

**Proposal for the Strategic Patient Engagement, Experience and Equality Group  
to become a committee of the Governing Body**

**Governing Body meeting**

**Thursday 6 July 2017**

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<b>Sponsor Director</b>	Nicki Doherty, Director of Delivery - Care Outside Hospital
<b>Purpose of Paper</b>	
This paper sets out a proposal for the Strategic Patient Engagement, Experience and Equality Group (SPEEEG) to become a formal Committee of the Governing Body	
<b>Key Issues</b>	
The paper focuses on strengthening the CCG's approach to engagement, experience and equality, recognising the challenges the CCG is facing and the importance of ensuring robust scrutiny and governance in these areas of work	
<b>Is your report for Approval / Consideration / Noting</b>	
For approval	
<b>Recommendations / Action Required by Governing Body</b>	
The Governing Body is asked to: <ul style="list-style-type: none"> <li>• Approve the establishment of the Patient Engagement, Experience and Equality Committee as a formal committee of the Governing Body</li> <li>• Identify a Governing Body GP representative/s to join the Committee</li> </ul>	
<b>Which of the CCG's objectives does this paper support?</b>	
Objective 1: To improve patient experience and access to care Principal Risk: 1.1 Insufficient communication and engagement with patients and the public on CCG priorities and service developments, leading to decisions that do not fully meet needs.	
<b>Are there any Resource Implications (including Financial, Staffing etc)?</b>	
No	

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

An EIA is not required but the proposal is to strengthen the CCG's approach to equality and diversity

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

The proposal is strengthen the work done in respect of this area. It is supported by Healthwatch, who are members of the current SPEEEG.

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**1. Introduction**

The Strategic Patient Engagement, Experience and Equality Group's (SPEEEG) main purpose is to assure that engagement, patient experience and equality and diversity activity is being carried out in line with statutory requirements and to a high standard, and that information from this activity is used appropriately to influence commissioning.

The group also assures that work in these areas is effectively joined up with partners and champions the patient, carer and public voice within commissioning.

The value of its role was highlighted in the recent External Audit report on engagement, which recognised its importance in helping to develop an effective infrastructure for high quality, impactful engagement. This equally applies to the other areas of its remit.

Increasingly, it is felt that there needs to be a more formal structure for the group given that it is overseeing work relating to statutory duties and to properly embed these areas into our commissioning approach.

The CCG is seeking to drive transformation across health services in Sheffield and also facing potentially difficult decisions in order to manage resources effectively. Effective engagement and work around equalities will be more important than ever to ensure we deliver our objectives and work effectively with people in Sheffield to meet their needs. Ensuring we have robust scrutiny and governance arrangements in place for these areas of work is therefore of great importance.

**2. Committee remit**

The Governing Body would delegate responsibility for meeting the duties set out in 5.1.2, 5.2.1 and 5.2.7 of the constitution to the Committee. These relate to arrangements for discharging the CCG's statutory duties associated with its commissioning functions, namely those relating to engagement and equality and diversity, which will also support improving the quality of services and commissioning.

### **3. Rationale**

#### **3.1 Strengthening the CCG's approach to engagement and equality**

The primary reason for this proposal is to strengthen the CCG's approach to engagement and equalities. Currently, engagement and equality are not afforded the same status as other drivers in our business, such as quality and finance and are the only areas where there is not a formal mechanism to provide assurance to the Governing Body.

There are a number of statutory duties relating to these areas of work and the Governing Body needs to be properly assured that these are being met appropriately. The group currently provides scrutiny and challenge for these areas of work but this is not formally linked back to the Governing Body, which is ultimately accountable for ensuring these duties are met.

The CCG has also set out its commitment to ensuring effective engagement is at the heart of our work and supporting this with formal governance arrangements will help provide an effective infrastructure for delivering this objective. SPEEEG not only assures work in relation to meeting statutory requirements but also that it is carried out to a high standard and that information from these activities is used appropriately to influence commissioning. This will therefore support the Governing Body to ensure the CCG is meeting the standards it has set itself.

As a formal committee, greater assurance around engagement commissioning decisions and equality impact

#### **3.2 Equality and Diversity assurance**

In a recent reorganisation, the specialist equality managerial capacity was reduced. The CCG remains committed to ensuring a strategic approach to equality and diversity so that this is effectively incorporated into all our work and establishing SPEEEG as a formal committee will help to strengthen activity in this area.

Establishing SPEEEG as a committee would also provide a stronger mechanism for signing off statutory responses, such as the annual declaration of how the CCG has met the Public Sector Equality Duty, the Workforce Race Equality Standard and the Equality Delivery System. As a formal committee, SPEEEG would be able to take responsibility for assurance around these responses, and ensure sufficient time is given to scrutiny and addressing any issues on behalf of the Governing Body.

### **3.3 Raising the profile of engagement work**

The recent 360 stakeholder survey showed that members and partners are not all aware of the engagement work taking place and its impact on commissioning. Formalising the arrangements for SPEEG will help ensure a greater focus on engagement (and equality) and support Governing Body members to communicate effectively around activity undertaken and its impact, as well as providing greater transparency to the public.

### **3.4 Partnership working**

Work to develop an accountable care partnership for the city will need to be underpinned by effective engagement. Making sure this is part of our formal governance structure will help ensure both engagement and equality are fully factored into arrangements for an accountable care partnership in Sheffield. SPEEG already has members from Sheffield Council and Healthwatch to help ensure a joined up approach to activity in Sheffield so this will help drive forward the move towards full partnership working.

## **4 Requirements**

The following actions will be required to make SPEEG a Committee of the Governing Body:

### **4.1 Amendments to the CCG's Constitution**

The Constitution and Scheme of Reservation and Delegation would need to be amended to reflect the changes. The suggested changes are attached as appendices 2 and 3 but essentially are additions to the list of committees in sections 5.1.2 and 6.4 , and an addition to section 5.2.1 to reflect that responsibility for ensuring compliance with public involvement duties will be delegated to the new committee. In addition, the Scheme of Reservation would need to be amended to reflect the delegation to the Committee of responsibility for assurance relating to public engagement and consultation and equality.

### **4.2 Approval by members and NHS England**

The amended Constitution will need to be sent to all member practices and NHS England for approval. This will be done as part of other changes being made to the Constitution for circulation in September.

### **4.3 Appointment of a GP representative**

Following Ted Turner's departure from the Governing Body, a GP representative has not been assigned to the group but this would be required for the group to become a formal committee. The recommended approach would be to have a single representative to ensure consistency of leadership and allow that person to develop

expertise in this area. If this is not possible, other options could be considered to ensure GP input such as rotating the role.

## **5 Recommendations**

The Governing Body is asked to:

- Approve the establishment of the Patient Engagement, Experience and Equality Committee as a formal committee of the Governing Body
- Identify a Governing Body GP representative/s to join the Committee.

## Proposed Terms of Reference

### Patient Engagement, Experience and Equality

#### Terms of Reference

<b>Name of Committee/Group</b>	Patient Engagement, Experience and Equality Committee
<b>Type of Committee/Group</b>	Committee of Governing Body
<b>1.</b>	<p><b>Purpose of Committee/Group</b></p> <p>The Committee has delegated responsibility for approval of the arrangements for discharging the CCG's statutory duties relating to public engagement and consultation and equality (Sections 5.1.2, 5.2.1 and 5.2.7 of the Constitution).</p> <p>The Committee shall:</p> <ul style="list-style-type: none"> <li>• gain assurance that engagement, patient experience and equality and diversity activity is being carried out in line with statutory requirements and to a high standard.</li> <li>• gain assurance that information from this activity is used appropriately to influence commissioning</li> <li>• oversee equalities, engagement and experience activity within its terms of reference</li> <li>• assure work in these areas is effectively joined up with partners</li> </ul>
<b>2.</b>	<p><b>Authority/Accountability</b></p> <p>The Governing Body hereby resolves to establish a committee of the Governing Body to be known as the Patient Engagement, Experience and Equality Committee (the "Committee") in accordance with the CCG's Constitution. These terms of reference set out the membership, remit responsibilities and reporting arrangements of the Committee and shall have effect as if incorporated into the Constitution.</p> <p>The Committee is authorised by the Governing Body to investigate any activity within its terms of reference. It is authorised to seek any information it requires from any Member, officer or employee who is directed to co-operate with any request made by the Committee.</p> <p>The Committee is authorised to create working groups as necessary to fulfil its responsibilities within these terms of reference. The Committee may not delegate executive powers (unless expressly authorised by the Governing Body) and remains</p>

	accountable for the work of any such group.
<b>3.</b>	<p><b>Objectives of Committee</b></p> <p>The Committee shall:</p> <ul style="list-style-type: none"> <li>• Assure that the statutory requirements for equality and diversity and citizen engagement have been met</li> <li>• Provide assurance to Governing Body that appropriate and high quality engagement and equality activity is taking place, with due regard for harder to reach and marginalised communities</li> <li>• Scrutinise the approach taken to engagement/patient experience/equality and diversity for specific pieces of work</li> <li>• Assure that information from these activities is used to influence commissioning</li> <li>• Hold the CCG to account for responding to patient and public feedback</li> <li>• Champion citizen engagement and equality and diversity and direct opportunities for embedding them in organisational processes</li> <li>• Maintain oversight of the CCG’s equality and diversity and engagement strategies and action plans</li> <li>• Maintain oversight of the elements of the Patient Experience Action Plan that are not overseen by the Quality Assurance Committee</li> <li>• Ensure that the patient voice is considered in all commissioning decisions</li> <li>• Assure that learning from engagement, patient experience and equality and diversity work and approaches is shared across the CCG and partners</li> </ul>
<b>4.</b>	<p><b>Membership</b></p> <p>Note: Members should be referred to by title not name. Chair of Committee/Group should be stated. Minute taker should be stated either as member or in attendance.</p> <p>The Committee shall consist of the following members:</p> <ul style="list-style-type: none"> <li>• Governing Body Lay Members x2 (Chair and Deputy Chair)</li> <li>• GP Clinical Lead with responsibility for Engagement and Equality and Diversity</li> <li>• Director Lead for Patient Engagement and Equality and Diversity</li> <li>• Director Lead for Patient Experience</li> <li>• Director of Adult Services, Sheffield City Council</li> <li>• Public Health Consultant (Core Offer team)</li> <li>• Engagement, Communications and Equality Lead</li> <li>• Engagement and Equality &amp; Diversity Managers</li> <li>• Patient Experience Manager</li> </ul>



	<ul style="list-style-type: none"> <li>• Engagement Development Manager, Sheffield City Council</li> <li>• Healthwatch Sheffield Representative</li> <li>• Public representatives X2</li> <li>• Health Equity and Inclusion Research Group, University of Sheffield</li> </ul> <p>Members of the Committee must attend at least four meetings each financial year but should aim to attend all scheduled meetings.</p>
<b>5.</b>	<p><b>Attendees</b></p> <p>Note: Attendees should be referred to by title not name. Minute taker should be stated either as member or in attendance.</p> <p>Other CCG employees shall also attend by request of the chair of the Committee in order to provide assurance about projects and programmes.. The Chair of the Governing Body may be invited to attend meetings of the Committee as required.</p> <p>The minute taker / administrator for the committee will be in attendance.</p>
<b>6.</b>	<p><b>Quorum</b></p> <p>A quorum shall be a minimum of four (4) members including, the Chair or Deputy Chair, the Director lead for Engagement and Equality or Engagement and Equality lead and two other members.</p>
<b>7.</b>	<p><b>Frequency and Notice of Meetings</b></p> <p>Meetings of the Committee shall be held at least every two months. Communication and decision making will take place as necessary with committee members between formal meetings, with additional meetings being held as required.</p> <p>A formal agenda and supporting papers will be forwarded to all members, and those in attendance where appropriate at least 5 days prior to the date of the meeting.</p>
<b>8.</b>	<p><b>Minutes and Reporting Arrangements</b></p> <p>The minutes of all meetings of the Committee shall be formally recorded and submitted, together with a summary report including recommendations where appropriate, giving assurances and highlighting areas of concern, to the Governing Body. The submission to the Governing Body shall include details of any matters in respect of which actions or</p>

	improvements are needed. To the extent that such matters arise, the chair of the Committee shall present details to a meeting of the Governing Body.	
<b>9.</b>	<b>Meeting Effectiveness Review</b>	
	As part of the Governing Body's annual performance review process, the committee shall review its collective performance and that of its individual members and will provide an annual report on the work of the committee for the CCG's Annual Report.	
<b>10.</b>	<b>Review to be conducted by Committee/Group Chair</b>	
	<b>Date Committee/Group established</b>	
	<b>Terms of Reference to be reviewed</b>	The Committee will review its Terms of Reference at least annually making recommendations on any changes to the Governing Body for final approval.
	<b>Date of last review</b>	July 2017
	<b>Date of next review</b>	July 2018

### Amendments to NHS Sheffield CCG's Constitution

The following shows the tracked changes that would need to be made to the constitution wording at sections 5.1, 5.2 and 6.4

#### **Section 5**

5.1.2 In discharging its functions the CCG will:

- a) act<sup>8</sup>, when exercising its functions to commission health services, consistently with the discharge by the Secretary of State and the Board of their duty to promote a comprehensive health services<sup>9</sup> and with the objectives and requirements placed on the Board through *the mandate*<sup>10</sup> published by the Secretary of State before the start of each financial year by:
  - i) delegating responsibility for complying with this duty to:  
the Accountable Officer; and  
the Director of Finance
  - ii) delegating responsibility for complying with duties in the relevant areas to the:  
Audit and Integrated Governance Committee;  
Remuneration Committee;  
Quality Assurance Committee;  
Patient Engagement, Experience and Equality Committee
  - iii) maintaining robust Standing Orders and a Scheme of Reservation and Delegation;
  - iv) maintaining a range of policies and procedures for the operational management of the business of the CCG which will include delegating responsibilities in key areas to individuals
  - v) requiring progress against delivery of this duty to be reported regularly to the Governing Body and committees of the Governing Body.
  
- b) meet the public sector equality duty<sup>11</sup> by:
  - i) delegating delivery of this duty to the Public Engagement Experience and Equality Committee (PEEEEC);
  - ii) delegating aspects of meeting the duty to an executive officer with direct responsibility for equality, accountable to the CCG Governing Body;
  - iii) appointment of a CCG Governing Body Member with responsibility for oversight of equality work and a requirement for this Member to report on delivery of the duty to the Governing Body; and
  - iv) publishing equalities information, equality objectives and an action plan to ensure compliance with the duty on the CCG website.

**5.2 General Duties** - in discharging its functions the CCG will:

**5.2.1 *Make arrangements to secure public involvement in the planning, development and consideration of proposals for changes and decisions affecting the operation of commissioning arrangements***<sup>14</sup> by:

Delegating responsibility for assuring compliance with these duties to the Patient Engagement, Experience and Equality Committee;

Following the principles outlined in the CCG's Communications and Engagement Strategy. These principles include:

- Working in partnership with patients and the local community to secure the best care for them;
- Working with the Sheffield Health and Wellbeing Board, the Overview and Scrutiny Committee of Sheffield City Council, Healthwatch and other local engagement partners to ensure a thorough city-wide approach to engagement;
- Adapting engagement activities to meet the specific needs of the different patient groups and communities;
- Publishing information about health services on the CCG's website and through other media;
- Positively encouraging and acting upon feedback;
- Reporting the outcome of local consultations to the Clinical Commissioning Committee annually; and
- Reporting on engagement activity annually to the Clinical Commissioning Committee.

## **Section 6**

### **6.4 Committees of the CCG**

6.4.1 The following committees have been established by the CCG:

- a) Audit and Integrated Governance Committee accountable to the Governing Body;
- b) Remuneration Committee accountable to the Governing Body;
- c) Quality Assurance Committee accountable to the Governing Body;
- d) Primary Care Commissioning Committee accountable to the Governing Body;
- e) Governance sub-committee accountable to the Audit and Integrated Governance Committee; and
- f) Patient Engagement, Experience and Equality Committee accountable to the Governing Body.

Amendments to the scheme of Reservation and Delegation

Constitution, Standing Orders or Prime Financial Policies Ref	Decision / Responsibilities	Reserved to the Membership	Reserved or delegated to Governing Body	Delegated to Audit & Integrated Governance Committee	Delegated to Governance Sub-Committee	Delegated to Remuneration Committee	Delegated to Quality Assurance Committee	Delegated to Patient Engagement, Experience and Equality Committee	Delegated to Chair	Delegated to Chief Officer	Delegated to Chief Finance Officer	All Members and Employees
<i>Strategy and Planning</i>												
Constitution 5.2.2 to 5.2.4; 5.2.6;; 5.2.8; 5.2.9	<i>Approval of the arrangements for discharging the CCG’s statutory duties associated with its commissioning functions, including but not limited to promoting the involvement of each patient; patient choice; reducing inequalities; improvement in the quality of services; obtain advice from persons who taken together have a broad range of professional expertise and acting effectively, efficiently and economically.</i>		✓									

Constitution, Standing Orders or Prime Financial Policies Ref	Decision / Responsibilities	Reserved to the Membership	Reserved or delegated to Governing Body	Delegated to Audit & Integrated Governance Committee	Delegated to Governance Sub-Committee	Delegated to Remuneration Committee	Delegated to Quality Assurance Committee	Delegated to Patient Engagement, Experience and Equality Committee	Delegated to Chair	Delegated to Chief Officer	Delegated to Chief Finance Officer	All Members and Employees
5.1.2; 5.2.1; 5.2.7;	<i>Approval of the arrangements for discharging the CCG's statutory duties associated with its commissioning functions relating to public engagement and consultation and equality</i>							✓				