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Agenda Item: 11.

## **Integration Joint Board**

Date of Meeting: 30 June 2021.

Subject: Joint Clinical and Care Governance Committee.

### **1. Summary**

1.1. The Integration Joint Board (IJB) is required to have a Clinical and Care Governance Committee which provides the IJB with assurance that robust clinical and care governance controls and management systems are in place and are effective for the functions that NHS Orkney and Orkney Islands Council have delegated to the IJB.

1.2. Terms of Reference have been prepared for the proposed Joint Clinical and Care Governance Committee (JCCGC) which would provide assurance to both the IJB for relevant health and care services, and to NHS Orkney for the health services it delivers.

1.3. The proposed Terms of Reference include a requirement that the Chair of the JCCGC will be jointly appointed by the NHS Board and the IJB; one of the two vice chairs of the JCCGC will be an Orkney Islands Council voting member of the IJB; and that a third sector representative should be appointed as a member of the JCCGC.

### **2. Purpose**

2.1. To seek approval of the Terms of Reference for the JCCGC and, should these be approved, to endorse the Chair of the current Clinical and Care Governance Committee as the Chair of the JCCGC and consider the appointment of one of the two Vice Chairs, and the appointment of the third sector member on the JCCGC.

### **3. Recommendations**

The Integration Joint Board is invited to note:

3.1. That, following a review of the Terms of Reference of the Clinical and Care Governance Committee, revised Terms of Reference for a JCCGC have been prepared and approved in principle by the JCCGC subject to approval by the IJB and the Board of NHS Orkney.

3.2. That section 3 of the draft Terms of Reference states that ‘the Chair and two Vice Chairs of the Committee will be jointly appointed by the NHS Board and the Integration Joint Board’.

3.3. That, should the JCCGC Terms of Reference be approved by the IJB, it is proposed that the appointment of the current Chair be approved as the first Chair of the JCCGC, and consider both the appointment of one of the two Vice Chairs and the appointment of the third sector member on the JCCGC.

**It is recommended:**

3.4. That the JCCGC Terms of Reference, attached as Appendix 1 to this report, be approved.

3.5. That, should the JCCGC Terms of Reference be approved, the Board:

- Appoints Steven Johnston, Chair of the current Clinical and Care Governance Committee as the Chair of the JCCGC.
- Appoints one of Orkney Islands Council’s voting members as one of the two Vice Chairs.
- Appoints the third sector representative of the IJB, currently Gail Anderson, as the third sector representative on the JCCGC.

## **4. Background**

4.1. Following the establishment of Orkney’s IJB in April 2016, the Clinical and Care Governance Committee was established to provide both the IJB and the Board of NHS Orkney with assurance regarding clinical and care systems of control and governance for the services for which they are responsible.

4.2. A review of the Terms of Reference of this original Clinical and Care Governance Committee took place in early 2021, taking account of the Scottish Government’s Clinical and Care Governance Framework Guidance, 2015 which can be found at <https://www.gov.scot/publications/clinical-care-governance-framework/>. This sets out the key elements and principles to be reflected in local clinical and care governance of integrated health and social care arrangements.

4.3. Through this review, updated draft JCCGC Terms of Reference have been developed and are attached as Appendix 1. These draft Terms of Reference have been discussed and approved in principle by the Clinical and Care Governance Committee and now require to be approved by both the IJB and the Board of NHS Orkney. The draft Terms of Reference will be considered by the Board of NHS Orkney on 24 June 2021 and the outcome will be confirmed verbally at this meeting by the Chief Officer.

4.4. As set out in the draft JCCGC Terms of Reference, the purposes are as follows:

- It fulfils the function of the Non-executive members of NHS Orkney and advisors providing the Board of NHS Orkney with the assurance that robust clinical governance controls and management systems are in place and effective in NHS Orkney, in relation to delegated and non-delegated services it delivers.

- It fulfils the function of providing the IJB with assurance that robust clinical and care governance controls and management systems are in place and effective for the functions that NHS Orkney and Orkney Islands Council have delegated to it.
- It fulfils the requirements set out in MEL (1998)75, MEL(2000)29 and HDL(2001)74 around the guidance on the implementation of Clinical Governance in the NHS in Scotland.

4.5. The first recommendation to the IJB is that the draft JCCGC Terms of Reference be approved.

4.6. The draft Terms of Reference set out membership of the JCCGC and a list of officers who are to be 'in attendance'. Membership is as follows:

- Three Non-Executive Members of NHS Orkney, one of whom must be the Area Clinical Forum Chair and one of whom must be a voting member of the Integration Joint Board.
- Three Orkney Islands Council voting members of the Integration Joint Board, excluding the Chair of the IJB when this is an Orkney Islands Council appointment, in which case a substitute will be appointed.
- A public representative.
- A third sector representative.

4.6.1. The third sector representative will contribute to seeking assurance that effective arrangements are in place to enable relevant health and social care professionals to be accountable for standards of care including services provided by the third and independent sector.

4.7. It is recommended that, should the draft JCCGC Terms of Reference be approved, the third sector representative of the IJB be approved as the third sector Member of the JCCGC. This position is currently undertaken by Gail Anderson.

4.8. Section 3 of the draft JCCGC Terms of Reference sets out that the Chair and two Vice Chairs of the JCCGC will be jointly appointed by the NHS Board and the IJB. The appointment of the Chair will be reviewed biennially in line with current legislation. There will be two Vice Chairs, one from NHS Orkney and one Orkney Islands Council voting member of the IJB.

4.8.1. The IJB is therefore requested to approve the appointment of Steven Johnston, Chair of the current Clinical and Care Governance Committee, as the Chair of the JCCGC.

4.8.2. The IJB is also requested to nominate and approve a Vice Chair, who must be one of the three Orkney Islands Council voting members. As the Chair of the IJB is currently an NHS Orkney appointment, all three Orkney Islands Council voting members are available for nomination as one of the two Vice Chairs of the JCCGC.

## **5. Term of Appointment**

5.1. The draft Terms of Reference of the JCCGC state that committee membership will be reviewed annually.

## 6. Contribution to quality

Please indicate which of the Orkney Community Plan 2019 to 2022 visions are supported in this report adding Yes or No to the relevant area(s):

<b>Resilience:</b> To support and promote our strong communities.	Yes.
<b>Enterprise:</b> To tackle crosscutting issues such as digital connectivity, transport, housing and fuel poverty.	No.
<b>Equality:</b> To encourage services to provide equal opportunities for everyone.	Yes.
<b>Fairness:</b> To make sure socio-economic and social factors are balanced.	Yes.
<b>Innovation:</b> To overcome issues more effectively through partnership working.	Yes.
<b>Leadership:</b> To involve partners such as community councils, community groups, voluntary groups and individuals in the process.	Yes.
<b>Sustainability:</b> To make sure economic and environmental factors are balanced.	Yes.

## 7. Resource implications and identified source of funding

7.1. There are no resource implications arising directly as a result of this report.

## 8. Risk and Equality assessment

8.1. The main risk is that failure to approve the draft terms of Reference or to make these appointments will result in less effective clinical and care governance scrutiny and assurance that robust clinical governance controls and management systems are in place.

## 9. Direction Required

Please indicate if this report requires a direction to be passed to:

NHS Orkney.	No.
Orkney Islands Council.	No.
Both NHS Orkney and Orkney Islands Council.	No.

## 10. Escalation Required

Please indicate if this report requires escalated to:

NHS Orkney.	Yes.
Orkney Islands Council.	No.
Both NHS Orkney and Orkney Islands Council.	No.

## 11. Author

11.1. Stephen Brown (Chief Officer), Integration Joint Board.

## 12. Contact details

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## 13. Supporting Documents

13.1. Appendix 1 – Revised Terms of Reference for the Joint Clinical and Care Governance Committee.

# Joint Clinical and Care Governance Committee

## Terms of Reference 2021/22

### 1 Purpose

The Joint Clinical and Care Governance Committee fulfils several purposes as follows:

- It fulfils the function of the Non-executive members of NHS Orkney and advisors providing the Board of NHS Orkney with the assurance that robust clinical governance controls and management systems are in place and effective in NHS Orkney, in relation to delegated and non-delegated services it delivers.
- It fulfils the function of providing the Integration Joint Board with assurance that robust clinical and care governance controls and management systems are in place and effective for the functions that NHS Orkney and Orkney Islands Council have delegated to it.
- It fulfils the requirements set out in MEL (1998)75, MEL(2000)29 and HDL(2001)74 around the guidance on the implementation of Clinical Governance in the NHS in Scotland.

### 2 Composition

The Joint Clinical and Care Governance Committee shall consist of:

- Three Non-Executive Members of NHS Orkney, one of whom must be the Area Clinical Forum Chair and one of whom must be a voting member of the Integration Joint Board.
- Three Orkney Islands Council voting members of the Integration Joint Board, excluding the Chair of the IJB when this is an Orkney Islands Council appointment, in which case a substitute will be appointed.
- A public representative.
- A third sector representative.

All members shall have decision-making authority and all decisions must be reached by consensus. In the absence of a consensus, the status quo shall be maintained until a consensus is reached.

Committee membership will be reviewed annually.

## 3 Chair and Vice Chairs

The Chair and two Vice Chairs of the Committee will be jointly appointed by the NHS Board and the Integration Joint Board. The appointment of the Chair will be reviewed biennially in line with current legislation.

There will be two vice chairs, one from NHS Orkney and one Orkney Islands Council voting member of the Integration Joint Board.

In the absence of the Chair, either Vice Chair may Chair the meeting.

For items relating solely to non-delegated NHS functions, only the NHS Orkney Vice Chair may Chair that item.

## 4 Attendance

In addition, there will be in attendance:

- Medical Director (lead officer for clinical governance)
- Director of Public Health
- Chief Executive, NHS Orkney
- Chief Officer, Integration Joint Board (lead officer for care governance)
- Director of Nursing, Midwifery and Allied Health Professions
- Director of Pharmacy
- Chief Social Work Officer
- Head of Assurance and Improvement
- Associate Medical Directors
- Interim Director of Acute Services
- Head of Corporate Administration
- Alcohol and Drugs Partnership Representative

The Committee shall invite others to attend, as required, for specific agenda items.

Where an officer is unable to attend a particular meeting, a named representative shall attend in their place.

## 5 Quorum

Meetings of the Committee will be quorate when at least four members are present and at least two of whom should be Non-Executive Members of NHS Orkney, one of whom must be the Chair or Vice Chair, and two voting members of the Integration Joint Board.

Meetings will not take place unless at least one Clinical Executive Director of NHS Orkney and the Chief Social Work Officer, or nominated depute, is present.

It will be expected that another Non-Executive Board Member or Integration Joint Board proxy member will deputise for a member of the Committee at a meeting if required.

For the avoidance of doubt, advisors in attendance at the meeting, shall not count towards a quorum.

## 6 Meetings

The Committee will meet at least quarterly.

The Chair may, at any time, convene additional meetings of the Committee.

Two development workshops/activities will be held each year. These may be attended by both members and advisors.

## 7 Conduct of Meetings

A calendar of Committee meetings, for each year, shall be approved by the members and distributed to members.

The agenda and supporting papers shall be sent to members at least seven days before the date of the meeting.

Notice of each meeting will confirm the venue, time and date together with an agenda and shall be made available to each member of the committee.

All JCCGC meetings shall be minuted, including the names of all those present or absent. Administrative support shall be provided by NHS Orkney.

Draft minutes shall be circulated promptly to the Chair of the JCCGC, normally within 10 days.

The approved minutes of the JCCGC will be made publicly available.

A rolling work plan will be developed and maintained which will be reviewed and approved annually. The approved work plan will be submitted to NHS Orkney's Audit and Risk Committee and the Integration Joint Board.

The JCCGC shall, at least once per year, review its own performance. This shall be by means of a Self-Evaluation Form which will be sent to all members in attendance at any meeting during the relevant year.

## 8 Remit

### Person-Centred

To provide assurance regarding participation, patient and service users' rights and feedback:

- To provide assurance that there are effective systems and processes in place across NHS Orkney and in the functions delegated to the Integration Joint Board to support participation with patients, service users, carers and communities, to comply with participation standards and the Patient Rights (Scotland) Act 2011 generally and specifically within the context of service redesign.
- To monitor complaints response performance on behalf of the Board of NHS Orkney and the Integration Joint Board for functions delegated, and promote positive complaints handling including learning from complaints and feedback.
- To provide assurance that there are effective system and governance processes for:
  - Equality and Diversity
  - Spiritual care
  - Volunteering.
- To monitor performance of all services commissioned by / or with direct links to NHS Orkney and the Integration Joint Board, including:
  - Patient Advisory and Support Service
  - Advocacy Services
  - Carers
  - Veterans.

### Safe (Clinical and Care Governance and Risk Management)

To provide assurance in respect of clinical and care governance and risk management arrangements by seeking assurance that there are adequate systems and processes in place to ensure that:

- Robust clinical and care control frameworks are in place for the effective management of clinical and care governance and risk management and that they are working effectively across the whole of NHS Orkney and the functions delegated to the Integration Joint Board.
- Public protection arrangements are in place in relation to the Integration Joint Board and NHS Orkney. To achieve this the Chief Officers Group will report annually on the work of the Public Protection Committee through the Public Protection Committee annual report on

child protection and the associated Improvement/ Business Plan produced by the Public Protection Committee.

- Progress on all joint public protection improvement plans are reported to each meeting of the Joint Clinical and Care Governance Committee.
- Incident management and reporting is in place and lessons are learned from adverse events and near misses.
- Complaints are handled in accordance with national guidance and organisational procedures and lessons are learned from their investigation.
- Clinical and care standards and patient and service user safety are maintained and improved within the Board of NHS Orkney's annual efficiency programme and the efficiency programmes of the Integration Joint Board.
- Whistleblowing concerns are handled in accordance with the National Whistleblowing Standards and that lessons are learned from their investigations in relation to both the NHS Orkney Integration Joint Board delegated service/s and non-delegated NHS Orkney services.

## **Effective (Clinical and Care Performance and Public Health Performance and Evaluation)**

To provide assurance that clinical and care effectiveness and quality improvement arrangements are in place:

- To ensure that recommendations from any inspections have appropriate action plans developed and are monitored and reported through an appropriate Committee.
- Where performance improvement is necessary within the non-delegated functions of NHS Orkney or the functions delegated to the Integration Joint Board, to seek assurance regarding the reliability of the improvement intervention.
- To ensure that clinical dashboards and other data and measurement systems underpin the delivery of care.
- To ensure that the healthcare and social care provided is informed by evidence based clinical and professional practice guidelines.
- To ensure that staff governance issues which impact on service delivery and quality of services are appropriately managed through clinical and care governance mechanisms and effective training and development is in place for all staff.

## **Population Health**

To provide assurance that all necessary systems and processes are in place that ensure staff engaging in population health-related activities incorporate the key components of population health governance, namely:

- Quality and clinical/professional effectiveness

- Public information and involvement
- Population health research
- Risk management

## **Social Work and Social Care Advisory Committees and Chief Social Work Officer's Report and Updates**

To provide assurance in respect of social work and social care governance by seeking assurance that there are adequate systems and processes in place to ensure:

- Promotion of values and standards of professional practice, including all relevant National Standards and Guidance, and ensure local adherence with the Codes of Practice issued by the Scottish Social Services Council (SSSC) for social services workers and employers.
- That all social service workers' practice is in line with the SSSC's Code of Practice and that all registered workers meet the requirements of their regulatory body.
- Maintenance and development of high standards of practice and supervision in line with relevant guidance.
- Effective governance arrangements for the management of the complex balance of need, risk and civil liberties, in accordance with professional standards.
- The promotion of continuous improvement and the identification of areas for professional development, workforce planning and quality assurance of services.
- Consideration of requirements for significant case reviews and/or serious incident reviews to be undertaken into critical incidents either resulting in – or which may have resulted in – death or serious harm.
- That only registered social workers undertake those functions reserved in legislation or are accountable for those functions described in guidance.
- The application of evidence-informed good practice, including the development of person-centred services that are focussed on the needs of people who use services and carers.

## **9 Best Value**

The Committee is responsible for reviewing those aspects of Best Value delegated to it from Orkney NHS Board and Orkney Islands Council in line with Local Government in Scotland Act 2003 Best Value: Revised Statutory Guidance 2020. The key themes are:

- vision and leadership;
- governance and accountability;
- effective use of resources;
- partnerships and collaborative working;

- working with communities;
- sustainability;
- fairness; and
- equality.

The Committee will put in place arrangements which will provide assurance to the Chief Executives (of NHS Orkney and of Orkney Islands Council), as accountable officers, that NHS Orkney and the Integration Joint Board have systems and processes in place to secure best value in these delegated areas. The assurance to the Chief Executives should be included as an explicit statement in the Committee's Annual Report.

## 10 Authority

The Committee is authorised by the Board of NHS Orkney and the Integration Joint Board to investigate any activity within its Terms of Reference and in doing so, is authorised to seek any information it requires from any employee through appropriate staff governance standards / policies held by NHSO and OIC.

The Committee may obtain whatever professional advice it requires, and require Directors or other officers of NHS Orkney, the Chief Officer of the Integration Joint Board or officers of Orkney Islands Council (in terms of the functions that are delegated by Orkney Islands Council to the Integration Joint Board) to attend whole or part of any meetings.

The External Auditors and Chief Internal Auditors shall have the right of direct access to the Chair of the Committee for audit purposes.

## 11 Reporting Arrangements

The Joint Clinical and Care Governance Committee reports to Orkney NHS Board for non-delegated matters and the Integration Joint Board for delegated matters.

The Chair of each meeting will be responsible for producing a Chair's Report, to be presented, along with the approved minute, to the next Board meeting of NHS Orkney and the next meeting of the Integration Joint Board immediately following the JCCGC.

The Joint Clinical and Care Governance Committee should annually and within three months of the start of the financial year provide a work plan detailing the work to be taken forward by the Joint Clinical and Care Governance Committee. This will be used to set agendas and monitored throughout the year.

The Joint Clinical and Care Governance Committee will produce an annual report for presentation to Orkney NHS Board and the Integration Joint

# Joint Clinical and Care Governance Committee

Board. The Annual Report will describe the outcomes from the committee during the year and provide assurance to the Audit and Risk Committee of Orkney NHS Board and the Audit Committee of the Integration Joint Board that the Committee has met its remit during the year.

The Committee will prepare an action log which will be monitored and updated at each meeting.

The Committee will review the Terms of Reference annually.

<i>Updated</i>	<i>15 April 2021</i>
<i>Annual Development Session Review</i>	<i>15 March 2021</i>
<i>Committee Approved</i>	<i>TBC</i>
<i>Next Formal Review</i>	<i>March 2022</i>

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