

The Integrated Commissioning Board

The Integrated Commissioning Board (“**ICB**”) has been in place for a number of years and has successfully enabled integrated decision-making between NHS City & Hackney CCG (one of the legacy CCGs that now forms part of NHS NEL CCG) and the City of London Corporation and the London Borough of Hackney. These arrangements will continue, but with the expectation that many of the discussions can take place within the ICPB itself, with decisions being taken as appropriate by each statutory committee on matters within the committee’s authority.

Composition and authority

The ICB brings together the following committees:

- (a) the City of London Corporation Integrated Commissioning Sub-Committee, which is established as a sub-committee under the COLC’s Community and Children’s Services Committee (“**the COLC Committee**”);
- (b) the London Borough of Hackney Integrated Commissioning Sub-Committee, which is established as a sub-committee reporting to the LBH Cabinet (“**the LBH Committee**”); and
- (c) the North East London CCG GB City and Hackney ICP Area Committee, which is established as a committee reporting to the NEL CCG Governing Body (“**the CCG Area Committee**”).

The COLC Committee has authority to make decisions on behalf of COLC, which shall be binding on COLC, in accordance with the terms of reference set out here and with the scheme of delegation and reservation for the integrated commissioning arrangements.

The LBH Committee has authority to make decisions on behalf of LBH, which shall be binding on LBH, in accordance with these terms of reference and the scheme of delegation and reservation for the integrated commissioning arrangements.

The CCG Area Committee has authority to exercise the functions delegated to it by the NEL CCG Governing Body and to make decisions on matters relating to these delegated functions, in accordance with its terms of reference and the associated CCG governance framework.

Section 75 pooled fund arrangements

Where section 75 pooled fund arrangements have been established, the following arrangements will apply:

- Members of the COLC Committee and the CCG Area Committee will manage the Pooled Funds for which they have been assigned authority in accordance with a section 75 agreement in place between COLC and the CCG (“**City Pooled Funds**”);
- Members of the LBH Committee and the CCG Area Committee will manage the Pooled Funds for which they have been assigned authority in accordance with a section 75 agreement in place between LBH and the CCG (“**Hackney Pooled Funds**”).

The LBH Committee shall have no authority in respect of City Pooled Funds and vice versa.

For services where no pooled fund arrangement is in place, the ICB arrangements may be used to make recommendations to the CCG Area Committee, COLC Community and

Children's Services Committee or LBH Cabinet as appropriate and in accordance with the relevant section 75 agreement.

Objectives

The ICB's specific objectives are to:

Commissioning strategies and plans

- Lead the commissioning agenda of the ICP area, including inputs from, and relationships with, all partners;
- Ensure that co-production is embedded across all areas of commissioning in line with the City and Hackney co-production charter;
- Ensure financial sustainability and drive local transformation programmes and initiatives;
- Determine and advise on the local impacts of commissioning recommendations and decisions taken at a NEL level;
- Lead the development and scrutiny and annual commissioning intentions, including the monitoring, review, commissioning and decommissioning of activities;
- Provide advice to the CCG about core primary care;
- Ensure that local plans deliver constitutional requirements, financial balance, and support the improvement in performance and outcomes established by the Health and Wellbeing Boards;
- Promote health and wellbeing, reduce health inequalities, and address the public health and health improvement agendas in making commissioning recommendations;
- Ensure commissioning decisions are made by the ICB in a timely manner that address financial challenges of both the in-year and longer term plans;
- Ensure that local plans can demonstrate their impact on City residents and City workers where appropriate.

Service re-design

- Approve all clinical and social care guidelines, pathways, service specifications, and new models of care;
- Ensure all local guidelines and service specifications and pathways are developed in line with NICE and other national evidence, best practice and benchmarked performance;
- Drive continuous improvement in all areas of commissioning, pathway and service redesign delivering increased quality performance and improved outcomes;
- Ensure that services are co-designed by residents and practitioners working together and adhere to the principles set out in the City and Hackney Co-production charter.

Contracting and performance

- Oversee the annual contracting and planning processes and ensure that contractual arrangements are supporting the ambitions of the CCG, LBH and COLC to transform services, ensure integrated delivery and improve outcomes;
- Oversee local financial and operational performance and decisions in respect of investment and disinvestment plans.

Stakeholder engagement

- Ensure adequate structures are in place to support patient, public, service user, and carer involvement at all levels and that the equalities agenda is delivered;

- Ensure that arrangements are in place to support collaboration with other localities when it has been identified that such collaborative arrangements would be in the best interests of local patients, public, service users, and carers;
- Ensure and monitor on-going discussion between the ICB and provider organisations about long-term strategy and plans.

Programme management

- Ensure that risks associated with integrated commissioning are identified and managed, including to the extent necessary through risk management arrangements established by the CCG, LBH and COLC.

Safeguarding

- In discharging its duties, act such that it supports the CCG, LBH and COLC to comply with the statutory duties that apply to them in respect of safeguarding patients and service users.

Accountability and Reporting

The ICB will report to the relevant forum as determined by the CCG, LBH and COLC. The matters on which, and the arrangements through which, the ICB is required to report shall be determined by the CCG, LBH and COLC (and shall include requirements in respect of Better Care Fund budgets).

The ICB will present for approval by the CCG, LBH and COLC as appropriate proposals on matters in respect of which authority is reserved to the CCG and/or COLC and/or LBH (including in respect of aligned fund services). The ICB will also provide advice to the CCG about core primary care commissioning and make recommendations to the appropriate CCG Area Committee.

The ICB will receive reports from the CCG, LBH and COLC on decisions made by those bodies where authority for those decisions is retained by them but the matters are relevant to the work of the ICB.

The ICB will provide reports to the Health and Wellbeing Boards, the ICPB, the NEL ICS Board and other committees as required.

Membership

The membership of the committees which the ICB brings together is set out in the table below:

COLC Committee	LBH Committee	CCG Area Committee
The Chairman of the Community and Children's Services Committee (Chair)	LBH Lead Member for Health, Adult Social Care and Leisure (Chair)	The City and Hackney Chair, NEL CCG (Chair)
The Deputy Chairman of the Community and Children's Services Committee	LBH Lead Member for Education, Young People and Children's Social Care	NEL CCG Accountable Officer or nominated deputy
The Chairman of the Health and Wellbeing Board	LBH Lead Member for Finance	NEL CCG Chief Finance Officer or nominated deputy

	NEL CCG Governing Body Lay Member
	NEL CCG ICP Managing Director (or other similarly senior ICP lead)
	NEL CCG City and Hackney ICP Director of Finance

The membership will be kept under review and through approval from the CCG's Governing Body, COLC's Community and Children's Services Committee and LBH's Elected Mayor as appropriate.

Deputy

The CCG's Accountable Officer and Chief Finance Officer may nominate a deputy to attend in their place, as provided for in the CCG Area Committee's Terms of Reference.

Any member of the LBH Committee may appoint a deputy who is a Cabinet Member.

The COLC Community and Children's Services Committee may appoint up to three of its members who are members of the Court of Common Council to deputise for any member of the COLC Committee.

Any member appointing a deputy for a particular meeting of the ICB must give prior notification of this to the Chair.

Attendees

As the three committees shall meet in common, the members of each committee shall be in attendance at the meetings of the other two committees.

It is expected that meetings of the ICB will largely take place within the ICPB structure and, therefore, subject to conflict of interest management and ensuring compliance with each component part of the ICB's governance requirements, members of the ICPB and attendees (as specified in the ICPB's terms of reference) may be in attendance.

The following shall be expected to attend the meetings of the ICB, contribute to all discussion and debate, but will not participate in decision-making:

- The Director of Community and Children's services (Authorised Officer for COLC);
- The City of London Corporation Chamberlain;
- LBH Group Director – Finance and Corporate Resources;
- LBH Group Director – Adults, Health and Integration
- LBH Group Director – Children and Education

The ICB may also call additional experts to attend meetings on an ad hoc basis to inform discussions.

Other parties may be invited to send representatives to attend the ICB's meetings in a non-decision-making capacity.

Leading and facilitating the discussion

The chairing arrangements set out at paragraphs 8.1 to 8.5 of the terms of reference for the ICPB shall apply equally to the ICB, meaning that the Chair of the ICPB shall also be the Chair of the ICB.

Quorum and voting

For the CCG Area Committee the quorum will be **three of the six** members (or deputies duly authorised in accordance with these terms of reference), ensuring that the requirements set out in the CCG Area Committee's terms of reference around the mix of individuals required for quoracy to be met are adhered to.

For the COLC committee the quorum will be **all three** members (or deputies duly authorised in accordance with these terms of reference).

For the LBH committee the quorum will be **two of the three** Council Members (or deputies duly authorised in accordance with these terms of reference).

Each of the COLC, LBH and CCG committees must reach its own decision on any matter under consideration and will do so by consensus of its members where possible. If consensus within a committee is impossible, that committee may take its decision by simple majority, and the Chair's casting vote if necessary.

The COLC Committee, the LBH Committee and CCG Area Committee will each aim to reach compatible decisions.

Matters for consideration by the three committees meeting in common as the ICB may be identified in meeting papers as requiring positive approval from all three committees in order to proceed. Any matter identified as such may not proceed without positive approval from all of the COLC Committee, the LBH Committee and the CCG Area Committee. These decision-making arrangements shall be included in the review of these terms of reference as set out below.

Meetings and administration

The ICB's members will be given no less than five working days' notice of its meetings. This will be accompanied by an agenda and supporting papers and sent to each member no later than five working days before the date of the meeting. In urgent circumstances the requirement for five working days' notice may be truncated.

The ICB shall meet whenever COLC, LBH and the CCG consider it appropriate that it should do so but the three committees meeting as the ICB would usually meet every month. When the Chairs of the CCG, LBH and COLC Committees deem it necessary in light of urgent circumstances to call a meeting at short notice this notice period shall be such as they shall specify.

Meetings of the ICB shall be held in accordance with Access to Information procedures for COLC, LBH and the CCG, rules and other relevant constitutional requirements. The dates of the meetings will be published by the CCG, LBH and COLC. The meetings of the ICB will be held in public, subject to any exemption provided by law or any matters that are confidential or commercially sensitive. This should only occur in exceptional circumstances and is in accordance with the open and accountable local government guidance (June 2014).

Secretarial support will be provided to the ICB and minutes shall be taken of all of its meetings. These may be incorporated into the minutes of the ICPB, where the ICB meeting has taken place within the ICPB structure. The CCG, COLC and LBH shall agree between them the format of the joint minutes of the ICB which will separately record the membership and the decisions taken by the CCG Committee, the COLC Committee and the LBH Committee. Agenda, decisions and minutes shall be published in accordance with partners' Access to Information procedures rules.

Decisions made by the COLC Committee may be subject to referral to the Court of Common Council in accordance with COLC's constitution. Cabinet decisions made by the LBH Committee may be subject to call-in by members of the Council in accordance with LBH's constitution. Decisions made by the CCG Area Committee may be subject to review by the CCG's Governing Body or otherwise in accordance with CCG's constitution. However, the CCG, LBH and COLC will manage the business of the ICB, including consultation with relevant forum and/or officers within those organisations, such that the incidence of decisions being reviewed or referred is minimised.

Conflicts of Interest

The partner organisations represented in the ICB are committed to conducting business and delivering services in a fair, transparent, accountable and impartial manner. ICB members will comply with the Conflicts of Interest protocol developed for the ICPB, as well as the arrangements established by the organisations that they represent or the ICS.

A register of interests will be completed by all members and attendees of the ICB and will be kept up to date in line with the protocol. Before each meeting each member or attendee will examine the agenda to identify any matters in which they have (or may be perceived to have) an interest. Such interests may be in addition to those declared previously.

Any such conflicts should be raised with the Chair and the secretariat at the earliest possible time.

The Chair will acknowledge the register of interests at the start of the meeting as an item of business. There will be the opportunity for any potential conflicts of interest to be debated and the Chair (on the basis of advice where necessary) may give guidance on whether any conflicts of interest exist and, if so, the arrangements through which they may be addressed.

In respect of the CCG Area Committee, the members will have regard to any such guidance from the Chair and should adopt it upon request to do so. Where a member declines to adopt such guidance, it is for the Chair to determine whether a conflict of interests exists and, if so, the arrangements through which it will be managed.

In respect of the COLC Committee and the LBH Committee, it is for the members to declare any conflicts of interests which exist (taking into account any guidance from the Chair) and, if so, to adopt any arrangements which they consider to be appropriate.

In some cases, it may be possible for a person with a conflict of interest to participate in a discussion but not the decision that results from it. In other cases, it may be necessary for a person to withdraw from the meeting for the duration of the discussion and decision. Where the nominated Chair (or another person selected to lead and facilitate a meeting) has a conflict of interests, the arrangements set out above (under Leading and facilitating the discussion and in section 8 of the ICPB Terms of Reference) shall apply.

All declarations and discussions relating to them will be minuted.

Additional requirements

The members of the ICB have a collective responsibility for the operation of it. They will participate in discussion, review evidence, and provide objective expert input to the best of their knowledge and ability, and endeavour to reach a collective view. They will take advice from advisors, groups or other committees where relevant.

The ICB functions through the scheme of delegation and financial framework agreed by the CCG, COLC and LBH respectively, who remain responsible for their statutory functions and for ensuring that these are met and that the ICB is operating within all relevant requirements.

The ICB may assign tasks to such individuals, groups or committees as it shall see fit, provided that any such assignments are consistent with each party's relevant governance arrangements, are recorded in a scheme of delegation for the relevant Committee, are governed by terms of reference as appropriate, and reflect appropriate arrangements for the management of any actual or perceived conflicts of interest.

Review

The terms of reference will be reviewed at least annually, to coincide with reviews of the section 75 agreements.