

## Health Scrutiny and Performance Panel

20<sup>th</sup> June 2013

Agenda  
Item No.

11.

**Title of the Report-** Walsall CCG Constitution

**Ward(s)** All

### **Executive Summary:**

Every CCG must have a constitution. This is a key document for each clinical commissioning group that sets out various matters including the arrangements that it has made to discharge its functions and those of its governing body; its key processes for decision making and arrangements for managing conflicts of interest.

The CCG's constitution can only be varied by successful application to NHS England or through the circumstances set out in the Health and Social Care Act legislation where NHS England mandates a variation to the constitution. There are 2 opportunities each year for a CCG to propose any changes to its constitution.

NHS England must be satisfied that the constitution complies with the particular requirements of the NHS Act 2006 as amended by the Health and Social Care Act and is otherwise appropriate. Any changes to the CCG constitution used at authorisation needs to be agreed with NHS England.

The CCG is proposing to vary its constitution to enable a Walsall branch practice which is based in Wolverhampton to be a member of Walsall CCG. As part of this process the CCG is required to undertake an impact assessment of the proposed changes which includes seeking the views of all local authorities whose area covers the whole or any part of the CCG's area.

**If this report is coming to scrutiny so they can make recommendations to Cabinet then it needs to say so here.**

### **Reason for scrutiny:**

The CCG is proposing to vary its constitution to enable a Walsall branch practice which is based in Wolverhampton to be a member of Walsall CCG. As part of this process the CCG is required to undertake an impact assessment of the proposed changes which includes seeking the views of all local authorities whose area covers the whole or any part of the CCG's area.

The CCG is seeking the views of the Scrutiny Committee to enable it to ensure these are taken into account prior to making an application to NHS England

### **Recommendations:**

The scrutiny committee considers the above proposal and informs the CCG of any views it may have regarding the matter.

**Background papers:**

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**Resource and legal considerations:**

An impact assessment of the financial consequences has been undertaken. There will be an adjustment of financial resources between the two CCGs to enable a transfer of appropriate resources.

**Citizen impact:**

It is not anticipated that there will be any changes to services users in Walsall CCG.

**Environmental impact:**

Nil

**Performance management:****Equality Implications:**

Has an Equality Impact Assessment been carried out? Yes/No

NHS England all CCG's have a duty to have regard to the need to reduce health inequalities in access to health services and health outcomes achieved as enshrined in the Health and Social care Act 2012. The procedure for CCG constitution change, merger or dissolution is compliant with the NHS Constitution and Human Rights Act 1988.

**Consultation:**

Patients registered with the practices affected by the proposed changes  
Walsall CCG membership  
Walsall CCG Governing Body

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