

Commissioning Committee

Terms of Reference

Purpose of the committee

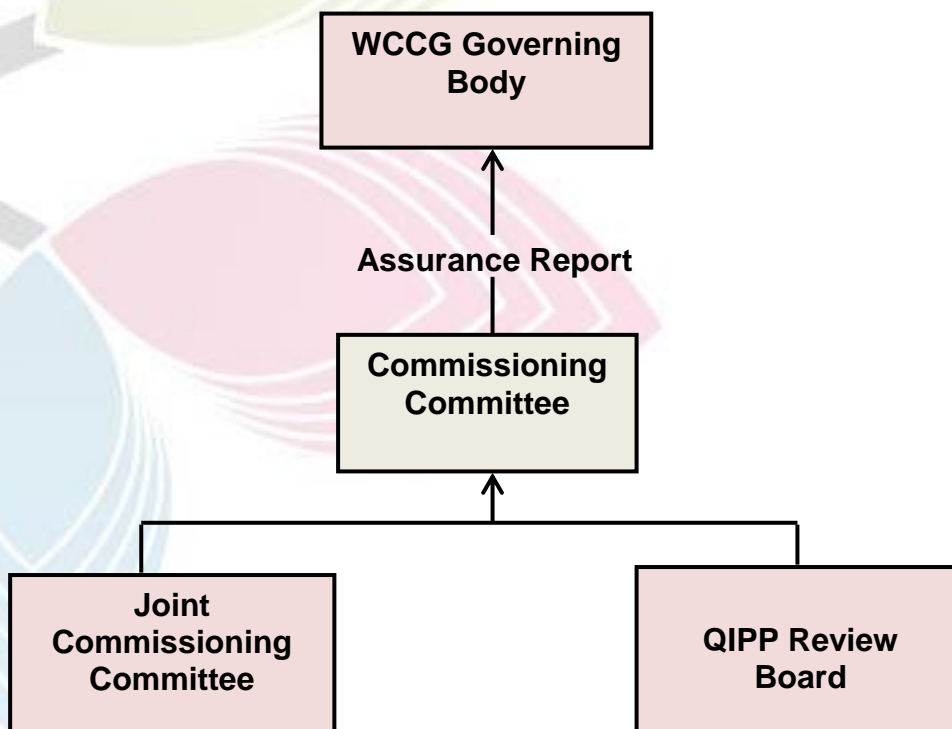
Walsall Clinical Commissioning Group has, in accordance with decisions made by the Governing Body established a Commissioning Committee (CC).

The Committee's role is to oversee the delivery of the organisational commissioning strategy, create in partnership with relevant committees the commissioning intentions for the CCG and oversee and inform the integrated commissioning agenda.

The CC will provide assurance and update the Governing Body on relevant matters relating to the Quality Innovation Productivity and Prevention program (QIPP), including all transformational QIPP plans. It has been given delegated authority by the Governing Body to make commissioning decisions, where these are not deemed contentious, and have been subjected to a rigorous Equality Quality Impact Assessment. The committee will escalate contentious commissioning decisions to the Governing Body. The CC will deliver on the corporate objective to commission high quality care and ensure value for money.

In undertaking these duties the CC will consider the Director of Public Health's annual report and the Joint Strategic Needs Assessment and formulate the group's contribution to the Joint Health and Wellbeing Strategy.

Reporting arrangements



Membership

Core members	Deputy
Chair /Clinical Executive Lead	Lay member – Commissioning and Transformation
Director of Commissioning	
Chief Financial Officer	Deputy Chief Financial Officer
Public Health Consultant Representative	
GP Locality Leads	Nominated Deputy
Director Primary Care and Integration	
Interim Strategic Finance Officer	
Lay member – Commissioning and Transformation	
Secondary Care Consultant	
Chief Nurse / Director of Quality	Nominated Deputy
QIPP & PMO Manager	

Core members can nominate a deputy to attend on their behalf. The member is responsible for ensuring that the deputy is fully briefed and accountable for decisions made.

In attendance: Others may be invited to support agenda items e.g. commissioning team members.

Vice chair will be asked to chair, where discussions may indicate that the chair is conflicted.

Declaration of interests

Name	Title	Relevant Interests
Dr Carsten Lesshaft	Chair / Member of CCG Governing Body	Salaried GP at Croft Surgery, Willenhall Senior employee at Croft St Surgery, Partner of Residential Home – Gorway House.
Paul Tulley	Director of Commissioning	Member of Manager Partnership
Matthew Hartland	Interim Strategic Finance Officer Chief Finance Officer – Dudley CCG	Member of Chartered Institute of Finance & Accountancy (CIPFA)
Sally Roberts	Chief Nurse / Director of Quality	Registered Member of NMC RCN Family member works for local HEI in a senior position
Donna Macarthur	Director of Primary Care & Integration	Member of Institute of Healthcare Management.
Tony Gallagher	Chief Finance Officer	Member of Chartered Institute of Public Finance & Accounting (CIPFA)
Dr Nasir Asghar	Deputy Clinical Chair North Locality/Member of CCG Governing Body	Senior Partner, All Saints Surgery, hold a GMS Contract. Walsall Alliance – GP Federation

		Unpaid Trustee of iGive UK Based Charity Registered 1161011. Family member works at All Saints Surgery.
Dr Hewa Vitarana	Clinical Executive Lead, Finance and IT / Governing Body member/ GP	GP Partner, Moxley Medical Practice GMS Contract AQP Minor Surgery Contract Member of Walsall Alliance GP Federation
Dr Joo Teoh	GP / Locality Lead, South East	GP Partner, St Peter's Surgery Macmillan GP Facilitator
Dr Ravinder Sandhu	Locality Lead, West	GP Partner Kingfisher Practice aPMS Contract Modality Partnership Member of Walsall GP Leadership Group Director of Rheum Doc
Dr Sandeep Kaul	Locality Lead, Trans / Member of CCG Governing Body	GP Partner Parents are Directors of a private limited company providing nursing care to elderly residents in a nursing home in Walsall. ACEPAY Ltd – providing care in Nursing Home owned by doctors. Shareholder in a Federation (Walsall Alliance)
Robert Freeman	Secondary Care Specialist	Partner of Oswestry Orthopaedics LLP - Institute of Orthopaedics Trustee Registered Charity. Non Remunerated. Movement Centre Registered charity (advisor, non-remunerated) Committee member of Clinical movement analysis society of GB and Ireland (no-remunerated) Member of British Orthopaedic Association and British society of Children's Orthopaedics Member of Commissioning through evaluation SDR project NHS England Member of FMLM (Faculty of medical and leadership management) Consultant Orthopaedic Surgeon Oswestry
Mike Abel	Lay Member	Director of Chuckery Festival Chair of the Chuckery Neighbourhood Watch

Quorum

Four core Members of which two must be Director level, with Commissioning executive in attendance (or nominated deputy) and two of whom must be clinicians. The quorum should be flexible enough to allow the committee to manage any conflicts of interest by removing individuals for all or part of the meeting.

The attendance of core members will be monitored throughout the year. There is an expectation that members will attend at least 75% of the meetings. Poor attendance will be addressed by the Chair. The overall attendance of the core members for the financial year will be included in the annual report.

Functions

The Commissioning Committee will be:

1. Responsible for the approval and implementation of the commissioning strategy and associated commissioning policies.
2. Responsible for the timely collation, approval and provider agreement of the commissioning intentions, making appropriate recommendations to the governing body regarding these.
3. Responsible for the approval and implementation of the operational plan with effective delivery against recommended actions and plans.
4. Ensure effective work programmes reflect clinical decision making and oversight, in line with the requirements of the Committee.
5. Responsible for the assurance, escalation and decision making required to ensuring delivery of all proposed QIPP plans.
6. Monitor the effective delivery of the QIPP plans and report any significant risks to delivery of the QIPP (financial or otherwise) to the governing body, recommending and monitoring remedial action as necessary.
7. Required to utilise the supporting commissioning governance arrangements to ensure robust process support all commissioning decisions with particular reference to the Q&S and F&P committees and any associated implications.
8. Required to ensure that appropriate partnership agreements and governance arrangements are utilised to ensure where necessary a consistent approach with other local commissioners and across the STP footprint is achieved.
9. Responsible for escalating decisions about delivery with the Governing Body and ensure that risk registers and assurance framework is updated to reflect the in year position
10. Responsible for ensuring compliance with EQIA process and disinvestment policy, this includes determining arrangements to enable people to make informed choices.
11. Responsible for ensuring that internal audit recommendations relevant to its functions are effectively implemented.

Communications and Engagement:

Engagement activities and any potential public consultation requirements should be fully incorporated into the planning of service and contract changes. This is to be an integral part of the oversight and decision-making of the Commissioning Committee.

Communications activities will report directly into the Chair and Chief Officer.

Frequency of Meetings

The Committee will meet monthly. Additional meetings can be held if necessary.

The committee may on occasion take a decision by email provided that:

- The decision taken is by quorum of the Committee as laid down in its Terms of Reference
- If the decision is one which requires a vote, it shall be at the discretion of the Chair to decide whether use of email is appropriate
- The decision is reported to the next meeting and is minuted

- The e-mails reflecting the decision are copied to all members of the Committee, are printed, appended to the minutes and are retained on file.

Reporting

The Chair will provide a regular assurance report, to the Governing Body. The Chair will provide an assurance report to the Audit Committee when requested.

To support this role the CC is authorised to establish any sub- committee or working group as necessary.

Accountability

The CCG reports to the Governing Body.

The CC Chair will ensure that minutes of all meetings are available to all CCG Governing Body members.

The Committee is authorised to seek any appropriate information it requires from any employee or provider of services commissioned by Walsall CCG and employees are directed to co-operate with such requests made by the Committee.

Distribution of Minutes

To all committee members; papers may not be copied or distributed further without the written permission of the Chair.

Responsibilities of members

As members each individual is required to bring their unique perspective informed by their expertise and experience and this will support decisions made by the group to ensure that:

- I. The interests of the patients and the community remain at the heart of discussions and decisions
- II. The group acts in the best interests of the local population at all times
- III. Good governance remains central at all times

Members of the committee are required to:

- I. Comply with Governing Body Etiquette
- II. Read all relevant agenda and support documentation.
- III. Comply with the consent agenda when it is used
- IV. Engage with other colleagues to report from meetings and collate feedback for agenda items prior to the meeting.
- V. Notify Chair or Vice Chair if unavailable to attend.
- VI. Nominated representatives must be fully briefed and accountable for decisions made
- VII. Be accountable for ensuring actions assigned are completed and fully reported upon.
- VIII. All members and deputies are required to complete a declaration of interest form. Persons in attendance will be required to declare any interests at the beginning of the meeting by the Chair.
- IX. To inform the chair of any conflicts of interest arising from any agenda items or discussions as they arise in committee

- X. To comply with the paperlite arrangements set out by the committee

Risk Management

The Committee has a responsibility to manage any risks identified that impact on its responsibilities. Each committee will agree key risk triggers aligned to the relevant corporate objectives. The committee will keep a committee risk register to document the management of risk at each meeting which will clarify the risk, the action, the timeframe and the executive ownership. This will be reported in the monthly executive summary report to the Governing Body of Walsall CCG. All risks will be actively managed by the Commissioning Committee until the residual risk is deemed tolerable when it will either be closed or tolerated.

The Chair is responsible for ensuring that the:

1. Agenda items are linked to the risk register
2. A risk action plan is completed for the top rated risks (normally not more than 3)
3. register is reviewed to add, amend, close or transfer risks at each committee meeting
4. identified risks relevant to other committees are transferred to its chair
5. assurance report includes any unmitigated risks usually with a rating >6 depending on risk appetite
6. when the key risk triggers are hit the internal escalation process is followed

Agenda Items

Agenda items should be submitted 10 days in advance of the meeting to the designated officer who will subsequently ratify the next agenda with the Chair.

The papers for the meeting will be circulated to enable members to receive them 5 days before the meeting.

Papers are not to be tabled unless agreed by the chair prior to the meeting

Designated Officer

Director of Commissioning

Review

The Governing Body will review these terms of reference annually after initial endorsement.

Conflicts of Interest¹

To ensure that any conflict of interest can be appropriately managed and to maintain transparent governance arrangements, all members of the committee must complete a declaration of interest form in line with policy. Any conflicts of interest, perceived or actual, arising from the agenda items will be declared at the start of each meeting. The Chair is responsible for determining the appropriate management of the declared conflict of interest and is responsible, when necessary, for asking relevant members not to take part in any discussion by stepping out of a meeting and not to take part in any voting. If this is not possible for example in cases where committee would not be quorate for decision making, then the agenda item should be deferred until an appropriate solution

¹ All members are required to adhere to the Walsall CCG Management of Conflict of Interest Policy.

for handling the solution is agreed. If the Chair has a conflict then the vice chair will chair the relevant part of the meeting. The management of any conflicts will be recorded in the minutes. Wherever a conflict of interest may be perceived, the matter must always be resolved in favour of the public interest rather than the individual member.

The conflict of interest guardian is the Audit Chair, who will act as the conduit and safe point of contact for anyone with concerns relating to conflicts of interest and provide independent advice and judgment in the management of conflicts.

Where conflicts of interest are profound and acute the management may require the committee member to step down from the committee either permanently or temporarily.

Confidentiality

Papers that are marked 'in confidence, not for publication or dissemination' shall remain confidential to the members of the committee unless the Chair indicates otherwise. Members, representative or any persons in attendance shall not reveal or disclose the contents of these papers without express permission of the Chair. This prohibition shall apply equally to the content of any discussion during the meeting which may take place on such papers.

Data Protection Act 1998

Committee members will give due regard to the responsibilities of Walsall CCG to comply with Data Protection legislation.

Freedom of Information Act 2000

All papers are subject to the Freedom of Information Act. All papers that are exempt from public release under the FOI Act must be clearly marked 'in confidence, not for publication'. These papers may not be copied or distributed outside of the committee membership without the expressed permission of the Chair. FIO exemption 41 (duty of confidence) applies.