

Draft Lambeth Together Interim Strategic Board Terms of Reference

Change History

Version	Change Description	Author	Date
1.0	Working draft	Tom Barrett	19/8/19
1.1	Greater distinction between parts A and B	Tom Barrett	11/9/19
1.2	Amendments following feedback from project Team	Tom Barrett	13/9/19
1.3	Amendments following from input from LBL/CCG Integrated Mgmt Team re title (IPBB)	Tom Barrett	1/11/19
1.4	Addition of all named attendees from s75 agreement; name change to ILTSB	Tom Barrett	4/11/19
1.5	Further revisions to reflect s75 and OHSEL Borough Based Board ToR, including appending the latter. Parts A and B swapped. Name change to LTISB	Tom Barrett	14/11/19

Document Sign off

	Name	Signature	Date
Originator	Tom Barrett		
Reviewed	Andrew Parker		
Authorised	Andrew Eyres		

Overview

- Lambeth Together is the umbrella under which all partners in the Lambeth health, care and wellbeing system are coming together to improve health and wellbeing and reduce health inequalities for people in Lambeth. Lambeth Together aims to:
 - Establish a way of working and a culture that defines and unites us, developed with citizens and staff and embedded in all we do – The Lambeth Together Way
 - Move away from basing services around organisations and make them based around people and places – The Delivery Alliances
 - Establish a single leadership and set of integrated functions to create our one system and one budget – The Strategic Alliance
- Following publication of the NHS long term plan, South East London Sustainability and Transformation Partnerships success in being designated as a wave 3 Integrated Care System and the change from 6 SEL CCGs to a single SEL CCG from April 2020 it will be a requirement for a *Borough Based Board* to be

established in Lambeth. Borough based boards will be a critical part of the health and care system and will be prime committees of the SEL CCG Governing Body, constituted to enable them to receive and enact delegated responsibilities from the SEL CCG. A draft terms of reference for the Borough Based Board is attached (Appendix 1).

3. The Borough Based Board's precise scope will be determined following an engagement process throughout 2019. However, in all circumstances they will bring together the CCG in that part of SEL and the local authority. It is the view of OHSEL, that from the outset, the Borough Based Board will have a relationship with the Board of a Local Care Partnership (i.e. the previous Lambeth Together Leadership Team).
4. There is an extant section 75 agreement in place between LB Lambeth and NHS Lambeth CCG, managed through a Committees in Common arrangement. That s75 agreement allows for the agreed expansion of both the scale of that agreement and hence the breadth of the oversight of the Committees in Common arrangement. It is envisaged that this arrangement will in future incorporate the Borough Based Board responsibilities.
5. Meetings of the Lambeth Together Leadership Team and the Commissioning Committee for Mental Health and Older People (or Committees in Common), which is already undertaking some of the functions envisaged for a SEL Borough Based Board, have been taking place adjacent to each other since Spring 2019.
6. It is the view of the Lambeth Together Leadership Team and Committees in Common that the transition to a formal Borough Based Board with delegation from SEL from April 2020 will be assisted by implementing interim arrangements in the months prior to April 2020.
7. These interim arrangements, set out in this terms of reference, will bring together the existing arrangements for the Commissioning Committee for Mental Health and Older People (committees in common) with the Lambeth Together Leadership Team into a single meeting to undertake the functions each body already undertakes. This Board will be known as the Lambeth Together Interim Strategic Board ('the Board').
8. These interim arrangements do not replace any of the existing decision-making governance in relation to Children and Young People. This is an area that will be developed through discussion at the Board and through the Children's Integrated Commissioning and Delivery Alliance Board.

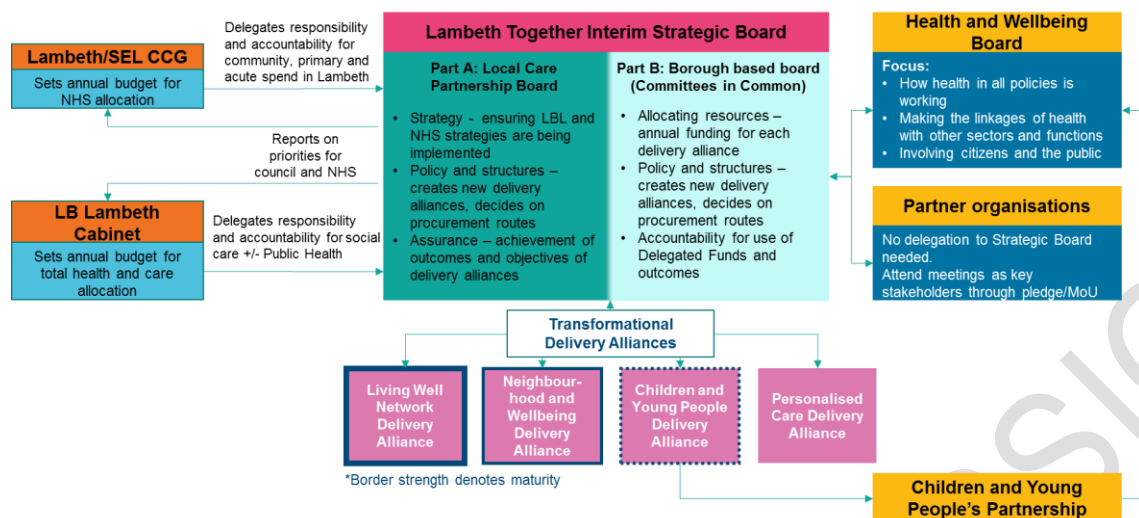


Figure 1: Lambeth Together Interim Strategic Board structure (November 2019-April 2020)

Constitution

9. Lambeth Together Leadership Team and the Commissioning Committee for Mental Health and Older People have resolved to establish a Board to be known as the Lambeth Together Interim Strategic Board.
10. The Board will report to NHS Lambeth CCG Governing Body, Lambeth Council and through the appropriate governance of partners and stakeholders.

Structure of these terms of reference and way of working

11. The interim terms of reference for the Board are split into two parts: Part A sets out how the Board will discharge those functions previously undertaken by the Lambeth Together Leadership Team; Part B sets out how the Board will discharge those functions previously undertaken by the Commissioning Committee for Mental Health and Older People. Over the remainder of 2019/20, and in full by April 2020, it will undertake the delegated responsibilities of an NHS SEL Borough Based Board.
12. While the terms of reference distinguish between parts A and B, and the formal membership of each will be different, it is anticipated that members of both parts A and B will be present throughout Board meetings unless legal advice is provided to the contrary and by exception. It is intended that as much of the business of the Board will be conducted as part A as possible. This in the spirit of open-book partnership and alliance-working.

Part A Purpose/role

13. The overall purpose of the Board is:

- To ensure Lambeth Council and SEL/Lambeth NHS strategies and commissioning intentions are implemented
- To allocate resources
- To set policies and structures (eg new delivery alliances, procurement routes)
- To steer strategic direction
- To be accountable for the delivery of the strategic outcomes:
 - Better population outcomes
 - Better experience of care
 - Better experience of providing care
 - Delivered at best value¹
- To provide overall leadership, guidance and control to the Lambeth Together Transformation Programme ensuring agreed outcomes are delivered.
- To be responsible for the direction, approval and decision-making of the Lambeth Together Transformation Programme rather than day-to-day management.
- To agree the purpose, objectives and scope of all work to be undertaken
- To decide whether suggestions for potential initiatives across the programme merit adding to the identified areas of improvement/transformation
- To own the prioritisation of work within the programme and reprioritise where appropriate
- To maintain oversight of resourcing and roles²

Authority/Delegation/Decisions

14. In relation to Part A matters each member of the Board will bring with them the authority to speak and make decisions on behalf of their organisations. It is the expectation that the Board will provide strategic direction for the programme with the execution of that strategic direction delegated to the Executive Leadership Board.

Membership and attendance

15. The Board shall consist of

Part A
Black Thrive
Citizen representative/s
Guys and St Thomas's NHS Foundation Trust
Healthwatch Lambeth
Kings College Hospital Foundation Trust

¹ Lambeth Together PID – objectives of Leadership team

² New - mirror of LBL SYV programme delivery board

Kings Health Partners
LB Lambeth
Local Medical Committee
NHS Lambeth CCG
Primary care - GP Federation/Primary Care Network rep
South London and the Maudsley NHS Foundation Trust
Third sector representative/s

16. The Board will wish to consider attendance by other colleagues internal or external to CCG or council as appropriate.

Decision making

17. In relation to Part A matters, it is expected that those present will be authorized to make decisions on behalf of their own organisations including in relation to decisions with financial implications up to their legal delegation limits.

Voting

18. The aim of the committee will be to achieve consensus decision-making wherever possible. In the event that a vote is required, each member of the committee shall have one vote. Only Part B members of the Board may vote on Part B matters. All members may vote on Part A matters. The committee shall reach decisions by a simple majority of members present, but with the Chair having a second and deciding vote, if necessary.

Part B

Purpose/role

19. The overall purpose of the Board is:

- To improve outcomes for older adults and adults with mental illness in Lambeth and their carers.
- To optimise the use of resources for these care groups across the commissioning responsibilities of the council and CCG.
- To agree commissioning strategy and policy for commissioning of services for older adults and adults with mental illness.
- To govern use and manage of the pooled budgets for the Better care Fund and Integrated Personal Support Alliance.
- To prioritise and guide the work of the Integrated Commissioning team.
- To own and assist in the resolution of risks and issues.
- To advise the Cabinet and CCG Governing Body³

³ CiC current objectives

- To incrementally develop and undertake the responsibilities of an NHS SEL Borough Based Board as per the attached terms of reference (Appendix 1)

Authority/Delegation/Decisions

20. Matters relating to the allocation of pooled budgets for the Better Care Fund, the Living Well Network Alliance pooled budget and accountability for the use of delegated funds are referred to as 'Part B' matters.
21. In relation to Part B matters decisions will be made by the voting members of the Board [meeting as committees in common] against the respective schemes of delegations for the council and CCG. For the council, delegation is to lead members, Cabinet or officers. For the CCG, delegation is to the CCG and integrated commissioning team members with the Director of Integrated Commissioning (Adults) accountable as Senior Responsible Officer.
22. For this Board, the CCG members meeting together have delegated authority to make decisions under the CCG scheme of delegation.
23. For the council, lead cabinet members will make decisions through signing agreed papers. This will be supported by discussions at the Board but the decisions cannot formally be made at the meeting⁴
24. For Part B matters the Board will be accountable to London Borough of Lambeth Cabinet for the council, and/or the appropriate CCG committee or the CCG Governing Body.

Membership and attendance

25. The Board shall consist of

Part B
Members with voting rights
CCG
<ul style="list-style-type: none"> • (TBC) MH GP Lead • Dr Di Aitken, Older People's GP Lead • Christine Caton, CFO • Sue Gallagher, Lay member
Integrated CCG/Council roles
<ul style="list-style-type: none"> • Andrew Eyres, Strategic Director, Integrated Health and Care (Chair) • Liz Clegg, Interim Director, Integrated Commissioning • Tony Parker, Director, Children's and Community Safety
Council

⁴ From CiC existing ToR

<ul style="list-style-type: none"> • Fiona Connolly, Executive Director, Adults and Health (statutory Director Adult Social Services)
<ul style="list-style-type: none"> • Annie Hudson, Strategic Director, Children and Families, (statutory Director Children's Services)
<ul style="list-style-type: none"> • Pete Hesketh, Director of Finance
<ul style="list-style-type: none"> • Dr Ruth Hutt, Director of Public Health and Integrated Disabilities Commissioning
<ul style="list-style-type: none"> • Cllr Jennifer Brathwaite, Deputy Leader of the Council (Children and Young People)
<ul style="list-style-type: none"> • Cllr Jim Dickson, Cabinet Member for the Voluntary Sector & Partnerships (Chair, Committee in Common)
<ul style="list-style-type: none"> • Cllr Ed Davie, Cabinet Member Health and Adult Social Care

26. All voting members may agree a deputy, however this must be a named individual and agreed with the Board Chair who can vote on their behalf.

Part B
Non-voting members
In attendance
Relevant commissioning leads (non-voting):
<ul style="list-style-type: none"> • Laval Labon, Interim AD Commissioning, Older People • Denis O'Rourke, AD Commissioning, Mental Health
Local Medical Committee (non-voting)
<ul style="list-style-type: none"> • Penelope Jarrett
Healthwatch (non-voting)
<ul style="list-style-type: none"> • Catherine Pearson

27. The Board will wish to consider attendance by other colleagues internal or external to CCG or council as appropriate.

Decision making

28. In relation to Part B matters, although the council will be making decisions separately there is no need to identify chairs from each organisation as the Strategic Director, Integrated Health and Care, holds relevant delegations from both the council and CCG.

Voting

29. The aim of the committee will be to achieve consensus decision-making wherever possible. In the event that a vote is required, each member of the committee shall have one vote. Only Part B members of the Board may vote on Part B matters. The committee shall reach decisions by a simple majority of members present, but with the Chair having a second and deciding vote, if necessary.

Quorum

30. There is a separate quoracy for each organisation.
31. For the council: the relevant cabinet member plus one officer
32. For the CCG: a clinician plus another CCG representative as per existing Committee in Common arrangements. The future Borough Based Board terms of reference cover future quoracy arrangements.

Reporting

33. Any Part B recommendations, decision or items to note will be reported to council Cabinet and the CCG governing body meeting.

Parts A and B Conflicts of interest

34. Where a conflict of interest is identified, the conflict and the action will be recorded in the minutes of the meeting and the register of interests updated accordingly

Chair of meeting

35. The Chair of the Board shall be the Strategic Director, Integrated Health and Care.
36. The Vice-Chairs of the Board shall be the current Committees in Common Chair, Cabinet Member for the Voluntary Sector & Partnerships and the NHS Lambeth CCG Governing Body Chair (future Borough Based Board Chair).
37. At any meeting of the Board, the chair if present shall preside. If the chair is absent, the vice chairs shall preside or a person chosen by the committee members shall preside. If the chair is temporarily absent on the grounds of conflict of interest, the vice chair shall preside, or a person chosen by the committee members shall preside.

Frequency and notice of meetings

38. The Board will meet monthly as Part B (1.5 hrs) and bi-monthly as a joint meeting of both Parts A and B (2hrs).

Meeting arrangements and secretariat

39. The Board will meet in private reflecting current CCG and council programme arrangements. It is envisaged that this will move to meet in public from April 2020 with the incorporation of Borough Based Board responsibilities. Key decisions for the council will be on the Council's forward plan and minutes of the meeting will form part of CCG Governing Body public papers.
40. The Council's Democratic Services and the CCG's administrative support will provide support to these meetings.
41. Meetings will be held in Council or CCG meeting rooms.
42. Deadline for reports will be 8 clear days before the meeting. Council reports will follow the "Single Report Template".
43. Democratic Services will despatch agenda 5 clear days in advance of the meeting. Agendas will be despatched electronically, via the Council's intranet and via email and will be placed on Diligent by LBSAT.

Reporting

44. The minutes of the Board will be formally recorded and published 10 clear days after the meeting once they have been cleared by the Chair.
45. The Board will report at least six-monthly to the Health and Wellbeing Board, as well as to the CCG Governing Body and council Cabinet.

Review of arrangements

46. These terms of reference are for interim arrangements only and will be reviewed as part of the development of the formal Borough based arrangements from April 2020.

Lambeth Borough Based Board Terms of Reference

Approved:

Constitution

The Governing Body of NHS South East London Clinical Commissioning Group has resolved to establish a prime committee of the governing body to be known as the **Lambeth** Borough Based Board (“the committee”) (for the avoidance of doubt these will be in place in each of the six south east London boroughs). The committee’s executive powers are those delegated to it by the CCG governing body (please see below in terms of collaborative working) and which are included in these terms of reference. These terms of reference can only be amended by the governing body. The Borough Based Board is a commissioner only committee. In the interest of collaborative working, it can operate collaboratively with the Local Authority either:

- (a) With Local Authority non-voting attendance or
- (b) as a ‘committee in common’ (CIC) with representatives from the local authority.

The accountability and decision making related to CCG decisions will remain with the CCG representatives when it meets with others in common. The committee will continue to report to the CCG Governing Body, and regular reports from the committee will be reported to the CCG Governing Body.

Purpose

The CCG Chair, Accountable Officer and Chief Finance Officer remain accountable for the whole CCG and ensuring that the CCG discharges its statutory duties. The main function of the CCG Governing Body is to ensure that the CCG has made appropriate arrangements for ensuring that it complies with its obligations to act with effectiveness, efficiency and economy, and such generally accepted principles of good governance as are relevant to it. All members of the CCG governing body and members of prime committees which support it, have a responsibility to discharge this function.

The committee is formally constituted by the Governing Body to make decisions according to the scheme of delegation and to make recommendations in relation to place based commissioning to the Governing Body or other relevant committees, which secure services, improve health and wellbeing and reduce inequality that are safe, timely, personalised, recovery focused and sustainable and which meet the needs of the local population within the available resources.

The committee, through its chair will escalate any issues of concern to the Governing Body and will ensure the committee is run in accordance with CCG governance. The chair will take account of Conflicts of Interest in any local decision making.

These terms of reference set out the membership, remit, responsibilities and reporting arrangements of the committee.

This committee will have delegated responsibility for the commissioning of local services, as part of the overall commissioning plans of the merged CCG including:

- Primary care commissioning (and make recommendations to the CCG's primary care commissioning committee as required)
- Community services commissioning
- Client group commissioning
- Medicines Optimisation related to community based care
- Continuing Healthcare

The Lambeth Borough Based Board will be the prime committee for discussion and agreement for its agreed specific local delegated funding and functions and will work as part of South East London CCG.

The committee will produce an annual delivery plan for the areas of delegated responsibility and funding and will agree this with the South East London CCG Governing Body.

The Committee has a responsibility to manage the delivery of the annual delivery plan, the associated budget and performance for the areas in scope, ensuring that best value and optimal outcomes are delivered in these areas.

The Borough Based Director will have responsibility for the management of delegated local budgets and will be held accountable for ensuring budgets are delivered on plan and that local QIPP schemes are delivered.

The committee has a responsibility to ensure effective oversight of its delivery plan, associated budget and performance and for escalating to the SEL GB if material risks to the delivery of plans are identified.

The Committee will manage the funds appropriately for the local population taking into account any conflicts of interest.

The overall purpose of the committee is to provide assurance to the governing body on:

Duties

Members of the committee will be held to account by the Governing Body for undertaking the following duties for agreed areas of delegated responsibility:

- Produce and implement an annual delivery plan for the areas above, aligned to the south east London Long Term Plan response, the CCG's commissioning strategy plan and the annual operating plan

- Monitoring and managing the delivery of this plan, in line with agreed outcomes and indicators of delivery
- Agree, monitor and manage service contracts with providers where agreed responsibility for contract management sits at borough level
- Oversee the delivery of agreed local efficiencies/QIPP and service redesign plans
- Ensure delegated budgets including running costs are deployed effectively and within the agreed envelope
- Establish appropriate partnership arrangements with local authorities to ensure appropriate integrated working, including the use, monitoring and management of agreed pooled funds
- Establish effective local governance arrangements to effectively discharge the committee's responsibilities in line with CCG governance arrangements, policies and procedures, which must be complied with at all times
- Ensure the delivery of statutory responsibilities including those relating to the Improvement & Assurance Framework and finance
- Identify all local risks and communicate these promptly such that they can be included/ adapted in the SEL CCG's risk register and identify and report on appropriate mitigations
- Consider local primary care commissioning and recommendations to the CCG's primary care commissioning committee as required
- Secure a coordinated borough contribution and response to the CCG's commissioning work, including to the development of annual commissioning intentions and delivery plans across the totality of CCG commissioned services.
- Produce regular reports to the Governing Body on areas of delegated responsibility

Authority/Delegation

The committee is authorised by the governing body to investigate any activity within its terms of reference and in line with the committee's prime purpose of appropriately managing delegated areas which meet the needs for and on behalf of the local population within the available delegated resources.

Membership and attendance

CCG Members (Voting)	Local Authority Members (non-voting attendance)	Other non-voting members in attendance
Borough Based Director	Director of Public Health	Local LMC representative
Borough CCG lead (chair)		Local Healthwatch representative
Borough CCG lead (vice chair)		
Borough lay member		
Borough Clinical Lead		

The borough's embedded administration team is responsible for ensuring that the meeting will be quorate before the specified date. In the event that it will not be, the chair has the authority to co-opt another suitable person for the meeting.

The committee should agree and work to an annual programme to inform the drafting of committee agenda.

The accountable officer, chief financial officer and other South East London CCG executive directors may attend.

Other members of the CCG or partner organisations may also be invited to attend on a non-voting basis.

Chair of meeting

At any meeting of the committee, the chair if present shall preside. If the chair is absent, the vice chair shall preside. If the chair is temporarily absent on the grounds of conflict of interest, the vice chair shall preside. If both the chair and vice chair are absent on the grounds of conflict of interest, the borough lay member shall preside.

Quorum & Conflicts of Interest

The quorum required for any business to be transacted at a meeting is at least 75% of the voting members of the committee, rounded up to the next whole number, to be present at the meeting. For specific decisions related to primary care, within the borough's delegated authority, where conflicts exist and which is not a recommendation to the Primary Care Commissioning Committee, the quorum will be reduced to 100% of the non-conflicted voting members (i.e. the place based board director and lay member of the borough based board).

The committee chair is responsible for managing conflicts of interest that arise in a meeting.

Where members are required to withdraw from a meeting due to a conflict of interest or for any other reason that does not affect the meeting quorum, then a decision or vote can proceed as normal.

Where quorum cannot be met or voting members are required to withdraw from a meeting or part of it, leaving it inquorate, the chair should refer the matter to a meeting of the CCG's Governing Body.

Where a conflict is identified, the conflict and the action will be recorded in the minutes of the meeting and, where appropriate, the register of interests updated accordingly.

Decision Making

Where a vote is required to decide a matter, each member may cast a single vote. In the event of a tie the chair of the meeting may cast a second vote. A decision will be made on a simple majority.

It may on occasion be necessary for the committee members to make decisions outside of formal meetings. The committee chair will decide whether this procedure should be used.

Procedure of decisions made outside of formal meetings

The committee chair will arrange for the notice of the business to be determined and any supporting paper to be sent to members by email. The email will ask for a response to be sent to the committee chair by a stated date. A decision made in this way will only be valid if the same minimum quorum described in the above paragraph, expressed by email or signed written communication, by the stated date for response, states that they are in favour.

The committee chair, or other individual, as appropriate will retain all correspondence pertaining to such a decision for audit purposes and report decisions so made to the next meeting. A clear summary of the issue and decision agreed will then be recorded in the minutes of this meeting.

Frequency

Meetings will be held monthly and generally in public on a bi-monthly basis public.

Reporting

The Borough Based Director is responsible for preparing a report on the proceedings of each meeting of the committee to be reported to the next meeting of the governing body. The chair shall draw to the attention of the governing body any issues that require disclosure or require escalation to the Governing Body.

The minutes of the committee should be formally recorded by the embedded admin team and also included in Governing Body papers.

The committee shall be supported administratively by the embedded governance & admin team, whose duties in this respect will include:

- Compilation of the annual workplan
- Agreement of agenda with the chair and borough based director
- Collation of papers
- Taking the minutes and keeping a record of matters arising and issues to be carried forward
- Taking steps to ensure quoracy
- Sending minutes and reports for the Governing Body

Review of Arrangements

The committee shall undertake a self-assessment of its effectiveness on at least an annual basis which will be shared with the Governing Body.

In addition, the borough based director will submit an annual report to the governing body to describe how the committee has fulfilled its terms of reference.

These terms of reference shall be reviewed by Governing Body on an annual basis.

DRAFT FOR DISCUSSION