

# CITY COUNCIL - 4 FEBRUARY 2008

## REPORT OF THE PORTFOLIO HOLDER FOR ADULT SERVICES

### NOTTINGHAM CITY HEALTH AND SOCIAL CARE GOVERNANCE BOARD – TERMS OF REFERENCE AND MEMBERSHIP

#### **1 SUMMARY**

In line with changes that have taken place between the Health and Social Care agencies, revised Terms of Reference for the Health and Social Care Governance Board have been developed. These reflect the developing partnership between health and social care and the greater focus on commissioning jointly between these two agencies. These Terms of Reference would enable further joint arrangements between health organisations and the Local Authority to be taken forward through the work of the Board. Agreement is therefore being sought for the following:-

- approval of the revised Terms of Reference which take into account the future direction and priorities of the Board; and
- approval of the change of name of the Board from 'Governance Board' to 'Commissioning Board'.

#### **2 RECOMMENDATIONS**

IT IS RECOMMENDED that:-

- (1) the revised Terms of Reference as set out in Appendix A to this report be approved;
- (2) the change of name from City Health and Social Care Governance Board to City Health and Social Care Commissioning Board be approved.

#### **3 BACKGROUND**

- 3.1 The City Health and Social Care Governance Board was formally constituted in December 2001 to lead, approve, develop and advise on a programme of partnerships for the

provision of local Health and Social Care services across Nottingham.

- 3.2 The Terms of Reference of the Health and Social Care Governance Board currently state that its purpose is to promote the provision of services under the Health Act 1999, to formally approve the local use and monitoring of Health Act Flexibilities: Pooled Budgets, Integrated Service Delivery and Lead Commissioning arrangements enabling partners to account for actions and expenditure.
- 3.3 The original Terms of Reference state that the Board is responsible for ensuring that activity is consistent with plans and policies of the City Council, the Primary Care Trust and NHS Trusts and that it should take a broader role in promoting partnerships and ensuring that appropriate consultation and dialogue is undertaken with partnership stakeholders.
- 3.4 The Board is formalised within Nottingham City Council's Constitution under Appendix 6 (c) Terms of Reference and reports directly to Nottingham City Council and Nottingham City Primary Care Trust who in turn, and where appropriate, report to the Local Strategic Partnership.
- 3.5 Since the establishment of the Board there have been significant structural changes and policy developments within Health and Social Care. The role of social care and health care in commissioning has been strengthened and further opportunities exist for joint work between both agencies as commissioners of services. The White Paper 'Our Health, Our Care, Our Say' and the recent shared vision 'Putting People First,' set out a reform agenda for adult social care to respond to the demographic challenges presented by an ageing population and a rising expectation of those who depend on social care for the quality of life and capacity to have full and purposeful lives.
- 3.6 The Terms of Reference for the Board need to reflect these new structural arrangements to enable the future priorities and direction for Health and Social Care to be established. The membership of the Board within the revised Terms of Reference does not differ from the existing membership.

## **4. PROPOSALS**

That full Council approve both the revised Terms of Reference set out in Appendix A to this report so that they better reflect future direction and priorities of the services being provided by Health and Social Care agencies and the name change of the Board.

## **5 FINANCIAL IMPLICATIONS**

5.1 The work of the Board will be supported by existing Adult Services Housing and Health (ASHH) Officers; hence there will be no additional costs in supporting the Board. The Strategic Finance Manager for ASHH will be the ASHH representative on the Finance Officers Group mentioned in Appendix A Section 6.

5.2 Any resources committed on behalf of ASHH must be subject to the formal ASHH budget allocation process and be contained within the ASHH budget. Regular monitoring of ASHH funds must be carried out, as part of the routine budget monitoring process, and reported to ASHH Directorate on a monthly basis.

## **6 LEGAL IMPLICATIONS**

The City Health and Social Care Governance Board is jointly constituted by the City Council and Nottingham City Primary Care Trust, therefore formal approval of the revised Terms of Reference is required by both bodies. The Governance Board considered the revised Terms of Reference on 28th September 2007 and recommended them to the respective authorities.

## **7 CONSULTATIONS**

7.1 The City Health and Social Care Governance Board considered and approved the draft Terms of Reference which will better reflect the developing partnership between health and social care and the greater focus on commissioning jointly between the two agencies, at their meeting held on 28th

September 2007 and further recommended them for approval to the two respective Bodies.

- 7.2 Nottingham City PCT Executive Team have considered and approved the revised Terms of Reference and name change of the Board.

## **8 EQUAL OPPORTUNITIES IMPLICATIONS**

- 8.1 The City Health and Social Care Governance Board aims to influence the culture of Health and Social Services delivery across Nottingham to improve partnership working across the statutory services. The Board envisages that people using the services will not experience interruption, delay or inconvenience due to organisational boundaries and that services will be right for the people who use them.

## **9 CORPORATE OBJECTIVES**

- 9.1 The key corporate objective remains the “Health and Well being” of local people meeting the target of working in partnership with the NHS.

## **10 BEST VALUE/CLINICAL GOVERNANCE OBJECTIVES**

- 10.1 The development and embedding of modern partnership working and the use of Health Act Flexibilities enables organisations to plan and deliver services across the organisational boundaries without undergoing organisational restructuring.
- 10.2 This enables services to provide a more flexible, responsive and seamless service to people whilst upholding the value of ensuring service users and carers remain central to all service changes and subsequent service delivery.

## **11 List of background papers other than published works or those disclosing confidential or exempt information**

None.

## **12 Published documents referred to in compiling this report**

- Nottingham City Council Constitution
- City Health and Social Care Governance Board – Approval of Terms of Reference – Housing and Social Services Strategic Board – December 2001
- City Health and Social Care Governance Board – Approval of Terms of Reference – Health and Social Care Governance Board – April 2002
- City Health and Social Care Governance Board – Approval of Revised Terms of Reference – Health and Social Care Governance Board – July 2002
- City Health and Social Care Governance Board – Membership of Health and Social Care Governance Board – January 2004
- Report to Nottingham City Council full Council, “City Health and Social Care Governance Board Terms of Reference Review – September 2005
- White Paper - ‘Our Health, Our Care, Our Say’ – January 2006
- City Health and Social Care Governance Board – Membership of Health and Social Care Governance Board – July 2007
- Shared Vision - ‘Putting People First’ – December 2007

**COUNCILLOR LEON UNCZUR  
PORTFOLIO HOLDER FOR ADULT SERVICES**

## **CITY HEALTH AND SOCIAL CARE COMMISSIONING BOARD**

### **TERMS OF REFERENCE**

#### **1. Status**

- 1.1 The City Health and Social Care Commissioning Board (HSCCB) is a formally constituted joint committee, between Nottingham City Primary Care Trust and Nottingham City Council.

#### **2. Scope of Business**

The scope of business of the Board will be focused on delivering agreed strategic priorities for health and social care services for adults. This includes cross cutting areas, specifically around mental health, learning disabilities, older people and physical disabilities. Children's services will be dealt with via Children's Partnership arrangements.

#### **3. Role of the City Health and Social Care Commissioning Board**

- 3.1 To promote effective joint commissioning and develop partnerships in order to deliver effectively against key Health & Well-being policies particularly, 'Our Health, Our Care, Our Say,' which includes the seven outcomes for adults and National Service Frameworks.
- 3.2 To ensure that the core values of the City Council, Nottingham City Primary Care Trust or successor bodies are taken into consideration in the approval of programmes and partnerships, approval of budgets, expenditure undertaken by partnerships and scrutiny of any actions.
- 3.3 To lead joint commissioning arrangements and approve the joint commissioning strategies.

- 3.4 To secure partnership arrangements that deliver appropriate and better outcomes for our population. To promote provision within the Health Act 1999 and any subsequent legislation which facilitates positive outcomes for service users.
- 3.5 To exercise approval of a programme of partnerships including the formation of new partnerships between and involving Nottingham City Council and Nottingham City Primary Care Trust or successor bodies in consultation with other NHS Trusts or partnerships as appropriate. To exercise approval of relevant budgets of each partnership within the budgets made available through the formal budget processes of each of the partners.
- 3.6 To scrutinise the actions and expenditure of each partnership. To ensure that plans and budgets are consistent with the relevant plans/policies and approved budgets of the City Council, the Primary Care Trust or their successor bodies.
- 3.7 To review the implementation relating to the discharge of functions and related financial arrangements.
- 3.8 To contribute to policy, practice and operational guidelines for the partnership provision of Health and Social Care services within the City in liaison with Nottingham City Council, Nottingham City Primary Care Trust or successor bodies and other partners as appropriate, including other NHS Trusts, to monitor and review the impact of any such policies.
- 3.9 To ensure that appropriate consultation and dialogue is undertaken with partnership stakeholders.
- 3.10 To prioritise the shared business, as far as possible, in a way that is timely for associated decision-making cycles, such as budget and planning cycles.

#### **4 Membership**

##### **(a) City Council**

- Portfolio Holder for Adult Services;
- One other Elected Member;

- Corporate Director of Adult Services, Housing and Health;
- Director of Adult Services or Director of Performance and Commissioning.

The Portfolio Holder for Adult Services and the Corporate Director of Adult Services, Housing and Health will exercise decision making powers within the limits of their delegated powers.

(b) City Primary Care Trust

- Chair or Non-Executive Director;
- Chair of the Professional Executive Committee;
- Chief Executive;
- Director of Commissioning.

(c) NHS Trusts

- Representative of Nottinghamshire Healthcare NHS Trust
- Representative of Nottingham University Hospital Trust

**5 Voting/Chairing**

- (a) It is expected that most items will be agreed by consensus, but where this is not the case then the only persons voting on issues shall be the Portfolio Holder for Adult Services, one other Elected Member, Chair of the Professional Executive Committee of the Primary Care Trust and the Chair or Non-Executive Director of the City Primary Care Trust.
- (b) The Chair of the Commissioning Board shall have a second or casting vote.
- (c) Voting on all issues shall be by show of hands, subject to any legal requirements.



- (d) The Chair of the Commissioning Board shall be appointed every two years and shall be one of the 4 members detailed at 5(a) above.

## **6 Support**

- (a) The Board will be supported by a Finance Officers Group, which will be drawn from each partner agency. The Board will also be supported by a number of joint commissioning fora and management groups focused on care groups which will be responsible for developing joint commissioning strategies, developing partnerships and securing implementation.
- (b) The Finance Officers Group will have a right to be represented at meetings of the Board unless the Board shall determine that it shall be inappropriate in any particular given circumstances for them to do so. Representatives of the management groups will attend meetings of the Board as appropriate, or as required by the Board.
- (c) Nottingham City Council will provide secretariat support through Corporate Committee Services and lead officer support from the Department of Adult Services, Housing and Health.

## **7 Meetings**

- (a) The Board shall meet between four and six times a year on a programme of meetings to be determined at the first full meeting of the Board.
- (b) The Chair of the Board shall have the right to convene, in consultation with the Corporate Director of Adult Services, Housing and Health of the City Council, the Chief Executive of the Primary Care Trust and the Secretary to the Board, special meetings of the Board as appropriate.
- (c) All business of the Board shall be conducted in public unless and otherwise the Board so determines.
- (d) Notwithstanding the above, the provisions of Schedule 12(A) of the Local Government Act 1972 (as amended) shall apply to meetings of the Board.

## **8 Agenda and Reports**

- (a) The summons to attend a meeting of the Board and all reports referred to in the summons shall be sent to Members of the Board at least five clear days before the meeting concerned.
- (b) Reports accompanying the agenda must be received by the Secretary two clear days prior to the despatch of the agenda summons.
- (c) Order of business at meetings (other than special meetings), shall be as follows:-
  - (i) Apologies for absence
  - (ii) Declarations of Interests
  - (iii) Minutes of previous meeting (minutes of special meetings of the Board shall be forwarded to the next ordinary scheduled meeting).
  - (iv) To consider reports of the Corporate Director of Adult Services, Housing and Health (or his/her representatives).
  - (v) To consider reports of the Chief Executive of the City Primary Care Trust (or his/her representatives).
  - (vi) To consider reports of representatives on the NHS Trusts.
  - (vii) To consider reports from the Finance Officers Group.
  - (viii) To consider reports from the Joint Commissioning Fora and Management Groups.
  - (ix) Other relevant items.
- (d) Unless previously agreed, all reports shall be in writing and shall conform to the style and templates of Nottingham City Council who will act as Secretary to the Board.

## **9 Quorum**

- (a) The quorum for the meetings shall be three voting members.

## **10 Substitutions**

- (a) Substitutions are allowed for any of the voting members, providing that notice of substitution is given one hour in advance of a meeting date.
- (b) The Corporate Director of Adult Services, Housing and Health for the City Council and the Chief Executive for the City Primary Care Trust may delegate such officers as they consider appropriate to attend meetings of the Board on their behalf.

## **11 Conduct**

All members of the Board shall behave with courtesy and respect towards others and say nothing which might bring the Board into disrepute or disrupt the business of the Board, the City Council or the City Primary Care Trust.

## **12 Reporting Lines**

- (a) The Chief Executive and the Chair of the Professional Executive Committee shall ensure that items are brought to the attention of the City Primary Care Trust as appropriate and that draft minutes of HSCCB will be available to the next available PCT Board meeting.
- (b) The Corporate Director of Adult Services, Housing and Health and the Portfolio Holder for Adult Services, shall ensure that appropriate items are brought to the attention of the City Council as appropriate.
- (c) The Health and Social Care Commissioning Board will have a duty to report directly to Nottingham City Council and the Nottingham City Primary Care Trust who in turn shall report to the Local Strategic Partnership as appropriate.
- (d) Notwithstanding the above, the Health and Social Care Commissioning Board shall liaise directly with the Local

Strategic Partnership as appropriate in order to discuss and resolve issues of mutual interest.

(e) The joint commissioning fora for health and social care shall report to the Board annually, to account for business, budget and progress and at such other times as are appropriate.

(f) (i) Designated partnerships shall account to the Board annually, to account for business, progress and budget and at such other times as are appropriate.

(ii) Partnerships currently designated for this purpose are:-

Learning Disability Partnership Board; and the Integrated Community Equipment Service.

(g) The Board will review the commissioning and partnership groups which shall report to the Board on an annual basis.

(h) The Board will request and receive reports from NHS Trusts and other bodies, as appropriate to the terms of reference and business in hand.