

Standing Orders
for
NHS Barnsley
Clinical Commissioning Group



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STANDING ORDERS

1. INTRODUCTION

1.1 These Standing Orders (SO's) have been drawn up to regulate the proceedings of the NHS Barnsley Clinical Commissioning Group (CCG) so that the CCG can fulfil its obligations, as set out largely in the 2006 Act, as amended by the 2012 Act and related regulations. They are effective from the date the CCG is established.

1.2 The Standing Orders, together with the CCG's Scheme of Reservation and Delegation and the CCG's Prime Financial Policies, provide a procedural framework within which the CCG discharges its business. They set out:

- (a) The arrangements for conducting the business of the CCG;
- (b) The procedure to be followed at formal meetings of the CCG, the Governing Body and any Committees or sub-committees of the Governing Body;
- (c) The process to delegate powers;
- (d) The declaration of interests and standards of conduct.

1.3 These arrangements are compliant and are consistent, with requirements set out in the 2006 Act (as amended by the 2012 Act) and related regulations and take account as appropriate of any relevant guidance.

1.4 The Standing Orders, Scheme of Reservation and Delegation and Prime Financial Policies (PFP's) have effect as if incorporated into the CCG's Constitution. CCG Members, employees, Members of the Governing Body, members of the Governing Body's Committees and sub-committees and persons working on behalf of the CCG should be aware of the existence of these documents and, where necessary, be familiar with their detailed provisions. Failure to comply with the Standing Orders, Scheme of Reservation and Delegation and Prime Financial Policies may be regarded as a disciplinary matter that could result in dismissal.

Delegation of Powers

1.5 The 2006 NHS Act (as amended by the 2012 Act) provides the CCG with powers to delegate CCG functions and those of the Governing Body to certain bodies such as Committees and certain persons and make arrangements for delegation.

- 1.6 The Governing Body has resolved that certain powers and decisions may only be exercised by the Governing Body in formal session. These powers and decisions are set out in the Scheme of Reservation and Delegation and shall have effect as if incorporated into the Standing Orders. Those powers, which it has delegated to Committees, sub committees and Officers, are contained in the Scheme of Reservation and Delegation.

2. **CCG: COMPOSITION OF MEMBERSHIP, TENURE AND ROLE OF MEMBERS**

Composition of Membership

- 2.1 The CCG's Constitution provides details of the membership of the CCG.
- 2.2 The CCG's Constitution provides details of the governing structure used in the CCG's decision-making processes and outlines certain key roles and responsibilities within the CCG and its Governing Body, including the role of Practice Representatives.

Key Roles

- 2.3 The CCG's Constitution sets out the composition of the CCG's Governing Body and identifies certain key roles and responsibilities within the CCG and its Governing Body. These Standing Orders set out how the CCG appoints individuals to these key roles.

(a) Chair

- i. Nomination – N/A;
- ii. Eligibility – The individual must be a GP from a Member practice, a member representative of the Membership Council and must meet the required competencies for the role.
- iii. Appointment Process – The Membership Council will oversee the process. The seven elected members of the Governing Body (from the Membership Council) will identify one of their members to be the Chair and they would propose that individual to the Membership Council for ratification.

If more than 1 person from the Governing Body elected members wishes to be Chair then the Governing Body

elected members will hold an election with each member having a single and equal vote. If there is a tied vote then candidates will be proposed to the full Membership Council for them to vote. The candidate securing the most votes will be Chair.

- iv. Term of Office – The Chair will be nominated for a term of office up to four years initially and three years following subsequent re-election up to a maximum of seven years (or nine years with the agreement of Membership Council);
- v. Eligibility for Reappointment – the Chair may be reappointed by the Governing Body.
- vi. Grounds for Removal from Office –
 - If a receiving order is made against them or they make any arrangement with their creditors;
 - If in the opinion of the Governing Body (having taken appropriate professional advice in cases where it is deemed necessary) they become or are deemed to have developed mental or physical illness, which prohibits or inhibits their ability to undertake their role;
 - If they cease to be a provider of primary medical services, or be engaged in or employed to deliver primary medical services with a Member practice;
 - Where the level of competence is questioned and vote indicating 67% of the Governing Body lacks confidence;
- vii. Notice period – Chair must give at least 3 months' notice of resignation to the Governing Body.

(b) Elected Practice Representatives to the Governing Body

- i. Nomination – N/A;
- ii. Eligibility – The individual must be a Member Representative of the Membership Council;
- iii. Appointment process – As set out in the Constitution the Membership Council has determined that seven of its number should serve as Elected Members of the Governing Body.

Any member of the Membership Council may put themselves forward for election to the Governing Body. If more members of the Membership Council put themselves forward for election to the Governing Body than the number of vacancies, an election will be held. If the number of nominations is the same or less than the number of vacancies the Membership Council will be asked to approve the nominated members for the Governing Body.

- iv. Term of office – Will be elected for a term of office of 3 years initially, and for up to 3 years following subsequent elections, up to a maximum of seven years (or nine years with the agreement of Membership Council).
- v. Eligibility for reappointment – members can put themselves forward for re-election
- vi. Grounds for removal from office –
 - If a receiving order is made against them or they make any arrangement with their creditors;
 - If in the opinion of the Governing Body (having taken appropriate professional advice in cases where it is deemed necessary) they become or are deemed to have developed mental or physical illness, which prohibits or inhibits their ability to undertake their role;
 - If they cease to be a provider of primary medical services, or be engaged in or employed to deliver primary medical services with a Member practice;
 - Where level of competence and performance is below agreed levels (Governing Body to agree a performance framework for Members).
- vii. Notice Period – The member must give at least 3 months' notice to the Chair.

(c) Lay Members

- i. Nomination – N/A;
- ii. Eligibility - The Lay Members must have specific expertise, experience and knowledge to express informed views about the discharge of the CCG's functions. Individuals will not be eligible if they are disqualified under Schedule 4 of the NHS Clinical Commissioning Groups Regulations 2012. If successfully appointed to the CCG:

- One Lay Member will have the qualifications, expertise and experience in financial matters and audit to Chair the Audit Committee;
 - Another will have sufficient qualifications, expertise and experience to lead on patient and public engagement, and chair the Remuneration Committee, the Equality & Engagement Committee, and the Primary Care Commissioning Committee.
- iii. Appointment Process - The appointment process will operate under best guidance. The Remuneration Committee will determine the detail of the process.
- iv. Term of Office – 3 years initially, then up to 3 years following subsequent appointments up to a maximum of 7 years (or nine years with the agreement of Membership Council).
- v. Eligibility for Reappointment – Lay Members can put themselves forward for re-appointment. Process to be overseen by Remuneration Committee.
- vi. Grounds for Removal from Office –
- Gross misconduct in breach of the Nolan principles;
 - Non-attendance at meetings (6 in any 12 month period);
 - Where level of competence and performance is below agreed levels (Governing Body to agree a performance framework for Members);
- vii. Notice period – Member must give at least 3 months' notice to the Chair.

(d) Secondary Care Clinician/Hospital Doctor

- i. Nomination – N/A.
- ii. Eligibility - Must be a secondary care clinician not employed by providers from which the CCG commissions services.
- iii. Appointment process - The appointment process will operate under best guidance. The Remuneration Committee will determine the detail of the process.

- iv. Term of office – 3 years initially, then up to 3 years following subsequent appointments up to a maximum of 7 years (or nine years with the agreement of Membership Council) .
- v. Eligibility for reappointment –The Secondary Care Clinician can put themselves forward for re-appointment. Process to be overseen by the Remuneration Committee.
- vi. Grounds for removal from office –
 - Gross misconduct in breach of the Nolan principles;
 - Non-attendance at meetings (6 in any 12 month period);
 - Where level of competence and performance is below agreed levels (Governing Body to agree a performance framework for Members).
- i. Notice period – Member must give at least 3 months’ notice to the Chair

(e) Chief Officer

- i. Nomination – N/A.
- ii. Eligibility – The individual must meet the required competencies of the role and in terms of the initial appointment have successfully completed the national assessment process.
- iii. Appointment process – The appointment process will operate under best guidance. The Remuneration Committee will determine the detail of the process.
- iv. Term of Office – N/A. This is a substantive appointment.
- v. Notice Period & Grounds for Removal from Office - As per Terms and Conditions of Employment.

(f) Chief Finance Officer

- i. Nomination – N/A.
- ii. Eligibility – The individual must meet the required competencies of the role and in terms of the initial appointment have successfully completed the national assessment process.

- iii. Appointment process – The appointment process will operate under best guidance. The Remuneration Committee will determine the detail of the process.
- iv. Term of Office – N/A. This is a substantive appointment.
- v. Notice Period & Grounds for Removal from Office - As per Terms and Conditions of Employment.

(g) Chief Nurse

- i. Nomination – N/A.
- ii. Eligibility – the individual must be a suitably qualified registered nurse and have the other relevant competencies as set out in the job description.
- iii. Appointment process – The appointment process will operate under best guidance. The Remuneration Committee will determine the detail of the process.
- iv. Term of Office – N/A. This is a substantive appointment.
- v. Notice Period & Grounds for Removal from Office - As per Terms and Conditions of Employment.

(h) Medical Director

- i. Nomination – N/A.
- ii. Eligibility – The individual must be a GP and an elected Governing Body member and have the other relevant competencies as set out in the job description.
- iii. Appointment process – The appointment process will operate under best guidance. The Remuneration Committee will determine the detail of the process.
- iv. Term of Office – Up to 4 years initially and 3 years following subsequent re-election up to a maximum of 7 years (or nine years with the agreement of Membership Council).
- v. Eligibility for Reappointment – The Member can put themselves forward for re-appointment. Process to be overseen by the Remuneration Committee.

- vi. Grounds for Removal from Office –
- If a receiving order is made against them or they make any arrangement with their creditors;
 - If in the opinion of the Governing Body (having taken appropriate professional advice in cases where it is deemed necessary) they become or are deemed to have developed mental or physical illness, which prohibits or inhibits their ability to undertake their role;
 - If they cease to be a provider of primary medical services, or be engaged in or employed to deliver primary medical services with a Member practice in the Locality, which they represent;
 - Where level of competence and performance is below agreed levels (Governing Body to agree a performance framework for Members).
- vii. Notice period – Member must give at least 3 months' notice to the Chair.

(i) Vice Chair

The Constitution sets out arrangements for appointment of a Vice Chair who will be a Lay Member if the Chair is a clinician. Where the Chair of the CCG has died or has ceased to hold office, or where they have been unable to perform their duties as Chair owing to illness or any other cause, the Vice-Chair shall act as Chair until a new Chair is appointed or the existing Chair resumes their duties, as the case may be; and references to the Chair in these Standing Orders shall, so long as there is no Chair able to perform those duties, be taken to include references to the Vice-Chair.

2.4 The roles and responsibilities of each of these key roles are set out in the CCG's Governance Handbook [Governance Handbook \(barnsleyccg.nhs.uk\)](http://barnsleyccg.nhs.uk).

3. MEETINGS OF THE CCG MEMBERSHIP COUNCIL

3.1 Calling Meetings

3.1.1 Ordinary meetings of the Membership Council shall be held at regular intervals at such times and places as the Membership Council may determine.

3.2 Notice of Meetings, Agendas, Supporting Papers and Business to be Transacted

3.2.1 Items of business to be transacted for inclusion on the agenda of a meeting need to be notified to the Chair of the meeting at least 15 working days (i.e. excluding weekends and bank holidays) before the meeting takes place. Supporting papers for such items need to be submitted at least 10 working days before the meeting takes place. The agenda and supporting working papers will be circulated to all members of a meeting at least 5 working days before the date the meeting will take place.

3.3 Petitions

3.3.1 Where a Petition has been received by the Membership Council the Chair shall include the Petition as an item for the agenda of the next meeting of the Governing Body.

3.4 Chair of Meeting

3.4.1 At any meeting of the Membership Council or of a committee or sub-committee of the Membership Council, the Chair of the Membership Council who is also the Chair of the Governing Body shall preside. If the Chair is absent from the meeting, the Governing Body Vice-Chair, if present, shall preside, if this is acceptable to the Membership Council. (If not the Chair of the meeting shall be chosen by the members present or by a majority of them, and shall preside).

3.4.2 If the Chair is absent temporarily on the grounds of a declared conflict of interest the Vice-Chair, if present, shall preside. If the Chair and Vice-Chair are absent, or are disqualified from participating, or there is neither a Chair nor Vice-Chair present, a member of the Group, Governing Body, committee or sub-committee respectively shall be chosen by the members present, or by a majority of them, and shall preside.

3.5 Chair's Ruling

3.5.1 The decision of the Chair of the Membership Council on questions of order, relevancy and regularity (including procedure on handling motions) and their interpretation of the Constitution, Standing Orders, Scheme of Reservation and Delegation and Prime Financial Policies at the meeting shall be final.

3.6 Quorum of the Membership Council

- 3.6.1 A quorum will be members representing at least 55% of total Barnsley practice actual list sizes, using the most recent quarter's figures available to the CCG.
- 3.6.2 On rare occasions, when the nominated practice representative is unable to attend, Practices can send a nominated deputy to represent their practice at meetings of the Membership Council. The nominated deputy must meet the core requirements of a practice representative as set out in the Constitution, and have (and be able to demonstrate) the support of the practice to carry out the role. Deputies meeting these requirements will count towards the quorum for decision making and voting.
- 3.6.3 Where a meeting is not quorate, and where an agenda item requires a decision or Membership Council approval, the Chair will write to practice representatives not present at the meeting to obtain their views on the item under consideration. Views confirmed by email or in writing will be deemed to count towards the quorum as if the representative had actually been present at the meeting.
- 3.6.4 For all committees and sub-committees of the Membership Council, the details of the quorum for these meetings and status of representatives are set out in the appropriate Terms of Reference.

3.7 Decision-Making including Voting of the Membership Council

- 3.7.1 The Group's Constitution, together with the Scheme of Reservation and Delegation, sets out the governing structure for the exercise of the Group's statutory functions. Generally it is expected that at meetings of the Membership Council decisions will be reached by consensus. Should this not be possible then a vote of members will be required, the process for which is set out below:
- (a) **Eligibility**
Voting members of the Membership Council are the practice representatives elected by their practice to the Membership Council (or their nominated deputies – see para 3.6.2 above);
 - (b) **Majority necessary to confirm a decision**
A majority of 55% of actual list size represented at the meeting is required to confirm a decision (using the most recent quarter's figures available to the CCG);

- (c) **Vote**
Each voting member of the Membership Council will have a vote pro rata to their practice list size (un-weighted)
- (d) **Casting Vote**
Should it be required the Chair will have the casting vote;
- (e) **Dissenting Views**
Members taking a dissenting view but losing a vote will have their dissent recorded in the minutes.

3.7.2 Should a vote be taken the outcome of the vote, and any dissenting views, must be recorded in the minutes of the meeting.

3.8 Extraordinary General Meeting

3.8.1 An Extraordinary General Meeting may be called for, in writing:

- (a) By the Membership Council, or
- (b) By 10 Members to discuss an urgent matter.

3.8.2 The Chair will give Members and any other interested parties at least 14 days' notice of any Extraordinary General Meeting with notice of the business to be discussed.

3.9 Emergency Powers and Urgent Decisions

3.9.1 In extreme circumstances e.g. a major incident or emergency rendering the Governing Body membership unable to fulfil their statutory requirements, the Chair may make urgent decisions in order to ensure continuity of the CCG's business, in conjunction with the Membership Council.

3.9.2 For urgent decisions that are required to be made outside Membership Council meetings these can be made by the Chair of the Membership Council and any two members. Wherever possible these members should consult with other voting members of the Membership Council before making decisions.

3.9.3 Where urgent decisions are taken outside the formal meeting structure they would be reported to the next formal meeting of the Membership Council for ratification.

3.10 Suspension of Standing Orders

3.10.1 Except where it would contravene any statutory provision or any direction made by the Secretary of State for Health or NHS England, any part of these Standing Orders may be suspended at any meeting, provided 9 voting Membership Council members are in agreement.

3.10.2 A decision to suspend Standing Orders together with the reasons for doing so shall be recorded in the minutes of the meeting.

3.10.3 A separate record of matters discussed during the suspension shall be kept. These records shall be made available to the Governing Body's Audit Committee for review of the reasonableness of the decision to suspend Standing Orders.

3.11 Record of Attendance

The names and designation of all members present at meetings of the Membership Council and its Committees or Sub-Committees will be recorded in the minutes of the relevant meetings.

3.12 Minutes

3.12.1 The Membership Council may appoint a secretary to the Membership Council.

3.12.2 The Secretary of the Membership Council will be responsible for:

- (a) Attending the meeting, ensuring correct minutes are taken, and once agreed by the Chair distributing minutes to members;
- (b) Keeping a record of matters arising and issues to be carried forward;
- (c) Producing an action list following each meeting and ensuring any outstanding action is carried forward on the action list until complete;
- (d) Providing appropriate support to the Chair and Membership Council members;
- (e) Agreeing the agenda with the Chair prior to sending the papers to members no later than 5 working days before the meeting;
- (f) Ensuring the papers of the Membership Council are filed in accordance with the Group's policies and procedures.

3.13 Appointment of Committees and Sub-Committees

- 3.13.1 The provisions of these Standing Orders shall apply where relevant to the operation of the Membership Council and the Membership Council's committees and sub-committees unless stated otherwise in the committee or sub-committee's terms of reference.

4. MEETINGS OF THE CCG GOVERNING BODY

4.1 Calling Meetings

- 4.1.1 Ordinary meetings of the Governing Body shall be held at regular intervals at such times and places as the Governing Body may determine.

The Chair of the CCG may call a meeting of the Governing Body at any time. One-third or more members of the Governing body may requisition a meeting in writing. If the Chair refuses, or fails to call a meeting within 7 days of a requisition being presented, the members signing the requisition may forthwith call a meeting.

4.2 Notice of Meetings, Agendas, Supporting Papers and Business to be Transacted

- 4.2.1 Before each meeting of the CCG's Governing Body a written notice specifying the business proposed to be transacted shall be delivered to every member so as to be available to members at least 5 days before the meeting.

Supporting papers, whenever possible, shall accompany the agenda, but will certainly be despatched no later than 3 days before the meeting, save in emergency.

- 4.2.2 In the case of a meeting called by members in default of the Chair calling the meeting, the notice shall be signed by those members.

- 4.2.3 No business shall be transacted at the meeting other than that specified on the agenda, or emergency motions allowed under Standing Order 3.8.

- 4.2.4 A member desiring a matter to be included on an agenda shall make his/her request in writing to the Chair at least 15 days before the meeting. The request should state whether the item of business is proposed to be transacted in the presence of the public and should include appropriate supporting information. Requests made less than 15 days before a meeting may be included on the agenda at the

discretion of the Chair.

- 4.2.5 Agendas and certain papers for the CCG's Governing Body – including details about meeting dates, times and venues will be published on the CCG's website.

4.3 Petitions

- 4.3.1 Where a petition has been received by the CCG, the Chair shall include the petition as an item for the agenda of the next meeting of the Governing Body.

4.4 Chair of Meeting

- 4.4.1 At any meeting of the CCG or its Governing Body the Chair if present, shall preside. If the Chair is absent from the meeting, the Vice-Chair, if present, shall preside.
- 4.4.2 If the Chair is absent temporarily on the grounds of a declared conflict of interest the Vice-Chair, if present, shall preside. If the Chair and Vice-Chair are absent, or are disqualified from participating, members present shall choose who shall preside.

4.5 Chair's Ruling

The decision of the Chair of the Governing Body on questions of order, relevancy and regularity (including procedure on handling motions) and their interpretation of the Constitution, Standing Orders, Scheme of Reservation and Delegation and Prime Financial Policies at the meeting shall be final.

4.6 Quorum of the Governing Body

- 4.6.1 No meeting of the Governing Body shall be held without a minimum of seven members present and these must include:

- either the Chair or Vice Chair
- at least one of the officers (Chief Officer, Chief Finance Officer or Chief Nurse)
- at least one of the appointed members (the Lay Members or Secondary Care Clinician) and
- at least one of the Elected Members.

If neither the Chair nor Vice Chair is present, the meeting can proceed if a temporary Chair is elected from the remaining Governing Body Members.

- 4.6.2 An Officer in attendance but without formal acting up status may not

count towards the quorum.

4.6.3 If the Chair or other Governing Body Members have been disqualified from participating in the discussion on any matter and/or from voting on any resolution by reason of a declaration of a conflict of interest that person shall no longer count towards the quorum. If a quorum is then not available for the discussion and/or the passing of a resolution on any matter, that matter may not be discussed further or voted upon at that meeting. Such a position shall be recorded in the minutes of the meeting. The meeting must then proceed to the next business. The position can be resolved by following the arrangements set out in section 8.6 of the *Standards of Business Conduct, Managing Conflicts of Interest, and the Acceptance of Gifts and Hospitality Policy* available on the CCG's website [Governance Handbook \(barnsleyccg.nhs.uk\)](http://barnsleyccg.nhs.uk).

4.6.4 For all other of the CCG's Committees and sub-committees, including the Governing Body's Committees and sub-committees, the details of the quorum for these meetings and status of representatives are set out in the appropriate Terms of Reference.

4.7 Decision-Making including Voting of the Governing Body

4.7.1 The Constitution, together with the Scheme of Reservation and Delegation, sets out the governing structure for the exercise of the CCG's statutory functions. Generally it is expected that at the CCG's and Governing Body's meetings decisions will be reached by consensus. Should this not be possible then a vote of members will be required, the process for which is set out below:

- (a) Eligibility - Members who are eligible to vote are set out in section 5.5 of the Constitution. A manager who has been formally appointed to act up for an Officer Member shall be entitled to exercise the voting rights of the Officer Member;
- (b) Majority necessary to confirm a decision - Save as provided in Standing Orders 4.9 - Suspension of Standing Orders every question put to a vote at a meeting shall be determined by a majority of the votes of members present and voting on the question. Each voting member of the Governing Body will have a single and equal vote. Members excluded due to a declared conflict of interest may not vote;
- (c) Casting vote - In the case of an equal vote, the person presiding (i.e. the Chair of the meeting) shall have a second, and casting vote;

- (d) Dissenting views – Should a vote be taken the outcome of the vote, and any dissenting views, must be recorded in the minutes of the meeting;
- (e) At the discretion of the Chair all questions put to the vote shall be determined by oral expression or by a show of hands, unless the Chair directs otherwise, or it is proposed, seconded and carried that a vote be taken by paper ballot;
- (f) If at least one-third of the members present so request, the voting on any question may be recorded so as to show how each member present voted or did not vote (except when conducted by paper ballot);
- (g) In no circumstances may an absent member vote by proxy. Absence is defined as being absent at the time of the vote;
- (h) For all Governing Body's Committees and sub-committees, the details of the process for holding a vote are set out in the relevant terms of reference if appropriate and for the CCG's Membership Council in paragraph 3.7.1 of these Standing Orders.

4.7.2 Should a vote be taken the outcome of the vote, and any dissenting views, must be recorded in the minutes of the meeting.

4.7.3 For all other of the Group's Committees and sub-committees, including the Governing Body's Committees and sub-committees, the details of the process for holding a vote are set out in the appropriate Terms of Reference.

4.8 Emergency Powers and Urgent Decisions

For urgent decisions that are required to be made outside Governing Body or Committee meetings these can be made by two of the Chair, Medical Director, Chief Officer and Chief Finance Officer, one of whom should be a clinician. Wherever possible these members should consult with other voting members of the Governing Body before making decisions. Decisions taken under these provisions should be reported back to the relevant decision making body for ratification.

4.9 Suspension of Standing Orders

4.9.1 Except where it would contravene any statutory provision or any direction made by the Secretary of State for Health or NHS England, any part of these Standing Orders may be suspended at any meeting,

provided a majority of voting group members are in agreement.

4.9.2 A decision to suspend Standing Orders together with the reasons for doing so shall be recorded in the minutes of the meeting.

4.9.3 A separate record of matters discussed during the suspension shall be kept. These records shall be made available to the Governing Body's Audit Committee for review of the reasonableness of the decision to suspend Standing Orders.

4.10 Record of Attendance

The names and designation of all members present at meetings of the Governing Body and its Committees or Sub-committees will be recorded in the minutes of the relevant meetings.

4.11 Minutes

The minutes of the proceedings of a meeting shall be drawn up and submitted for agreement at the next meeting where they shall be signed by the person presiding at it. Minutes shall be circulated in accordance with members' wishes. Where providing a record of a public meeting the minutes shall be made available to the public as required by the Code of Practice on Openness in the NHS.

4.12 Admission of Public and The Press

4.12.1 The public and representatives of the press may attend meetings of the CCG's Governing Body, except where the Governing Body passes the following resolution to exclude the public on the grounds of confidentiality:

'That representatives of the press, and other members of the public, be excluded from the remainder of this meeting having regard to the confidential nature of the business to be transacted, publicity on which would be prejudicial to the public interest' Paragraph 8 Schedule 1A of the NHS ACT 2006 as amended.

4.12.2 Members of the public or representatives of the press who attend public meetings of the Governing Body have no right to speak other than by invitation from the Chair.

General Disturbances

4.12.3 The Chair or the person presiding over the meeting shall give such directions as he/she thinks fit with regard to the arrangements for meetings and accommodation of the public and representatives of the

press such as to ensure that the CCG's business shall be conducted without interruption and disruption and, without prejudice to the power to exclude on grounds of the confidential nature of the business to be transacted, the public will be required to withdraw upon the Governing Body resolving as follows:

`That in the interests of public order the meeting adjourn for (the period to be specified) to enable the CCG Governing Body to complete its business without the presence of the public'. Paragraph 8 Schedule 1A to the NHS ACT 2006 as amended

Business Proposed to be Transacted when the Press and Public have been Excluded from a Meeting

4.12.4 Matters to be dealt with by the Governing Body following the exclusion of representatives of the press, and other members of the public, as provided in (1) and (2) above, shall be confidential to Governing Body members.

4.12.5 Members and any other persons in attendance shall not reveal or disclose the contents of papers marked 'In Confidence' or minutes headed 'Items Taken in Private' outside of the CCG, without the express permission of the CCG. This prohibition shall apply equally to the content of any discussion during the Governing Body meeting, which may take place on such reports or papers.

Use of Mechanical or Electrical Equipment for Recording or Transmission of Meetings

4.12.6 Nothing in these Standing Orders shall be construed as permitting the introduction by the public, or press representatives, of recording, transmitting, video or similar apparatus into meetings of the CCG, its Governing Body and its Committees. Such permission shall be granted only by the Chair of the meeting.

Observers at CCG and Governing Body Meetings

4.12.7 The CCG will decide what arrangements and terms and conditions it feels are appropriate to offer in extending an invitation to observers to attend and address any of the CCG's meetings and may change, alter or vary these terms and conditions as it deems fit.

5. APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES

5.1 Appointment of Committees and Sub-Committees

5.1.1 The CCG may appoint Committees and Sub-committees of the CCG

subject to any regulations made by the Secretary of State and make provision for the appointment of committees and sub-committees of its Governing Body.

5.1.2 Other than where there are statutory requirements, the CCG or its Governing Body shall determine the membership and Terms of Reference of the committees and sub-committees and shall, if it requires receive and consider minutes and reports from such Committees at the next appropriate meeting.

5.1.3 The provisions of these Standing Orders shall apply where relevant to the operation of the Governing Body, the Governing Body's committees and sub-committee and all committees and sub-committees unless stated otherwise in the committee or sub-committee's terms of reference.

5.2 Terms of Reference

5.2.1 Terms of Reference for the Audit Committee, Remuneration Committee and Primary Care Commissioning Committee are incorporated into the Constitution. Where the CCG or the Governing Body have established other Committees to assist with the discharge of its functions the Terms of Reference will be included in the Governance Handbook (Committee handbook) which will be published on the CCG's website [Governance Handbook \(barnsleyccg.nhs.uk\)](http://barnsleyccg.nhs.uk).

5.3 Delegation of Powers by Committees to Sub-Committees

5.3.1 Where Committees are authorised to establish sub-committees they may not delegate executive powers to the sub-committee unless expressly authorised by the CCG or Governing Body as relevant.

5.4 Approval of Appointments to Committees and Sub-Committees

5.4.1 The CCG shall approve the appointments to each of the Committees and Sub-committees, which it has formally constituted and will decide on such travelling or other allowances as is considered appropriate. The Governing Body shall approve the appointments to each of its Committees and Sub-committees and will decide on any travelling or other allowances as considered appropriate.

6. DUTY TO REPORT NON-COMPLIANCE WITH STANDING ORDERS AND PRIME FINANCIAL POLICIES

6.1 If for any reason these Standing Orders are not complied with, full details of the non-compliance and any justification for non-compliance and the circumstances around the non-compliance, shall be reported to

the next formal meeting of the Governing Body for action or ratification. All Members of the CCG and employees have a duty to disclose any non-compliance with these Standing Orders to the Chief Officer as soon as possible.

7. CUSTODY OF SEAL AND AUTHORISATION OF DOCUMENTS

7.1 CCG's Seal

7.1.1 The CCG may have a seal for executing documents where necessary which must be kept in a secure place. The following individuals are authorised to authenticate its use by their signature: the Chief Officer, the Chief Finance Officer and the Chair of the Governing Body. They will enter a record of the sealing of every document in a register to be kept by the Chief Officer or nominated officer.

7.2 Execution of a Document by Signature

7.2.1 The following individuals are authorised to execute a document on behalf of the Group by their signature. Where any document will be a necessary step in legal proceedings on behalf of the CCG it shall, unless any enactment otherwise requires, be signed by the Chair of the Governing Body, the Chief Officer or the Chief Finance Officer.

8. OVERLAP WITH OTHER CCG POLICY STATEMENTS, PROCEDURES, REGULATIONS

8.1 Policy Statements: General Principles

8.1.1 The Governing Body will from time to time agree and approve policy statements/procedures, which will apply to all, or specific groups of staff employed by the CCG. The decisions to approve such policies and procedures will be recorded in an appropriate Governing Body minute and will be deemed where appropriate to be an integral part of the CCG's Standing Orders and Prime Financial Policies.

9. DUTIES AND OBLIGATIONS OF GOVERNING BODY MEMBERS AND CCG SENIOR MANAGERS

9.1 Requirements for Declaring Interests and Applicability to CCG and Governing Body Members

The NHS Code of Conduct and Accountability requires CCG Members and Members of the Governing Body to declare any personal or business interest, which may influence or may be perceived to influence their judgement including without limitation interests, which are "relevant and material".

The Clinical Commissioning Group has a *Standards of Business Conduct, Managing Conflicts of Interest, and the Acceptance of Gifts and Hospitality Policy* available on its website [Governance Handbook \(barnsleyccg.nhs.uk\)](http://barnsleyccg.nhs.uk).

9.2 **Register of Interests**

The Chief Officer will ensure that a Register of Interests is established to record formally declarations of interests of Members of the CCG, Governing Body Members, Practice Representatives and employees of the CCG.

10. **INDEMNITY FOR GOVERNING BODY MEMBERS**

Governing Body Members who act honestly and in good faith will not have to meet out of their personal resources any personal civil liability, which is incurred in the execution, or purported execution of their Governing Body functions, save where they have acted recklessly.