

Meeting: Governing Body			
Meeting Date	25 November 2020	Action	Approve
Item No.	6	Confidential	No
Title	Governance Arrangements : Covid 19 Command and Control		
Presented By	Will Blandamer, Executive Director of Strategic Commissioning		
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Clinical Lead	-		

Executive Summary

The Governing Body is responsible for the leadership and governance of the CCG.

Notwithstanding the level and pace of change required, in the current emergency response to Covid19, the Governing Body must remain mindful of the statutory duties that apply, whilst balancing this with the need to support the strategic and operational response.

This report outlines amendments to the current management arrangements in relation to the command and control responsibilities under the Civil Contingencies Act 2004, that have and will continue to be invoked to support and enable NHS Bury CCG as a partner in the wider health and care system to respond to the continued Covid19 Pandemic in a timely manner.

Recommendations

The Governing Body is asked to:

- (i) To approve the merger of the current Borough Gold and Bury Response (CCG and Council) Gold to establish a new Health and Care System Senior Leadership GOLD which will meet weekly to operate effectively as a health and care system GOLD meeting, including clinical, political and management leadership from the Council and CCG and includes provider reps from LCO and Pennine Acute Trust.
- (ii) Note the remit of the Health and Care System Senior Leadership GOLD to take a broader look across the full 6-month recovery plan and associated funding, to control the virus, support the health and care system and mitigate harm with an emphasis on tackling inequalities;
- (iii) Note the establishment on the Team Bury network as a continuation of the excellent work of the Borough Gold meeting, chaired by the Director of Corporate Core services / Deputy Chief Executive (council) which will have oversight of transformation aligned to Bury 2030;
- (iv) Note the Health Protection Board will lead on controlling the virus;
- (v) Note that local arrangements will recognise the GM governance including Combined Resilience Forum, Covid Strategic Co-Ordination Group and Covid Emergency Committee which operate at a regional level; and
- (vi) Note that Terms of Reference for each body in the Command and Control

<p>(vii) Framework will be established;</p> <p>(viii) The Health and Care System Senior Leadership GOLD will take operational decisions in the boundaries of officer delegations to enable the appropriate response to system need, in line with approved governance arrangements; and to note the requirement that all decisions taken under officer delegation remain in the public interest and must withstand reasonable challenge should this arise.</p>

Links to CCG Strategic Objectives	
<p>SO1 People and Place To enable the people of Bury to live in a place where they can co-create their own good health and well-being and to provide good quality care when it is needed to help people return to the best possible quality of life</p>	<input checked="" type="checkbox"/>
<p>SO2 Inclusive Growth To increase the productivity of Bury's economy by enabling all Bury people to contribute to and benefit from growth by accessing good jobs with good career prospects and through commissioning for social value</p>	<input checked="" type="checkbox"/>
<p>SO3 Budget To deliver a balanced budget for 2019/20</p>	<input type="checkbox"/>
<p>SO4 Staff Wellbeing To increase the involvement and wellbeing of all staff in scope of the OCO.</p>	<input checked="" type="checkbox"/>
<p>Does this report seek to address any of the risks included on the Governing Body Assurance Framework? If yes, state which risk below:</p>	

Implications						
Are there any quality, safeguarding or patient experience implications?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Has any engagement (clinical, stakeholder or public/patient) been undertaken in relation to this report?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Have any departments/organisations who will be affected been consulted ?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Are there any conflicts of interest arising from the proposal or decision being requested?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Conflicts of Interest need to be managed in line with the CCG's policy						
Are there any financial Implications?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
None specific in relation to this paper. Finance to be managed through routine arrangements						

Has a Equality, Privacy or Quality Impact Assessment been completed?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Is a Equality, Privacy or Quality Impact Assessment required?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Are there any associated risks including Conflicts of Interest?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Are the risks on the CCG's risk register?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
<i>If you have ticked yes provide details here. If you are unsure seek advice from Lisa Featherstone, Email - lisafeatherstone@nhs.net about the risk register.</i>						

Governance and Reporting		
Meeting	Date	Outcome
N/A		

Covid 19 Governance : Command and Control

1. Introduction

- 1.1 This report outlines amendments to the current management and governance arrangements that have and will continue to be invoked to support and enable NHS Bury CCG to respond to the current Covid19 Pandemic in a timely manner, whilst safeguarding the integrity of decision-making.

2 Background

- 2.1 The Governing Body is responsible for the leadership and governance of the CCG. Notwithstanding the level and pace of change required, the Governing Body must remain mindful of the statutory duties that apply, whilst balancing this with the need to support the strategic and operational response.
- 2.2 Following the initial awareness of Covid-19 emerging as a virus, Bury has and continues to take a proactive response to identifying and addressing the needs of the system to best prepare and manage the local response.
- 2.3 The Covid-19 pandemic governance arrangements were presented and approved on behalf of the Governing Body, under urgent decision provision in March 2020, and reflected the establishment of a Command (strategic), control (operational) and co-ordination (tactical) structure to respond strategically to the national, regional and local position.
- 2.4 This structure has supported and enabled a timely local response to emerging needs during the first wave of the Pandemic, including delivery of the 10-point plan and has been sufficiently adaptable to the continued changings needs.
- 2.5 The pandemic continues to place an unprecedented demand on the Bury system, including the CCG as a level 2 responder under the Civil Contingencies Act 2004, and as Bury is now in the midst of Wave 2, the current Command and Control arrangements require further amendment.
- 2.6 Bury CCG continues to work cohesively with Bury Council through the OCO and in partnership with providers across the local system to ensure the appropriate collaboration and alignment of resources and expertise to inform a Borough wide response.

3 Interim and amended Governance

- 3.1 A proposed Covid-19 Governance Framework and supporting paper is set out at Appendix 1, which builds on existing well-established emergency management principles and sets out how the CCG, Council and wider partners will work locally to prevent, contain and manage the impact of Covid-19.
- 3.2 This includes the establishment of a Health and Care GOLD, from the merger of the current Borough Gold and Bury Response (CCG and Council) GOLG, which will meet virtually on a weekly basis.
- 3.3 This new Health and Care GOLD will include the following membership:

- a) CCG Chair / Chair of the Governing Body;
- b) Accountable Officer Bury CCG / Chief Executive Bury Council
- c) Clinical Director
- d) Elected Member and Portfolio Holder for health and Social Care
- e) Executive Director of Strategic Commissioning
- f) LCO Chair
- g) NCA Director of Nursing and Chief Officer

- 3.4 The Health and Care GOLD will direct the response required of the system in respect to the Covid-19 pandemic. It can make decisions in accordance with its remit and relevant schemes of delegation, which in this instance will be under delegations to individuals, to ensure an appropriate system response in in in place.
- 3.5 Where these decisions require changes to policy, for example but not limited to, changing pathways, suspending services etc, or have financial and or budgetary implications, the relevant organisational governance must be followed.
- 3.6 All decisions taken must be recorded and notified through respective governance arrangements. Where the changes required reflect key decisions or fall outside of delegated authority, the request will be referred to the Strategic Commissioning Board, Primary care Commissioning Committee, Governing Body or Cabinet respectively for approval.
- 3.7 A record of all decisions taken will be retained and must be available for scrutiny upon request.

4 Conflicts of Interest

- 4.1 As outlined within the report, proportionate governance arrangements will need to apply, and management of Conflicts of Interest will continue to be observed in line with the CCG's Conflicts of Interest Policy with relevant actions taken to mitigate the risk of any perceived or actual conflict of Interest.

5 Recommendations

- 5.1 The following recommendations are made:
- To approve the merger of the current Borough Gold and CCG and Council Gold Strategic group to establish a new Health and Care System Senior Leadership GOLD which will meet weekly to operate effectively as a health and care system GOLD meeting, including clinical, political and management leadership from the Council and CCG and includes provider reps from LCO and Pennine Acute Trust.
 - Note the remit of the Health and Care System Senior Leadership GOLD to take a broader look across the full 6-month recovery plan and associated funding, to control the virus, support the health and care system and mitigate harm with an emphasis on tackling inequalities;
 - Note the establishment on the Team Bury network as a continuation of the excellent work of the Borough Gold meeting, chaired by the Director of Corporate Core services / Deputy Chief Executive (council) which will have oversight of

transformation aligned to Bury 2030;

- Note the Health Protection Board will lead on controlling the virus;
- Note that local arrangements will recognise the GM governance including Combined Resilience Forum, Covid Strategic Co-Ordination Group and Covid Emergency Committee which operate at a regional level; and
- Note that Terms of Reference for each body in the Command and Control Framework will be established;
- The Health and Care System Senior Leadership GOLD will take operational decisions in the boundaries of officer delegations to enable the appropriate response to system need, in line with approved governance arrangements; and
- to note the requirement that all decisions taken under officer delegation remain in the public interest and must withstand reasonable challenge should this arise.

November 2020

Appendix 1 : COVID-19 Bury Governance Framework: Review

1. Overview and Purpose

The Covid -19 Bury Governance framework sets out how the Council CCG and local partners work with the public at a local level to prevent, contain and manage Covid-19 outbreaks.

Successful management of local outbreaks is a core element of NHS Test and Trace’s ambition to break the chains of COVID-19 transmission to enable people to return to and maintain a more normal way of life.

This local framework builds on well-established emergency management principles and existing local resilience arrangements designed to deal with emergency situations under the Civil Contingencies Act 2004 and the council’s statutory obligations as a category 1 responder.

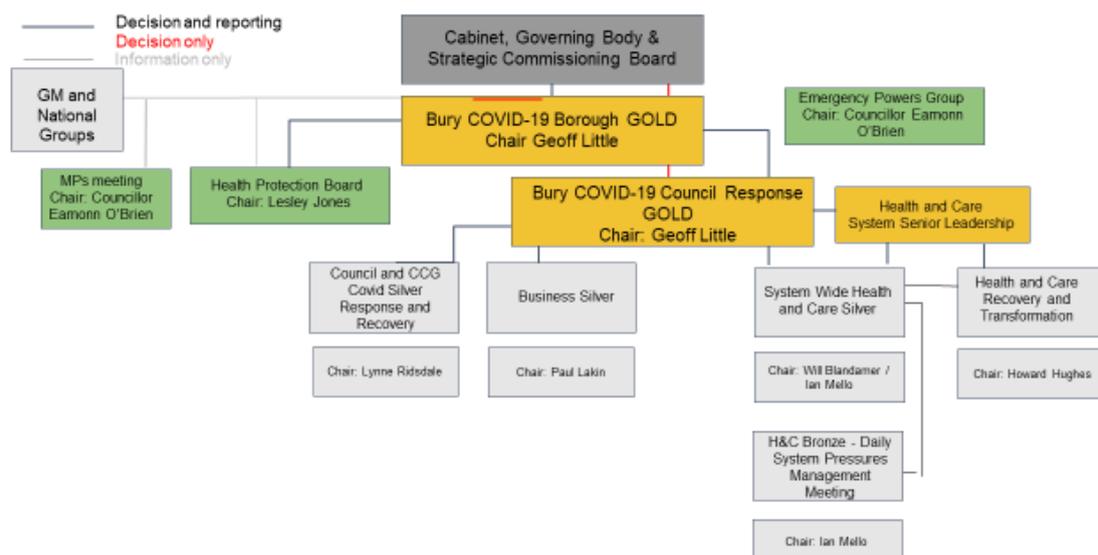
Directors of Public Health (DPH) are accountable for controlling local outbreaks, working with Public Health England (PHE) and local health protection boards, supported with resource deployment by local ‘gold’ structures led by council chief executives, and local boards to communicate and engage with communities led by council leaders.

Six principles support effective arrangements:

- the primary responsibility is to make the public safe
- build on public health expertise and use a systems approach
- be open with data and insight so everyone can protect themselves and others
- build consensus between decision-makers to secure trust, confidence and consent
- follow well-established emergency management principles
- consider equality, economic, social and health-related impacts of decisions

A Review has been requested of the current Bury Framework with a view to creating a more streamlined arrangement; strengthen the strategic overview of the pandemic locally; streamline process and reduce the burden of frequent meetings.

2. The Bury Covid-19 Governance Framework 2020



Bury Response Governance at 5.11.20 v0.4

3. Local outbreak plans and powers

Bury Council as a unitary metropolitan council is leading local outbreak planning, within a national framework, and with the support of NHS Test and Trace, PHE and other government departments.

The Council must have a local outbreak plan developed in line with the Association of Directors of Public Health (ADPH) guiding principles setting out how partners should work together to implement the plans and take a preventative approach. Local outbreak plans are centered on 7 themes.

- healthcare and education settings
- high-risk workplaces, communities and locations
- local testing
- contact tracing in complex settings
- data integration
- vulnerable people and diverse communities
- local boards and communications

Wherever possible, actions to address outbreaks of COVID-19 need to be undertaken in partnership with local communities, on the basis of informed engagement and consent. Bury Council has powers to close individual premises, public outdoor places and prevent specific events. These powers must be used with discretion, and only to be used having had regard to any advice given to it by the DPH.

4. The Governance Framework

Government Guidance is set out in this link:

<https://www.gov.uk/government/publications/containing-and-managing-local-coronavirus-covid-19-outbreaks/covid-19-contain-framework-a-guide-for-local-decision-makers>

The key components of local governance of COVID-19 outbreak plans builds on existing practice as follows and requires the following:

- **a COVID-19 Health Protection Board** which provides public health leadership and infection control expertise, linked to the PHE regional lead, NHS, environmental health and other key partners. The DPH is responsible for the local outbreak plan
- **A local Gold (Strategic Coordination Group)** which provides resource coordination, and link to NHS Test and Trace. The Chief Executive is responsible for the deployment of resources and liaison with the LRF (for example, for mutual aid), and with Whitehall via Regional Support and Assurance teams
- **The Council Leader** responsible for community engagement with the cabinet meeting as a **Local Outbreak Control Board** to provide public engagement and community leadership, including comprehensive and timely communications to the public and a link to ministers.

4. Decision Making

Coordination, Advice, Engagement

Within a local authority area	Decisions may be taken by the chief executive, Director of Public Health or Head of Environmental Health	COVID-19 Health Protection Board (including NHS, faith, community partners, PHE)
		Local Strategic Co-ordination Group-GOLD
		Local Outbreak Control Board or other political oversight bodies-CABINET

5. The role of the Local Resilience Forum – Gold

The Strategic Co-ordinating Group of the Local Resilience Forum has responsibility to agree and co-ordinate strategic actions by Category 1 and 2 responders for the purposes of the Civil Contingencies Act in managing demand on systems, infrastructures and services and protecting human life and welfare. The SCG has crucial capabilities in aligning and deploying the capabilities of a range of agencies at local level in supporting the prevention and control of transmission of COVID-19.

6. Review of Current Framework and Recommendations

Because Directors of Public Health (DPH) are accountable for controlling local outbreaks it is vital that the Bury governance framework works efficiently to provide proper support to DPH Lesley Jones. The Framework needs to support her with resource deployment by local 'gold' structures led by the chief executive, and by the Leader and Cabinet in communicating and engaging with local communities. Against that background, the following recommendations are proposed:

1. To merge the Borough Gold and Council Gold Strategic Co-ordinating groups to take a broader look across the full 6-month recovery plan and funding .Gold will receive minutes from the Health protection Board chaired by DPH Lesley Jones . The Friday Gold meeting of partners will become a monthly Team Bury network chaired by DCE. This will have oversight of transformation aligned to Bury 2030.
2. The weekly new Borough GOLD will comprise council GOLD and relevant Partners although all will be invited and will focus on delivery of 6-month plan , control virus, support health and care system, mitigate harm with emphasis on tackling inequalities.
3. A new Health and Care System Senior Leadership GOLD has been convened to meet weekly to operate effectively as a health and care system GOLD meeting, including clinical, political and management leadership from the Council and CCG and includes provider reps from LCO and Pennine Acute Trust. This will ensure any urgent decisions required and escalated by health and care Silver can be taken from a rounded perspective of the system.
4. The Health Protection Board will lead on controlling the virus
5. Focus one of the twice weekly Cabinet meetings as a Local Outbreak Board focused on communicating and engaging with local people.
6. Reduce the number of Silver Groups with a Business Silver mitigating harm to business and a Supporting People Silver to mitigate harm to individuals and communities.
7. Postpone non-essential council meetings in November and December (Health Scrutiny, O and S; HRA etc).

8. Need to recognise the GM governance including Combined Resilience Forum, Covid Strategic Co-Ordination Group and Covid Emergency Committee which operate at a regional level.
9. Once agreed a Terms of Reference for each body in the Governance Framework will be established

Marie Rosenthal
Strategic Advisor
10/11/20