

## Chief Executives' Group – North Yorkshire and York

14 November 2012

### Terms of reference of Chief Executives' Group

#### **1 Purpose of the Report**

- 1.1 To provide an opportunity for the Chief Executives' Group to review its terms of reference.

#### **2 Background**

- 2.1 The current terms of reference of the Chief Executives' Group (see appendix 1) were agreed in May 2011.
- 2.2 The terms of reference should be reviewed by the Group as necessary and not less than every two years.

#### **3 NHS representation**

- 3.1 The NHS is currently represented by the Chief Executive of the North Yorkshire and York Primary Care Trust. Because of the abolition of the PCT, there is a need to agree who will represent the NHS at future meetings.
- 3.2 Options include:
- The NHS Commissioning Board local area team director for North Yorkshire and Humber
  - One or more of the chief executives of the Clinical Commissioning Groups in North Yorkshire and York
  - One or more of the chief executives of the NHS Foundation Trusts in North Yorkshire and York
- 3.3 It is recommended that the Group agree who to invite to represent the NHS at future meetings and that the terms of reference be amended to reflect this change.

#### **4 Richmondshire District Council representation**

- 4.1 A new post of Managing Director has replaced the post of Chief Executive at Richmondshire District Council.
- 4.2 It is recommended that the terms of reference be amended to reflect this change.

## **5 Provision for confidential items of business**

- 5.1 When the Group was formed it was agreed that all agendas, reports to, and minutes of, meetings of the Group should be publicly available, except to the extent that the Group may decide in accordance with all relevant legislation. This reflected both a general desire that the Group be transparent in its business and the unique role of the Group in reviewing progress against the objectives set out in the North Yorkshire Community Plan.
- 5.2 All agendas, reports and minutes of the Group are currently published on the [nypartnerships.org.uk](http://nypartnerships.org.uk) website.
- 5.3 It has recently been suggested that there should be provision for a small number of sensitive items to be dealt with in a confidential manner.
- 5.4 The current terms of reference allow for this to the extent that the Group may decide in accordance with all relevant legislation.
- 5.5 The Group is not bound by the normal legislative requirements with regard to transparency in local government. However it is likely that the agendas, reports and minutes of the Group would need to be provided if a Freedom of Information Act request was made to a public sector member of the Group.
- 5.6 It would be helpful to have a protocol regarding items of business that might or should be considered in a confidential manner and it is recommended that this be:
- Any member of the Group may request that an item of business be considered in a confidential manner by the Group if, for example, it is commercially sensitive or related to negotiations between partners and others which have yet to be concluded.
  - Requests should be made to the Chair of the Group. If the Chair agrees that the item of business should be considered in a confidential manner, all relevant papers will be marked confidential and only circulated to members of the Group until the Group has had the opportunity to consider the item at a meeting of the Group.
  - When considering an item of business marked confidential, the Group will agree whether or not it should continue to be treated as confidential.
  - If the item continues to be treated as confidential, a separate confidential minute of the discussion and decision shall be kept; with a note being included in the normal (public) minutes indicating that a confidential discussion had taken place and as far as appropriate the subject and outcome of the discussion.

## **6 Recommendations**

- 6.1 It is recommended that the Group agree who to invite to represent the NHS at future meetings and that the terms of reference be amended to reflect this change.
- 6.2 It is recommended that the terms of reference be amended to reflect the introduction of a Managing Director post to replace the Chief Executive post at Richmondshire District Council.

<p>6.3 It is recommended that the Group agree a protocol regarding items of business that might or should be considered in a confidential manner, as set out in paragraph 5.6.</p>
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## **7 Appendices**

7.1 Appendix 1 – Current terms of reference of the Chief Executives' Group (agreed May 2011).

Neil Irving  
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5 November 2012

## Appendix 1

### Current terms of reference of the Chief Executives' Group (agreed May 2011)

These terms of reference and governance arrangements set out how the Chief Executives' Group - North Yorkshire and York (the Group) will be administered and managed. They record the agreed working arrangements between the different organisations involved in the Group.

All the organisations involved acknowledge the need to work together effectively, in a spirit of co-operation and partnership, to enable local citizens to benefit from a joined up approach to service delivery.

1. The role of the Chief Executives' Group - North Yorkshire and York (the Group) is to provide leadership and coordination across sub-regional partnership structures and public services generally and to advise Local Government North Yorkshire and York.
2. The members of the Group shall be the following representatives of the named organisations or any successor bodies:
  - Chief Executive of North Yorkshire County Council
  - Chief Executive of Craven District Council
  - Chief Executive of Hambleton District Council
  - Chief Executive of Harrogate Borough Council
  - Chief Executive of Richmondshire District Council
  - Chief Executive of Ryedale District Council
  - Chief Executive of Scarborough District Council
  - Chief Executive of Selby District Council
  - Chief Executive of City of York Council
  - Chief Executive of North York Moors National Park Authority
  - Chief Executive of Yorkshire Dales National Park Authority
  - Chief Executive of NHS North Yorkshire and York
  - Chief Constable of North Yorkshire Police
  - Chief Fire Officer/Chief Executive of North Yorkshire Fire and Rescue Service
  - Chief Executive of Leeds, York and North Yorkshire Chamber of Commerce
  - Chief Executive of North Yorkshire and York Forum
3. Any member may nominate a named substitute with appropriate seniority and knowledge to attend and act in their absence.
4. Whilst the work of the Group may influence the decision and policy making of member organisations, those Members appreciate that they are independent of each other and need to make their own decisions in relation to the work outcomes of the Group and implementation in accordance with their own organisation's procedures. Their responsibilities cannot be delegated to the Group. Each member representative therefore remains accountable to their own organisation or interest group and, in the case of local authority members, they are collectively accountable to Local Government North Yorkshire and York.

5. Other representatives from interested organisations may be invited to meetings as necessary. Such representatives shall receive appropriate agendas and papers for Group meetings and shall have the right to speak at such meetings but not vote on any item.
6. Changes to membership will be agreed by a simple majority of members present and voting.
7. The Group shall meet at least four times a year on dates agreed by the Group. Additional meetings may be called by the Chair and shall be called upon the request of at least eight members.
8. The Group will be quorate if 25% of the membership is present.
9. The Chair and Vice-Chair will be elected by the Group for a period of two years and may be re-elected. In the event of the Chair and Vice-Chair not being present the Group shall have power to elect a Chair from amongst the members present at the meeting for the duration of that meeting.
10. Every effort will be made to ensure that decisions are taken by consensus. In the event of a consensus not being reached, a decision will be reached by a simple majority of members present and voting at the meeting, with each member of the Group having one vote. In the event of it not being possible to reach a decision by a simple majority of members present and voting, the Chair will have an additional casting vote. Voting shall generally be by way of show of hands or, where agreed by a simple majority of members present and voting, by secret ballot.
11. Where conflict is unavoidable, members are expected to respect each others' views and seek to identify and deal with the issues of concern. If necessary, the Chair of the Group will identify a mutually acceptable person/group, or process, to guide the relevant partners to a resolution.
12. The secretariat will be provided by North Yorkshire County Council. The agenda and reports will normally be distributed no later than seven days before the meeting date. Minutes will normally be distributed no later than 14 days after the meeting date. All agendas, reports to, and minutes of, meetings of the Group shall be publicly available, except to the extent that the Group may decide in accordance with all relevant legislation.
13. Information sharing between Group members will accord with all relevant statutory provisions and any local information sharing protocols.
14. These terms of reference and governance arrangements will be reviewed by the Group as necessary, but not less than every two years. Any change will require a simple majority of members present and voting.