

Attachment

**North East Lincolnshire CCG**

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| **Report to:** | NEL CCG Governing Body |
| **Presented by:** | Cathy Kennedy, Deputy Chief Executive |
| **Date of Meeting:** | 12 March 2015 |
| **Subject:** | Constitution Amendments |
| **Status:** | [x]  OPEN [ ]  CLOSED |

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| **OBJECT OF REPORT:** |
| To advise the Partnership Board of the amendments that have been made to the CCG Constitution to reflect:* the decision to undertake Joint Commissioning of Primary Medical Services
* alterations to the membership of the Governing Body and Partnership Board
* latest guidance

The key changes are listed within appendix one – Schedule of AmendmentsThe agreed changes are now subject to approval/ratification by NHS England at a date that has yet to be confirmed  |

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| **STRATEGY:** |
| The CCG constitution underpins all aspects of the Governance of the CCG and hence the delivery of the strategy. |

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| **IMPLICATIONS:** |
| Implications of the individual changes have been advised to, and agreed by, the Partnership Board under its delegated authority as set out in the Scheme of Delegation. |

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| **RECOMMENDATIONS (R) AND ACTIONS (A) FOR AGREEMENT:** |
|  | The Governing body is asked to note the constitution amendments. |
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|  |  | **Yes/****No** | **Comments** |
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|  | Does the document take account of and meet the requirements of the following: |  |  |
| i) | Mental Capacity Act | n/a |  |
| ii) | CCG Equality Impact Assessment | n/a |  |
| iii) | Human Rights Act 1998 | n/a |  |
| iv) | Health and Safety at Work Act 1974 | n/a |  |
| v) | Freedom of Information Act 2000 / Data Protection Act 1998 | Yes |  |
| iv) | Does the report have regard of the principles and values of the NHS Constitution?[www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\_113613](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_113613) | Yes |  |

**NHS North East Lincolnshire Clinical Commissioning Group Constitution**

**Schedule of Amendments**

**Summary of additional amendments**

**20/02/2015**

**Table 1**

|  |  |  |
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| **Page Number** | **Paragraph Reference** | **Summary of change made** |
| 14 | 6.5.1 | Added statutory wording relating to - Joint commissioning arrangements with other Clinical Commissioning Groups |
| 15 | 6.5.1.11 | Partnership Board changed to Governing Body |
| 15 | 6.5.2 | Added statutory wording relating to - Joint Commissioning Arrangements with NHS England for the exercise ofCCG functions |
| 17 | 6.5.3 | Added statutory wording relating to - Joint Commissioning Arrangements with NHS England for the exercise ofNHS England’s functions |
| 18 | 6.5.4 | Pooled budgets to support Joint Commissioning Arrangements |
| 20 | 6.7.3 (b) | Lay members changed back to three  |
| 20 | 6.7.3 (c) | Additional Clinical Member added |
| 63 | Appendix H | DECISIONS & FUNCTIONS RESERVED TO THE GOVERNING BODY Wording amended to read - Establishing Joint Committees between NHS England and North East Lincolnshire CCGAlso “Establishing Joint Committees between North East Lincolnshire CCG and other CCGs”  |
| 65 | Appendix H | Amended Decisions & Functions delegated to the Joint Committee for Primary Care Co-Commissioning  |

**Summary of amendments pending acceptance in addition to table one above**

**Table 2**

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| **Page Number** | **Paragraph Reference** | **Summary of change made** |
| 21 | 6.7.5 (d) | Added Joint Committee for Primary Care Co-commissioning |
| 23 | 6.11.1  | Added Joint Committee for Primary Care Co-commissioning (responsibilities) |
| 23 | 6.11.2 | Added Joint Committee for Primary Care Co-commissioning (TOR responsibilities)  |
| 28 | 8.2 | Types of Conflicts of interested updated as per new national guidance |

**Summary of amendments accepted**

**12/02/2015**

**Table 3**

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| **Page Number** | **Paragraph Reference** | **Summary of change made** |
|  9 | 5.2.3 (a) | Audit Committee changed to Integrated Governance & Audit Committee |
| 19 | 6.7.3 (Vii) | Composition of the Governing Body – Strategic Nurse role amended to - Strategic Nurse/Director of Quality & Nursing |
| 21 | 6.8.2 (c) | Composition of the partnership board – Changes to Membership – Practice nurse changes to NEL Primary Care (non GP) member  |
| 27 | 8.1.2 | Policy name changed to:- standards of business conduct & conflict of interest policy  |
| 31 | 10.2.1.3 | Referred appendix added (appendix H) |
| 35 | Appendix B  | Practice Name/address updated |
| 38 | Appendix C (3.2.1) | Wording updated equivalent to definition of interest (from pecuniary to financial interest  |
| 38 | Appendix C (3.2.1) | Policy name changed to:- standards of business conduct & conflict of interest policy |
| 38 | Appendix C (3.2.3) | Note added to explain one out of the three elected GP’s is the Vice Chair of Council of Members |
| 39 | Appendix C (4.1.1) (c) | Composition of partnership board membership – changes as per 6.8.2 |
| 64 | Appendix H  | Decisions & Functions reserved to the Partnership BoardAdded All matters relating to the discharge of Co-commissioning arrangements, including the establishment of associated pooled budget arrangements |
| 64 | Appendix H | Decisions & Functions delegated to:- Audit committee changed to Integrated Governance & Audit Committee  |

