

DRAFT Functions and Decisions Map

NHS Black Country – Functions and Decisions Map (DRAFT)

Black County Integrated Care Partnership (ICP) is a statutory joint committee between the ICB and Dudley, Sandwell, Walsall and Wolverhampton Councils.

The ICP prepares an **Integrated Care Strategy** setting out how the assessed health, social care and public health needs of people living in the Black Country are to be met by the Integrated Care System.

Health and Wellbeing Boards are statutory committees of the four Local Authorities, with statutory ICB membership.

The Boards discharge the ICB and Local Authorities' joint duties to:

- Prepare **Joint Strategic Needs Assessments** (JSNAs) for the Local Authority areas.
- Prepare **Joint Local Health and Wellbeing Strategies** that set out how the Local Authority, ICB and NHS England will meet the assessed needs in the Local Authority areas.

West Midlands Integrated Commissioning Committee is a joint committee between NHS England and the ICBs in the West Midlands.

The Committee:

- Arranges for the provision of specialised services – acute and pharmacy services, and specialised mental health, learning disabilities, and autism services.
- Arranges for the provision of 111 and 999 services

NHS Black Country Integrated Care Board (ICB) is a statutory NHS organisation.

The ICB is responsible for:

- Preparing a **five-year forward plan** with partner NHS Trusts and Foundation Trusts to meet the health needs of people living in the Black Country.
- **Allocating resources and arranging for the provision of health services** across the system to deliver the five-year forward plan including preparing a **joint capital resource use plan** with partner NHS Trusts and NHS Foundation Trusts.
- Establishing **joint working arrangements** with partners to deliver the priorities within the five-year forward plan.
- Establishing **governance arrangements** to support collective accountability for whole-system delivery.
- Leading system implementation of the **People Plan**, system-wide action on **data and digital** and drives joint work on **estates, procurement, supply chain and commercial strategies** as key enablers for delivery of the five-year plan.
- **Plans for, responds to, and leads recovery from incidents** (EPRR).

The ICB has established the Committees below to support it in delivering these functions and developed a Scheme of Reservation and Delegation which provides detailed information on the functions and decisions that are reserved to the ICB's Board and those that are delegated to the Board's committees, sub-committees and to ICB employees. It also sets out any ICB functions delegated to other bodies or to joint committees with other bodies, and how functions delegated to the ICB will be exercised.

The Black Country area has four **Place-based Partnerships (PBPs)** that bring together the NHS, local councils, community and voluntary organisations, and citizens in each of the four Boroughs.

The PBPs:

- Develop Primary Care Networks (PCNs) within their localities and implement national PCN requirements.
- Provide operational support for General Practice and interface with the wider neighbourhood-level teams.
- Deliver local service development and improvement.
- Deliver medicines optimisation.
- Design, plan and implement specified programmes of work in line with local priority areas.

Running costs and programme budgets are delegated as part of the ICB's annual budget setting arrangements to enable delivery of ICB functions.

Audit and Governance Committee

Responsible for Assurance on Internal Control, Audit arrangements, Governance and Statutory functions

Remuneration Committee

Responsible for setting Pay and Conditions for ICB Staff and Board Members

Finance, Performance & Digital Committee

Responsible for assurance on financial duties, system performance and digital strategy and delivery

Quality & Safety Committee

Responsible for quality surveillance and improvement across the system and oversight of safeguarding, CHC and Medicines

People Committee

Responsible for Development of People Strategy, Assurance on workforce development

System Development Committee

Responsible for supporting the development of the system operating model and provider collaboratives, primary care collaborative and Place based partnerships

Strategic Commissioning Committee

Responsible for developing plans for health services for the population, including the commissioning of Primary Care

Mental Health Joint Committee

Responsible Joint oversight of the work of the Mental Health Lead Provider with the Black Country Healthcare Trust

Acute Provider Collaborative for the Black Country is a collaborative comprised of providers across the Black Country.

The Provider Collaborative:

- Enables accelerates post-pandemic recovery of elective services, addressing inequalities in access and outcomes.
- Maximises the collective impact of the three organisations as anchor institutions (e.g. purchasing more locally, reducing environment impact, supporting local recruitment, etc).

West Midlands Joint Commissioning Committee

The arrangements for the Joint Commissioning Committee are:

The Joint Commissioning Committee has the following functions:

- 1.
- 2.
- 3.
- 4.
- 5.

This means that the Joint Committee is responsible for making the following decisions:

- 1.
- 2.
- 3.
- 4.
- 5



NHS Black Country Integrated Care Board (ICB)

- The ICB is chaired by Jonathan Fellows
- The ICB meets on a *Bi-monthly* basis with the meeting held in public (the public may be excluded from certain items where there is confidential).
- Meeting dates and papers for the meeting can be found on the following link:

The ICB has the following functions:

- Duty to produce and revise 5 year forward plan with partner trusts and NHS foundation trusts
- Power to arrange for the provision of such services or facilities as it considers appropriate for the purposes of the health service including conducting procurements
- Determine Arrangements for discharging statutory commissioning duties
- ICB may arrange for any functions exercisable by it to be exercised by or jointly with a relevant body, local authority or combined authority.
- ICB may set up a joint committee and establish and maintain a pooled fund in respect of jointly managed functions.
- ICBs and each responsible local authority is to establish an ICP. The ICP must include members appointed by the ICB and each relevant authority.
- Allocation of budgets / resource and agree Joint Capital Resource Plan
- System incentive re-alignment
- Duties to have regard to:
 - all likely effects of decisions on the health and well-being of the people of England, the quality of services provided or arranged and the efficiency and sustainability of resources used.
 - assessments and strategies
 - NHS guidance concerning joint working and delegation arrangements.
- Oversight of:
 - Clinical Leadership Arrangements
 - Internal and External Communications and Media relations
 - Strategic partnership management
 - Engagement, Involvement & Consultation including Political and Clinical and professional engagement
 - Corporate Governance
 - Performance of functions outside England
 - Engagement with Health Overview and Scrutiny Committees
 - National Programme
- Powers to do anything calculated to facilitate, conducive or incidental to another function.
- Respond to NHSEI Consultation on any Directions it intends to issue
- ICBs are permitted to disclose information it has obtained in the exercise of its functions in certain circumstances
- Refer a dispute concerning an NHS contract to the Secretary of State
- Make arrangements with the Secretary of State in respect of the exercise of public health functions
- Power to agree arrangements for support with the Secretary of State
- Exercise power to apply to become a Care Trust



Audit and Governance Committee

The Committee acts as the ICB's statutory Audit committee is responsible for overseeing the work of both internal and external audit, as well as other key systems of internal control including counter fraud, risk management and compliance with financial governance arrangements. The Committee will support the ICB in preparing its Annual Report and Accounts and oversee compliance with key statutory responsibilities including Emergency Planning and Information Governance along with the wider Governance Framework.

The Audit and Governance Committee has the following functions:

- Support the preparation and publish the Annual reports and accounts
- Appointment of internal and external auditors
- Monitoring Compliance with standing orders
- Monitoring Counter fraud and security arrangements
- Monitor internal/external audit function
- ICB duties as category 1 responders including assessing the risk of an emergency occurring and to maintain plans for the purposes of responding to an emergency
- Support the Development of the ICB constitution, including applications for updates and variations.
- Support the development of other Governance documents (e.g. Governance Handbook)
- Determine the ICB's Risk Management arrangements, including ensuring they work effectively
- Developing proposals for audit activity at a system level to ensure assurance and learning is effectively shared with all partners
- Oversight of the following Corporate Functions:-
 - Information governance arrangements
 - Records management
 - FOI
 - Intellectual Property
 - Corporate Affairs (including PMO, Business and Executive Support)
 - Emergency Planning / business continuity
 - Conflicts of interest management
 - Health and Safety
 - Equality & Diversity
 - Litigation (including Corporate Manslaughter claims etc.)



Remuneration Committee

The Statutory Committee responsible for agreeing pay and conditions for the ICB and its employees. This includes agreeing the overall pay policy and the specific arrangements for employees not on Agenda for Change Contracts and for Non-Executive ordinary Members of the Board. The Membership of the Committee includes independent Non-Executive Representatives to enable it to be quorate when decisions are made about ICB Non-Executive pay.

The Remuneration Committee has the following functions:

- Arrangements for remuneration and allowances for Employees and relevant Board Members
- Arrangements for payment of allowance to other persons
- Following guidance issued by NHS England concerning joint appointments between relevant NHS commissioners, relevant NHS commissioners and local authorities and relevant NHS commissioners and Combined Authorities.
- Determine the ICB pay policy (including the adoption of pay frameworks such as Agenda for Change);
- Oversee contractual arrangements;
- Determine the arrangements for termination payments and any special payments following scrutiny of their proper calculation and taking account of such national guidance as appropriate.



People Committee

The People Committee is responsible for supporting the ICB in meeting its responsibilities for leading the People agenda across the system. This includes oversight of the development of strategic workforce plans, monitoring workforce issues across the system and actions to address them. The committee will also have oversight of the ICB's own HR arrangements including agreeing HR Policies for ICB employees.:

The People Committee has the following functions:

- Supporting the ICB in meeting its responsibility to lead the delivery of the People Plan for the system
- Arrangements for discharging statutory duties as an employer
- Following guidance issued by NHS England concerning joint appointments between relevant NHS commissioners, relevant NHS commissioners and local authorities and relevant NHS commissioners and Combined Authorities.
- Compliance with duty to make available facilities to university medical or dental schools for the purposes of clinical teaching and research
- Responsibilities in respect of Whistleblowing Legislation
- Developing a Workforce strategy and vision
- Developing a System Workforce Plan
- Agreeing appropriate Employment policies
- Oversight of the ICBs Human Resources function including:-
 - Recruitment
 - Payroll
 - Workforce Performance
 - Organisation development
 - Workforce System Management
 - Strategic HR Advice
 - HR Policy Development
 - General Health and Safety duties as an employer



Finance, Performance and Digital Committee

The Finance, Performance and Digital Committee is Responsible for supporting the ICB in ensuring it meets its financial responsibilities, leads on the digital and data agenda across the system and providing assurance that performance is being managed across the system to deliver ICB strategy and plans. This includes developing financial strategies (including the overall system financial and capital plans) and monitoring performance to ensure the system collectively achieve financial balance. The committee will also support the development of strategies for estates, digital and data as key strategic enablers for overall ICS plans and provide assurance to the ICB that delivery against them is on track and sustainable.

The Finance, Performance and Digital Committee has the following functions:

- Arrangements for discharging statutory financial duties including responsibility for payments to providers and operation within resource limits.
- Supporting the ICB, its partner NHS trusts and NHS foundation trusts to prepare the capital resource plan.
- Agreeing to make facilities available to providers, local authorities or eligible voluntary organisations
- Agreeing arrangements to make grants or loans, subject to such conditions as the ICB deems appropriate, to NHS, trusts, NHS foundation trusts, or voluntary organisations that provide or arrange for the provision of services similar to the services of which ICB has functions.
- Agreeing arrangements for budgetary control
- Agreeing arrangements for the ICB are required to use banking facilities as specified by the SoS.
- Monitoring Compliance with Duty as to effectiveness, efficiency etc
- Supporting the establishment of pooled funds
- Power of CCGs to make payments towards expenditure incurred by local authorities on social care functions
- ICB may be required to provide NHS England with any necessary documents or other information.
- Supporting the ICB in complying with NHS England financial requirements relating to management or use of financial or other resources.
- Development of Capital and Investment Strategy
- Development and Monitoring of Data and digital strategy arrangements
- Development and Monitoring of Estates Strategy Development
- Supporting Duty to publish details of how it has spent a quality payment from NHS England
- Power to recover any reduction, remission or repayment which was not due to a person as a civil debt
- Approving any arrangements for raising additional income (the initial decision to raise individual income should be reserved to the CCG but ongoing use of this power could be done via a joint committee)
- Complying with NHSE requirements on ICBs in order to raise money for investment in Special Administration Funds.
- If required by regulations, each ICB may be required to pay charges in the context of NHSE's functions relating to securing continued provision of health care services for the purposes of the NHS.
- Power to make arrangements for the purposes of furthering sustainable development in countries outside the United Kingdom with the consent of the SoS.
- Oversight of:-
 - Financial Performance
 - Financial Reporting
 - Financial Contract Support
 - Prescribing Budget
 - Financial framework improvement
 - Acute Contract Management
 - Financial planning and management
 - Non-Clinical Contract Management
 - Capital expenditure / capital scheme
 - Performance Management
 - Financial planning
 - Strategic IT
 - Supply chain management
 - Programme Delivery
 - QIPP and other cost reduction and demand management arrangements
 - Facilities management
 - Financial Control
 - Operational Estates Support - Primary Care
 - Operational Estates Support – Corporate
 - Environment and environmental sustainability



Quality and Safety Committee

The Quality and Safety Committee is responsible for supporting the ICB in ensuring it meets its responsibilities to ensure that there is a focus on continuously improving quality across the services in the system. This includes maintaining an oversight of quality issues across the system to provide assurance to the ICB and escalating any issues as appropriate. The committee will also maintain an oversight of arrangements to ensure the ICB continues to meet its statutory responsibilities in relation to safeguarding vulnerable adults and children and young people, working with Local Authorities to support people with Special Educational Needs and Disabilities, continuing health care and medicines management.

The Quality and Safety Committee has the following functions:

- Strategic quality assurance including development and monitoring of Quality improvement strategy to secure continuous quality improvement
- Measures to secure the continued provision or commissioner requested services
- Quality Improvement Analysis
- Supporting the ICB in meeting its duties to:-
 - promote NHS Constitution
 - secure improvement in quality of services
 - to promote research, education and training
- Developing and monitoring arrangements for Patient safety improvement
- Arrangements for the discharge of the ICB's power to appoint Medical Examiners.
- Comply with NHSE directions following investigations of failure to establish measures to allow patient choice
- Ensuring the ICB Cooperates with HSSIB when carrying out an investigation into the same or related incident
- Ensuring the ICB cooperates with the CQC in its role as a regulator.
- Oversight of ICB Duties in respect of Continuing Healthcare
- Oversight of ICB Duties in respect of Safeguarding Vulnerable Adults and Children and Young People
- Oversight of ICB Duties in respect of SEND
- Oversight of ICB Duties in respect of Individual Funding Requests
- Oversight of Quality in respect of the following:-
 - Medicines Management and Optimisation
 - 111/999 Quality Management
 - Serious incident management
 - Health Prevention Protection and Improvement
 - PPE
 - Infection control
 - Access and Response
 - Care Home Quality and Safety



Strategic Commissioning Committee

The Strategic Commissioning Committee is responsible for supporting the ICB in its responsibility to arrange services for the population it serves. This includes reviewing the arrangements for meeting a number of statutory duties (including complying with relevant standing rules and guidance, promoting the NHS Constitution and around patient choice). The Committee will oversee the work of collaborative forums across the system that are developing clinical contributions to strategic plans and setting shared priorities for delivery. The committee is also responsible for exercising the powers delegated to the ICB by NHS England in relation to Primary Medical Services and the preparation for further delegation of responsibilities related to Pharmacy, Ophthalmology and Dentistry.

The Strategic Commissioning Committee has the following functions:

- Supporting the ICB to ensure that the services it is responsible for arranging comply with the following statutory duties:-
 - ensure persons are offered a choice of health service provider
 - publicise and promote information about patient choice
 - meet the maximum waiting times standard (the essence of this duty is to hold providers to account for their performance against waiting times)
 - offer an alternative provider
 - make arrangements to provide an appointment with a specialist for those patients urgently referred for treatment for suspected cancer
 - offer alternative provider for treatment for suspected cancer
 - offer assistance re waiting times
 - Duty to promote the NHS Constitution
 - Duty as to reducing inequalities
 - Duty to promote involvement of each patient
 - Duty as to patient choice
 - Duty to obtain appropriate advice
 - Duty to promote innovation
 - Duty to promote integration
 - Duty to have regard to guidance on commissioning published by NHS England
 - Duty to cooperate with other NHS bodies and Local Authorities
 - Duty in respect of research
 - Duty to promote education and training
 - Public sector equality duty
 - Comply with "standing rules" including those in relation to Patient Choice
- Oversight of Collaborative Forums that contribute to the development of strategic planning and setting shared for priorities operational delivery
- Exercising functions delegated by NHS England in relation to Primary Medical Services
- Overseeing the preparation for the delegation of Primary dental and ophthalmology
- Overseeing the preparation for the delegation of specialised services and other NHSEI commissioning responsibilities
- Oversight of the following activities conducted in relation to services the ICB is responsible for arranging:-
 - Research projects
 - Public Involvement Consultation about plans
 - Compliance with regulations made by the SoS in relation to the procurement of health care services.
 - ICBs and local authorities are to have regard to the joint strategic needs assessment, integrated care strategy and joint local health and wellbeing strategy when exercising their functions.
 - Insight, Intelligence & System Analysis
 - Evidence based protocols and pathways
 - Service design and development
 - Service and care coordination
 - Place based planning
 - Strategic market shaping
 - Clinical Policy Development
 - Responding to requests for information made by the Local Healthwatch organisation and dealing with their reports or recommendations.



System Development Committee

This Committee is time limited and will support the ICB in developing proposals for the further development of the operating model across the system. This includes oversight of the development of Place Based Partnerships, Provider Collaboratives, Primary Care Networks and Collaboratives and the overall strategy for clinical leadership across the system. The committee will also develop proposals for governance arrangements that will enable mutual leadership and accountability across the system that facilitates appropriate delegation of decision making across the system in line with the principle of subsidiarity.

The Strategic Development Committee has the following functions:

- Oversight of the development of the operating model for the system, including the contributions made to this by:-
 - Place based Partnerships
 - Provider Collaboratives
 - Primary Care Networks and Primary Care Collaboratives
- Develop proposals for future Governance and oversight arrangements for the system in line with the operating model
- Oversight of the ICBs relationship with Local Authorities including
 - Cooperation with Public Health
 - Duty to prepare a JSNA along with the local authority
 - Co-operating generally with local authorities in relation to adults with needs for care and support, and carers
 - Local Health and Wellbeing Strategy (JSHW)
 - Approving arrangements for pooled budgets and ensuring monies designated for integration for that purpose - aka Better Care Fund
 - Comply with requirements in relation to Review and scrutiny by local authorities.
 - Each ICB must appoint a person to represent it on its relevant Health and Wellbeing Board.
 - Each ICB has a duty to cooperate with its HWB in relation to the discharge of the HWB's functions.
 - Assist Local Authorities in the discharge of their relevant functions



Mental Health Joint Committee

The Mental Health Joint Committee is responsible for ensuring that the ICB and Mental Health Lead Provider are able to jointly oversee the work of the lead provider and ensure that the activities undertaken are delivered within the agreed financial envelope and in line with the ICB's statutory responsibilities relating to the quality of services. This will include decision making in relation to resource allocation within the identified financial envelope and joint oversight of delivery in line with the contract for the lead provider programme.

The Mental Health Joint Committee has the following functions:

- Oversight of the Work of the Mental Health Lead Provider Arrangements, including its contributions to:-
 - Mental health - Wellbeing and Prevention
 - CAMHS
 - Mental health - S117 Aftercare
 - Mental health - Crisis & acute
 - Mental health - Community
 - Mental health - Integration with primary, secondary, acute and community
 - Learning Disabilities and Autism
- Oversight of the following activities conducted by the Mental Health Lead Provider:-
 - Research projects
 - Public Involvement Consultation about plans
 - Compliance with regulations made by the SoS in relation to the procurement of health care services.
 - Service planned at place including Long term conditions, rehabilitation, recovery, Provision of vehicles for disabled people
 - ICBs and local authorities are to have regard to the joint strategic needs assessment, integrated care strategy and joint local health and wellbeing strategy when exercising their functions.
 - Insight, Intelligence & System Analysis
 - Evidence based protocols and pathways
 - Service design and development
 - Service and care coordination
 - Strategic planning
 - Strategic market shaping
 - Responding to requests for information made by the Local Healthwatch organisation and dealing with their reports or recommendations.
 - Clinical Policy Development
- Supporting the ICB of the delivery of the following Statutory Duties in respect of services planned and delivered at by the Mental Health Lead Provider:-
 - Duty to promote the NHS Constitution
 - Duty as to reducing inequalities
 - Duty to promote involvement of each patient
 - Duty as to patient choice
 - Duty to obtain appropriate advice
 - Duty to promote innovation
 - Duty to promote integration
 - Duty to have regard to guidance on commissioning published by NHS England
 - Duty to cooperate with other NHS bodies and Local Authorities
 - Duty in respect of research
 - Duty to promote education and training
 - Public sector equality duty
 - Comply with "standing rules" including those in relation to Patient Choice



Provider Collaboratives - PLACEHOLDER

The arrangements for Provider Collaboratives in the ICB are.....

The provider collaborative is chaired by X

Provider collaboratives have the following functions:

- To enable two or more NHS Providers to come together with a shared purpose and effective decision-making arrangements, to:
 - reduce unwarranted variation and inequality in health outcomes, access to services and experience
 - improve resilience by, for example, providing mutual aid
 - ensure that specialisation and consolidation occur where this will provide better outcomes and value.

This means that decisions relating to these functions are made by:

- 1.
- 2.
- 3.
- 4.
- 5



Place Based Partnership (PBP) - PLACEHOLDER

The arrangements for the place based partnership in the ICB are.....

The Place Based Partnership is chaired by X

The PBP has the following functions:

- To bring partners in each place together to develop shared objectives, built on a mutual understanding of the population and a shared vision for the place focussed on improving the health and wellbeing outcomes for the population, preventing ill health and addressing health inequalities.
- To agree objectives to support this vision including goals to:-
 - Improving the quality, co-ordination and accessibility of health and care services to better meet the needs of people and communities.
 - Build coalitions across a range of community partners.
 - Reflect the priorities that are most important to their partnership and to their communities.
- Agree actions the partnership will undertake together, and the capabilities required to support the vision and goal.
- To support the agreement of shared priorities for the wider system, which will include working with at-scale provider collaboratives, where they have taken on responsibility for the delivery of certain services at-scale, to ensure this meets the needs of communities in their place and to avoid the duplication of activities.
- To consider different approaches to take locally to support providers of different types and from different sectors to work together to co-ordinate care and integrate services in their locality.
- Oversight of the following functions agreed for delivery through the partnership:-
 - Health and Care Strategy and Planning
 - Service Planning
 - Service delivery and transformation
 - Population Health Management
 - Connect support in the community
 - Promote Health and Wellbeing
 - Align Management Support



Integrated Care Partnership (ICP) - PLACEHOLDER

- The Black Country ICP is chaired by X
- The ICP meets on a x basis with the meeting held in public.
- Meeting dates and papers for the meeting can be found on the following link:

The ICB has the following functions:

- To operate as a forum to bring partners across local government, NHS and others to align purpose and ambitions with plans to integrate care and improve health and wellbeing outcomes for the population.
- To facilitate joint action to improve health and care services and to influence the wider determinants of health and broader social and economic development.
- To develop an 'integrated care strategy' for the whole population that will:-
 - Use best available evidence and data, covering health and social care (both children's and adult's social care).
 - Address the wider determinants of health and wellbeing.
 - Be built bottom-up from local assessments of needs and assets identified at place level, based on Joint Strategic Needs Assessments.
 - Be focused on improving health and care outcomes, reducing inequalities and addressing the consequences of the pandemic for communities.
- To champion inclusion and transparency and to challenge all partners to demonstrate progress in reducing inequalities and improving outcomes.

