

**NORTH EAST LINCOLNSHIRE CLINICAL COMMISSIONING GROUP
PARTNERSHIP BOARD TERMS OF REFERENCE**

1.0 PREAMBLE

- 1.1 The CCG constitution sets out the key elements of the Governance arrangements of the organisation, shown diagrammatically at Appendix A
- 1.2 The Governing Body shall be operated in accordance with the CCG constitution and shall not have separate terms of reference
- 1.3 The Partnership Board shall be established as a committee of the Governing Body in accordance with the CCG constitution, and its operation and principle responsibilities and membership shall be as set out in that document
- 1.4 These terms of reference support the delivery of the constitution requirements, and may include additional duties and responsibilities as determined by the Council of Members and/or Governing Body
- 1.5 Any alterations to the Terms of Reference are subject to approval by the Governing Body.

2.0 PRINCIPAL FUNCTIONS

- 2.1 The Partnership Board is responsible for ensuring the effective discharge of the CCG's statutory duties for the commissioning of health care services
- 2.2 The Partnership Board is responsible for the effective discharge of the CCG's responsibilities for Adult Social Care as defined in the legal Partnership Agreement with North East Lincolnshire Council
- 2.3 These Terms of Reference should be read in conjunction with the CCG constitution and financial policies

3.0 AUTHORITY

- 3.1 The Governing Body responsibilities are delegated to the Partnership Board in full with the exception of those areas specifically defined within the constitution as being reserved to the Governing Body. The defined areas include the corporate scheme of delegation and the establishment of Governing Body committees.
- 3.2 The Clinical Chief Officer is the Accountable Officer in accordance with the Accountable Officer Memorandum for Chief Executives [2002].
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- 3.3 Chief Financial Officer is responsible for ensuring that the CCG meets its statutory duties for financial management.

- 3.4 The NHS duties, functions and responsibilities of the Partnership Board are set out in the constitution.
- 3.5 The Adult Social Care duties, functions and responsibilities delegated to the North East Lincolnshire CCG are set out in the Partnership Legal Agreement (Section 75 NHS Act 2006) and three year Business Plan agreement.
- 3.6 The legal agreement defines a number of 'Reserved Matters' in relation to Adult Social Care duties, functions and responsibilities. Authority on those matters is not delegated to NEL CCG.

4.0 PRINCIPAL RESPONSIBILITIES

The Partnership board has functions conferred on it in the CCG constitution and the groups Scheme of Delegation, which shall include responsibility for those matters delegated within the constitution, notably:

- 4.1 Ensuring the delivery and implementation of any guidance or standards issued by any relevant regulatory body
- 4.2 Ensuring delivery of targets, policies and standards agreed by the group
- 4.3 Ensuring delivery of the outcomes and milestones set out in the organisation's annual plan
- 4.4 Ensuring effective liaison with and reporting to Members of the CCG and NHS England (as appropriate)
- 4.5 Reviewing compliance with the CCG governance arrangements
- 4.6 Complying with all relevant law and policy and adhere to the obligations placed on the CCG, other than those discharged by the governing body
- 4.7 Ensuring comprehensive reporting to Members and the public
- 4.8 Ensuring that all of the CCG's policies and procedures are fully complied with at all times
- 4.9 Developing effective communication links to ensure that the views of members are properly considered as part of its decision making processes
- 4.10 Having in place plans that support addressing local health inequalities
- 4.11 Ensuring delivery of the mission, values, aims, culture and strategic direction of the CCG
- 4.12 Engaging specifically with the Health and Wellbeing Board
- 4.13 Securing effective public involvement in the decisions of the CCG
- 4.14 Securing the safety and quality of services
- 4.15 Co-ordinating and planning for demand, financial and investment needs of the CCG



5.0 MEMBERSHIP

- 5.1 The North East Lincolnshire CCC Partnership Board membership shall be that of the Governing Body plus two Local Authority-nominated lay members (elected members of NELC).
- 5.2 In Attendance shall be a Local Authority Officer (DASS or nominated deputy) who shall not have voting rights.
- 5.3 The board can also invite other individuals, including professional advisers, to attend as may be required from time to time in support of specific agenda items or to provide advice. Such individuals will not have voting rights.
- 5.4 In the event that a member is not able to attend, deputies may attend meetings on their behalf but shall not vote.
- 5.5 At any meeting the chair shall preside. If the chair is absent from the meeting, the deputy chair, if present, shall preside. If the chair is absent temporarily on the grounds of a declared conflict of interest the deputy chair, if present, shall preside. If both the chair and deputy chair are absent, or are disqualified from participating, a chair shall be chosen by those members present and shall preside.
- 5.6 Deputies for Partnership board members may attend meetings but shall not vote

6.0 QUORUM

- 6.1 The Partnership board will be quorate if there are 6 members present with at least:
3 clinical / professional members (2 of which must be GPs)
2 lay members
1 officer member
- 6.2 Should circumstances arise that require there to be no GP present for a specific agenda item (eg due to conflicts of interest effecting all GP members present at the meeting) the chair may declare the meeting quorate to make a decision *only if* the view taken by the Partnership board accords with a recorded recommendation or decision taken by the Council of Members on that same matter. If the view of the Partnership board does not accord with that of the Council of Members, no decision shall be taken and the matter shall be taken back to the Council of Members for review.
- 6.3 Where the above circumstances arise and there is no relevant decision or recommendation from the Council of Members, a decision is urgent, or the Partnership board and Council of Members are unable to come to a common view then the chair of the board shall determine how to obtain GP advice to enable a decision to be taken. Options could include requesting GP governing body member(s) from another CCG, or a GP from NHS England Area Team, to provide that advice.
- 6.4 In exceptional circumstances and where agreed with the Chair, members of the board may participate in meetings by telephone, by the use of video conferencing facilities and/or webcam where such facilities are available. Participation in a meeting in any of these manners shall be deemed to constitute presence in person at the meeting.

7.0 EMERGENCY DECISIONS

The chair or (in the absence of the chair) the vice chair may call an emergency meeting or request an emergency decision from members as and when they deem it to be necessary, providing that a minimum of 5 working days' notice is provided and quoracy for decision making can be achieved.

The chair (or in the absence of the chair, the vice chair) shall have authority to take Chairman's action ie take a decision on behalf of the meeting membership in the event that an urgent decision is required in circumstances where it is not practical or reasonable to call a meeting or reach a decision through the normal routes. All such decisions shall be reported to the members as soon as practicable, and shall be recorded in the minutes of the next available meeting.

8.0 FREQUENCY

8.1 Meetings shall be held in public a minimum of 4 times each year

9.0 REPORTING ARRANGEMENTS

9.1 Minutes shall be taken at all Council of Members, Governing Body, Partnership Board and all other committee meetings, and confirmed as a true record at the subsequent meeting.

9.2 All approved minutes (except those specific elements that are confidential in nature for example, individual funding request appeals) shall be placed on the group's intranet (or equivalent) along with all meeting papers and shall thereby be available to all the group's members.

9.3 Minutes of the board public meetings shall be made publically available through holding of meetings in public and making those papers freely available to any member of the public through the internet or other medium (eg printed papers) on reasonable request

10.0 ADMISSION OF PUBLIC AND THE PRESS

Public and press shall be admitted as observers to all meetings of the Governing Body and Partnership board that are held in public.

10.1 All meetings of the Governing Body and Partnership board shall be held in public unless it is determined by the chair that it is not in the public interest to permit members of the public to attend a meeting or part of a meeting.

10.2 Members of public and press shall not participate in any meeting proceedings or discussions unless

10.2.1 Individual(s) are specifically invited to do so by the Chair in advance of the meeting, for specified agenda item(s)

10.2.2 public participation is specifically identified within an agenda item on the published agenda (such as 'Public Question Time')

11.0 COMMITTEES AND SUB GROUPS

11.1 The constitution requires that the Governing Body will establish the following committees:

- Remuneration Committee
- Integrated Governance and Audit committee
- Joint Committee for Co-commissioning Committee
- Partnership Board

The responsibilities, authority and membership of these shall be as defined by the constitution. The Terms of Reference and any amendments thereto shall require approval by the Governing Body.

11.2 The Partnership Board shall establish such other sub groups to assist with the delivery of its delegated responsibilities and progress its work as it sees fit. These sub groups will have clear terms of reference determined by the Partnership Board, and shall comply with the CCG scheme of delegation.

12 ADMINISTRATION ARRANGEMENTS

12.1 The Board will be supported by a member of the CCG headquarters administration team

13.0 Standards of Business Conduct/Conflict of Interest

13.1 All Board Members must adhere to the CCG's Constitution and Standards of Business Conduct / Conflicts of Interest policies, together with NHS England statutory guidance on managing conflicts of interest.

13.2 Where a member believes that he /she has a conflict of interest in relation to one or more agenda items, they must declare this at the beginning of the meeting wherever possible, and always in advance of the agenda item being discussed. It will be responsibility of the Chair of Board to decide how to manage the conflict and the appropriate course of action.

13.3 To further strengthen scrutiny and transparency of CCG's decision-making processes the CCG has an appointed Conflict of Interest Guardian. This role is undertaken by the CCG's Integrated Governance & Audit Chair.

13.4 Any interests which are declared at a meeting must be included on the CCG's Declaration of interest Register. Where this is not already the case, the individual with the conflict must ensure that the item is added to their declaration as soon as is practicable following the meeting.

14.0 LIABILITY OF MEMBERS

14.1 North East Lincolnshire CCG shall provide an indemnity to any member of the board that if any such person acts honestly and in good faith such person will not have to meet out of personal resources any personal civil liability which is incurred in the execution or purported execution of the functions of the North East Lincolnshire CCG, save where they have acted recklessly.

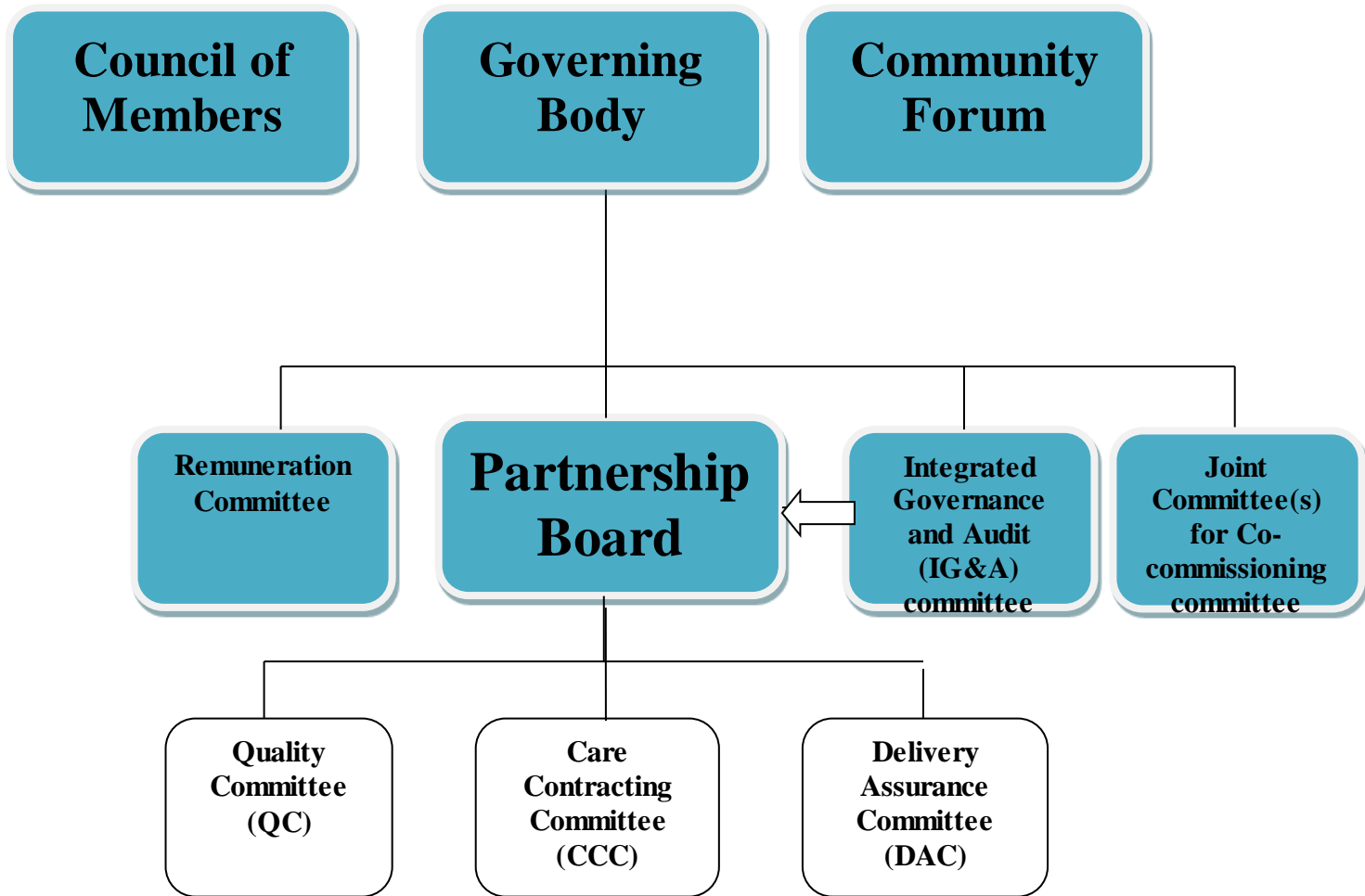
15.0 DOCUMENT CONTROL

- 15.1 The above Terms of Reference will be considered by the Governing Body and will be regularly reviewed at least annually.
- 15.2 Any changes to these Terms of Reference shall not be effective unless agreed by the Council of Members.

Agreed by Partnership Board 12/01/2017
Approved by Council of Members 02/02/2017
Ratified by Governing Body 09/03/2017



APPENDIX A



Key:

Group established in CCG Constitution

Sub group established by Partnership Board

Delivering joined up solutions

