



JOINT ACUTE SUSAINABILITY PROGRAMME BOARD

Merton, Sutton and Surrey Downs CCGs

Part 1

23rd March 2018

Process for establishing CCG Committees in Common in relation to the Acute Sustainability Programme for Epsom and St Helier University Hospitals Trust.

1. Introduction

In January 2018, Merton, Sutton and Surrey Downs Clinical Commissioning Groups (CCGs) approved the governance structure for the Acute Sustainability Programme and agreed to use the CCG 'Committees in Common' (CiC) approach for the purpose of collaborative decision-making in regard to the Acute Sustainability Programme.

The paper will be presented to the Governing Bodies of Sutton, Merton and Surrey Downs CCGs in March and April 2018 outlining the proposed process for establishing a CiC.

2. Statutory framework

Under paragraph 3(3) of Schedule 1A of the National Health Service Act 2006 (inserted by the Health and Social Care Act 2012) CCGs' constitutions may provide for their functions to be exercised by any members or employees of the CCG. Each of the CCGs provides in its Constitution a mechanism that allows specified functions to be delegated to a designated committee, which may meet with delegated Committees of other CCGs in a CiC arrangement. The intention of this approach is to enable consensual decision making to take place across a number of CCGs whilst maintaining the integrity of each statutory organisation's governance.

3. Role of CiC

- a) The effective commissioning of healthcare sometimes requires decisions to be made for populations larger than a single CCG. The Acute Sustainability Programme has a footprint covering three CCGs and two Sustainability and Transformation Partnership (STP) boundaries, requiring collaborative work and aligned decision-making.
- b) The role of the CiC meeting is to enable decisions to be taken on behalf of the constituent CCG governing bodies as set out below. Such decisions will be taken by individual Committees of each governing body that have been instructed to meet in common.
- c) Each individual CCG Committee will be given clear delegation arrangements by its CCG governing body (including membership, quorum requirements and arrangements for voting) when considering the issues. Individual committees will have the authority to make a decision at the CiC meeting on the CCG's behalf.

4. Scope

The CiC arrangement being established in this instance enables the participating Committees to consider the same issues in relation to any significant change to the commissioning of acute services at Epsom and St Helier University Hospitals Trust.

5. Arrangements for individual CCG Committees

Each CCG will appoint a Committee made up of (as a minimum):

- The CCG Chair
- One or more CCG lay members of the governing body
- One or more Clinical members of the governing body

The requirements for a quorum of each CCG will be as follows:

- Each Committee has at least 3 members present (an individual may be a member of more than one Committee)
- At least one CCG lay member is present.

6. Committees in Common: meeting arrangements Membership and attendance

The meeting will consist of:

- A Convenor, who will chair the meeting
- The members of the three CCG Committees

In attendance will be:

- 1 NHS England (South) representatives
- 1 NHS England (London) representative
- 1 Healthwatch representative
- 1 public engagement representative.

The first CIC will convene in June 2018.

Conflicts of interest

- Each CCG Committee is expected to comply fully with the guidance issued by NHS England on management of Conflict of Interest and to ensure that the individuals attending have completed all three modules of the NHS England Conflict of Interest Training.
- Each CCG Committee will ensure the declaration and management of any conflicts of interest by ensuring the relevant CCG register is up to date. In addition, a verbal declaration should be made at the start of each meeting in relation to any conflict relevant to the discussion.
- Any person in attendance who is invited to speak will be required by the convenor to state if they know of any conflict of interest that may require consideration of the matter in hand.

6.1 Procedure

- a) The Convenor will only convene the meeting if all participating CCGs are present and individually quorate
- b) The individual CCG Committees will only make decisions when they are in a meeting convened in accordance with (a) above
- c) The convenor will, other than in respect of clauses in this memorandum, adopt the Merton CCG Standing Orders relating to the conduct of meetings.

- d) CiC meetings will be held in public, except where all individual committees resolve to exclude the public on the grounds of the confidential nature of the business to be discussed, in the interests of public order or because they consider that it would otherwise not be in the public interest for the public to be admitted to all or part of a meeting.
- e) The Committees may hold private seminars with other similar committees but may not make decisions at these seminars.
- f) When a meeting is convened, identical agendas will be prepared for each of the CCG Committees.
- g) The convenor, at the request of one or more CCG Committee, may call additional individuals or experts to attend meetings on an ad hoc basis to inform discussions as appropriate.
- h) The Convenor, with the Chairs of the participating CCG Committees, will agree a programme of meetings to reach decisions on delegated issues. This programme may be amended as required.
- i) The minutes of each CiC meeting will consist of individual sets of minutes for each CCG Committee with exactly the same content. The CiC will formally verify the minutes at their next meeting.
- j) The decisions of each of the three CCG committees will be recorded in the minutes with the expectation that the committees will work towards achieving a consensus position. Should this not be possible the matter will be escalated to the Accountable Officers of the three CCGs for review.
- k) Individuals attending the CiC meeting shall respect confidentiality requirements as set out in the Merton CCG Constitution or Standing Orders.

7. Reporting

- a) Each Committee will present the agreed minutes to its Governing Body.
- b) The individual CCG CiC Chairs will, in addition, provide a written summary report to each Governing Body following each meeting of the CiC business. This should highlight: issues, decisions, risks and assurance.

8. Appointment of CiC Convenor

- a) The CCG Governing Body Chairs shall appoint a CiC Convenor with the required chairmanship skills and experience through a process of their mutual determining.
- b) The term of office for the CiC Convenor is one calendar year from appointment with possible reselection.
- c) The CiC Convenor is responsible for agenda setting, resolving differences, overseeing meeting arrangements and maintaining order.
- d) The Chairs of the participating Committees will invite the convenor to be an independent chair of their meetings in common. For clarity, the CiC Convenor is not a member of the CCG Committees and does not contribute to any vote.

9. Administration

- a) Support for the CiC will be provided by the South West London STP Programme Office. Papers for each meeting will be sent to CiC members no later than one week prior to each meeting.
- b) A full set of original papers will be supplied to the constituent CCG Corporate Offices for filing and audit purposes.

10. Recommendations

The Governing Body are asked to:

- Approve the process for establishing a CIC for the purpose of collaborative decision making in regard to the Acute Sustainability Programme.
- Confirm CiC membership in writing to Andrew Demetriades, (Acute Sustainability Programme Director) no later than 1 May 2018.