

NHS East Lancashire Clinical Commissioning Group

SUSTAINABILITY COMMITTEE

TERMS OF REFERENCE

1. CONSTITUTION

- 1.1. The Sustainability Committee is a formal committee of the CCG Governing Body
- 1.2. The purpose of the Committee is to report and provide assurance to the CCG Governing Body on the proposals for investment and disinvestment, ensuring decisions and recommendations are based on appropriate evidence, including impact on local health inequalities.
- 1.3. The Committee will develop the commissioning plans and intentions of the CCG, ensuring appropriate clinical and public involvement in all aspects of the planning and implementation of commissioning decisions for recommendation to the Governing Body.
- 1.4. The Committee will make recommendations to the Governing Body for the preferred procurement options, associated contract awards following the procurement process and any de-commissioning decisions.

2. REMIT

Guiding principles for the Sustainability Committee.

The Committee's core responsibilities are:

- 2.1 To ensure that business cases for the commissioning of new or materially different services are sound, have had appropriate clinical input and corporate governance arrangements are in place.
- 2.2 Establish a systematic approach to the assessment of investment, market testing, procurement, contract awards and renewals, and decommissioning proposals in co-ordination with the Commissioning Support Unit (CSU).
- 2.3 To approve commissioning plans and intentions in line with the delegated authority given by the CCG Governing Body and/or make recommendation to the Governing Body as required in line with the Scheme of Delegation.
- 2.4 To receive reports, critically appraise and make recommendations about, all commissioning activity within the overall remit of the CCG. This will include joint commissioning strategies and proposals to ensure they are consistent with and meet the requirements of the CCG strategic priorities and plans, including the wider Health and Wellbeing Strategy within the overall funding available.
- 2.5 To take decisions or make recommendations on investment and disinvestment in services based on rigorous assessment of clinical and cost effectiveness, affordability and health benefit.

- 2.6 To ensure the required equality analysis has been undertaken in relation to all proposed service changes. Review the delivery of all business cases and associated documentation and make recommendations to the Governing Body on the preferred procurement option for new services and of the preferred provider, following the tender process. To have delegated authority, on behalf of the Governing Body, to determine the most suitable procurement options and award/renew contracts for lower level contracts as defined within the CCGs scheme of delegation up to the value of £500k.
- 2.7 Provide assurance to the Governing Body on policy and guidance in relation to strategic commissioning, procurement and contracting, in coordination with the CSU.
- 2.8 Review commissioning proposals to confirm that they establish collaborative and seamless pathways of care, as appropriate, whilst considering and recommending areas where greater competition in the provision of services may be beneficial to the population.
- 2.9 Consider and scrutinise the clinical implications of proposals by stakeholders/other outside organisations and advise accordingly. This includes consideration of applications for grants / finance for pilot schemes from third sector organisations.
- 2.10 To ensure appropriate patient and public involvement in commissioning and receive feedback from appropriate groups on commissioning matters.
- 2.11 To establish working groups, where appropriate, to deliver key commissioning intentions with clinical representation from relevant clinicians and social care colleagues.
- 2.12 To act upon those issues identified by the performance monitoring of key contracts as advised by the PL Quality Committee.
- 2.13 To receive updates to policy and guidance in relation to contracting and procurement of services and ensure that CCG documentation reflects any changes and remains consistent with national policy.
- 2.14 To feedback all decisions made by the Sustainability Committee to the relevant individuals, giving the rationale for the decision and monitoring the implementation of all decisions made, ensuring that appropriate and timely action is taken.
- 2.15 Only items with a financial impact greater than £50K will be presented to the Sustainability Committee. Items below that limit will be considered by the Executive Management Team.

3. SCOPE AND DUTIES

- 3.1. The Committee will deliver the agreed commissioning intentions, in association with colleagues across PL.
- 3.2. The Committee will establish a local framework for the approval of contracts for service providers under both the Any Qualified Provider (AQP) and any CCG accredited provider and make recommendations to the Governing Body on which providers to authorise, if above the delegated limit of the Committee.
- 3.3 The Committee will have an oversight of provider performance.

4. MEMBERSHIP

- 4.1. The core membership of the Committee is:
- Lay Member for Governance (Chair)
 - Chief Officer
 - Director of Commissioning
 - CFO or nominated deputy
 - Locality GP representative x5
 - Medical Director
 - Lay Member for Equality & Inclusion (Vice Chair)

In Attendance:

- Head of Communications
 - Head of Corporate Business
 - Head of Performance and Delivery
 - Head of Medicines Management
- 4.2. The Committee may co-opt or seek advice from other representatives/expertise as appropriate and deemed necessary.

5. RESPONSIBILITIES OF MEMBERS & ATTENDEES

- 5.1. The members are expected to attend a minimum of 75% of the meetings.
- 5.2. Members are required to undertake their role as a committee member in accordance with the CCG's business arrangements :
- a. Act as 'champions', disseminating information and good practice as appropriate;
 - b. Identify agenda items, for consideration by the Chair, to the Lead Director/Secretary at least 12 days before the meeting;
 - c. Prepare and submit papers for a meeting, using the format prescribed by the corporate function, at least 5 clear working days before the meeting;
 - d. If unable to attend, send their apologies to the Chair and Secretary prior to the meeting and, if appropriate, seek approval of the Chair to send a deputy to attend on their behalf;
 - e. When matters are discussed in confidence at the meeting, to maintain such confidences;
 - f. Declare any conflicts of interest/potential conflicts of interest in accordance with the CCG's policies and procedures;
 - g. At the start of the meeting, declare and conflicts of interest/potential conflicts of interest in respect of specific agenda items (even if such a declaration has previously been made in accordance with the CCG's policies and procedures)

6. QUORUM

- 6.1. Minimum attendance for quoracy is four members including:
- Chair or Vice Chair
 - 2 GP Governing Body Members
 - CFO or nominated deputy
- 6.2. In the event of a member being unable to attend, efforts should be made to ensure the attendance of a deputy.

7. CHAIR'S ACTION

- 7.1. When an urgent decision is required outside of the meeting, the chair may make a decision after conferring with at least two other members, one of whom must be the CFO or their deputy
- 7.2. When Chair's Action has been taken then it must be ratified by the next quorate meeting of the Committee.

8. SCHEDULE OF MEETINGS

- 8.1 The Sustainability Committee will meet jointly with Blackburn with Darwen CCG on a monthly basis and will be referred to as a "Committees in Common" meeting. Both the East Lancashire CCG Sustainability Committee and the Blackburn with Darwen CCG Commissioning Business Group Terms of Reference remain in force, and each committee will report back to the governance structure in its own organisation.

9. REPORTING AND MONITORING ARRANGEMENTS

- 9.1. The Committee is a formal committee of the CGG Governing Body and, as such, a summary of the meetings will be submitted to the CCG Governing Body.
- 9.2. The CCG Governing Body is responsible for reviewing the reporting arrangements for the Committee.

10. REVIEW OF TERMS OF REFERENCE

- 10.1. These Terms of Reference will be reviewed when appropriate, but as a minimum, every 12 months.