

Greater Nottingham CCGs: Integrated Governance Arrangements

1. Introduction

- 1.1 The purpose of this paper is to provide an update to the Greater Nottingham CCGs' Governing Bodies in relation to the integration of the CCGs' governance arrangements, including the establishment of the Greater Nottingham Joint Commissioning Committee.

2. Greater Nottingham Joint Commissioning Committee: Terms of Reference

- 2.1 The Greater Nottingham Joint Commissioning Committee (GNJCC) held its inaugural meeting on 25 April 2018. At this meeting, the GNJCC formally received its terms of reference (and associated delegation agreement and standing orders), as agreed by the Greater Nottingham CCGs' Membership Forums and Governing Bodies during February and March 2018.
- 2.2 The terms of reference (attached at **Appendix A**) will be formally reviewed by the Greater Nottingham CCGs annually in March of each year following the establishment of the GNJCC. However, the terms of reference may be amended by mutual agreement between the Greater Nottingham CCGs at any time to reflect changes in circumstances, as they may arise.
- 2.3 Discussions at Membership Forums in February and March 2018, and at the subsequent GNJCC development sessions on 21 and 29 March 2018, highlighted three aspects of the terms of reference that would benefit from early review. These have been formally considered by the GNJCC at its inaugural meeting, and as a result, the Greater Nottingham CCGs' Governing Bodies are being asked to approve the proposed changes, as detailed below.

- a) Paragraph 3.1 k) and l) of the terms of reference state that the Chief Executives of Nottingham City and Nottinghamshire County Councils are voting members of the GNJCC.

Unfortunately, neither Chief Executive has been able to commit to routine attendance at GNJCC meetings due to conflicting priorities at the times when GNJCC meetings have been scheduled. As a result, the following deputies have been formally nominated to attend:

- Colin Monckton, Director of Policy and Insight, Nottingham City Council
- Paul McKay, Service Director (Adult Health and Social Care), Nottinghamshire County Council

It is, therefore, proposed that the Local Authority Chief Executives be removed from the voting membership of the GNJCC and that their nominated deputies be named as co-opted advisors to the GNJCC, with speaking rights at meetings.

- b) Paragraph 3.2 c) of the terms of reference state that *"A practicing GP with experience of treating patients from deprived communities, selected from a*

member practice of the Greater Nottingham CCGs” will be a co-opted advisor to the GNJCC, with speaking rights at meetings.

There was considerable strength of feeling at the Nottingham City Membership Forum meeting that this role should be a voting member of the GNJCC in line with its specific advisory responsibility to deprived communities. This has subsequently been discussed and supported by the GNJCC at its inaugural meeting.

It is, therefore, proposed that the GP Advisor (formerly known as ‘the fifth GP’) now becomes a voting member of the GNJCC, as opposed to being a co-opted advisor.

- c) The standing orders for the GNJCC (schedule 3 of the terms of reference) currently allow the four Clinical Chairs, the Accountable Officer and the Chief Finance Officer to nominate a suitable deputy to attend meetings of the GNJCC that they are unable to attend, to speak and vote on their behalf (see standing order 10.2). This is to enable the quorum to be maintained, which requires two of the Clinical Chairs to be present and either the Accountable Officer or Chief Finance Officer to be present. All nominated deputies are required to be approved by the Chair of the GNJCC in advance of the meeting.

GNJCC members feel that it is important for all members to be able to nominate a deputy to attend meetings to speak and vote on their behalf. However, in practice, there are no easily identifiable deputies for some GNJCC members – i.e. Independent Chair, Lay Members, Secondary Care Doctor and GP Advisor (if approved as a member).

It is, therefore, proposed that the standing orders be amended to allow the Chief Nurse/Director of Quality to be able to nominate a suitable deputy to attend meetings of the GNJCC that they are unable to attend, to speak and vote on their behalf.

3. Greater Nottingham Joint Commissioning Committee: Sub-committee Structure

- 3.1 The Greater Nottingham Joint Commissioning Committee (GNJCC) may appoint sub-committees for any agreed purpose which, in the opinion of the GNJCC, would be more effectively undertaken by a sub-committee. At its inaugural meeting, the GNJCC approved terms of references for two sub-committees, as follows:

- a) **Quality and Performance Committee** – This Committee exists to scrutinise arrangements for ensuring the quality of commissioned services and to oversee the development, implementation and monitoring of performance management arrangements. The Committee also monitors equality performance in relation to health outcomes, patient access and experience and promotes a culture of continuous improvement and innovation with respect to:
- The safety of the treatment and care provided to patients.
 - The clinical effectiveness of the treatment and care provided to patients.
 - The experience patients have of the treatment and care they receive.

- b) **Finance Committee** – This Committee exists to scrutinise arrangements for ensuring the delivery of the Greater Nottingham CCGs' statutory financial duties, including the achievement of the Greater Nottingham Financial Recovery Programme (FRP). The Committee will review the monthly financial performance and identify key issues and risks requiring discussion or decision by the Greater Nottingham Joint Commissioning Committee. The Committee will also ensure that procurement responsibilities are appropriately discharged, including oversight of the annual procurement plan.

Both sub-committees will be chaired by one of the Lay Members of the GNJCC, with the remaining membership being drawn from across the four CCGs' Governing Bodies and the newly aligned staffing structure. The approved terms of reference for the sub-committees are attached as **Appendices B and C** for information. It should be noted that these will be kept under review by the GNJCC for the period up until the new governance arrangements are finalised to ensure any required amendments can be made.

- 3.2 Consideration is also being given to the development of two further sub-committees: one to support the evaluation, scrutiny and quality assurance of business case proposals relating to new and ongoing investments and disinvestments (this will include assessment of any associated equality and quality impacts arising from proposals); and a second, which will be a clinical forum, with strategic ownership of pathway and referral guidelines to reduce unwarranted variation and improve consistency of pathways. Further discussions are being held in relation to these sub-committees to progress the development of terms of reference.
- 3.3 A 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.
- 3.4 As previously reported, the existing Clinical Forums and Patient/Public Forums in place within the Greater Nottingham CCGs will continue to support the work of the GNJCC and its sub-committees.

4. Greater Nottingham Joint Commissioning Committee: Accountability and Reporting Arrangements

- 4.1 The Greater Nottingham Joint Commissioning Committee (GNJCC) is required to make quarterly written reports to the Governing Bodies of the Greater Nottingham CCGs to provide assurance that it is effectively discharging its delegated responsibilities.
- 4.2 The format of the quarterly assurance reports is currently being developed in line with the GNJCC's terms of reference. Reports are likely to incorporate standing assurances in relation to quality, performance, finance and risk, along with assurances on strategy development and delivery and key commissioning decisions. Governing Bodies are encouraged to feedback on any further assurances that they will be seeking as part of the quarterly reports.

- 4.3 Jenny Myers, Independent Chair of the GNJCC, will attend at least one Governing Body meeting per year in line with the reporting and accountability requirements of the GNJCC.
- 4.4 The Greater Nottingham CCGs' Membership Forums have also requested that a formal review of the new arrangements be completed within six months of the GNJCC's establishment. It is proposed that the outcome of this review will be presented to future Membership Forum meetings, with GNJCC members in attendance.

5. Schedule of Governing Body meetings and Annual Work Programme

- 5.1 The schedule of Governing Body meeting dates and venues for 2018/19 is as follows:

Date:	Time:	Venue:
17 July 2018	1.30pm-3.30pm	Chappell Room, Civic Centre
16 October 2018	1.30pm-3.30pm	Chappell Room, Civic Centre
15 January 2019	1.30pm-3.30pm	Chappell Room, Civic Centre
16 April 2019	1.30pm-3.30pm	Chappell Room, Civic Centre

- 5.2 The Governing Body's Annual Work Programme is currently being developed in line with its retained duties (i.e. those functions that are not specifically included in the Delegation Agreement for the GNJCC are the retained functions of the Governing Body).
- 5.3 The 2018/19 Annual Work Programme will be circulated to Governing Body members as soon as it is finalised in order to support members' practical understanding of the retained functions.

6. Governing Body Committees

- 6.1 In March 2018, the Governing Body approved the outline terms of reference for the Remuneration Committee, Audit and Governance Committee and Corporate Assurance Committee. These terms of reference have now been finalised and are attached as **Appendices D, E and F**.
- 6.2 There are no significant changes to the outline Remuneration Committee and Audit and Governance Committee terms of reference. However, the latter has been reviewed in line with the latest NHS Audit Committee Handbook, which was published in March 2018.
- 6.3 The Corporate Assurance Committee is a new committee to all of the Greater Nottingham CCGs and has been established to oversee a range of non-delegable corporate areas.
- 6.4 As reported in March 2018, the following actions are proposed, but have yet to commence:
- a) The feasibility of the four Primary Care Commissioning Committees meeting in common will be reviewed to weigh up the potential advantages and

disadvantages of such an approach. All current committee members will be engaged in this process.

- b) The four different clinical forums across the Greater Nottingham CCGs will be reviewed to help to ensure that: the correct links are made between these forums and the Greater Nottingham Joint Commissioning Committee; and to enable development of appropriate governance arrangements in line with the move to an Integrated Care System.
- c) An evaluation of engagement arrangements across the Greater Nottingham CCGs is proposed in line with the move to an Integrated Care System. This work will be completed by M.E.L. Research (utilising previously committed funds) and will involve current members of the four different patient forums, both in terms of defining the scope of the evaluation and to support its completion. Recommendations from the evaluation will then be used to shape how these forums will operate moving forward.

It is anticipated that the four Locality Directors and the Strategic Marketing, Communications and Engagement Director will take lead roles in supporting the Chief Operating Officer to complete this work.

- 6.5 In the meantime, prior to the above-detailed review of the CCG’s Clinical Cabinet, the Governing Body is requested to approve a proposed amendment to the Clinical Cabinet’s terms of reference.

The proposed amendment relates to the quorum for meetings and is as a result of the merger of the Ivy Medical Group and Apple Tree Medical Practice. It is proposed that the quorum changes as follows:

Current quorum requirement:	15 members including the Chair or Deputy Chair, with at least five members who are not GP member practice representatives.
Proposed new quorum requirement:	14 members including the Chair or Deputy Chair, with at least nine members who are GP member practice representatives.

7. Strategic Safeguarding Group

- 7.1. Attached as **Appendix G** is a paper that outlines the proposed way forward for safeguarding governance arrangements in Greater Nottingham. Terms of reference for a newly established CCG Strategic Safeguarding Group are included as paper of this paper.

8. Organisational Policies and Procedures

- 8.1. Work has commenced to ensure that the Greater Nottingham CCGs are working to an aligned set of organisational policies. Policies are an integral part of an organisation’s system of internal control as they help to ensure compliance with relevant legislation and national guidance; as well as conveying other organisational standards, responsibilities and expectations. Therefore, it is particularly important that this work is not just limited to updating policy documents; rather that the

processes set out within them are fit for purpose in the new arrangements and are being firmly and consistently embedded across the four organisations.

- 8.2. Whilst there are some slight variances in approach, each CCG currently has a corresponding set of policies in place. Following finalisation of the Greater Nottingham staffing structure, meetings are now underway with leads to review policies within their areas of responsibility and agree timelines for their completion.
- 8.3. All policies will go through a formal approval process to provide assurance that the policy has been updated to reflect the Greater Nottingham arrangements and confirm which organisation-specific policies it has superseded. Following approval, each policy and any changes to processes will be communicated to staff.
- 8.4. The draft list of policies, including the proposed approving committee, is shown below:

Policies	Proposed for approval by:	Additional Comments
Commissioning Policies (e.g. <i>Procurement Policy, Disinvestment Policy, etc.</i>)	Governing Body	Following review and endorsement by the GNJCC
Detailed Financial Policies (including <i>Scheme of Delegated Authority</i>)	Governing Body	-
Risk Management Policy	Governing Body	Discussion on the Greater Nottingham CCGs' risk appetite and risk tolerance required
Standards of Business Conduct Policies (e.g. <i>Conflicts of Interest Policy; Gifts, Hospitality and Sponsorship Policy etc.</i>)	Governing Body	-
Safeguarding Policies	Governing Body	-
Equality and Diversity Policies	Governing Body	-
Information Governance Policies	Corporate Assurance Committee	-
Health and Safety Policies (including <i>Incident Reporting Policy</i>)	Corporate Assurance Committee	-
Human Resources Policies	Corporate Assurance Committee	Following review and endorsement by the Executive Management Team
Quality Policies	Quality and Performance Committee	-
Primary Care Policies (e.g. <i>Discretionary Payments Policy</i>)	Primary Care Committee	-

- 8.5. The East Midlands Affiliated Commissioning Committee (EMACC) will continue to work collaboratively on the development and maintenance of policies for services which CCGs have responsibility for commissioning and new policies identified as being appropriate for identical implementation on a regional scale. The approval of such policies will be reported to each Governing Body and added to the Greater Nottingham CCG's Policy Work Programme.
- 8.6. Whilst it is planned that all of the policies will have been updated by September 2018, a number of policies have been prioritised for completion by July 2018. These include all policies relating to risk management, standards of business conduct, certain commissioning policies; and the Detailed Financial Policies, which will include an updated Scheme of Delegated Authority.
- 8.7. Going forwards, the Corporate Assurance Committee will have responsibility for monitoring the overarching Policy Work Programme and for receiving assurance that work against this is progressing effectively.
- 8.8. Until this work has been completed and all updated policies are in place, individuals will still need to adhere to their employing organisation's policies. A communication to this effect has been sent out to all employees.

9. Risk Management Arrangements

- 9.1. An aligned Risk Management Policy is currently being developed for the Greater Nottingham CCGs and this is scheduled for review and approval at the July 2018 meetings of each Governing Body. This review will include discussion and agreement of the Greater Nottingham CCGs' risk appetite and risk tolerance. It is also planned that the proposed risk appetite and risk tolerance is discussed at the June 2018 meeting of the GNJCC.
- 9.2. Risk management arrangements are currently being aligned across the four organisations and all risk registers and Governing Body Assurance Frameworks are being consolidated into single documents. These will still recognise each organisation as individual statutory bodies, whilst ensuring an accurate representation of the Greater Nottingham CCGs' overall risk profile. In advance of the Risk Management Policy being reviewed and approved by the Governing Bodies, a detailed paper on the aligned risk management processes will be presented to the Audit and Governance Committee on 24 May 2018.

10. Probity Arrangements

- 10.1. Work is underway to consolidate the Greater Nottingham CCGs' individual Registers of Declared Interests, Registers of Gifts, Hospitality and Sponsorship and Registers of Procurement Decisions and align the processes that sit beneath them. The relevant policies are scheduled for review and approval at the July 2018 meetings of each Governing Body. The Audit and Governance Committee will receive an assurance report on the aligned arrangements at its meeting in May 2018.

11. Memorandum of Understanding

- 11.1. A memorandum of understanding is currently being finalised between the four CCGs, which describes how the CCGs will work together, including staffing and data sharing arrangements.

12. Recommendations

- 12.1. The Governing Body is requested to:

- a) **Approve** the proposed amendments to the terms of reference for the Greater Nottingham Joint Commissioning Committee.
- b) **Feedback** on any specific requirements to be incorporated within the quarterly assurance reports from the Greater Nottingham Joint Commissioning Committee.
- c) **Approve** the proposed terms of reference for the Remuneration Committee, Audit and Governance Committee and Corporate Assurance Committee.
- d) **Approve** the proposed amendment to the quoracy requirements for the Clinical Cabinet.
- e) **Approve** the proposed schedule of Governing Body meetings.
- f) **Approve** the proposed terms of reference for the Strategic Safeguarding Group
- g) **Approve** the proposed arrangements for ratification of the CCG's organisational policies and procedures.
- h) **Support** the ongoing work to fully establish and embed the new integrated governance arrangements across the Greater Nottingham CCGs.

Lucy Branson
Director of Corporate Development
May 2018