

TERMS OF REFERENCE

Name of Committee/Group	Primary Care Sub-Committee
Type of Committee/Group	Sub Committee of Sheffield Place Committee

1.	<p>Purpose of Committee/Group</p> <p>In accordance with its statutory powers under section 13Z of the National Health Service Act 2006 (as amended), NHS England has delegated the exercise of the functions specified in the delegation agreement attached at Schedule 1 to these Terms of Reference to NHS South Yorkshire ICB.</p> <p>The South Yorkshire (SY) Integrated Care Board wishes to ensure place representation in decision making for primary care and therefore each place has established a Place Primary Care Sub Committee.</p> <p>The Sheffield Place Committee (as part of the Sheffield Place Partnership Board) is established as and operates as a committee of the NHS South Yorkshire Integrated Care Board (“ICB”), in accordance with the ICB’s Constitution, Standing Orders and Scheme of Reservation and Delegation when it is considering ICB Business. The Primary Care Sub-Committee will function as a place oversight body making recommendations to the ICB Board for the management of the delegated functions and the exercise of the delegated powers.</p> <p>It is a committee comprising representatives of the following organisations:</p> <p>NHS South Yorkshire ICB (Sheffield Place Executive Team) NHS England</p>
2.	<p>Authority/Accountability</p> <p>NHS England has delegated to the ICB authority to exercise the primary care commissioning functions set out in Schedule 2 in accordance with section 13Z of the NHS Act.</p> <p>Arrangements made under section 13Z may be on such terms and conditions (including terms as to payment) as may be agreed between the Board and the ICB.</p> <p>Arrangements made under section 13Z do not affect the liability of NHS England for the exercise of any of its functions. However, the ICB acknowledges that in exercising its functions (including those delegated to it), it must comply with the statutory duties set out in Chapter A2 of the NHS Act and including:</p> <ol style="list-style-type: none"> a) Management of conflicts of interest (section 14O); b) Duty to promote the NHS Constitution (section 14P); c) Duty to exercise its functions effectively, efficiently and economically (section 14Q); d) Duty as to improvement in quality of services (section 14R);

- e) Duty in relation to quality of primary medical services (section 14S);
- f) Duties as to reducing inequalities (section 14T);
- g) Duty to promote the involvement of each patient (section 14U);
- h) Duty as to patient choice (section 14V);
- i) Duty as to promoting integration (section 14Z1);
- j) Public involvement and consultation (section 14Z2);

The ICB will also need to specifically, in respect of the delegated functions from NHS England, exercise those set out below:

Duty to have regard to impact on services in certain areas (section 13O);
Duty as respects variation in provision of health services (section 13P).

The Sub Committee is established as a sub-committee of the Sheffield Place Committee

The members acknowledge that the Sub Committee is subject to any directions made by NHS England or by the Secretary of State.

ACCOUNTABILITY OF THE SUB COMMITTEE

The Sub Committee is accountable to the Sheffield Place Committee.

The Sub Committee is responsible for both overseeing the management of primary care delegated budgets for Sheffield and ensuring decisions made do not exceed the primary care delegated budget for the Sheffield place.

The Sub Committee will ensure that patient/public consultation is considered and undertaken when appropriate to aid decision making.

For the avoidance of doubt, in the event of any conflict between the terms of these Terms of Reference and the Standing Orders or Prime Financial Policies of the ICB, the latter will prevail.

PROCUREMENT OF AGREED SERVICES

The Sub Committee will make procurement decisions relevant to the exercise of the delegated functions in accordance with the detailed arrangements regarding procurement set out in the Delegation Agreement between the ICB and NHS England.

DECISIONS

The Sub Committee will make decisions within the bounds of its remit and decisions will be aligned with the ICB's Primary Care plan.

3. Objectives of Committee/Group

ROLE OF THE SUB COMMITTEE

1. The Sub Committee has been established in accordance with the above statutory provisions to enable the members to make provide a collective place view to the ICB Board on decisions relating to the review, planning and procurement of primary care services in

Sheffield under delegated authority from NHS England.

2. In performing its role, the Sub Committee will act in accordance with the agreement entered into between NHS England and NHS South Yorkshire ICB, which will sit alongside the delegation and terms of reference.
3. The functions of the Sub Committee are undertaken in the context of a desire to promote increased co-commissioning to increase quality, efficiency, productivity and value for money and to remove administrative barriers.
4. The Sub Committee will develop a work plan for primary care and report on progress to the Sheffield Place Committee.
5. The role of the Sub Committee shall be to support the ICB Board to carry out the functions relating to the commissioning of primary medical services under section 83 of the NHS Act.
6. This includes the following:
 - GMS, PMS and APMS contracts (including the design of PMS and APMS contracts, monitoring of contracts, taking contractual action such as issuing branch/remedial notices, and removing a contract);
 - Newly designed enhanced services (“Local Enhanced Services” and Directed Enhanced Services”);
 - Design of local incentive schemes as an alternative to the Quality Outcomes Framework (QOF);
 - Decision making on whether to establish new GP practices in an area;
 - Approving practice mergers; and
 - Making decisions on ‘discretionary’ payment (e.g. returner/retainer schemes).
7. The Sub Committee will also carry out the following activities:
 - a. To plan, including needs assessment, primary care services in Sheffield;
 - b. To undertake reviews of primary care services in Sheffield;
 - c. To co-ordinate a common approach to the commissioning of primary care services generally;
 - d. To manage the budget for commissioning of primary care services in Sheffield.
 - e. Approval of the recommendations from the special cases advisory group

GEOGRAPHICAL COVERAGE

8. The Sub Committee will comprise NHS England – North-East and Yorkshire (Yorkshire and Humber) or successor organisation) and NHS South Yorkshire ICB (Sheffield place). It will undertake the function of jointly commissioning primary medical services for the population of Sheffield.

4.

Membership

Note: Members should be referred to by title, not name. Chair of Committee/Group should be stated. Minute taker should be stated either as member or in attendance.

The Sub-Committee shall consist of:

Status	Role	Organisation	Position
Voting Member	Officer member of committee	NHS Sheffield ICB	Executive Place Director - Sheffield
Voting Member	Officer member of committee	NHS Sheffield ICB	Deputy Executive Place Director - Sheffield
Voting Member	Officer member of committee	NHS Sheffield ICB	Chief Finance Officer – Sheffield
Voting Member	Officer member of committee	NHS Sheffield ICB	Chief Nurse – Sheffield
Voting Member	Officer member of committee	NHS Sheffield ICB	Medical Director – Sheffield
Non-Voting Member	NHS England representative	NHS England	Head of Co-Commissioning
Non-voting Member	Officer member of committee	NHS Sheffield ICB	Deputy Director of Primary Care Contracting, Digital and Estates
Non-voting Member	ICB employed GP	NHS Sheffield ICB	Clinical Director
Non-voting Member	ICB employed GP	NHS Sheffield ICB	Clinical Director

The Chair of the Sub Committee shall be the Executive Place Director. The Deputy Chair will be Deputy Executive Place Director.

In exceptional circumstances, deputies (with comparable qualifications to the respective member of the Sub-Committee) may be nominated to attend prior to the meeting, with the Chair's approval.

Members of the sub-committee, both voting and non-voting, deputies and those in attendance or with a standing invitation to attend will be required to comply with the ICB's Conflicts of Interest Protocol.

Only Voting Members of the Sub-Committee will be allowed to vote. Each Voting Member of the Committee shall have one vote. The Sub-Committee shall reach decisions by a simple majority of Voting Members present, but with the Chair having a second and deciding vote, if necessary. However, the aim of the Committee will be to achieve consensus decision-making wherever possible.

5.	<p>Attendees</p> <p>Note: Attendees should be referred to by title, not name. Minute taker should be stated either as member or in attendance.</p>			
	Status	Role	Organisation	Position
	In attendance (non-voting)	Committee Administration	NHS South Yorkshire ICB (Sheffield Place)	Committee Administrator
	Standing Invitation (non-voting)		NHS South Yorkshire ICB (Sheffield Place)	Locality Manager
	Standing Invitation (non-voting)		Healthwatch Sheffield	Representative of Healthwatch
	Standing Invitation (non-voting)		Sheffield Local Medical Committee	Representative of LMC
	Standing Invitation (non-voting)		Sheffield Health and Wellbeing Board	Representative of Sheffield Health and Wellbeing Board
	Standing Invitation (non-voting)			PCN Clinical Director
	Standing Invitation (non-voting)		Primary Care Sheffield	Representative of Primary Care Sheffield
	<p>A standing invitation will be made to representatives from the following organisations:</p> <ul style="list-style-type: none"> • Healthwatch Sheffield • the Sheffield Local Medical Committee • the Sheffield Health and Wellbeing Board • Primary Care Sheffield <p>Although those representatives will not form membership of the committee, be permitted to vote, or form part of the quorum of meetings. Subject to Section 7 point 5 below. Deputies of such representatives will be allowed.</p> <p>Those in attendance or with a standing invitation to attend will be required to comply with the ICB's Conflicts of Interest Protocol.</p>			
6.	<p>Quorum</p> <p>Attendance by three (3) members entitled to attend and to vote on the business to be transacted (or a validly appointed deputy for a member) including the Chair or Deputy Chair.</p>			

7.	<p>Frequency and Notice of Meetings</p> <ol style="list-style-type: none"> 1. The Sub Committee will operate in accordance with the ICB's Standing Orders. 2. The Sub Committee shall meet as frequently as necessary to effectively undertake its business and at least six (6) times per year. 3. Agendas will be generated by the Sub Committee Administrator and shared with the Sub Committee Chair for approval. The Sub Committee Administrator will be responsible for giving notice of meetings. This will be
	<p>accompanied by an agenda and supporting papers and sent to each member representative no later than five days before the date of the meeting. When the Chair of the Sub Committee deems it necessary in light of the urgent circumstances to call a meeting at short notice, the notice period shall be such as s/he shall specify.</p> <ol style="list-style-type: none"> 4. The Sub Committee may resolve to exclude those in attendance, including those to whom a standing invitation to attend has been extended, from a meeting (whether during the whole or part of the proceedings) whenever it is considered their attendance would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution and arising from the nature of that business or of the proceedings or for any other reason permitted by the Public Bodies (Admission to Meetings) Act 1960 as amended or succeeded from time to time. 5. Members of the Sub Committee shall have a collective responsibility for the operation of the Sub Committee. They will participate in discussion, review evidence and provide objective expert input to the best of their knowledge and ability, and endeavour to reach a collective view. 6. The Sub Committee may delegate tasks to such individuals, sub-committees or individual members as it shall see fit, provided that any such delegations are consistent with the parties' relevant governance arrangements, are recorded in a scheme of delegation, are governed by terms of reference as appropriate and reflect appropriate arrangements for the management of conflicts of interest. 7. The Sub Committee may call additional experts to attend meetings on an ad hoc basis to inform discussions. 8. Members of the Sub Committee, and those in attendance, shall respect confidentiality requirements as set out in the ICB's Standing Orders referred to above.

8.	Minutes and Reporting Arrangements	
	1.	The Sub-Committee will report to the South Yorkshire ICB Board each month its recommendations in respect of delegated primary care functions for approval by the Board.
	2.	The Sub Committee will present its minutes to NHS England – North-East and Yorkshire (Yorkshire and Humber) and the Sheffield Place Committee each month for information, including the minutes of any sub-committees to which responsibilities are delegated under Section 7 paragraph 7 above.
	3.	The ICB will also comply with any reporting requirements set out in its constitution.
9.	Meeting Effectiveness Review	
	As part of the Sheffield Place Committee’s annual performance review process, the committee shall review its collective performance and that of its individual members and will provide an annual report on the work of the committee.	
10.	Review to be conducted by	Committee/Group Chair
	Date Committee/Group established	February 2023
	Terms of Reference to be reviewed	It is envisaged that these Terms of Reference will be reviewed from time to time, and at least annually, reflecting experience of the Committee in fulfilling its functions. NHS England may also issue revised model terms of reference from time to time. The terms of reference of the committee shall be approved by the Sheffield Place Committee.
	Date of last review	December 2022
	Date of next review	December 2023

Schedule 1

[Delegation agreement here]