



CCGs working together

Airedale, Wharfedale and Craven CCG
Bradford City CCG
Bradford Districts CCG

Terms of Reference

Joint Finance and Performance Committee

1. Accountability arrangements and authority

The Joint Finance and Performance Committee has been established as a committee of the CCG, in accordance with the CCG's constitution, standing orders and scheme of delegation.

The remit, responsibilities, membership and reporting arrangements of the Joint Finance and Performance Committee are set out in these terms of reference and shall have effect as if incorporated into the CCG's constitution. The Joint Finance and Performance Committee has no executive powers, other than those specifically delegated in these terms of reference.

The Joint Finance and Performance Committee is accountable to member practices via the Council of Members or Representatives of each CCG. The Joint Finance and Performance Committee is also required to provide assurance on its work to the Governing Body of each CCG..

The Joint Finance and Performance Committee is authorised to investigate any activity within its terms of reference. It is authorised to seek any information it requires within its remit, from any employee of the CCGs or member of the Governing Body or Clinical Board / Executive and they are directed to co-operate with any request made by the Committee within its remit as outlined in these terms of reference.

The Joint Finance and Performance Committee is authorised to obtain legal or other independent professional advice and secure the attendance of advisors with relevant expertise if it considers this is necessary. In doing so the committee must follow any procedures put in place by the CCG for obtaining legal or professional advice.

2. Relationships and reporting

The Joint Finance and Performance Committee is accountable to member practices via the Council of Members or Representatives of each CCG.

Draft minutes of the Joint Finance and Performance Committee meetings will be circulated to members within five working days of a meeting and will be subject to ratification by the next Committee meeting.

Minutes of the Joint Finance and Performance Committee will be provided to the Governing Body of each CCG. The Chair of the Joint Finance and Performance Committee shall draw to the attention of the Governing Body any significant issues or risks relevant to that CCG.

The Joint Finance and Performance Committee will present an annual report of its work to the Councils of Representatives / Members via the CCGs' Annual Reports. As required by CCG Annual Report guidance this will, as a minimum, include information about: key responsibilities, membership, attendance records and highlights of the Committees' work over the year.

Reports or verbal updates on specific issues will also be provided as necessary for Governing Bodies and / or Clinical Executive / Boards and / or Council of Members / Representatives.

3. Role and function

The role of the Joint Finance and Performance Committee is to advise and support the Governing Bodies through performance oversight of key financial and performance indicators/ targets, including QIPP, as specified in the CCGs' strategic and operational plans.

The Joint Finance and Performance Committee is responsible for advising and supporting the Governing Body in:

- I. scrutinising and tracking the key delivery of key financial and service priorities, outcomes and targets as specified in the CCG's Strategic and Operational Plans
- II. ensuring that the CCG develops and adopts appropriate policies and procedures to support effective governance of financial and performance matters

4. Responsibilities

Finance

- Ensure financial management achieves value for money, efficiency and effectiveness in the use of resources with a continuing focus on cost reduction and achievement of efficiency targets.
- Identify and manage mechanisms put in place by the CCG to drive cost improvements.
- Review the CCG's annual budget and capital plan, reviewing key assumptions and ensuring national planning requirements are achieved.
- Monitor and review the achievement of the financial plan, including QIPP plans.
- Provide a forum to evaluate requirements and advise the Governing Bodies on committing resources to respond to performance issues and potential investments.
- Monitor and oversee the effective implementation of the Better Care Fund Initiative.
- Ensure that processes for financial management (including reporting) are robust.
- Advise the Governing Bodies on the content of the Corporate Finance Report.

Performance

The Committee shall carry out a monthly review of the overall performance of the CCGs. This shall include:

- Review performance against the delivery of the Operational Plan.

- Review progress and achievement against agreed national, regional and local targets which support the delivery of the CCG's strategy and plans, with a particular focus on "must-dos" and external regulation.
- Receive, and review assurance of, contract management and value for money from commissioning support services.
- An assessment of pressures within the whole system and how these affect contracts and performance.
- Opportunities to further improve performance where not discussed by other committees.
- Any additional national, regional or local requirements as determined by NHS England.

In addition the Committee will:

- Provide advice/feedback to management teams on the setting of performance indicators within plans and strategies.
- Recognise areas of good practice and ensure they are embedded along with the use of benchmarking tools e.g. better care better value indicators, and programme budgeting.
- Ensure the delivery of any action plans stemming from performance issues.
- Ensure that processes for performance management (including reporting) are robust
- Advise the Governing Bodies on the content of the Corporate Performance Report.
- Make recommendations to the Governing Bodies on developments to the CCGs' performance management framework.

Risk Management

- Review and monitor the Corporate Risk Register in respect of finance, performance, contracting and corporate risks.
- Request action by accountable individuals to manage aforementioned risks and variation in performance, ensuring plans are put in place to address the achievement of objectives and targets.
- Ensure that variance against target performance levels is reflected in the Risk Register reports and Governing Body Assurance Framework as appropriate.
- Ensure that effective arrangements are in place for business continuity and emergency planning.

Other Duties

In addition to the Joint Finance and Performance Committee tasks outlined above, the committee will:

- Review and approve standing financial instructions any policies, procedures and guidelines within the remit of the Committee.
- Ensure that all necessary actions are undertaken by the management team to deliver corporate objectives within expected timescales.
- Undertake any other responsibilities as deemed appropriate by the Governing Body.
- Have oversight of procurement activity via the Contracting report.
- Approve arrangements for risk sharing and or risk pooling with other organisations (for example arrangements for pooled funds with other clinical commissioning groups or pooled budget arrangements under section 75 of the NHS Act 2006).

5. Membership

- Lay Member for Finance
- Lay Member for Governance
- Clinical Executive Representative (AWC)
- Clinical Board Representative (BC)
- Clinical Board Representative (BD)
- Chief Finance Officer
- Director of the Health & Care Partnership: Airedale
- Director of the Health & Care Partnership: Bradford

Members may send deputies to represent them. Deputies will count towards quorum but will only have voting rights if they have formal acting up status.

Members are normally expected to attend at least 75% of meetings during the year.

6. Chair

The Chair of the Joint Finance and Performance Committee shall be one of the Lay Members. The Chair of JFPC shall not also act as the Chair of one of the CCGs' Audit & Governance Committees.

The Deputy Chair of the Joint Finance and Performance Committee shall be one of the Lay Members.

Where both Joint Finance and Performance Committee Chair and Deputy Chair cannot attend or is conflicted, committee members present will elect one of their number to act as the Chair that occasion.

7. Decision-making & voting

Generally, it is expected that meeting decisions will be reached by consensus. Should this not be possible, each voting member of the Joint Finance and Performance Committee will have one vote. Decisions will be by majority vote.

In the event of a tied vote, the Chair of the Joint Finance and Performance Committee meeting will have the second and casting vote.

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

8. In attendance

Regular attendees will include:

- Deputy Director of Contracting
- Deputy Director of Finance
- Deputy Director of Performance

Other CCG staff may be requested to attend in an advisory capacity.

Any member of the Governing Body or Clinical Executive / Board of each CCG is entitled and encouraged to attend this committee with observer status.

9. Quorum

The committee will be quorate when at least five members of the committee are present to include at least one Lay Member, one clinician and one Executive Director.

10. Frequency of meetings

The Joint Finance and Performance Committee will normally meet monthly, with a minimum of 10 meetings per annum.

11. Sub-committees / groups

The Joint Finance and Performance Committee is authorised to create sub-groups or working groups as are necessary to fulfil its responsibilities within these terms of reference.

The Joint Finance and Performance Committee may not delegate executive powers delegated within these Terms of Reference, unless expressly authorised by the Council of Members or Representatives of each CCG and remains accountable for the work of any such groups.

12. Conduct

The Joint Finance and Performance Committee will have due regard to, and operate within, the constitution, standing orders, the scheme of delegation, the prime financial policies and other policies and procedures of the CCG.

The Joint Finance and Performance Committee will conduct its business in accordance with relevant national guidance, including codes of practice such as the Nolan Principles, which are included in the CCG constitution.

13. Management of conflicts of interest

The Joint Finance and Performance Committee will adhere to the CCG's Business Conduct & Conflicts of Interest Policy.

If any member of the Joint Finance and Performance Committee has an actual or potential conflict of interest in any matter and is present at the meeting at which the matter is under discussion, they will declare that interest at the start of the meeting and again at the relevant agenda item and this shall be recorded in the minutes. The Chair of the meeting will determine how the interest will be managed in accordance with the CCG's Business Conduct & Conflicts of Interest Policy (available on the M Drive and CCG websites)

The minutes must specify how the Chair decided to manage the declared interest, i.e. did the individual(s) concerned:

- Take part in the discussion but not in the decision-making
- Did not take part in either the discussion or decision-making

- Take part in the discussion and left the meeting for the decision or
- Left the meeting for the whole of the item

In making this decision the Chair will need to consider the following points:

- the nature and materiality of the decision
- the nature and materiality of the declared interest(s)
- the availability of relevant expertise
- as a general rule (and subject to the judgement of the Chair), if an interest involves a financial interest or a significant non-financial interest, the individual should be asked to leave the meeting for the whole item

14. Administration

The Finance and Contracting team will provide administrative support to the Joint Finance and Performance Committee and will ensure that papers are issued at least five working days before a meeting and that draft minutes are circulated within five working days after a meeting.

The Finance and Contracting team will be responsible for supporting the Chair in the management of the Joint Finance and Performance Committee's business and for drawing the committee's attention to best practice, national guidance and other relevant documents as appropriate.

The Finance and Contracting team, in conjunction with the Chair of the Joint Finance and Performance Committee will develop and maintain a work programme to inform and guide the work of the committee.

15. Urgent matters arising between meetings

The Chair or Deputy Chair of the Joint Finance and Performance Committee in consultation with one out of the Accountable Officer, Chief Finance Officer or Director of Accountable Care, may also act on urgent matters arising between meetings of the Committee.

Where an urgent decision has been taken a report, along with any background documentation, will be taken to the next meeting of the Joint Finance and Performance Committee, where the Chair or Deputy Chair will explain the reason for the action taken.

16. Monitoring of performance and compliance

The Joint Finance and Performance Committee will review its own effectiveness, its compliance with its terms of reference and the terms of reference document itself at least annually and a report of the outcomes of this review will be produced and reported to the or to the Audit Committee on behalf of the Governing Body.

17. Date TOR agreed

TOR agreed by JFPC on 5th July 2018.

Approved AWC Council of Members 29th November 2018, BC Council of Members 18th December 2018 (meeting not quorate – ratified by email), BD Council of Members 19th December 2018

18. TOR review date & approving body

Annually, or as and when legislation or best practice guidance is updated.

Any amended Terms of Reference will be agreed by the Joint Finance and Performance Committee for approval by a subsequent meeting of the Council of Members or Representatives of each CCG.