

CCG Governance – Proposed Interim Arrangements and change to Constitution re CCG Deputy Chair Role

Governing Body – Public Session

6 July 2017

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| Author(s) | Julia Newton, Director of Finance |
| Sponsor Director | Maddy Ruff, Accountable Officer Dr Tim Moorhead, Chair |
| Purpose of Paper | |
| <p>Paper requests approval of interim arrangements for chairing the CCG's Primary Care Commissioning Committee (PCCC), Remuneration Committee and for appointment to CCG's Deputy Chair role. It also requests Governing Body recommend a change to its Constitution re. the CCG's Deputy Chair role.</p> | |
| Key Issues | |
| <p>Following John Boyington's resignation, to be able to function effectively the CCG needs to put in place interim arrangements for chairing of two of its formal committees, PCCC and Remuneration Committee and also to appoint an acting Deputy Chair of the CCG. These arrangements would be in place until such time as a new Lay Member is appointed and the relevant changes to the CCG's Constitution are approved.</p> | |
| Is your report for Approval / Consideration / Noting | |
| Approval | |
| Recommendations / Action Required by Governing Body | |
| <p>The Governing Body is asked to approve:</p> <ol style="list-style-type: none"> Recommending to CCG Membership a change in the CCG's Constitution para 7.6.1 in relation to the appointment of the CCG's Deputy Chair as set out in section 2 of the paper. Phil Taylor, Lay Member as acting Deputy Chair of the CCG with effect from 3 July. In addition, subject to membership and NHSE approval of a change to the CCG's Constitution, to approve Phil Taylor in this role for the remainder of his tenure as Lay Member of the CCG. Phil Taylor, Lay Member as acting Chair of Remuneration Committee with effect from 3 July. In addition, subject to membership and NHSE approval of a change to the CCG's Constitution, to approve Phil Taylor for the remainder of his tenure as Lay Member of the CCG. . Mark Gamsu, Lay Member and currently deputy chair of PCCC as acting Chair of PCCC with immediate effect and until such time as the new Lay Member whose responsibilities will include being chair of PCCC is appointed and in post. | |

The latest version of the Governing Body Assurance Framework can be found at M:\Corporate\BAF & Risk Register or contact Sue Laing 0114 305 1092 or suelaing1@nhs.net)

Which of the CCG's objectives does this paper support?

Objective 5 on Governance

Are there any Resource Implications (including Financial, Staffing etc)?

No

Have you carried out an Equality Impact Assessment and is it attached?

Not applicable

Have you involved patients, carers and the public in the preparation of the report?

Not applicable.

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1. Introduction

Following John Boyington's resignation, to be able to function effectively the CCG needs to put in place interim arrangements for chairing of two of its formal committees, Primary Care Commissioning Committee (PCCC) and Remuneration Committee and also to appoint an acting Deputy Chair of the CCG. These arrangements would be in place until such time as a new Lay Member is appointed and in post and the relevant changes to the CCG's Constitution are approved.

2. Proposed Change to Constitution re CCG's Deputy Chair

The CCG's Deputy Chair is referenced in two places in the CCG's Constitution. Firstly in para 7.6.1 and then in the Standing Orders as set out below

Deputy Chair of the Governing Body

7.6.1 Whilst the Chair is a clinician, the Deputy Chair of the Governing Body shall be the Lay Member of the Governing Body who leads on primary care commissioning and s/he shall deputise for the Chair of the Governing Body where the chair has a conflict of interest or is otherwise unable to act.

Standing Orders:

2.2.12 Deputy Chair of the Governing Body

Paragraph 7.6 of the Constitution sets out arrangements for appointment of the Deputy Chair who will be a Lay Member if the Chair is a clinician. Where the Chair of the CCG has died or has ceased to hold office, or where they have been unable to perform their duties as Chair owing to illness or any other cause, the Deputy-Chair shall act as Chair until a new Chair is appointed or the existing Chair resumes their duties, as the case may be; and references to the Chair in these Standing Orders shall, so long as there is no Chair able to perform those duties, be taken to include references to the Deputy Chair.

The proposal is to "decouple" the point in paragraph 7.6.1 which states that the Deputy Chair should be the Lay Member of the Governing Body who leads on primary care commissioning and replace this with the option for Governing Body to approve any of the Lay Members as Deputy Chair when the Chair is a clinician. There appears to be no need to amend 2.2.12 of the Standing Orders.

Hence revised proposed wording is:

Deputy Chair of the Governing Body

7.6.1 Whilst the Chair is a clinician, the Deputy Chair of the Governing Body shall be a Lay Member of the Governing Body appointed by a majority of voting Governing Body members excluding the Lay Members and s/he shall deputise for the Chair of the Governing Body where the chair has a conflict of interest or is otherwise unable to act.

3. Proposed Arrangements for CCG Deputy Chair

The proposal is to appoint Phil Taylor, Lay Member firstly as acting Deputy Chair from 3 July 2017 and then subject to the proposed change in the Constitution as set out in section 2 being approved by the CCG's membership and NHSE, to appoint as Deputy Chair for the period of his tenure as Lay Member of the CCG.

4. Proposed Change to Terms of Reference for CCG's Remuneration Committee

In a change to the CCG's Constitution approved by NHSE in October 2016, the Terms of Reference of each of the CCG's formal Committees of Governing Body were no longer included in the Constitution and hence Governing Body has the powers to approve changes. A full review of the Terms of Reference of each Committee was subsequently undertaken and Governing Body in January 2017 approved a full set of new Terms of References.

There is a need to make a change to the wording of the Remuneration Committee Terms of Reference as inadvertently these refer to "Vice Chair" of the CCG as opposed to Deputy Chair. The opportunity is also being taken to propose a slight change in the wording to this paragraph in the Membership section of the Terms of Reference. This is shown in track changes in the attached document. It is proposed it now reads:

"One of the Lay Members will be selected as Chair of the Committee and will normally be the Deputy Chair of the CCG if this is a Lay Member and one of the other Lay Members will deputise in his absence. When the Lay Members remuneration is considered, however, one of the GP Members of the Governing Body will chair the Committee."

5. Proposed Arrangements for Chair of Remuneration Committee

It is proposed that Phil Taylor in his capacity as acting Deputy Chair of the CCG (if this is approved as per section 3 above) also becomes acting Chair of Remuneration Committee with effect from 3 July thus allowing the Remuneration Committee planned for 6 July 2017 to take place as planned. It is further proposed that subject to membership and NHSE approval of a change to the CCG's Constitution, to approve Phil Taylor for the remainder of his tenure as Lay Member of the CCG as the Chair of Remuneration Committee.

6. Proposed Arrangements for Chair of Primary Care Commissioning Committee

It is proposed that Mark Gamsu, Lay Member and currently deputy chair of PCCC is formally appointed as acting Chair of PCCC with immediate effect and until such time as the new Lay Member whose responsibilities will include being chair of PCCC is appointed and in post.

Recommendations

Governing Body are asked to approve:

- a) Recommending to CCG Membership a change in the CCG's Constitution para 7.6.1 in relation to the appointment of the CCG's Deputy Chair as set out in section 2 of the paper.
- b) Phil Taylor, Lay Member as acting Deputy Chair of the CCG with effect from 3 July. In addition, subject to membership and NHSE approval of a change to the CCG's

Constitution, to approve Phil Taylor in this role for the remainder of his tenure as Lay Member of the CCG.

- c) Phil Taylor, Lay Member as acting Chair of Remuneration Committee with effect from 3 July. In addition, subject to membership and NHSE approval of a change to the CCG's Constitution, to approve Phil Taylor for the remainder of his tenure as Lay Member of the CCG.
- d) Mark Gamsu, Lay Member and currently deputy chair of PCCC as acting Chair of PCCC with immediate effect and until such time as the new Lay Member whose responsibilities will include being chair of PCCC is appointed and in post.

Paper prepared by Julia Newton, Director of Finance

On behalf of Maddy Ruff, Accountable Officer and Dr Tim Moorhead, Chair

June 2017