

<b>Meeting: Governing Body (Virtual Meeting)</b>			
<b>Meeting Date</b>	24 April 2020	<b>Action</b>	Receive
<b>Item No.</b>	8	<b>Confidential</b>	No
<b>Title</b>	Changes to Governing Body Forward Plan – Covid-19		
<b>Presented By</b>	Dr Jeff Schryer, CCG Chair / Geoff Little, Accountable Officer		
<b>Author</b>	Emma Kennett, Head of Corporate Affairs and Governance		
<b>Clinical Lead</b>	-		

<b>Executive Summary</b>
<p>The Governing Body is responsible for the leadership and governance of the CCG. Notwithstanding the level and pace of change required, in the current emergency response to Covid19, the Governing Body must remain mindful of the statutory duties that apply, whilst balancing this with the need to support the strategic and operational response.</p> <p>The aim of this report is to provide a written narrative of those items that would ordinarily have been presented to the Governing Body should the current business continuity/emergency planning arrangements in response to Covid-19 not have been in place.</p>
<b>Recommendations</b>
<p>It is recommended that the Governing Body</p> <ul style="list-style-type: none"> <li>• note the items that would ordinarily have been presented at the postponed meeting on 25 March 2020; and</li> <li>• note the supportive narrative on how these items of business will be progressed.</li> </ul>

<b>Links to CCG Strategic Objectives</b>	
<p><b>SO1 People and Place</b> To enable the people of Bury to live in a place where they can co-create their own good health and well-being and to provide good quality care when it is needed to help people return to the best possible quality of life</p>	☒
<p><b>SO2 Inclusive Growth</b> To increase the productivity of Bury’s economy by enabling all Bury people to contribute to and benefit from growth by accessing good jobs with good career prospects and through commissioning for social value</p>	☒
<p><b>SO3 Budget</b> To deliver a balanced budget</p>	☒
<p><b>SO4 Staff Wellbeing</b> To increase the involvement and wellbeing of all staff in scope of the OCO.</p>	☒

Links to CCG Strategic Objectives
Does this report seek to address any of the risks included on the Governing Body Assurance Framework? If yes, state which risk below:
GBAF N/A

Implications						
Are there any quality, safeguarding or patient experience implications?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Has any engagement (clinical, stakeholder or public/patient) been undertaken in relation to this report?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Have any departments/organisations who will be affected been consulted ?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Are there any conflicts of interest arising from the proposal or decision being requested?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Are there any financial Implications?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Has an Equality, Privacy or Quality Impact Assessment been completed?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Is an Equality, Privacy or Quality Impact Assessment required?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Are there any associated risks including Conflicts of Interest?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Are the risks on the CCG's risk register?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

Governance and Reporting		
Meeting	Date	Outcome
N/A		

## Changes to Governing Body Forward Plan – Covid-19

### 1. Introduction

- 1.1 The Governing Body is responsible for the leadership and governance of the CCG. Notwithstanding the level and pace of change required in the current emergency response to Covid19, the Governing Body must remain mindful of the statutory duties that apply, whilst balancing this with the need to support the strategic and operational response.

### 2. Background

- 2.1 At the Governing Body Briefing session on the 27<sup>th</sup> March 2020, the Governing Body supported the establishment of an Urgent Decision Group, as permitted through the CCG Constitution and supporting Standing Orders, to take urgent decisions quickly, on behalf of the Governing Body and or its committees and sub-committees, where these were required to respond appropriately to the Covid-19 pandemic.
- 2.2 Support was also given to the increased implementation, including recording of operational decision making as delegated through the Scheme of Reservation and Delegation and associated Financial Delegations.
- 2.3 On 28th March 2020, NHS England and Improvement issued guidance to Reduce the Burden and releasing capacity to manage the COVID-19 pandemic which set out a range of measures that should be implemented to enable this.
- 2.4 Specifically, in respect to Governance, the guidance referenced:
- Using emergency and urgent decisions powers in line with internal and Constitutional arrangements;
  - Continuing to hold Governing Body meetings but not on a face-to-face basis, with focused agendas, streamlined papers and no sanctions for breaching technical quorum requirements; and
  - Streamlining of sub-committees but maintaining a focus on quality.
- 2.5 In light of the above guidance, and as the focus starts to shift towards potential recovery options, virtual Governing Body meetings will take place on a monthly basis with agendas being split into two parts as follows:
- Covid-19 – which will consist of an overview from the Accountable Officer of the local pandemic and associated response appropriate for the public record and the record of urgent and operation decisions taken; and
  - Core Business and the New Normal – which will consider key assurance requirements, which in part will be driven by the Governing Body Assurance Framework, reflecting on risks, which should include any emerging quality or control issues and concerns, whether Covid or non-Covid related and any mandatory requirements that must be maintained, however there will also be considerable focus on exploration and evaluation of the opportunities that have emerged in respect to new ways of working across the system. Developed to enable an appropriate response to the pandemic, there are opportunities to embed much of this as a new business as usual going forwards.

- 2.6 Following the initial virtual Governing Body meeting, work will be progressed to re-establish the Strategic Commissioning Board, again through virtual arrangements, to provide the political and clinical leadership as the recovery phase is progressed. In the interim, an 'in attendance' invite has been extended to the Elected Member and Portfolio Holder for Health and Social Care for both the Governing Body and Urgent Decision Group meetings.
- 2.7 The Governing Body has statutory responsibility for:
- a) ensuring that the CCG has appropriate arrangements in place to exercise its functions effectively, efficiently and economically and in accordance with the CCG's principles of good governance (its main function); and for
  - b) determining the remuneration, fees and other allowances payable to employees or other persons providing services to the CCG and the allowances payable under any pension scheme established.
- 2.8 The CCG has also delegated the following additional functions to the Governing Body which are also set out in the Scheme of Reservation and Delegation:
- Leading the development of the of vision and strategy for the CCG;
  - Overseeing and monitoring quality improvement;
  - Approving the CCGs Commissioning Plan and its consultation arrangements;
  - Stimulating innovation and modernisation;
  - Overseeing and monitoring performance;
  - Overseeing risk assessment and securing assurance actions to mitigate identified strategic risks;
  - Promoting a culture of strong engagement with patients, their carers, Members, the public and other stakeholders about the activity and progress of the CCG; and
  - Ensuring good governance and leading a culture of good governance through all activities of the CCG
- 2.9 The Governing Body's Forward Plan has been developed in line with its Statutory responsibilities and delegated functions. This report considers those items of business that the Governing Body should have received, noted and taken decisions on to support discharge of its duties.

### **3. Changes to the Forward Plan**

- 3.1 The Governing Body meeting scheduled to take on the 25th March 2020 was stepped down in light of the current Covid-19 pandemic and move towards social distancing. There was no meeting scheduled for April 2020.
- 3.2 Table 1 below details the items that were due to considered at the March 2020 meeting including the supporting rationale as to why these are not being presented, any alternative arrangements for progressing these and any potential concerns that the Governing Body should be mindful of.

## 4.0 Recommendations

4.1 The Governing Body is required to

- note the items that would ordinarily have been presented at the postponed meeting on 25 March 2020; and
- note the supportive narrative on how these items of business will be progressed.

**Table 1 – Scheduled Governing Body items – 25<sup>th</sup> March 2020**

Agenda Item	Purpose	Rationale/Next steps
Minutes of the last Meeting and Action Log	Approval	Included on agenda for Virtual meeting on the 24 <sup>th</sup> April 2020
CCG Chair and Chief Officer Update	Information	Routine updates have been provided through the weekly Governing Body briefing sessions. This arrangement will continue and will also be included on the agenda for future virtual Governing Body meetings
Coronavirus	Information	Routine updates have been provided through the weekly Governing Body briefing sessions. This arrangement will continue and will also be included on the agenda for future virtual Governing Body meetings
2030 Strategy and Town of Culture	Information	Significant work had been undertaken on the Bury 2030 Strategy and the Bury Town of Culture 2020/21 arrangements prior to the pandemic response. These are currently paused and will be pivotal in informing, shaping and underpinning the approach to recovery and as the ‘new normal’ for Bury is established. Updates will therefore be provided to the Governing Body as work on this phase of response is established.
Governance a) OCO Structure/update  b) Revised CCG Constitution	Approval	<p>A further update on the next steps in progressing the OCO re-structure, following approval of the single five department structure and associate leadership team was due to be presented. Appointment to the Executive Director of Strategic Commissioning has been paused whilst the organisations respond to the Covid-19 response and will be resumed at the earliest opportunity. The required new ways of working, which have emerged as a consequence of the pandemic, will benefit the development of the single structure in a more meaningful way than may have been the case through previous working arrangements, however the arrangements will be revisited as part of the recovery phase to align the formal position with the actual.</p> <p>To reflect the changes to the organisational structure, roles and responsibilities, the CCG Constitution, Standing Orders and Scheme of Reservation and Delegation had been updated accordingly and was scheduled for presentation to the Governing Body with a view to formal implementation from 1<sup>st</sup> April. This needs to progress, however the interim governance and supporting arrangements, which were appropriate and</p>

		suitable for the way of working at the time of writing, would benefit from a further review reflecting on the opportunities and learning that have arise from the pandemic response.
Annual Equality and Diversity Report	Approval	The CCG has a duty to publish the Annual Equality and Diversity Report by 31 <sup>st</sup> March 2020. The report has been prepared and was discussed at the Quality and performance Committee in March, with a recommendation made for the Governing Body to approve publication in line with the required timeframe. Notification has been received that the report does not require publication, however as the report has been prepared, the proposal is for the recommendation of the Committee to stand and the report to be published.
Plastic Free Plan	Approval	As this is not a priority area at this time, the recommendation if for the item to be submitted to Governing Body for information once Business as Usual resumes.
Communications and Engagement Strategy	Approval	The Communications and Engagement Strategy, which was due to be presented as the March meeting of the Governing Body for formal approval, has been implemented through the current pandemic response. Communication has been crucial throughout the response, and in addition to the new technologies and approaches there has also been a significant shift in the level of real engagement with the community, which will be embraced through the recovery phase. Learning from the response will be brought back to shape the ways of communicating and engaging for the future, building further on the community work and hubs, to enhance what we already aspired to achieve. The supporting Strategy will be presented when appropriate.
Finance Committee Chair's Report	Assurance	The Finance, Contracting and Performance committee is not routinely meeting, although it considered through virtual arrangements the proposed budget paper, which is included on the agenda, in advance of this meeting. The financial position was already of significant concern prior to the pandemic, and the scale of the potential impact of the response on the budget adds further pressure. Senior finance colleagues are linked into the Covid19 governance arrangements, and all urgent and operational decisions require review through finance colleagues prior to being approved or submitted for approval. Routine reports are being prepared and will be noted through the relevant channels. There will be no requirement for routine Finance Committee Chair reports until such

		time full governance arrangements are resumed, however the joint Chief Finance Officer will have regular informal meetings with the Chair of the Finance Committee
Finance Report	Information	Finance will feature as a standing item on the virtual Governing Body meetings. An update will be provided and accompanied by a written report where appropriate to do so.
2020/21 Budget	Approval	The CCG is required to establish a budget for the operating year. Work had progressed on developing this prior to the Covid-19 pandemic through the yearly operational planning cycle. This is included on agenda for virtual meeting on the 24 <sup>th</sup> April 2020
Pooled Budget	Information	A paper setting out the pooled budget arrangements under S75 was supported at the CCG Governing Body and Cabinet (Council) meetings in September 2019, with delegation to the Accountable Officer and joint Chief Finance Officer to finalise the terms, financial framework, and sign. These arrangements have been progressed and the final agreement, including additional contributions, was approved by the Cabinet (Council) in March 2020. The final paper was due to be presented to the Governing Body for completeness at the meeting in March. The delegations to the Accountable Officer and joint Chief Finance Officer have been progressed, subject to the formal signature, which will be actioned.
Public Questions in relation to the agenda	Consideration	In recognition of the legislative requirements to hold Governing Body meetings in public, the CCG has determined that in the first instance, whilst the scope of virtual technologies is explored, the Chair of Healthwatch Chair and a Bury Times representative will be invited to attend the virtual Governing Body meeting on 24 <sup>th</sup> April 2020. The public will be invited through the usual routed to submit questions for consideration by the Governing Body in relation to agenda items. Work will be progressed with a view to utilising technology to make the virtual Governing Body meeting more accessible and in the event, this is not possible, to live stream and or record meetings.
Quality and Performance Committee Chair's Report	Assurance	The Quality and Performance Committee is not routinely meeting, although an urgent meeting has been held to consider, in light of the NHS England and Improvement ask to Trusts to maintain oversight of quality, those issues that need to be monitored during the Pandemic response. It has been agreed that a quality workstream will be established under the OCO health and care Silver to consider the key quality and performance concerns,



		including identification of key metrics for monitoring. Updates will be provided through the pandemic governance and notified / escalated to the Governing Body accordingly. These will replace the Quality and Performance Committee Chair's Report until such time that Business as usual resumes
Performance Report	Assurance	A review of the performance metrics is underway to determine those key areas that need to be monitored, and future reports will be submitted on an exception basis only. Current data reflects performance in February and therefore will not provide any intelligence on the impact the Covid19 has placed on the system performance, including for non-covid areas. The Governing Body is asked to support this approach.
Quality Report	Assurance	Tailored update included on the agenda for the virtual meeting on 24 <sup>th</sup> April 2020. The GMHSCP have offered to meet with CCG colleagues to consider the approach to Quality as an alternative to the Q4 Assurance visit. These arrangements are currently being confirmed.
SEND Action Plan update	Assurance	A further review is anticipated in July 2020 and there will be a requirement to show continued improvement. The level of tolerance is not yet known. A watching brief will be maintained, with updates provided to the Governing Body as required, and as a minimum once business as usual resumes.
Audit Committee Chair's Report	Assurance	The Audit Committee Chairs report was due to be presented to the Governing Body at the meeting in March 2020. The Audit Committee considered the full suite of reports including the GBAF, Corporate Risk Register, Corporate Registers, External Audit update, Internal Audit Progress Report and an update on the Annual report and Accounts Timetable. Ordinarily the corporate papers would have been presented to the Governing Body. There were no areas of concern for noting. There will be a meeting of the Audit Committee in May 2020 to support the review and recommendation of the Annual report and Accounts to the Governing Body. An overview of the recommendations will be provided; however, this may not be a full Audit Chairs Report.
GBAF	Assurance	The GBAF was considered by the Audit Committee at its meeting on 6 <sup>th</sup> March 2020. Reviews of strategic risks have not been undertaken, however the Governing Body should remain sighted on its Assurance Framework, adding to it as needed in order to ensure appropriate assurance and also sense checking that existing strategic risks are not worsening as a consequence of the pandemic response. Work will progress to update the GBAF in this context and prepared for presentation.

Corporate Risk Register	Assurance	The Corporate Risk Register was considered by the Audit Committee at its meeting on 6 <sup>th</sup> March 2020. Maintaining oversight of risks is important, as is ensuring arrangements are in place to support the appropriate escalation of new risks emerging. A single framework to assess risks is being progressed through the Covid-19 response, which will include escalation via GOLD and onto Governing Body and / or Cabinet as appropriate. GOLD will take an active role is seeking assurance that mitigation arrangements are in place and are delivered. Risks at a level 15 or above will be reported onto the Corporate Risk Register.
Primary Care Commissioning Committee Chair report	Assurance	The Primary Care Commissioning Committee is not routinely meeting and therefore there is no requirement for a Chairs report to be produced and submitted. Decisions in respect to Primary Care Commissioning will be progressed under the Urgent Decision arrangements agreed as part of the interim governance.
Clinical Cabinet Chair report	Assurance	At this time, the Clinical Cabinet and also joint meetings of the Clinical Cabinet and Professional Congress has been paused. Clinical Engagement is in place with clinical directors and leads embedded into all the pandemic response governance arrangements. There is also a requirement for all urgent and operation decisions to seek a view and supporting statement from a clinician prior to approval. Routine reports from the Chair will therefore not be prepared until such time that a level of business as usual returns. The Governing Body is reminded that a Professional Reference Board was being established as a system-wide Board to replace both the Clinical Cabinet and Professional Congress, with a view to bringing clinicians and other professionals together to ensued clinical and professional engagement through all commissioning arrangements and improvement schemes.