

## **Greater Nottingham CCGs: Integrated Governance Arrangements**

### **1. Introduction**

1.1 There is a well-established and long history of collaborative working between the Greater Nottingham CCGs. The extent of this collaborative working has in more recent times been reviewed, driven by a range of new collective challenges. The commissioning issues that are facing the CCGs include the development of new models of care, significantly increasing financial pressures, increased challenges around performance of our health system, and stretched capacity to deliver all our commissioning functions.

At Governing Body meetings during May and June 2017, the CCGs agreed to establish a Joint Commissioning Committee, subject to membership approval, as this was seen as the best solution to help address these challenges. It was also seen as an important first step toward developing an Integrated Care System (previously called an Accountable Care System) in Greater Nottingham.

The establishment of the Joint Commissioning Committee provides an opportunity to better align CCG commissioning across Greater Nottingham. This brings a range of benefits, including:

- a) Commissioning at scale to help lead to better outcomes;
- b) Meeting the needs of people not organisations;
- c) Reducing unwarranted variation and improving consistency of pathways;
- d) Being an enabler for the development of an Integrated Care System; and
- e) Ensuring the local NHS commissions services within its available resources.

1.2 The purpose of this paper is to seek approval from the Greater Nottingham CCGs' Governing Bodies to approve the Constitution amendments needed to integrate the CCGs' governance arrangements, including the establishment of the Greater Nottingham Joint Commissioning Committee.

1.3 The paper also sets out a range of further actions being taken to fully embed the new governance arrangements.

1.4 It is proposed that the new arrangements will commence on 1 April 2018.

### **2. Greater Nottingham Joint Commissioning Committee**

2.1 Work has been completed over the past few months, overseen by the Governing Bodies of the Greater Nottingham CCGs, to develop the proposed terms of reference and supporting documentation needed to establish the joint commissioning committee. Appropriate legal advice has been obtained as part of this work.

2.2 A final draft Terms of Reference for the Greater Nottingham Joint Commissioning Committee is attached as **Appendix A**. This includes details of the confirmed membership.

- 2.3 The Terms of Reference are accompanied by:
- a) A Delegation Agreement that sets out the full details of the delegation by each of the Greater Nottingham CCGs to the joint commissioning committee; and
  - b) Standing Orders for the joint commissioning committee that set out:
    - Arrangements regarding meetings of the Committee;
    - The Committee’s quoracy requirements;
    - The Committee’s arrangements for making decisions; and
    - The appointment/selection processes for Committee members.
- 2.4 In addition to the four Clinical Chairs of the Greater Nottingham CCGs, there is a fifth non-voting GP Member of the Greater Nottingham Joint Commissioning Committee. This role will be filled by a GP with experience of providing care and treatment to patients from our deprived and increasingly diverse communities, and who has an understanding of the health and social factors that influence has been advertised across all of the Greater Nottingham CCGs’ member practices. Interviews are scheduled for 21 March 2018 to finalise this appointment.
- 2.5 Greater Nottingham Joint Commissioning Committee meetings will be held on the last Wednesday of each month. The schedule of meeting dates for 2018/19 is as follows (venues have yet to be confirmed):

Date	Time
25 April 2018	9.00am-12.30pm
30 May 2018	9.00am-12.30pm
27 June 2018	9.00am-12.30pm
25 July 2018	9.00am-12.30pm
<i>No meeting in August</i>	
26 September 2018	9.00am-12.30pm
31 October 2018	9.00am-12.30pm
28 November 2018	9.00am-12.30pm
<i>No meeting in December</i>	
30 January 2019	9.00am-12.30pm
27 February 2019	9.00am-12.30pm
27 March 2019	9.00am-12.30pm

- 2.6 In order to support the establishment and ongoing effectiveness of the Greater Nottingham Joint Commissioning Committee, four development sessions are proposed, as follows:

Date	Time	Venue
21 March 2018	9:00am – 12:00pm	Boardroom, Standard Court
29 March 2018	3:00pm – 6:00pm	Committee Room, Civic Centre
22 August 2018	9:00am – 12:00pm	To be confirmed
19 December 2018	9:00am – 12:00pm	To be confirmed

The first two sessions will focus on establishing how the joint commissioning committee will work, including the development of strategic objectives and a forward work programme. Topics for the second two sessions will be identified once the joint commissioning committee has become more established.

### 3. Integrated Committee Structure

3.1 The proposed new integrated governance structure for the Greater Nottingham CCGs is attached at **Appendix B**.

3.2 The proposed structure is comprised of a mixture of joint committees, individual committees that will operate using a 'committees in common' approach, and individual committees that will operate separately for each CCG.

A simple explanation of these different approaches is provided in a Good Governance Institute briefing paper that can be accessed here: <https://www.good-governance.org.uk/wp-content/uploads/2017/04/Joint-committees-and-committees-in-common-in-CCGs-How-to-keep-within-the-law.pdf>

3.3 As explained in Appendix B, this is a starting point for the new integrated governance arrangements, which will need to evolve over the coming months.

3.4 The integrated governance structure describes the way that the Greater Nottingham CCGs will be governed. It is important to note the distinction between formal governance arrangements and management/operational arrangements. Governance is about planning the framework for work and ensuring it is done. As such, it is distinct from management (organising the work) and operations (doing the work). While there is a fine line to tread and some aspects even overlap, we should strive to maintain as clear a distinction between governance and management as possible. Getting the balance right will create a stronger more resilient organisation.

3.5 As such, the integrated governance structure, set out at Appendix B, does not include reference to the management/operational groups that are either already established or proposed as part of the new arrangements for integrated working.

3.6 Established management/operational groups include:

- a) Financial Recovery Delivery Group
- b) Safeguarding Steering Groups
- c) Primary Care Quality Groups
- d) Medicines Management Groups
- e) IM&T Committee
- f) Research Strategy Group

3.7 A new Clinical Commissioning Executive Group is also proposed in order to support the development of commissioning strategies and plans and to oversee their delivery from a management/operational perspective. The membership of this Group will comprise clinical leaders from each CCG, along with senior managerial leads working on behalf of the Greater Nottingham CCGs.

3.8 All of the management/operational groups will report into the CCGs' Governing Bodies (or their committees) or the Greater Nottingham Joint Commissioning Committee (or its committees), as appropriate, through routine papers, assurance reports and progress updates.

#### **4. Constitution Variations**

- 4.1 In order to make the required changes to integrate the governance arrangements of the Greater Nottingham CCGs, there is a requirement to amend each CCG's constitution.
- 4.2 A summary of all proposed changes to NHS Nottingham North and East CCG's constitution is attached at **Appendix C**, along with a full tracked change version of the constitution at **Appendix D**.
- 4.3 The main changes relate to:
- a) The establishment of the Greater Nottingham Joint Commissioning Committee and the associated delegation of functions;
  - b) Enabling the Governing Body's statutory committees to meet as 'committees in common' with the committees of the other Greater Nottingham CCG Governing Bodies;
  - c) Enabling the Governing Body to hold virtual meetings; and
  - d) Allowing the Governing Body to appoint 'any other person' to the membership of committees and sub-committees of the Governing Body, including any joint committees established. This is required to allow the appointment of two Local Authority Chief Executives as voting members of the proposed Greater Nottingham Joint Commissioning Committee.
- 4.4 A range of other changes are also proposed at this time, mainly minor 'housekeeping' amendments. These include a number of amendments in relation to the latest statutory guidance on the management of conflicts of interests and an update to the CCG's membership details in line with a recent practice merger.
- 4.5 Due to the materiality of the proposed changes, there is a requirement to obtain CCG membership approval to the proposed constitution variation, in addition to the Governing Body sign off process. A meeting of NHS Nottingham North and East CCG's Practice Forum has been scheduled for 21 March 2018 for this purpose.
- 4.6 Applications to vary the Greater Nottingham CCGs' constitutions will also be made to NHS England in line with national requirements.

#### **5. Governing Body Arrangements**

- 5.1 Once the Greater Nottingham Joint Commissioning Committee has been established, it is proposed to reduce the frequency of scheduled Governing Body meetings to no more than four per year. These meetings need to be aligned to the reporting and assurance requirements of the retained/non-delegable functions (e.g. opening budget approval, operational plan approval, etc.). There is also a need to receive the required assurances from the Greater Nottingham Joint Commissioning Committee in relation to its effective discharge of its delegated responsibilities. The Governing Body will retain its ability to call unscheduled meetings if required.
- 5.2 It is proposed that the Greater Nottingham CCGs' Governing Bodies will meet in July, October, January and April.

## 6. Next Steps

- 6.1 There is still a significant amount of work to be completed to finalise the integrated governance arrangements. With this in mind, it is proposed that the Accountable Officer be delegated authority to oversee this work through to completion, with subsequent approvals through the appropriate channels. Further project work includes:
- a) Finalisation of committee terms of reference, specifically confirmation of membership and meeting dates. This will include an exercise to ensure that we secure the most effective utilisation of our Lay Member resource across the four CCGs.
  - b) Development of a joint working agreement between the Greater Nottingham CCGs to describe how the CCGs will work together, including staffing and data sharing arrangements.
  - c) Alignment of Detailed Financial Policies and Schedules of Delegated Authority.
  - d) Alignment of organisational policies and procedures and subsequent mobilisation of any new arrangements. Key areas for initial focus will be risk management, probity arrangements, procurement and investment/disinvestment decision-making arrangements.
  - e) Mapping of management/operational groups to ensure clarity of arrangements, including the establishment of the proposed Clinical Commissioning Executive Group.

## 7. Recommendations

- 7.1 The Governing Body is requested to:
- a) **Endorse** the proposed application to vary the CCG's constitution;
  - b) **Approve** the proposed Terms of reference, Delegation Agreement and Standing Orders for the Greater Nottingham Joint Commissioning Committee;
  - c) **Approve** the proposed amendments to the Terms of Reference for the Governing Body committees;
  - d) **Support** the proposed Terms of Reference for the Greater Nottingham Joint Commissioning Committee sub-committees (to be approved by the joint commissioning committee at its first meeting on April 2018);
  - e) **Support** proposals for meetings of the Greater Nottingham CCGs' Governing Bodies during 2018/19; and
  - f) **Approve** the proposed delegation to the Accountable Officer to oversee the required next steps to fully establish and embed the new integrated governance arrangements.

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