

**Agenda Item 06**

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

Date of Meeting: 8 March 2018

Subject: **Annual Constitution Refresh**

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 to inform the Governing Body of the amendments that have been made to our Constitution during 2017/18  In addition to minor housekeeping updates, the changes made relate to the following:   1. Further refinement of the inclusion of joint working arrangements with respect to a Joint Commissioning Committee for the Humber sub-region of the Humber, Coast and Vale STP; 2. Full reflection of the pre-existing CCG formal committee structure in the Constitution;   iii) Reflection of NHSE updated Managing Conflict of Interest Statutory Guidance for CCGs (June 2017);  iv) Update to the terms of office for GP retirees  v) Fully delegated commissioning arrangements  To note: - The amended constitution, which reflects the required changes for the CCG to take on fully delegated commissioning, was submitted and approved by NHS England and is subject to the following conditions.   * The terms of reference of the primary care commissioning committee to have an additional lay member on the committee and that person to 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 Terms of reference have been updated accordingly – refer to separate paper.  A full schedule of the amendments together with the constitution can be found in the Appendices/attachment section of this report. |
| **Recommendations:** | The Governing Body are asked to   * note the amendments made to the Constitution in 2017/18 |
| **Sub Committee Process and Assurance:** | Council of Members (CoM)  • Approval of the CCG’s constitution |
| ***Implications:*** |  |
| **Risk Assurance Framework Implications:** | The CCG has established formal mechanisms and robust governance arrangements in place which supports the delivery of risk management. |
| **Legal Implications:** | The constitution sets out how the CCG & its Governing Body will discharge all of its statutory obligations including but not limited to the commissioning of community, secondary and other care services. It also sets out the responsibilities delegated by North East Lincolnshire Council through the Section 75 agreement |
| **Equality Impact Assessment implications:** | 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:** | Not applicable for this report |
| **Quality Implications:** | Not applicable for this report |
| **Procurement Decisions/Implications *(Care Contracting Committee):*** | Not applicable for this report |
| **Engagement Implications:** | Not applicable for this report |
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| **Conflicts of Interest** | Any interests which are declared at a meeting will be included on the CCG’s Declaration of interest Register.  *all current conflicts and potential conflicts of interest been appropriately declared and entered in registers which are publicly available?*  Yes  No |
| **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> |
| **Appendices / attachments** |  |