

REPORT CLASSIFICATION	✓	CATEGORY OF PAPER	✓
Official	✓	Proposes specific action	✓
Official: Sensitive Commercial		Provides assurance	
Official: Sensitive Personal		For information only	

BOARD	
30 May 2023	
Report Title:	Updated Governance Handbook (Issue 6)
Purpose of report	
<p>To request approval from the Board on the proposed amendments to documents held and published in the ICB's Governance Handbook, including the Scheme of Reservation and Delegation, and committee, subcommittee and joint committee terms of reference.</p>	
Key points	
<p>NHS North East and North Cumbria Integrated Care Board (the ICB) is the statutory decision-making body of the North East and North Cumbria Integrated Care System. The ICB is responsible for the commissioning of health services and effective stewardship of NHS spending for all the people living in the North East and North Cumbria (NENC).</p> <p>The ICB's Constitution and supporting documents create the framework for the ICB to delegate decision-making authority, functions and resources to ensure it meets the diverse needs of our citizens and communities. The Constitution sets out the functions that the ICB will undertake and is supported by the governance handbook.</p> <p>The handbook includes several key documents including a functions and decisions map, scheme of reservation and delegation, financial limits and committee terms of reference. The documents were approved by the Board on 1 July 2022 (issue 1), with further amendments to one or more documents approved by Board on 27 September 2022 (issue 2); 29 November 2022 (issue 3); 31 January 2023 (issue 4); and 28 March (issue 5).</p> <p>As part of a process of ongoing review of the documents within the Governance Handbook, further amendments have been identified to ensure the documents remain fit for purpose. The amended documents are attached with changes highlighted or tracked and summarised below:</p>	

Material Changes to the Scheme of Reservation and Delegation (SORD) - Appendix 1

- Page 13 – inclusion of the ICB's serious violence duties through the Police, Crime, Sentencing and Courts (PCSC) Act 2022. The ICB is a 'specified authority' and responsible for delivering the Duty.
- Page 19 – inserted the requirement for the Board to approve the capital plan for the ICB and partner NHS Foundation Trusts across the ICS
- Pages 20 and 21 – approval of the ICB's non-programme budgets and approval of variations to non-programme costs – changed to Executive Committee recommending this to Board for approval (previously allocated to Finance, Performance and Investment Committee)
- Page 38 - Appendix 1 - updated list of committees, Subcommittees and Joint committees
- Page 40 – Appendix 2 - minor amends to wording: changing 'Primary Medical Services' to 'Primary Care Services' relating to delegations of primary care services.

Quality and Safety Committee Terms of Reference

The terms of reference for Quality and Safety Committee were reviewed at the meeting of the Quality and Safety Committee in May and are now being brought to Board for approval. The main changes concern changes to the membership of the Committee and clarifying the Committee's responsibility for public and patient involvement.

The terms of reference are attached at Appendix 2 for consideration and approval.

Finance, Performance and Investment Committee Terms of Reference

Minor amends have been made to the Finance, Performance and Investment Committee terms of reference to reflect the Committee's responsibility to 'review and prioritise any relevant investment proposals in line with the ICB Investment Business Case Policy'.

Please note that this is the only amendment to the committee terms of reference and therefore they have not been included on this occasion due to the minor change.

Mental Health, Learning Disabilities and Autism Subcommittee

The Constitution requires the Board to formally approve the establishment of all subcommittees and the need for further subcommittees to be established to support the function of the Executive and Quality and Safety Committees.

The Mental Health and Learning Disabilities and Autism (MHLDA) Subcommittee is to be a subcommittee of the Executive Committee and, if approved, will be responsible for providing leadership and direction in relation to the delivery and commissioning of all NHS mental health and learning disability services across the life course, including young people, adults and older adults across the North East and North Cumbria.

The terms of reference are attached at Appendix 3 and were considered and recommended for approval by Executive Committee at its meeting held on 9 May 2023. The Board is asked to

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approve the formal establishment of the Mental Health, Learning Disabilities and Autism Subcommittee and its terms of reference.

Risks and issues

There is a risk the ICB does not have a robust and clear control environment in relation to the effective stewardship and management of public funds and levels of delegation may not support local decision-making.

Assurances

The SORD, and terms of reference have been reviewed to ensure they remain fit for purpose and are in line with statutory guidance.
Parent committees have reviewed the proposed subcommittee terms of reference.

Recommendation/action required

The Board is asked to note the proposed changes to the governance documents described above and to approve the updated versions for insertion into the Governance Handbook (issue 6), as follows:

- Scheme of Reservation and Delegation (**Appendix 1**) – version 4-0
- Approve the updated terms of reference for Quality and Safety Committee (**Appendix 2**) – version 3-0
- Approve the minor amendment to the terms of reference for Finance, Performance and Investment Committee
- Approve the establishment of the Mental Health, Learning Disabilities and Autism Subcommittee and associated terms of reference at **Appendix 3** version 1-0.

Acronyms and abbreviations explained

SORD - Scheme of Reservation and Delegation
NENC – North East and North Cumbria
SOP - Standard Operating Procedures
IFR - Individual Funding Request
ICP - Integrated Care Partnership

Sponsor/approving executive director

Claire Riley, Executive Director of Corporate Governance, Communications, and Involvement

Date approved by executive director

19 May 2023

Reviewed by

Deborah Cornell, Director of Corporate Governance and Involvement

Report author

Neil Hawkins, Head of Corporate Affairs

Link to ICB corporate aims (please tick all that apply)

CA1: Improve outcomes in population health and healthcare

CA2: tackle inequalities in outcomes, experience and access

CA3: Enhance productivity and value for money

✓

CA4: Help the NHS support broader social and economic development

Relevant legal/statutory issues

Note any relevant Acts, regulations, national guidelines etc

Item: 10.2

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Any potential/actual conflicts of interest associated with the paper? (please tick)	Yes		No	✓	N/A	
If yes, please specify						
Equality analysis completed (please tick)	Yes		No		N/A	✓
If there is an expected impact on patient outcomes and/or experience, has a quality impact assessment been undertaken? (please tick)	Yes		No	✓	N/A	
Key implications						
Are additional resources required?	n/a					
Has there been/does there need to be appropriate clinical involvement?	n/a					
Has there been/does there need to be any patient and public involvement?	n/a					
Has there been/does there need to be partner and/or other stakeholder engagement?	n/a					