

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	JOINT COMMISSIONING BOARD – TERMS OF REFERENCE REVIEW
<b>DATE OF DECISION:</b>	17 <sup>TH</sup> NOVEMBER 2020
<b>REPORT OF:</b>	DIRECTOR OF QUALITY AND INTEGRATION

<b><u>CONTACT DETAILS</u></b>			
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<b>AUTHOR:</b>	<b>Title</b>	SENIOR DEMOCRATIC SUPPORT OFFICER	
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<b>STATEMENT OF CONFIDENTIALITY</b>
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None.
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<b>BRIEF SUMMARY</b>
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<p>The Joint Commissioning Board between the City Council and the Southampton City Clinical Commissioning Group has been in operation since July 2017 first as a pilot arrangement before it went “live” in April 2018. The arrangement provides for further integration between Health and Social Care in the City and to make cooperative decisions on certain agreed functions related to Health and Care. The Joint Commissioning Board (JCB) Terms of Reference have been updated in line with their review date as part of good Governance Arrangements.</p>
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<b>RECOMMENDATIONS:</b>
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	(i)	To approve the revised Terms of Reference for the Joint Commissioning Board as attached as appendix 1 of the report.
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<b>REASONS FOR REPORT RECOMMENDATIONS</b>
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1.	The Terms of Reference are subject to Annual Review and must be approved and adopted by the CCG Governing Body and the City Council’s Cabinet as overseeing organisations of the Joint Commissioning Board.
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<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>
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2.	None.
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<b>DETAIL (Including consultation carried out)</b>
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3.	The delegations required to give effect to the working of the Joint Commissioning Board arrangements with the Clinical Commissioning Group and NHS England were approved by Full Council in May 2018 and have been re-approved at the Annual General Meeting in May each year since as part of the Annual Constitutional Review.
4.	This review of the Joint Commissioning Board Terms of Reference does not affect any of the delegations within the Council’s Constitution and therefore does not require any constitutional changes.

5.	All Cabinet Members have a delegation within their portfolio responsibilities to “represent the Council on and exercising any functions in relation to any Partnership Boards or Committees to which they are appointed”. This delegation provides for any member of Cabinet to substitute for any of the 3 appointed members of the Joint Commissioning Board if or when necessary.
6.	The Board through its member’s delegated decisions exercises Executive Functions, and as such the following requirements apply:- <ul style="list-style-type: none"> <li>• set published meeting dates, to provide advance information on the Council’s Forward Plan (28 days before any decision) and CCG’s governance arrangements</li> <li>• written reports containing specified information that must be published a set period in advance (5 working days before meeting date)</li> <li>• hold meetings in public</li> <li>• restrictions on taking confidential decisions unless a period of notice (28 days) has been given</li> <li>• requirements around recording and publishing decisions</li> <li>• ‘Standstill period’ following decisions during which ‘Call In’ can be exercised by the Council’s Overview and Scrutiny arrangements.</li> </ul>
7.	The proposed changes within the Terms of Reference have been considered by the Joint Commissioning Board at its meeting on 15 <sup>th</sup> October 2020 and are recommended for approval by both respective organisations.
8.	The has been a general tidy up of sentences, however the main changes are set out in this and paragraphs 9 and 10 below. Inclusion of the following bullet points under the introduction: <ul style="list-style-type: none"> <li>• The Board will ensure the development and implementation of the Southampton Five Year Health and Care Strategy</li> <li>• The Board will maintain a focus on the commissioning of services to meet the outcomes of the citizens of Southampton, and those registered with GP’s in Southampton whilst working in the Southampton and SW Hampshire and wider Hampshire and Isle of Wight context.</li> </ul>
9.	Clarity provided on the membership and identifies who is a member for each organisation.
10.	More detail included in annex a of the Terms of Reference which covers integrated commissioning and examples of potential scope.
11.	The revised Terms of Reference for the Board can be found as Appendix 1 of the report with tracked changes. The Terms of Reference have also been submitted to the Clinical Commissioning Group Governing Body for approval
<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	
12.	Not Applicable.
<b><u>Property/Other</u></b>	
13.	Not Applicable.

<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
14.	Children and Families Act 2014 – emphasises that a local authority in England and its partner commissioning bodies must make arrangements (“joint commissioning arrangements”) about the education, health and care provision to be secured.
15.	Care Act 2014 establishes requirement for integration of care and health by 2020
16.	NHS Five Year Forward View 2014 which outlines the future direction for the NHS which requires new partnerships in how care is delivered breaking down barriers between health and social care with more integrated approaches and with patients having far greater control over their own care.
<b><u>Other Legal Implications:</u></b>	
17.	Decisions of the Board and the arrangements for the discharge of their functions are subject to and in conformity with the requirements of the Equalities Act 2010, the Human Rights Act 1998 and the Data Protection Act 2018.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
18.	None.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
19.	Not Applicable.
<b>KEY DECISION?</b>	<b>No</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	Not Applicable
<b><u>SUPPORTING DOCUMENTATION</u></b>	
<b>Appendices</b>	
1.	Proposed Terms of Reference 2020/21
<b>Documents In Members’ Rooms</b>	
1.	None.
<b>Equality Impact Assessment</b>	
<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>	<b>No</b>
<b>Data Protection Impact Assessment</b>	
<b>Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.</b>	<b>No</b>
<b>Other Background Documents</b>	
<b>Other Background documents available for inspection at:</b>	
<b>Title of Background Paper(s)</b>	<b>Relevant Paragraph of the Access to Information Procedure Rules /</b>

		Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	None.	