

**Agenda Item 05**

Report to: (Board/Sub-Committee): Governing Body

Date of Meeting: 8 March 2018

Subject: Annual review of Governing Body Committee’s Terms of Reference (TofR)

Presented by: Chief Finance Officer

**STATUS OF THE REPORT *(auto check relevant box****)*

For Information

For Discussion

For Approval / Ratification

Report Exempt from Public Disclosure  No  Yes

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| --- | --- |
| **PURPOSE OF REPORT:** | This report is brought to the Governing Body to formally ratify the terms of reference (TofR) for the Governing Body committees, as set out in our constitution.  *To note: - NHS England has recently approved the constitution amendments in relation to delegated commissioning, subject to conditions.*   * *The conditions are that the terms of reference of the primary care commissioning committee should include an additional lay member on the committee and that person should be identified as the vice chair. This would bring the CCG in line with the statutory guidance on conflicts of interest and guidance on primary care co-commissioning, which is to have a lay chair and a lay vice chair for this committee.*   The proposed Terms of references are detailed within the summary report below, which requires final ratification by the Governing Body.  Copies of Terms of Reference can be found via the embedded files in the ‘Appendices / attachments’ section of this cover sheet, changes highlighted in yellow. |
| **Recommendations:** | The Governing Body are asked to:-  • Agree and ratify the Committee’s Terms of Reference |
| **Sub Committee Process and Assurance:** | Terms of Reference have been agreed by the particular committee’s |
| ***Implications:*** |  |
| **Risk Assurance Framework Implications:** | The CCG has robust governance arrangements in place, which is managed and monitored via the Integrated Governance and Audit Committee.  Associated risks are included on the CCG Board Assurance Framework or Risk Register. |
| **Legal Implications:** | To ensure sound integrated governance and financial management arrangements are in place, and that those arrangements support the efficient, effective and economic delivery of the CCG’s functions. |
| **Equality Impact Assessment implications:** | Required to meet the public sector equality duty    An Equality Impact Analysis/Assessment is not required for this report  An Equality Impact Analysis/Assessment has been completed and approved by the EIA  Panel. As a result of performing the analysis/assessment there are no actions arising  from the analysis/assessment  An Equality Impact Analysis/Assessment has been completed and there are actions arising  from the analysis/assessment and these are included in section \_\_\_\_ of the enclosed report |
| **Finance Implications:** | None relevant for this report |
| **Quality Implications:** | None relevant for this report |
| **Procurement Decisions/Implications *(Care Contracting Committee):*** | None relevant for this report |
| **Engagement Implications:** | None relevant for this report |
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| **Conflicts of Interest** | *Have all conflicts and potential conflicts of interest been appropriately declared and entered in registers which are publicly available?*  Yes  No  No known conflicts of interest to declare at this time.  Any interests which are declared at a meeting will be included on the CCG’s Declaration of interest Register. |
| **Links to CCG’s Strategic Objectives** | Sustainable services  Empowering people  Supporting communities  Delivering a fit for purpose organisation |
| **NHS Constitution:** | <https://www.gov.uk/government/publications/the-nhs-constitution-for-england>  The CCG will promote good governance and ensure sound integrated governance and financial management arrangements are in place, and that those arrangements support the efficient, effective and economic delivery of the CCG’ s functions. |
| **Appendices / attachments** |  |

**Review Committee’s Terms of Reference**

**March 2018**

**Introduction**

The Governing Body shall approve the terms of reference of the Primary Care Commissioning Committee. For all other Governing Body committees the Council of Members shall approve amendments to terms of references, which shall be subject to ratification by the Governing body.

The Council of Members have approved amendments to the Governing Body committee’s terms of references at meetings held on 1 February 2018. In additional the Council of Members terms of reference have been brought to the Board for final ratification.

***The table below provides a summary of changes and date of amendment.***

|  |  |  |
| --- | --- | --- |
| **Committee** | **Summary of changes** | **Date of changes** |
| Council of Members | ***Section – Decision & Functions***   * *Updated in-line with CCG Constitution.*   ***Section – Practice Representatives***   * *Membership/voting members and practice titles updated.* | Jan 2018 |
| Primary Care Co-Commissioning Committee | ***Membership***  ***Section 5.1 –***   * Addition of lay member also identified as the vice chair of the committee   ***Section 5.2 & 5.3***   * *Wording updated*   **Meetings & Voting**  ***Section 6.4***   * Removed as duplication – reflected in 6.2   **Frequency of Meetings**  **Section 8.1**   * Suggested changes to frequency of meetings to ensure the committee achieves its annual work-plan. | All changes to take effect from 1 April 2018 |
| Integrated Governance & Audit Committee | ***Section 3 – Attendance***   * Correct of title - Chief Finance Officer * Added requirement of SIRO attendance   ***Section 6.3 External Audit***   * Updated to reflect changes to external audits and in-line with CCG constitution (Scheme of Delegation)   ***Section 6.7 Security Management***   * Added “review” progress against plans presented to Audit Committee and reviewed on a regular basis. | Nov 2017 |
| Remuneration Committee | The terms of reference have been reviewed by the committee with no changes required. | Nov 2017 |
| Community Forum | Due to timings of the committee meetings the TofR has yet to be approved by the committee. The TofR for this committee will be circulated for virtual ratification and presented at the next meeting. |  |