annual business plan should be submitted to the MHCLG Senior Sponsor for approval. The Senior Sponsor can, at their discretion, decide to forward the draft annual business plan to Ministers for approval if it is considered contentious. Subject to any commercial considerations, the business plan should be published on EDC's website and separately made available to staff.

25 Budgeting procedures

25.1 Each year, in the light of decisions by the department on the updated draft corporate plan, the department will send to EDC by 30 March:

- a formal statement of the annual budgetary provision allocated by the department in the light of competing priorities across the department and of any forecast income approved by the department
- a statement of any planned change in policies affecting EDC.

25.2 The approved annual business plan will take account both of approved funding provision [where this applies] and [where this applies] any forecast receipts. It will include a budget of estimated payments and receipts together with a profile of expected expenditure and of draw-down of any departmental funding and/or other income over the year. These elements form part of the approved business plan for the year in question.

25.3 Budgets will be set and allocated by the department through the usual Spending Review, Business Planning, Mains & Supplementary estimates processes. Any agreements to commit to spend over multiple years will need to be approved by the department and within allocations.

26 Grant and any ring-fenced grants

26.1 26.1 Any grant provided by the department for the year in question will be voted in the department's Supply Estimate and be subject to Parliamentary control.

26.2 The grant will normally be paid in monthly instalments on the basis of written applications showing evidence of need. The EDC will comply with the general principle that there is no payment in advance of need. Cash balances accumulated during the course of the year from investment funding or grant- or other Exchequer funds shall be kept at the minimum level consistent with the efficient operation of the EDC. Grant not drawn down by the end of the financial year shall lapse.

26.3 In the event that the ministry provides the EDC separate grants for specific (ring-fenced) purposes, it would issue the grant as and when the EDC needed it on the basis of a written request. The EDC would provide evidence that the grant was used for the purposes authorised by the department. EDC shall not have uncommitted grant funds in hand, nor carry grant funds over to another financial year.

26.4 At the start of the Financial Year, EDC will provide MHCLG with a forecast of their expected grant draw drawn for the year ahead. EDC will inform MCHLG throughout the year if there are any expected changes to the forecast provided. The department monitors the expected draw down of grant funding for the year to ensure effective departmental budget management.

27 Annual report and accounts

27.1 After the end of each financial year EDC must publish an annual report of its activities. EDC's accounts are audited by the National Audit Office (NAO). These will normally be prepared within three months of the end of the financial year to allow them to be laid before Parliament at the earliest opportunity.

27.2 The annual report and accounts must:

- cover any corporate, subsidiary, or joint ventures under its control;
- comply with the Treasury's Reporting Manual (FReM) and in accordance with any specific Accounts Direction issued by MHCLG;
- outline EDC's main activities and performance during the previous financial year and set out in summary form forward plans; and include information on performance against key financial targets in the notes to the accounts.

27.3 A draft of the annual report will be shared with the MHCLG Finance Directorate and New Towns, etc. Directorate, in line with the report's submission to EDC Board and ARAC. The report and accounts will be laid before Parliament. The report and accounts must subsequently be made available on the Government and EDC's websites.

28 Reporting performance to the department

28.1 EDC shall operate management, information and accounting systems that enable it to review in a timely and effective manner its financial and non-financial performance against the budgets and targets set out in the corporate and business plans.

28.2 EDC shall inform MHCLG of any changes that make achievement of objectives more or less difficult. It shall report financial and non-financial performance, including performance in helping to deliver ministers' policies, and the achievement of key objectives regularly.

28.3 EDC must therefore establish and maintain adequate systems for timely, reliable, and consistent recording and forecasting of expenditure and commitments and ensure that forecasts are as accurate as circumstances permit. Key and material assumptions should be reviewed regularly and, where appropriate, discussed with MHCLG.

28.4 As a minimum, EDC shall provide MHCLG with monthly information that will enable the department to satisfactorily monitor:

- EDC's cash management;
- its draw-down of grant; and
- forecast outturn broken down by capital and resource

28.5 MHCLG will liaise on a regular basis with EDC to review financial performance against plans and achievements against targets. Officials will also take the opportunity to explain wider policy developments that might have an impact on the EDC.

28.6 The Secretary of State and other Ministers may meet the Board from time to time to discuss EDC's performance, its current and future activities, and any policy developments relevant to its activities. The PAO will meet the Chief Executive if required.

28.7 EDC will report regularly to the MHCLG-EDC programme delivery group on programme performance against delivery targets and financial budgets.

28.8 EDC must take the initiative in informing MHCLG of material changes in external conditions which make the achievement of objectives difficult, or which have financial or budgetary implications

28.9 The accounting policies and accounting records maintained by EDC must always comply with the Government Financial Reporting Manual (FReM).

29 Information sharing

29.1 EDC and the Ministry will agree a data sharing agreement between both organisations, which will set out access rights to EDC records.

29.2 EDC shall provide the MHCLG with such information about its operations, performance, individual projects or other expenditure as the sponsor the MHCLG may reasonably require.

29.3 The Ministry and HM Treasury may request the sharing of data held by the EDC in such a manner as set out in central guidance except insofar as it is prohibited by law. This may include requiring the appointment of a senior official to be responsible for the data sharing relationship.

29.4 As a minimum, EDC shall provide the ministry with information on a regular basis that will enable the ministry satisfactorily to monitor:

- EDC's cash management
- its draw-down of grant
- forecast outturn by resource headings
- other data required for the Online System for Central Accounting and Reporting (OSCAR)
- data as required in respect of its compliance with any Cabinet Office Controls pipelines or required in order to meet any condition as set out in any settlement letter
- EDC's commercial bank balances. This information will be provided quarterly and assures adherence to Managing Public Money.

Audit

30 Internal audit

30.1 EDC shall:

- establish and maintain arrangements for internal audit – this is done through the Government Internal Audit Agency
- ensure that any arrangements for internal audit are in accordance with the Public Sector Internal Audit Standards (PSIAS) as adopted by HM Treasury[14].
- In the event that it decided to do so, EDC can choose to appoint a Head of Internal Audit or use GIAA
- set up an Audit and Risk Assurance Committee (ARAC) of its Board in accordance with the Code of Good Practice for Corporate Governance and the Treasury's Audit and Risk Assurance Committee Handbook. The ARAC shall be chaired by an independent non-executive Board member and not include any executive Board members. Notwithstanding the role of the ARAC committee, the Board must assure itself of the effectiveness of the internal control and risk management systems
- forward the audit strategy, periodic audit plans and annual audit report, including EDC Head of Internal Audit's opinion on risk management, control, and governance as soon as possible to the MHCLG sponsorship team..
- keep records of and prepare and forward to the ministry an annual report on fraud and theft suffered by the EDC and notify the MHCLG of any unusual or major incidents as soon as possible
- will share with the sponsor ministry information identified during the audit process and the Annual Audit Opinion Report (together with any other outputs) at the end of the audit, in particular on issues impacting on the ministry's responsibilities in relation to financial systems within the EDC.

[14] https://www.gov.uk/government/publications/public-sector-internal-audit-standards

31 External audit

31.1 The Comptroller & Auditor General (C&AG) audits EDC's annual accounts and lays them before Parliament, together with EDC's annual report.

31.2 In the event that EDC has set up and controls subsidiary companies, EDC will, in the light of the provisions in the Companies Act 2006, ensure that the C&AG has the option to be appointed auditor of those company subsidiaries that it controls and/or whose accounts are consolidated within its own accounts. EDC shall discuss with the sponsor team at MHCLG the procedures for appointing the C&AG as auditor of the companies.

31.3 The C&AG:

- will consult the ministry and EDC on whom – the NAO or a commercial auditor – shall undertake the audit(s) on his behalf, though the final decision rests with the C&AG
- has a statutory right of access to relevant documents, including by virtue of section 25(8) of the Government Resources and Accounts Act 2000, held by another party in receipt of payments or grants from the EDC
- will share with the sponsor ministry information identified during the audit process and the audit report (together with any other outputs) at the end of the audit, in particular on issues impacting on the Ministry's responsibilities in relation to financial systems within the EDC
- will consider requests from departments and other relevant bodies to provide regulatory compliance reports and other similar reports at the commencement of the audit. Consistent with the C&AG's independent status, the provision of such reports is entirely at the C&AG's discretion

31.4 The C&AG may carry out examinations into the economy, efficiency and effectiveness with which the EDC has used its resources in discharging its functions. For the purpose of these examinations the C&AG has statutory access to documents as provided for under section 8 of the National Audit Act 1983. In addition, the EDC shall provide, in conditions to grants and contracts, for the C&AG to exercise such access to documents held by grant recipients and contractors and sub-contractors as may be required for these examinations; and shall use its best endeavors to secure access for the C&AG to any other documents required by the C&AG which are held by other bodies.

Reviews and winding up arrangements

32 Arrangements in the event that the EDC is wound up

32.1 MHCLG shall put in place arrangements to ensure the orderly winding up of the EDC. In particular it should ensure that the assets and liabilities of the EDC are passed to any successor organisation and accounted for properly. (In the event that there is no successor organisation, the assets and liabilities should revert to the MHCLG.) To this end, the ministry shall:

- have regard to Cabinet Office guidance on winding up of ALBs[15]
- ensure that procedures are in place in the EDC to gain independent assurance on key transactions, financial commitments, cash flows and other information needed to handle the wind-up effectively and to maintain the momentum of work inherited by any residuary body
- specify the basis for the valuation and accounting treatment of the EDC's assets and liabilities
- ensure that arrangements are in place to prepare closing accounts and pass to the C&AG for external audit, and that, for non-Crown bodies funds are in place to pay for such audits. It shall be for the C&AG to lay the final accounts in Parliament, together with his report on the accounts
- arrange for the most appropriate person to sign the closing accounts. In the event that another ALB takes on the role, responsibilities, assets and liabilities, the succeeding ALB AO should sign the closing accounts. In the event that the ministry inherits the role, responsibilities, assets and liabilities, the sponsor ministry's AO should sign

32.2 EDC shall co-operate fully with any arrangements made by the Ministry for winding up of EDC and in particular provide the Ministry with full details of all agreements where EDC or its successors have a right to share in the financial gains of developers. It should also pass to the ministry details of any other forms of claw-back due to the EDC. All such rights to profit share or clawback must be drafted in a form that is assignable to the Ministry or at the Ministry's direction.

[15] https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/690952/Public_Bodies_-_a_guide_for_ministrys_-_chapter_10.pdf

Annex A: Guidance

The EDC shall comply with the following guidance, documents and instructions:

Corporate governance

- This framework document

- Corporate Governance Code for Central Government Departments (relevant to Arm's Length Bodies) and supporting guidance: https://www.gov.uk/government/publications/corporate-governance-code-for-central-government-ministrys-2017

- Code of conduct for Board members of Public Bodies: https://www.gov.uk/government/publications/code-of-conduct-for-board-members-of-public-bodies

- Code of practice for partnerships between Departments and Arm's Length Bodies: https://www.gov.uk/government/publications/partnerships-with-arms-length-bodies-code-of-good-practice#:~:text=This%20code%20of%20good%20practice,partnership%20approach%20to%20shaping%20relationships.

Financial management and reporting

1. Managing Public Money (MPM): https://www.gov.uk/government/publications/managing-public-money

2. Government Financial Reporting Manual (FReM): www.gov.uk/government/collections/government-financial-reporting-manual-frem

3. Relevant Dear Accounting Officer (DAO) letters: www.gov.uk/government/collections/dao-letters

4. Relevant guidance and instructions issued by the Treasury in respect of Whole of Government Accounts: https://www.gov.uk/government/collections/whole-of-government-accounts

5. The most recent letter setting out the delegated authorities, issued by the parent ministry.

Management of risk

- Management of Risk: www.gov.uk/government/publications/orange-book and https://www.gov.uk/government/publications/management-of-risk-in-government-framework

- Public Sector Internal Audit Standards: www.gov.uk/government/publications/public-sector-internal-audit-standards

- HM Treasury approval processes for Major Projects above delegated limits: https://www.gov.uk/government/publications/treasury-approvals-process-for-programmes-and-projects
- The Government cyber-security strategy and cyber security guidance: https://www.gov.uk/government/publications/national-cyber-strategy-2022/national-cyber-security-strategy-2022 and https://www.gov.uk/government/collections/cyber-security-guidance-for-business

Commercial management

- Procurement Policy Notes: https://www.gov.uk/government/collections/procurement-policy-notes

- Transparency in supply chains - a practical guide: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1040283/Transparency_in_Supply_Chains_A_Practical_Guide_2017_final.pdf

Public appointments

The following are relevant where public bodies participate in public appointments processes.

- Guidance from the Commissioner for Public Appointments: https://publicappointmentscommissioner.independent.gov.uk/

- Governance Code on Public Appointments: www.gov.uk/government/publications/governance-code-for-public-appointments

- Procurement Policy Note 08/15 – Tax Arrangements of Public Appointees: https://www.gov.uk/government/publications/procurement-policy-note-0815-tax-arrangements-of-appointees

Staff and remuneration

- Civil Service pay guidance (updated annually): www.gov.uk/government/collections/civil-service-pay-guidance
- The Equalities Act 2010: www.gov.uk/guidance/equality-act-2010-guidance

General

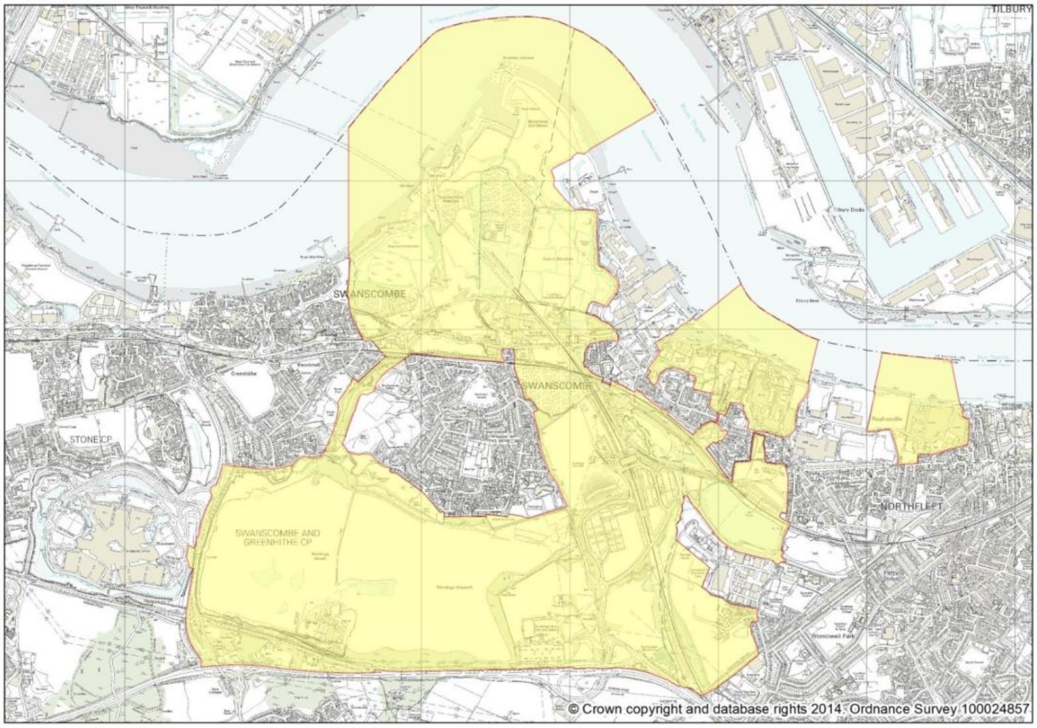
- Freedom of Information Act guidance and instructions: www.legislation.gov.uk/ukpga/2000/36/contents and https://ico.org.uk/for-organisations/guide-to-freedom-of-information/
-
  Local Government Ombudsman – add link
- Other relevant instructions and guidance issued by the central Departments (Cabinet Office and HM Treasury)

- Recommendations made by the Public Accounts Committee, or by other Parliamentary authority, that have been accepted by the Government and are relevant to EDC.].

- Code of Practice for Official Statistics: https://code.statisticsauthority.gov.uk/#:~:text=The%20Code%20of%20Practice%20for%20Statistics%20sets%20the,produced%20by%20people%20and%20organisations%20that%20are%20trustworthy.

- Accounting Officer System Statements (AOSS are produced by departments : www.gov.uk/government/publications/accounting-officer-system-statements

Annex B: EDC Boundaries and Site Map


TILBURY
SWANSCOMBE
SWANSCOMBE
STONE CP
SWANSCOMBE AND GREENHITHE CP
NORTHFLEET
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