



GOVERNING BODY

Agenda Item No.	17
Reference No.	IESCCG 19-11
Date.	22 January 2019

Title	Revised Terms of Reference – Remuneration and HR Committee
Lead Chief Officer	Amanda Lyes, Chief Corporate Services Officer
Author(s)	Colin Boakes, Governance Advisor
Purpose	To present revised terms of reference for the Remuneration and HR Committee. Changes to the terms of reference are represented by 'red' text.

Applicable CCG Clinical Priorities:		
1.	To promote self-care	✓
2.	To ensure high quality local services where possible	✓
3.	To improve the health of those most in need	✓
4.	To improve health & educational attainment for children & young people	✓
5.	To improve access to mental health services	✓
6.	To improve outcomes for patients with diabetes to above national averages	✓
7.	To improve care for frail elderly individuals	✓
8.	To allow patients to die with dignity & compassion & to choose their place of death	✓

Action required by Governing Body:
To approve the revised terms of reference for the Remuneration and HR Committee as presented.

1. Purpose

- 1.1 To present to the Governing Body revised Remuneration and HR Committee terms of reference for approval.

2. Background

- 2.1 In line with its Terms of Reference the CCG's Remuneration and HR Committee carried out an annual review of its terms of reference on 23 October 2018.

3. Key Points

- 3.1 Having reviewed its terms of reference the Remuneration and HR Committee agreed a change to its terms of reference in relation to the frequency of meetings, but were concerned about an issue recently raised by NHS England in regard to Remuneration and HR Committees making recommendations to the Governing Body rather than, as had previously been understood, their having delegated responsibility for decision making.
- 3.2 Subsequent to further discussion and clarification, amendments to the terms of reference have now been agreed which address the members concerns about the committees function, whilst also addressing the NHS England requirements.

4. Recommendation

- 4.1 The Governing Body is recommended to approve the attached revised terms of reference for the CCG's Remuneration and HR Committee.



NHS IPSWICH AND EAST SUFFOLK CLINICAL COMMISSIONING GROUP
REMUNERATION AND HUMAN RESOURCES COMMITTEE
TERMS OF REFERENCE

1 INTRODUCTION

The Committee is established in accordance with the NHS Ipswich and East Suffolk Clinical Commissioning Group's constitution and shall advise the Governing Body about the appropriate remuneration and terms of service for the senior officers, managers and staff of the Clinical Commissioning Group. The Terms of Reference are based on the former NHS Commissioning Board template and are approved by the NHS Ipswich and East Suffolk Clinical Commissioning Group Governing Body. They are reviewed on an annual basis.

2 REMIT AND RESPONSIBILITIES OF THE COMMITTEE

- 2.1 **Further to its decisions**, the Committee shall make recommendations to the Governing Body ~~on determinations~~ about pay and remuneration for employees of the Clinical Commissioning Group and people who provide services to it and allowances under any pension scheme it might establish as an alternative to the NHS pension scheme.
- 2.2 The Committee shall determine the allowances payable to GPs and other members of the Governing Body not employed by the Clinical Commissioning Group.
- 2.3 The Committee shall review as required, the Accountable Officer's performance.
- 2.4 The Committee shall review and approve, as required the Accountable Officer and other Chief Officers remuneration and terms and conditions of employment.
- 2.5 The Committee shall determine on behalf of the Governing Body the terms of service (pay and non-pay benefits) of senior officers and managers.
- 2.6 The Committee shall establish arrangements for monitoring and evaluating the performance of individual senior officers and managers, as approved by the Governing Body.
- 2.7 The Committee shall advise on and oversee contractual arrangements for staff by developing policies for recommendation to the Governing Body, to ensure an equitable and consistent approach.

- 2.8 The Committee shall receive and approve HR, Organisational Development and Learning and Development policies and procedures.
- 2.9 The Committee shall receive and approve reports and have oversight of the work of the Health and Safety Committee.
- 2.10 The Committee shall determine and oversee contractual arrangements with staff and any termination payments.
- 2.11 The Committee shall receive the minutes of any sub groups that may be formed and receive and approve reports on Organisational Development and Learning and Development.
- 2.12 By reference to the Governing Body Assurance Framework, the Committee shall monitor allocated risks and satisfy itself and assure the Audit Committee that the mitigating actions proposed for each allocated risk are reasonable and that each mitigating action is being undertaken.
- 2.13 In making its recommendations ~~and decisions~~ the Committee will take into account:
- (i) Provisions of any national guidance and arrangements
 - (ii) Relevant legislation (in particular anti-discrimination and equal pay legislation)
 - (iii) Best practice and affordability
 - (iv) Employee relations and relevant staffing matters within the Clinical Commissioning Group
 - (v) Remuneration levels elsewhere within the NHS and other relevant labour markets
 - (vi) Trends and development in non-pay benefits and terms and conditions
 - (vii) Organisational performance
 - (viii) Auditor requirements
 - (ix) Existing terms and conditions of service
 - (x) Statutory health and safety legislation and best practice
- 2.14 The Committee will retain the right to place specific reports, on an exception basis and with the agreement of the Chair, in a closed agenda whereby the content of the report and subsequent discussion, will not be accessed under the Freedom of Information Act 2000. Reports placed in a closed agenda will be returned to the Governing Body Secretary or nominated deputy at the meeting for shredding. Committee members will be responsible for deleting the relevant electronic records from their own computer systems.

3 RELATIONSHIP WITH THE GOVERNING BODY

- 3.1 The Committee has authority from the NHS Ipswich and East Suffolk Clinical Commissioning Group Governing Body to determine matters in respect of the remuneration and terms of service of senior officers and staff, where issues of confidentiality and possible conflicts of interest are concerned. The Committee is accountable to the NHS Ipswich and East Suffolk Clinical Commissioning Group Governing Body **which as the statutory body shall endorse the Committees decisions as appropriate through sight of the meeting minutes as set out at 3.5 below.**
- 3.2 The Chair of the Committee in consultation with colleagues on the Committee and senior officers of the Clinical Commissioning Group will make decisions that are required urgently.
- 3.3 The Committee has delegated powers from the Governing Body for all Human Resources policies and procedures and issues that may impact on the terms and conditions of employment for all staff, for instance lease cars and travel policies.
- 3.4 The Committee has delegated powers from the Governing Body for all matters of health and safety.
- 3.5 Formal minutes shall be kept of the proceedings which will be submitted to the next meeting of the NHS Ipswich and East Suffolk Clinical Commissioning Group Governing Body.
- 3.6 The Chair of the Committee shall draw to the attention of the Governing Body any issues that require disclosure **in a specific report** to the full Governing Body, or require executive action.

4 MEMBERSHIP OF COMMITTEE

- 4.1 The Committee shall consist of a minimum of two members appointed by the Clinical Commissioning Group Governing Body as set out in the Constitution, one of whom will be the Lay Member for Governance. Membership may include individuals who are not on the Governing Body.
- 4.2 The Lay Member for Governance will chair the Committee.

In the event of the Chair being unable to attend all or part of a Committee meeting, he or she will nominate a replacement from within the membership to deputise for that meeting.

- 4.3 Senior Officers of the Clinical Commissioning Group are not eligible for membership of the Committee. A senior representative for HR and the Accountable Officer are invited to attend in an advisory capacity. It is acknowledged that HR advice should be sought to assist the Committee in reaching decisions and it would be expected for the HR representative to be present throughout the meeting, unless the majority of the Committee and the Chair considered otherwise. Other Senior Officers will be invited to attend as appropriate.

5 SECRETARY

The Corporate Services Office will provide the secretariat to the committee. The Governance Advisor shall provide appropriate support to the Chair and committee members when necessary by drawing their attention to best practice, national guidance and other relevant issues as appropriate.

6 QUORUM

A quorum shall be two members.

7 FREQUENCY OF MEETINGS

7.1 Meetings shall be held a minimum of four times each year.

7.2 The agenda and supporting papers will be sent out at least 5 days in advance of the meetings to allow time for due consideration of issues.

7.3 Meetings will be timetabled and agreed in advance.

8 CONDUCT OF THE COMMITTEE

The Committee will review on an annual basis its own performance and effectiveness including membership and terms of reference. The Governing Body will approve any resulting changes to the terms of reference or membership.

Date Approved:	July 2012
Last Review:	April 2018
Next Review:	April 2019