

**NHS North Central London Clinical Commissioning Group
Individual Funding Requests Panel
Terms of Reference**

1. Introduction

- 1.1 The Individual Funding Requests Panel ('Panel') is established in accordance with the Constitution of NHS North Central London Clinical Commissioning Group ('CCG'). It is a committee of the CCG's Governing Body.
- 1.2 These Terms of Reference set out the membership, remit, responsibilities and reporting arrangements of the Panel.

2. Purpose

- 2.1 The purpose of the Panel is to consider and make decisions on Individual Funding Requests ('IFR') applications.

3. Role

- 3.1 The Panel will:
 - 3.1.1 Make decisions on individual funding requests applications;
 - 3.1.2 Properly consider and follow the CCG's IFR Policy when determining the outcome of individual funding requests applications;
 - 3.1.3 Remit decisions for individual funding requests over the panel's financial authority limits to the appropriate decision makers;
 - 3.1.4 Act within its delegated authorities from the Governing Body;
 - 3.1.5 Have due regard to any relevant quality and safety issues which may arise as agreed by panel members.

4. Financial Authority Limits

- 4.1 The Panel has the authority to approve IFR requests up to a maximum value of £50,000 (fifty thousand pounds) per year per case. The Panel may not approve IFR applications that exceed this limit.
- 4.2 The Panel may consider IFR applications which have a greater financial value than the delegated financial authority limits set out in section 4.1 above but does not have the power to approve them. The Panel's decision making powers are set out in section 6 below.

5. Duty as to Affordability and to Meet Financial Control Total

- 5.1 The Panel has a duty to ensure the IFRs it approves are affordable and will not cause the CCG to breach its financial control total.

6. Decisions

- 6.1 The Panel may make the following decisions on IFRs that are within their delegated financial authority limits:
 - 6.1.1 To reject the application;
 - 6.1.2 To reject the application due to insufficient information;
 - 6.1.3 To defer decision on the application pending further information;

- 6.1.4 To approve the application without conditions;
- 6.1.5 To approve the application with conditions;
- 6.2 The Panel may make the following decisions on IFRs that are in excess of their delegated financial authority limits:
 - 6.2.1 To reject the application;
 - 6.2.2 To reject the application due to insufficient information;
 - 6.2.3 To defer decision on the application pending further information;
 - 6.2.4 To recommend the application for approval without conditions;
 - 6.2.3 To recommend the application for approval with conditions.
- 6.3 If IFR is outside of the Panel's delegated financial authority limits the decision on whether to approve or reject an application shall be made by the Strategy and Commissioning Committee.

Membership

- 4.1 The Panel shall comprise of the following voting members:
 - 4.2.1 Two Governing Body elected Clinical Representatives;
 - 4.2.2 One Governing Body Lay Member;
 - 4.2.3 An appointed but not elected Governing Body Clinician;
 - 4.2.4 A representative from commissioning;
 - 4.2.5 A Medicines Management representative.
- 4.2 The roles referred to in the list of voting members above describe the substantive roles and any equivalent successor roles and not the individual title or titles.
- 4.3 The list of voting members is set out in Schedule 1. Schedule 1 does not form part of the Terms of Reference and may be amended without the need to formally amend these Terms of Reference.
- 4.4 Voting members may nominate deputies to represent them in their absence

5. Attendance

- 5.1 The following people shall attend Panel meetings as standing attendees:
 - 5.1.1 Deputy Director of Contracts;
 - 5.1.2 Two members from North and East London Commissioning Sport Unit ('NEL CSU') IFR Team of which at least one is a senior manager;
 - 5.1.3 Head of Medicines Management from NEL CSU.
- 5.2 Attendees at Panel meetings are non-voting.
- 5.3 The roles referred to in the list of attendees above describe the substantive roles and any equivalent successor roles and not the individual title or titles.
- 5.4 The list of standing attendees is contained in Schedule 1. Schedule 1 does not form part of the Terms of Reference and may be amended without the need to formally amend these Terms of Reference.
- 5.5 Attendees may nominate deputies to represent them in their absence.
- 5.6 The Panel may invite or allow additional people to attend meetings as attendees. Attendees may present at meetings and contribute to the relevant discussions but are not allowed to participate in any formal vote.

5.7 The Panel may invite or allow people to attend meetings as observers. Observers may not present at meetings, contribute to any discussion or participate in any formal vote.

5.8 The Panel may call additional experts to attend meetings on a case by case basis to inform discussion.

6. Chair

6.1 The Panel Chair shall be an elected Clinical Representative or a Governing Body Lay Member. The Panel Chair may nominate a deputy to represent them in their absence.

7. Voting

7.1 Each voting member of the Panel shall have one vote with resolutions passing by simple majority. In the event of a tied vote the Panel Chair shall have the casting vote.

8. Quorum

8.1 The Panel will be considered quorate when at least four voting members or their nominated deputies are present, which must include:

8.1.1 The Chair;

8.1.2 A clinician;

8.1.3 An officer.

8.2 If any representative is conflicted on a particular item of business they will not count towards the quorum for that item of business. If this renders a meeting or part of a meeting inquorate a non-conflicted person may be temporarily appointed or co-opted onto the Panel to satisfy the quorum requirements.

8.3 If a meeting is not quorate the Panel Chair may adjourn the meeting to permit the appointment or co-option of additional members if necessary.

9. Secretariat

9.1 The Secretariat to the Panel shall be provided by NEL CSU IFR team.

10. Frequency of Panel Meetings

10.1 Panel meetings will be held monthly, where need dictates, but may hold additional meetings or cancel meetings as and when necessary.

11. Notice of Meetings

11.1 Notice of a Panel meeting shall be sent to all Panel members no less than 7 days in advance of the meeting.

11.2 The meeting shall contain the date, time and location of the meeting.

12. Agendas and Circulation of Papers

12.1 Before each Panel meeting an agenda setting out the business of the meeting will be sent to every Panel member no less than 7 days in advance of the meeting.

12.2 Before each Panel meeting the papers of the meeting will be sent to every Panel member no less than 7 days in advance of the meeting.

12.3 If a Panel member wishes to include an item on the agenda they must notify the Panel Chair via the Secretariat no later than 7 days prior to the meeting. The decision as to whether to include the agenda item is at the absolute discretion of the Panel Chair.

13. Minutes of Meetings

13.1 The minutes of the proceedings of a meeting shall be prepared by the Secretariat and submitted for agreement at the following meeting.

14. Authority

14.1 The Panel is accountable to the Governing Body and will operate as one of its committees. The Panel must act within the remit of these terms of reference and has no executive powers other than those specifically set out in these terms of reference.

14.2 The Panel is authorised by the Governing Body to obtain at the CCG's expense outside legal or other professional advice on any matters within the Panel's Terms of Reference.

15. Reporting Responsibilities

15.1 The Panel will report to Governing Body on all matters within its duties and responsibilities.

15.2 The Panel may make recommendations to the Governing Body it considers appropriate on any area within its remit.

16. Delegated Authority

16.1 The Panel may agree to delegate its authority to a Panel member or members to make decisions on the Panel's behalf outside of a Panel meeting at its absolute discretion on a case by case basis.

16.2 There are circumstances where time-critical decisions need to be made and it is not possible and/or reasonably practicable and/or a good use of resources to hold a physical meeting in sufficient time. In these circumstances decisions may be made virtually using the protocol for virtual decision making. To ensure consistency of approach and professional administration the process for this will be co-ordinated by the CSU IFR Team.

16.3 Decisions made outside of formal meetings in accordance with clause 16.2 above must be reported to the next panel meeting.

17. Sub-Committees

17.1 The Panel may not appoint sub-committees. The Appeals Panel may not delegate any of its functions, powers or decision making authority to a sub-committee.

18. Conflicts of Interest

18.1 Conflicts of Interest shall be dealt with in accordance with the Conflicts of Interest Policy and NHS England statutory guidance for managing conflicts of interest.

18.2 The Panel shall have a Conflicts of Interest Register that will be presented as a standing item on the Panel's agenda. In addition, an opportunity to declare any new or relevant declarations of interest will be listed as a standing item on the Panel's agenda

19. Gifts and Hospitality

- 19.1 Gifts and Hospitality shall be dealt with in accordance with the Conflicts of Interest Policy, and NHS England statutory guidance for managing conflicts of interest.
- 19.2 The Panel shall have a Gifts and Hospitality Register and Panel members will have an opportunity to declare any new or relevant declarations of relevant gifts and hospitality as a standing item on the Panel's agenda

20. Standards of Business Conduct

- 20.1 Panel members and any attendees or observers must maintain the highest standards of personal conduct and in this regard must comply with:
 - 20.1.1 The law of England and Wales;
 - 20.1.2 The NHS Constitution;
 - 20.1.3 The Nolan Principles;
 - 20.1.4 The standards of behaviour set out in the CCG's Constitution;
 - 20.1.5 The Standards of Business Conduct Policy;
 - 20.1.6 The Conflicts of Interest Policy
 - 20.1.7 The Counter Fraud, Bribery and Corruption Policy,
 - 20.1.8 Any additional regulations or codes of practice relevant to the Panel.
- 20.2 The Panel will have access to sufficient resources to carry out its duties and Panel members will be provided with appropriate and timely training.

21. Review of Terms of Reference

- 21.1 These Terms of Reference will be reviewed from time to time, reflecting the experience of the Panel in fulfilling its functions and the wider experience of the CCG.
- 21.2 These Terms of Reference will be formally reviewed annually. These Terms of Reference may be approved, varied or amended by the Governing Body.

Date Approved by Governing Body: 18th June 2020.

Date of Next Review: 17th June 2021.

**Schedule 1
List of Members**

The voting members of the Panel are:

Position	Name

Panel Chair:

Position	Name

The standing attendees are:

Position	Name