

Joint Commissioning Executive (JCE) **Terms of Reference**

1 Purpose

The JCE is responsible for the joint strategic commissioning of services in Tower Hamlets for children and young people, adults and public health.

It is responsible for coordinating the development of joint strategies for the relevant service areas and ensuring necessary arrangements are in place to implement strategies and procure service changes. This includes those decisions and proposals that would be inappropriate for reasons of commercial sensitivity to take to Health and Wellbeing Delivery Boards and other groups with provider representation.

It is responsible for strategic market development and management and overseeing plans to re-commission and de-commission services as well aligning this work with joint strategic procurement plans.

It will report key decisions to the Health and Wellbeing Board and related Delivery Boards as well as to relevant executive and governing bodies of the CCG and Council.

[Chart to be developed and added]

1.1 The membership of the JCE will be as follows:-

1.1.1 CCG including:-

- the Chief Officer; (Joint Chair)
- the Director of Commissioning
- the Director of Performance & Quality
- the Chief Financial Officer

1.1.2 the Council including:-

- the Corporate Director of Adults' Services (Joint Chair)
- the Corporate Director of Children's Services
- the Director of Public Health
- the Director of Finance

1.2 Partners may invite finance and or performance leads or other Officers as required and in agreement with the chairperson.

2 Role of the JCE

2.1 The JCE has both specific and wider roles.

A. The wider role involves:-

Coordinating joint strategic commissioning of health, social care and public health services in Tower Hamlets including: community health and social care services for children, adults and older people, including mental health services, services for people with physical disabilities and sensory impairments, learning disabilities and support for carers of the above people.

This is likely to include:-

- i. co-ordinating the development of joint strategies for the above groups that improve outcomes for residents;
- ii. ensuring necessary arrangements are in place to implement and monitor the strategies and procure service changes, including signing off Business Plans;
- iii. liaising with other HWB Committees and Delivery Boards to ensure necessary user and stakeholder involvement;
- iv. agreeing an annual Commissioning Plan which evidences that the views and experiences of Service Users are being used to shape service delivery; and
- v. managing strategic commissioning issues that arise from the Better Care Fund (BCF), Tower Hamlets Together and other integration programmes and directing changes to commissioning plans or recommending such changes are made to the governing bodies of the CCG and Council as appropriate.

B The specific roles with regards to this Agreement involve:-

- i. providing strategic direction on services and for BCF the Business Cases for Individual Schemes and Enabler Projects. This includes ensuring there are appropriate links and engagement between all authorities involved in agreements in the Borough;
- ii. receiving the financial and activity information, which should be based on exception reporting;
- iii. agreeing annually revised budgets for services (three months before the start of the financial year) and any variations in spend or contributions from the Partners in year;
- iv. reviewing the operation of the JCE and performance managing the individual services;
- v. reviewing and agreeing all BCF and joint commissioning business cases;

- vi. agreeing and overseeing the BCF and associated Section 75 agreement;
- vii. agreeing and overseeing any other Section 75 agreements in relation to joint commissioning / pooled budgets;
- viii. approving any changes in performance indicators and an annual report on outcomes for submission to the Executive bodies of both Partners;
- ix. reviewing and agreeing annually a risk assessment and a Performance Payment protocol for BCF; and
- x. requesting such protocols and guidance as it may consider necessary in order to enable staff employed by the Partners to manage the pooled budgets and approve expenditure from Pooled Funds.

3 JCE Support

The JCE will be supported by Officers from the Partners as required. The JCE will meet alternative at Council and CCG offices with meeting support provided by the host organisation..

4 Meetings

- 4.1 The JCE will meet monthly at a time to be agreed or more frequently at the request of any member.
- 4.2 The quorum for meetings of the JCE shall be a minimum of three (3) including one (1) representative from each of the Partner organisations.
- 4.3 Decisions of the JCE shall be made unanimously. Where unanimity is not reached then the item in question will in the first instance be referred to the next meeting of the JCE, which may be called especially to resolve the issue. If no unanimity is reached on the second occasion it is discussed then the matter shall be dealt with in accordance with the dispute resolution procedure set out in the BCF Section 75 agreement.
- 4.4 Where a Partner is not present and has not given prior written notification of its intended position on a matter to be discussed, then those present may not make or record commitments on behalf of that Partner in any way.
- 4.5 Papers for the meetings should be available and circulated five (5) working days before each meeting. Minutes of all decisions shall be kept and copied to the Authorised Officers within five (5) working days of every meeting.

5 Sub Committees

- 5.1 Short term working groups or sub-committees of the JCE will be established as needed.
- 5.2 Finance and Performance matters will be covered at the JCE however the JCE will keep under review the need for a sub-group.
- 5.3 In the event that a Finance & Performance Sub-Group is agreed membership of the

Finance and Performance subcommittee shall be relevant Finance and Performance Officers of the Partners and Pooled Fund Managers. The subcommittee will meet at least six (6) (4) times a year at times to be agreed usually seven (7) days before the JCE or more frequently at the request of the JCE. The main purpose of the group is to monitor performance and spend for each of the services covered by the Service Schedules and to prepare a report detailing any projected under spends, overspends for each of the services, with recommendations for corrective action, together with an update on key performance targets.

6 Delegated Authority

6.1 The JCE is authorised within the limitations of delegated authority for its members (which is received through their respective organisation's own financial scheme of delegation) to:-

6.1.1 to authorise commitments which exceed or are reasonably likely to lead to exceeding the contributions of the Partners to the aggregate contributions of the Partners to any Pooled Fund; and

6.1.2 to authorise a Lead Commissioner to enter into any contract for services necessary for the provision of Services under an Individual Scheme

7 Information and Reports

Each designated Finance Manager or Pooled Fund Manager shall supply to the JCE and its Finance and Performance Sub Committee on a Quarterly basis the financial and activity information as required under this Agreement.

Commissioning Managers employed by the Partners will also supply reports to the JCE on a quarterly basis or as requested.

7.1 Financial reports

Financial reporting on a quarterly basis will identify:-

- actual year to date and forecast out-turn against plan analysed by pay, non-pay and income for each service unit;
- Variance analysis if applicable;
- proposed action plan with recommendations of actions to address material variances and progress of achievement if applicable; and
- Risk assessment.

The financial report will be produced in accordance with the Council's and CCG's financial policies and procedures.

7.2 Performance Reports

The information required for Performance Reports will be agreed annually and will include a highlight report of the main performance issues and a description of progress against outcomes and targets in each area of performance:-

- achievement of partnership Aims and Objectives (commentary including number of and response to complaints and compliments) and feedback on particular services to evidence whether these arrangements are making a difference
- achievement of National and Local Performance Indicators agreed by the JCE;
- achievement of the objectives in the Performance Improvement Plan agreed by the JCE and any agreed service developments; and
- performance against service and regulatory inspection action plans.

For each area of performance, the report will identify:-

- current performance;
- forecast out-turn;
- target;
- last year's out-turn; and
- provide commentary and details of corrective actions proposed.

7.3 Commissioning Plans

- 7.3.1 Commissioning Managers will produce regular reports as requested by the JCE that include updates on strategic market development and management and progress on plans to re-commission and de-commission services as well aligning this work with joint strategic procurement plans.
- 7.3.2 By the end of Q4, the CCG and Council Joint Commissioning Teams will provide to the JCE a first draft analysis of commissioning intentions and proposals as a refresh of the relevant commissioning strategies for the following financial year.