

## Terms of Reference and Operating Arrangements

### The Local Partnership Forum

#### INTRODUCTION

- The BCULHB Local Partnership Forum (LPF) is the formal mechanism through which management and trade unions and professional bodies (hereafter referred to as staff organisations) work together to improve health services for the people of Wales. It is the forum where key stakeholders will engage with each other to inform, debate and seek to agree local priorities on workforce and health service issues.
- All members are full and equal members of the forum and collectively share responsibility for the decisions made. Should any party be in disagreement with decisions taken, a note will be included within the minutes of the meeting.
- The BCU will provide the formal mechanism for consultation, negotiation and communication between the staff organisations and management. The TUC principles of partnership will apply. These principles are attached at Appendix 1.

#### PURPOSE

The purpose of the Local Partnership Forum, hereafter referred to as “the LPF”, is to:

- Consider national developments in NHS Wales workforce and organisational strategy and their implications for the board
- Negotiate on matters subject to local determination
- Ensure staff organisation representatives time off and facilities agreement provides reasonable paid time off to undertake their duties and that they are afforded appropriate facilities using A4C facilities agreement as a minimum standard
- Establish a regular and formal dialogue between the Board’s executive and the trade unions on matters relating to workforce and service issues
- In addition the LPF can establish Local Partnership Forum sub groups to establish ongoing dialogue, communication and consultation on service and operational management issues. Where these sub-groups are developed they must report to the LHB PF as per the cycle of business

## **GENERAL PRINCIPLES**

All members must:

- be prepared to engage with and contribute fully to the Forum's activities and in a manner that upholds the standards of good governance set for the NHS in Wales;
- comply with their terms and conditions of appointment;
- equip themselves to fulfil the breadth of their responsibilities by participating in appropriate personal and organisational development programmes; and
- promote the work of the LPF within the professional discipline he/she represents.

A Code of Conduct is attached as Appendix 2.

## **DELEGATED POWERS AND AUTHORITY**

The Forum will, in respect of its provision of advice to the Board:

- offer advice to the LHB when specifically requested on any aspect of its business
- offer advice and feedback even if not specifically requested by the LHB.

### **Authority**

The LHB may specifically request advice and feedback from the Forum on any aspect of its business, and the Forum may also offer advice and feedback even if not specifically requested by the LHB. The Forum may provide advice to the Board:

- in written advice; and
- in any other form specified by the Board.

### **Sub Groups**

When it is considered appropriate, the Forum can decide to appoint a sub-group, to hold detailed discussion on a particular issue(s). Nominated representatives to sub groups will communicate and report regularly to the LPF.

The subgroups agreed by LPF are:

- Workforce Partnership Group (WPG)
- Working Longer / Sickness Absence Joint Review Group
- Job Evaluation Programme Team (JEP)
- Policies Group

## MEMBERSHIP

- All members of the LPF are full and equal members and share responsibility for the decisions of the LPF.
- Management Representation shall consist of the following postholders:
  - Chief Executive
  - Executive Director of Workforce and OD (or deputy)
  - Executive Director of Nursing and Midwifery (or deputy)
  - Executive Director of Finance (or deputy)
  - Secondary Care Director (or deputy)
  - Area Director (or deputy)
  - Associate Director of Workforce & OD – Human Resources (or deputy)
  - Assistant Director – OD (or deputy)
  - Director of Estates and Facilities (or deputy)
  - Director of Mental Health (or deputy)
- Other Board Level Directors will regularly receive LPF papers and will be required to attend meetings as required, depending upon the nature of business being considered on the agenda.
- All Staff Organisations (Trade Unions and Professional bodies) recognised for the purposes of collective bargaining and representation will be eligible for a seat on the LPF. These are detailed at Appendix 3. The LHB Trade Union Independent Member will be expected to attend the LPF in an ex – officio capacity.
- The formula for determining the number of representatives for each staff organisation will be one representative for up to 500 members, with further representatives for every 500 members thereafter or part thereof.
- The number of representatives from each organisation will be confirmed by the Executive Director of Workforce and OD on the production of membership numbers by the staff organisation involved. Such information should specify the a) one of

the following - role, job title, registered status – registered or unregistered b) work location and c) number of persons.

- Information provided in response to 3.5 above will be held securely by the office of the Executive Director of Workforce and OD and will not be disclosed to other parties.
- In the event of membership numbers not being disclosed as set out in 3.5 above, the staff organisation concerned will be limited to one representative only at meetings of the LPF.
- In the event of any business being concluded by the use of a vote, those present will have proxy voting rights for those not present.
- Staff representatives must be employed by the organisation and accredited by their respective organisations for the purposes of bargaining. If a representative ceases to be employed by the Board or ceases to be a member of a nominating organisation then he/she will automatically cease to be a member of the LPF.
- Members of the Forum who are unable to attend a meeting may send a deputy, providing such deputies are eligible for appointment to the Forum.
- Trade unions will determine through their own mechanisms which reps will attend and reserve the right to change the representative as necessary.
- Full time officers of the Trade Unions may attend meetings subject to prior notification and agreement with the Executive Director of Workforce and OD.

### **Chair, Vice Chair and Officers**

- Representatives of Staff organisations elect a secretariat of Chair, Vice-Chair, Secretary and Assistant Secretary annually. No more than two of these positions will be filled by representatives from a single Trade Union or Professional Organisation.
- The Management, and Staff Organisation Chair will chair the LPF. This will be done on a rotational basis.
- In the absence of the Chair(s) the Vice Chair(s) will act as Chair. The Chairs shall work in partnership with each other and, as appropriate, with the Chairs of the Board's other advisory groups.

- Supported by the Board Secretary, Chairs shall ensure that key and appropriate issues are discussed by the Forum in a timely manner with all the necessary information and advice being made available to members to inform the debate and ultimate resolutions.

### **Secretary**

- Each side of the LPF should appoint/elect its own Joint Secretary. The Management, Trade Union Secretary will be responsible for the preparation of the agendas and minutes of the meetings held, and for obtaining the agreement of the Management and Trade Union Chairs.
- The Executive Director of Workforce & OD will ensure the maintenance of the constitution of the membership, the circulation of agenda and minutes and notification of meetings.

### **In attendance**

- The Board may determine that designated Board members or LHB staff should be in attendance at Advisory Group meetings. The Forum's Chairs may also request the attendance of Board members or LHB staff, subject to the agreement of the LHB Chair.

### **Support to Committee Members**

The Board Secretary, on behalf of the Chairs, will ensure that the Forum is properly equipped to carry out its role by:

- ensuring the provision of governance advice and support to the Forum Chairs on the conduct of its business and its relationship with the LHB and others;
- ensuring that the Forum receives the information it needs on a timely basis; and
- facilitating effective reporting to the Board enabling the Board to gain assurance that the conduct of business within the Forum accords with the governance and operating framework it has set.

## **COMMITTEE MEETINGS**

### **Quorum**

- Every effort will be made by all parties to maintain a stable membership.

- There should be a minimum of 8 management representatives and 8 Trade Union representatives at a meeting for it to be quorate.
- If a meeting is not quorate no decisions can be made but information may be exchanged.
- Where joint chairs agree, an extraordinary meeting may be scheduled within 7 calendar days' notice.
- Consistent attendance and commitment to participate in discussions is essential. Where a member of the Forum does not attend on 3 consecutive occasions, the Joint Secretaries will write to the member and bring the response to the next meeting for further consideration and possible removal.

### **Meeting frequency and arrangements**

- Meetings will be held quarterly but this may be changed to reflect the need of either Trade Unions or management.
- The business of the meeting shall be restricted to matters pertaining to Board Wide strategic issues. Local operational issues should be raised at the Sub Local Partnership Forums and will not be considered unless it is agreed that such issues have LHB wide implication.
- The minutes shall normally be distributed 15 working days after the meeting and no later than 7 days prior to meeting. Items for the agenda and supporting papers should be notified to the Management Secretary as early as possible, and in the event at least two weeks in advance of the meeting.
- A summary of actions will be sent out 14 days after the meeting.
- The LPF has the capacity to co-opt others onto the forum or its sub groups as deemed necessary by agreement.

### **Openness and transparency**

The Board's commitment to openness and transparency in the conduct of all its business extends equally to the work carried out by others to advise it in the conduct of its business. The Board therefore requires, wherever possible, the Forum to hold meetings in public unless there are specific, valid reasons for not doing so.

## **REPORTING AND ASSURANCE ARRANGEMENTS**

The Chairs are responsible for the effective operation of the Forum:

- Chairing meetings;
- Establishing and ensuring adherence to the standards of good governance set for the NHS in Wales, ensuring that all business is conducted in accordance with its agreed operating arrangements; and
- Developing positive and professional relationships amongst the Forum's membership and between the Forum and Betsi Cadwaladr University Health Board, and in particular its Chair, Chief Executive and Directors.

The Chair shall work in close harmony with the Chairs of Betsi Cadwaladr University Health Board other advisory groups, and, supported by the Lead Executive, shall ensure that key and appropriate issues are discussed by the Forum in a timely manner with all the necessary information and advice being made available to members to inform the debate and ultimate resolutions. Where appropriate and within their area of responsibility, the Forum may be requested by the Health Board to review and comment on draft documents prior to formal approval by the Board.

As Chair of the Forum, they are accountable to the Betsi Cadwaladr University Health Board for the conduct of business in accordance with the governance and operating framework set by the Health Board.

## **RELATIONSHIP WITH THE BOARD AND ITS COMMITTEES/GROUPS**

The Forum's main link with the Board is through the Forum Management Chair's membership of the Board.

The forum shall embed the corporate goals and priorities through the conduct of its business and in so doing and transacting its business shall ensure that adequate consideration has been given to the sustainable development principle and in meeting the requirements of the Wellbeing of Future Generation Act.

The Board should determine the arrangements for any joint meetings between the Betsi Cadwaladr University Health Board and the Forum.

The Health Board's Chair should put in place arrangements to meet with the Forum Chairs on a regular basis to discuss the Forum's activities and operation.

Members of the Forum may be invited to attend other Board Committees / Groups at the discretion of the Health Board Chair.

## **APPLICABILITY OF STANDING ORDERS TO COMMITTEE BUSINESS**

The requirements for the conduct of business as set out in the Health Boards Standing Orders are equally applicable to the operation of the Forum, except in the following areas:

- Quorum

## **REVIEW**

These terms of reference and operating arrangements shall be reviewed annually by the Forum with reference to the Board.

## **DATE OF ACCEPTING THE TERMS OF REFERENCE AND APPROVAL**

**Date of approval: 25<sup>th</sup> July 2019**



## **Appendix 1 - Six Principles of Partnership Working**

- a shared commitment to the success of the organisation
- a focus on the quality of working life
- recognition of the legitimate roles of the employer and the trade union
- a commitment by the employer to employment security
- openness on both sides and a willingness by the employer to share information and
- discuss the future plans for the organisation

Adding value – a shared understanding that the partnership is delivering measurable improvements for the employer, the union and employees.

## **Appendix 2 - Code of Conduct**

A code of conduct for meetings sets ground rules for all participants:

- Respect the meeting start time and arrive punctually
- Attend the meeting well-prepared, willing to contribute and with a positive attitude
- Listen actively. Allow others to explain or clarify when necessary
- Observe the requirement that only one person speaks at a time
- Avoid 'put downs' of views or points made by colleagues
- Respect a colleague's point of view
- Avoid using negative behaviours e.g. sarcasm, point-scoring, personalisation
- Try not to react negatively to criticism or take as a personal slight
- Put forward criticism in a positive way
- Be mindful that decisions have to be made and it is not possible to accommodate all
  - individual views
- No 'side-meetings' to take place
- Respect the Chair
- Failure to adhere to the Code of Conduct may result in the suspension or removal of the member

## **Appendix 3**

The following Staff Organisations (Trade Union and Professional Organisations) are recognised as staff organisations for the purposes of the Local Partnership Forum.

- Britain's General Union (GMB)
- British Association of Occupations Therapists
- British Dental Association
- British Dietetic Association
- British Medical Association
- British Orthoptic Society
- Chartered Society of Physiotherapy
- Federation of Clinical Scientists

- Royal College of Midwives
- Royal College of Nursing
- Society of Chiropodists & Podiatrists
- Society of Radiographers
- Unison
- Unite