

City Council – 31 October 2022

Report of the Deputy Leader of the Council

Corporate Director/ Director – Malcolm Townroe, Director of Legal and Governance

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Nottingham and Nottinghamshire Integrated Care Partnership – Amendment to Terms of Reference

Does the report form part of the Budget or Policy Framework?

Yes No

Does this report contain any information that is exempt from publication?

No

Relevant Council Plan Key Outcome:

Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Healthy and Inclusive	<input checked="" type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Financial Stability	<input type="checkbox"/>
Serving People Well	<input checked="" type="checkbox"/>

1. Summary

- 1.1 This report asks Council to approve updated terms of reference for the Nottingham and Nottinghamshire Integrated Care Partnership, a Joint Committee of the City and County Councils and the Integrated Care Board.

2. Recommendations

- 2.1 To approve the draft terms of reference, attached as appendix B
- 2.2 To agree to amend the Constitution to reflect the revised terms of reference.

3. Reasons for recommendations

- 3.1 In July 2022, Council established the Nottingham and Nottinghamshire Integrated Care Partnership as a Joint Committee with the County Council and the Integrated Care Board, as required by the Health and Care Act 2022. At the time the Joint Committee was established there remained a lack of clarity around how it would function. The terms of reference agreed by Council at that time were therefore agreed as Initial Terms of Reference, with an intention to bring revised terms of reference back for approval once requirements were clarified. In particular, clarification was required regarding the voting arrangements on the Joint Committee.

3.2 Further legal advice has been obtained and the Terms of Reference have been updated for approval. In relation to voting arrangements it is anticipated that the usual process will be to reach decisions by consensus. Should this not be possible a vote will be taken with each member of the ICP eligible to cast one vote and the Chair holding the casting vote. Votes will be passed by a simple majority.

3.3 The full amended Terms of reference are attached as appendix B to this report.

4. Other options considered in making recommendations

4.1 Not to amend the terms of reference – this option was rejected as it would not achieve the desired level of clarity in the decision making arrangements for the Joint Committee.

5. Consideration of Risk

5.1 The risk of any decisions requiring a formal vote is low but clarifying the terms of reference reduces the risk of any decisions being unresolved due to lack of clarity in the voting arrangements.

6. Background (including outcomes of consultation)

6.1 See appendix A (ICB covering paper) for the full background to the decision.

7. Finance colleague comments (including implications and value for money)

7.1 The proposals outlined in this report have no direct financial implications. It is to be noted that there will be no additional costs to the Members' Allowances budget as a result of the establishment of this body and secretarial support for the Committee is being provided by the ICB.

Tania Clayton-Perez
Finance and Resources Senior Commercial Business Partner
20 October 2022

8. Legal colleague comments

8.1 The Integrated Care Partnership is a committee that the Council is required by law to establish jointly with the County Council and the Integrated Care Board in accordance with the Health and Care Act 2022.

8.2 The legislation is silent on the make-up of the Committee, how the Committee should be established and whether it is an executive or non-executive function.

8.3 Following the agreement of the initial terms of reference in July, further guidance has been sought and the revised terms of reference provide clarification of the voting arrangements to support the Joint Committee's decision making.

Malcolm Townroe,
Director of Legal and Governance
20 October 2022

9. Equality Impact Assessment (EIA)

9.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because the decision does not involve changing policies or services. Decisions taken by the Committee will be subject to equalities processes.

10. Data Protection Impact Assessment (DPIA)

10.1 Has the data protection impact of the proposals in this report been assessed?

No



A DPIA is not required because the establishment of the Committee does not have Data Protection implications.

11. Carbon Impact Assessment (CIA)

11.1 Has the carbon impact of the proposals in this report been assessed?

No



A CIA is not required because the establishment of the Committee does not have significant carbon implications.

12. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)

12.1 None

13. Published documents referred to in this report

13.1 Health and Care Act 2022

13.2 Report to and Minutes of the meeting of the City Council held on 11 July 2022

Councillor Adele Williams

Portfolio Holder for Finance and Chair of the Health and Wellbeing Board