

Croydon, Kingston, Merton, Richmond, Sutton, Wandsworth CCG (Delete CCGs as required)

Committee for Collaborative Decision Making Terms of Reference

Version 1.2 October 2017

(The Committee for Collaborative Decision Making always operates using the Committees in Common arrangement with one or more other CCGs.)

Introduction

1. The six Clinical Commissioning Groups (CCGs) in South West London (Croydon, Kingston, Merton, Richmond, Sutton, Wandsworth) have agreed the establishment of a “Committees in Common” (CiC) arrangement for the purpose of collaborative decision making, including the decisions for recommendations made by the South West London Sustainability and Transformation Partnership. The governing body of each of the CCGs has resolved to create a “Committee for Collaborative Decision Making” that will participate in a Committees in Common arrangement. The participant CCGs for a particular CiC meeting will be determined by the nature of issue delegated to the committee. The participants may range from one other CCG to all SWL CCGs and neighbouring CCGs.

Statutory Framework

2. 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 identical Committees of other CCGs in a CiC arrangement. Where the decisions of the CiC are unanimously made, the decisions are binding on the constituent CCGs.

Role of CiC

3. The effective commissioning of health care or organisational capacity sometimes requires decisions to be made for populations much larger than a single CCG. The six South West London CCGs wish to collaborate, and where appropriate with neighbouring CCGs to make collaborative organisational or commissioning decisions.
4. The role of the CiC is to make decisions 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.

(Each individual CCG Committee will make informal arrangements with its CCG Governing Body on considering the issues and the engagement of its CCG membership before the Committee makes a decision at a CiC meeting.)

Accountability for the Committee for Collaborative Decision Making

5. The Committee for Collaborative Decision Making is accountable to the CCG Governing Body. The Committee operates in a Committees in Common arrangement with other CCGs but remains as the decision making committee for the delegated Collaborative Decision Making functions. (For clarity – The CiC does not make decisions for the CCG but the CCG’s Committee for Collaborative Decision Making does make decisions for the CCG.)

Functions Delegated to the Committee for Collaborative Decision Making

6. The CiC enables the participating Committees to make the same decision for issues delegated by their Governing Bodies in relation to:
 - Any significant change in healthcare service that affects the population of more than one CCG;
 - Any significant commissioning strategy/plan that affects the population of more than one CCG;
 - Any CCG organisational development of more than one CCG.
7. The CiC will ensure that best commissioning practice is followed in making decisions including:
 - Evidence-based proposals;
 - Effective stakeholder engagement;
 - Appropriate consultation.

Membership – CCG Committee for Collaborative Decision Making

8. The CCG Committee for Collaborative Decision Making will comprise of three individuals:
 - 1 Lay member of the Governing Body;
 - 1 Clinical Governing Body member;
 - 1 Managerial Governing Body member.
9. Where a member of the Committee for Collaborative Decision Making is unable to attend a meeting, they may nominate as their deputy another member (of the same class) of the governing body.

Membership – CiC for Collaborative Decision Making

10. The CiC for Collaborative Decision Making will comprise of:
 - A non-voting CiC Convenor (either an externally appointed individual or a lay member drawn from a CCG’s Governing Body);
 - The SWL CCG Committees for Collaborative Decision Making who have chosen to participate in the CiC meeting;
 - Other CCG Committees for Collaborative Decision Making for whose populations the proposals may amount to a substantial change or development in services.

Non-voting attendees

11. The following individuals will be invited to attend a CiC meeting:
 - Up to 3 NHS England Representatives as a commissioner of relevant services;

- 1 Healthwatch Patient Representative;
- 1 Public Engagement Representative.

12. There will be an annual review of the CiC's membership to support its efficient functioning.

Meetings - Procedure

13. The CiC will adopt the Wandsworth CCG Standing Orders relating to the conduct of meetings, agendas and declaration of interest with the exception of the following clauses in this section.
14. The CCG Governing Bodies will decide when to delegate an issue for decision to its Committee for Collaborative Decision Making. (The number of CCG Governing Bodies, who make this delegation, will depend on the nature of the issue being delegated.)
15. The Committee for Collaborative Decision Making will only make decisions when it formally meets as a Committees in Common with other CCG Committees.
16. The Committee for Collaborative Decision Making meeting as a CiC will be **held in public** except where the CiC resolve to exclude the public on grounds of the confidential nature of the business to be discussed, in the interests of public order or because the CiC consider that it would otherwise not be in the public interest for the public to be admitted to all or part of a meeting.
17. The Committee for Collaborative Decision Making may hold private seminars with other similar committees but may not make decisions at these meetings.
18. When a CiC meeting is held, an agenda for the CCG Committee for Collaborative Decision Making will be prepared that is identical in content to the agendas for the other participating Committees.
19. A CiC meeting quorum has three components:
- a. All participating CCGs are present;
 - b. Each Committee for Collaborative Decision Making has at least 2 members present; (An individual may be a member of more than one Committee.)
 - c. One lay member is present.
20. The CiC may call additional experts to attend meetings on an ad hoc basis to inform discussions as appropriate.
21. The CiC 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.
22. For a decision to be taken:
- The decision is within the bounds of the CiC delegated functions;
 - Each CCG Committee has one vote;
 - A decision has been unanimously agreed.
23. The **unanimous decisions** made at a CiC meeting shall be binding on the constituent CCGs.
24. Where the CiC is unable to reach a unanimous decision then:
- This will be recorded in the meeting minutes;
 - The CiC chair will convene a meeting of the CCG chairs to agree a process that will allow all the CCGs to vote for a decision.

25. The Committee for Collaborative Decision Making will undertake preparation work before a CiC meeting to minimise the risk of a decision not achieving consensus.

Meetings - Frequency

26. The CiC Convenor, with the chairs of the participating CCGs Committee for Collaborative Decision Making, will agree a programme of meetings to reach a decision on the delegated issue. This programme may be amended.

Further Delegation of Functions

27. The CiC meeting may delegate tasks to such individuals or sub-committees as it shall see fit, provided that:
- any such delegations are consistent with the delegation of functions to the Committee for Collaborative Decision Making;
 - any delegated work undertaken is formally reported to a CiC meeting.

Reporting

28. 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.
29. Each Committee will present the agreed minutes to its Governing Body, including the minutes of any sub-committees to which responsibilities are delegated.
30. The CiC Convenor 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.

Confidentiality

31. Individuals attending CiC meeting shall respect confidentiality requirements as set out in the Wandsworth CCG Constitution or Standing Orders.

The CiC Convenor

32. Appointment of CiC Convenor

The CCG Governing Body Chairs shall appoint a CiC Convenor by either:

- a. Advertising and selecting an external independent individual with excellent chairmanship skills; or
- b. Inviting a lay member of a CCG Governing Body.

The term of office for the CiC Convenor is one calendar year from appointment with possible reselection.

33. The CiC Convenor is responsible for agenda setting, resolving differences, overseeing voting arrangements and maintaining order.
34. The Chairs of the participating Committees for Collaborative Decision Making will invite the CiC Convenor to be an independent chair of their Committee for Collaborative Decision Making for the

meeting. (For clarity, the CiC Convenor is not a member of the Committee of the Collaborative Decision Making and does not contribute to any vote.)

35. The CiC Convenor does not have a vote or a casting separate vote.

36. The Chairs of the Committees for Collaborative Decision Making are the Vice Convenors of the CiC.

Role – CiC Vice Convenor

37. A CiC Vice Convenor will act as the CiC Convenor when necessary.

Administration

38. 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.

39. A full set of original papers will be supplied to the constituent CCG Corporate Offices for filing and audit purposes.

Date	Update
July 2017	Incorporated advice from Good Governance Institute June 2017.
July 2017	Informal consideration by CiC for Strategic Decision Making.
October 2017	Croydon added to title of document.
October 2017	Points 34 and 36 updated to reflect committees as plural.