

LOCAL EQUALITY ADVISORY FORUM (LEAF)

A Staffordshire CCGs Equality & Inclusion Group

Terms of Reference

(1) Introduction and Purpose

Promoting equality and inclusion is at the heart of our values.

We will make sure that we exercise fairness in all that we do and that no community or group is excluded in having a say in the improvements and changes that are under consideration by the Clinical Commissioning Groups (CCGs)

The purpose of the Group is to ensure that the CCG has direct access to the voices of a group of people who represent the protected characteristics as defined in the Equality Act 2010.

(2) Appointment and Membership

The Local Equality Advisory Forum is appointed by the six Staffordshire CCGs from members of the Governing Bodies, staff and members of the public who represent protected characteristics and vulnerable communities.

Chair and Vice Chair

The Chair and Vice Chair shall be appointed by the Forum members and will be CCG Lay Members for Patient and Public Participation (PPI).

Note: in the absence of the Chair, meetings will be chaired by the Vice Chair as nominated and agreed by the Forum. The Vice Chair will not be an executive member of the CCGs.

Membership

The members of the Forum are:

- Representatives of people with protected characteristics and vulnerable communities
- Lay Member
- Clinical representative from the division
- Associate Director of Communication & Engagement – or a nominated deputy
- Equality and Inclusion Business Partner, NHS Midlands and Lancashire CSU
- Administrative support to the Forum will be provided by Corporates Services and may vary depending upon the location of the meeting.

Reimbursement for Expenses

Members of the public will be reimbursed for out of pocket and travel expenses as per the CCG Expenses policy.

A representative of each of the protected groups and vulnerable communities as outlined below:-

The Public Sector Equality Duty 2011 protected Characteristics		
1	Age	By being of a particular age / within a range of ages
2	Sex	Being male or female
3	Disability	A physical or mental impairment which has a substantial and long-term adverse effect on day to day activities. This includes any disability, mental, physical or sensory impairment from birth through the entire course of life.
4	Gender reassignment	Another way of describing a person's transition. To undergo gender reassignment usually means to undergo some sort of medical intervention, but it can also mean changing names, pronouns, dressing differently and living in their self-identified gender.
5	Race	Includes colour, nationality, ethnic origins and national origins
6	Sexual orientation	A person's sexual preference towards people of the same gender, opposite gender or both (lesbian, gay, bisexual – LGB)
7	Religion and belief	A full diversity of religious and belief (and none) affiliations
8	<i>Marriage and civil partnership</i>	<i>This is relevant in relation to <u>employment and vocational training</u>: the CCGs will ensure that this protected group is considered in relation to employment of staff and their training</i>
9	Pregnancy maternity and breastfeeding mothers	If a woman is treated unfavourably because of her pregnancy, pregnancy related illness or related to maternity leave
	Homelessness	Representation from service users who are of no fixed abode will be included
	Asylum Seekers & Refugees	Representation from service users who are of refugee status or seeking asylum will be included
	*Carers	CCGs will also include carers as a group including parent and hidden carers.
	*Military veterans	CCGs will also include scrutiny of military veterans as a group, as if a protected group re consideration of any adverse impacts from healthcare changes
Note: LGB&T can involve people aligning themselves with both individual protected groups i.e. sexual orientation and gender reassignment.		

Note: Carers The Equality Act 2010 includes measures to protect carers of disabled or elderly people from discrimination and harassment. This is sometimes called "discrimination by association". The Equality Act also means that carers cannot be directly discriminated against or harassed by their employer because they are caring for someone who is disabled. The new rights protect carers in situations where they are provided with a poorer service than someone who is not caring for a disabled person, as well as protecting carers where they are discouraged or prevented from using a service because they are caring for a disabled person.

If the Forum determines that input is required from a CCG function or partner organisation, the Forum may invite personnel from that line of service to attend relevant meetings. Other members of management may also be invited to attend meetings.

Quorum

A quorum shall be five members for any meeting and must include a Lay Member, CCG Officer and member of the public.

In the event of difficulty in achieving a quorum, CCGG staff who are not members of the Forum may be co-opted as members for individual meetings, provided the majority of the quorum are full members of the Forum. Single Leadership Team (Exec Team) or Governing Body members who are not members of the Forum may attend meetings where relevant after first liaising with the Forum Chair.

Where the meeting is not quorate the actions taken to mitigate this will be recorded in the minutes,

(3) Voting Rights

The Forum is not a decision making body. Any matters which require formal voting in decision making will be referred to the Communication, Engagement, Equality and Employment Committee (CEEE).

(4) Frequency and Location of Meetings

Meetings shall be held at least six times a year and will rotate in location around the county. There will be a cohort of core members in the north, south and east. Everyone will be invited to attend every meeting notwithstanding the accessibility issues that are acknowledged. Meetings will be rotated to encourage equitable geographic representation.

In the meantime, members of the Forum will be invited to contribute virtually by email.

Where appropriate, meetings will coincide with key dates in the CCG's annual business cycle.

The Chair or the Vice Chair may request an extraordinary meeting if they consider that one is necessary.

(5) Accountability and Delegated Authority

The Forum is authorised by and accountable to the CCG Governing Bodies to investigate any activity within these Terms of Reference and, within its scope of responsibilities as determined by CCG Schemes of Delegation, to seek any information it requires and to ensure the attendance of management representatives at meetings as appropriate.

The Forum has the authority to obtain outside legal or independent professional advice. The advisers may attend meetings as necessary and the cost of the advisers shall be borne by the CCGs collectively (on an equal shares basis).

(6) The Forum's Responsibilities

The responsibilities of the Forum are set out in the Appendix to these Terms.

(7) Reporting Procedures

The confirmed minutes of meetings of the Forum shall be circulated to all members of the Forum and a summary of issues by exception will be provided to the CEEE Committee.

Issues to be escalated shall include:-

- Significant issues that the Forum has considered in relation to its responsibilities and any decisions reached by the Forum (including any areas for formal ratification by the Governing Bodies);
- An explanation of how it has assessed the effectiveness of the Forum's delegated powers decision-making process and the approach taken to these; and
- Any items formally escalated to the Governing Bodies for resolution.

A section of CCG Annual Reports will also describe the work of the Forum in discharging its responsibilities. To enable this, the Forum shall, at least once a year, review its performance, constitution and Terms of Reference to ensure it is operating at maximum effectiveness, recommending any changes it considers necessary to the Governing Bodies for approval. In addition, confirmed minute of the meeting will be provided to individuals seeking the advice of Forum members in order that any feedback received can be used to inform decision making and Forum members will thereafter be kept updated as to the outcome of decision made.

(8) Conflicts of Interest

The provisions of *Managing Conflicts of Interest: Statutory Guidance for CCGs*¹, CCG policy or any successor document will apply at all times.

The Forum shall hold and publish a Register of Interests. This shall record all relevant and material, personal or business interests as set out within the CCG's policy. Each member and attendee of the Forum shall be under a duty to declare any such interests. Any change to these should be notified immediately to the Chair. Failure to disclose an interest, whether intentional or otherwise, will be treated in line with the CCGs' policy and may result in suspension.

Any interest relating to an agenda item should be brought to the attention of the Chair in advance of the meeting, or notified as soon as the interest arises and recorded in the minutes with the actions taken to mitigate this. The Chair (or Vice Chair in their absence or where the Chair is conflicted) will then determine the arrangements for the management of any conflicts that arise in the meeting, and also outside it in consultation (to the extent deemed appropriate) with the CCG Head of Governance and/or CCG Conflicts of Interest Guardian(s).

Date Agreed = mmm-yyyy

¹ <https://www.england.nhs.uk/commissioning/wp-content/uploads/sites/12/2016/06/revsd-coi-guidance-june16.pdf>

APPENDIX

The Responsibilities of the Forum shall be:

To assist the CCGs to meet their statutory duties with respect to the Equality Act 2010 and Public Sector Equality Duty (2011).

Specifically the Forum will:-

- a) Assist the CCGs to meet the three aims of the General Equality Duty:-
 - Eliminate unlawful discrimination, harassment and victimisation
 - Advance equality of opportunity between different groups
 - Foster good relations between different groups.

- b) Assist the CCGs to meet their Public Sector Equality Duty (2011) which applies with respect of all the protected characteristics except that the duties to advance equality and foster good relations do not apply to marriage or civil partnership.

- c) Assist the CCGs to meet their duty to have regard to the need to reduce inequalities in accordance with the Health and Social Care Act 2012.

The Forum will comprise of representatives from protected and vulnerable groups from across Stoke-on-Trent and Staffordshire.

The Forum members will act as 'critical friends' to provide views on the potential impact of CCGs' proposals whilst in the early stage of consideration, such as commissioning intentions, policies and Equality Impact Assessments.

Forum members are invited to:-

- Attend a minimum of two meetings per year
- Provide feedback on proposals, policies and Equality Impact Assessments
- Share and promulgate good practice
- Share and amplify CCG consultations in the wider community
- Provide constructive feedback and actively participate in briefings and discussions

The CCGs will:-

- Provide Forum members with sufficient information to make an informed contribution
- Ensure that all information and meeting venues are accessible
- Encourage sharing of best practice within the group
- Provide feedback on how the Forum's views have been used to influence decision making in a timely manner
- Respect and hear the views of individual members of the group without prejudice