

LINK STRUCTURE AND GOVERNANCE FRAMEWORK DOCUMENT –
(February 2009)

1. General Principles

The objective of the Essex and Southend Local Involvement Network (LINK) is to ensure that local service providers in health and social care provide the best possible outcomes by giving local people a voice in the provision and commissioning of services.

The LINK can only be truly effective if our policy documents, procedures, work programme and the conduct of staff and volunteers actively promote equality of opportunity, accessibility and are genuinely open to scrutiny. This transparency allows people to judge what we do, how we do it and how well we do it.

The LINK will be flexible in order to respond to changing demands within the community. All major decisions will take place at open public meetings of the LINK group concerned. The host organisation (CEMVO) will call public meetings in response to reasonable requests from members of the public. There should be at least one public meeting per quarter year for each LINK group.

The details of meetings of LINK groups will be published in advance and openly advertised. Minutes will usually be taken by an officer of the host organisation. All agendas, minutes, procedures and decisions will be published.

All voting will be open and public all votes will be counted and recorded. In the case of equality of votes there will be no casting vote, and the status quo will be retained for further consideration. Franchise is by residence of the county of Essex and the Borough of Southend-on-Sea (excluding the Borough of Thurrock) or as a user of health and social care services within those boundaries. To ensure this the names and addresses of participants will be recorded.

The Essex and Southend LINK is open to local individuals, organisations and groups.

The Countywide group and the five locality groups will each have agreed terms of reference which will include in each a code of conduct which will include reference to all participants working in accordance with the Nolan Principles

Code of Conduct. All issue and theme groups will also be required to have brief terms of reference which will also include reference to all participants working in accordance with the Nolan Principles Code of Conduct.

Any changes to this framework document must be approved at a countywide public meeting.

2. Roles & Responsibilities

(a) The Role of the LINK

The Local Involvement Network (LINK) is independent of central government, local government and the NHS and its funding is channelled through an “arms length” Host organisation (CEMVO). The role of a LINK is to:

- encourage and support more people to get involved in shaping local care services; from helping to decide what services should be commissioned, to influencing the way they are run;
- actively canvas every section of the community for their views and experiences of local care services;
- provide the community with a mechanism for monitoring and reviewing local care services and the ability to hold them to account;
- inform those who commission, run and scrutinise local care services, what local people have recommended to help improve services.

(b) The Role of the Host

The Host (CEMVO) will be responsible for the establishment, maintenance and support of the Essex and Southend LINK to carry out the following activities:

- Promoting and supporting the involvement of people in the commissioning, provision and scrutiny of local health and social care services;
- Obtaining the views of people about their needs for, and their experiences of local health and social care services;
- Make these views known to the people responsible for commissioning, providing, managing and scrutinising those services.

(c) The Role of the Local Authority

Each Local Authority (with social services responsibilities) has received funding for LINK activities and is responsible for contracting a “Host” organisation to establish and support a LINK in the Local Authority area. Southend-on-Sea Borough Council and Essex County Council worked collaboratively to procure a Host Organisation.

3. Membership of the Essex and Southend LINK

The Essex and Southend LINK covers all of the provinces of Essex County Council and Southend-on-Sea. You are a member of / participant in the Essex and Southend LINK if you are a citizen of those local authorities or a user of health and social care services within those boundaries. People do not need to “join” the LINK to take part but will be encouraged to register as a member/participant by completing an “Area of Interest” form for monitoring and evaluation purposes.

4. Structure

(a) LINK groups

The Essex and Southend Local Involvement Network (LINK) will be made up of the following groups:

- A Countywide group (incorporating a Countywide co-ordinating group)
- Five Locality groups covering areas coterminous with PCT boundaries
- Issue and Theme groups (e.g. mental health, diabetes)

(b) Countywide group

The Countywide group will work in accordance with the Terms of Reference agreed.

The Countywide group will retain an agreed set share of funding and will oversee the administrative support provided by the Host organisation.

The Countywide group will have a series of functions including:

- Carrying out any LINK activities that could appropriately take place at the Countywide level (e.g. scrutinising the Strategic Health Authority, or Essex County Council and Southend-on-Sea Borough Council Adult Social Care’s determination of priorities and resources for the area)
- Nurturing and supporting the work of the Locality, Theme and Issue groups, including maintaining communication between all LINK groups.
- Taking an overall view of the LINK and facilitating the work of the Locality, Theme and Issue groups where necessary. For example, the Countywide group could suggest that two Locality, Theme or Issue groups might work together on an Issue if both have an interest, although the Countywide group would have no powers to compel the Locality, Theme or Issue groups to do so.
- Setting up Theme and Issue groups on a Countywide basis (excluding Thurrock)

- Promoting regional and national Issues and Themes, where appropriate working with other LINKs and any other relevant organisations

All decisions made by the Countywide group must be taken at a public meeting and in accordance with the general principles outlined above. The Countywide group will meet at least quarterly.

(c) Countywide co-ordinating group

Certain crucial administrative functions have to be carried out by the Countywide group, including:

- monitoring the performance of the Host Organisation in conjunction with Essex CC and Southend BC, utilising input from the Locality, Theme and Issue groups;
- overseeing the auditing of the accounts of the LINK;
- overseeing compilation and submission of the annual report of the work of the LINK to central government, utilising input from the Locality, Theme and Issue groups
- Nurturing and supporting the work of the Countywide, Locality, Theme and Issue groups, including maintaining communication between all LINK groups.
- Taking an overall view of the LINK and facilitating the work of the Countywide, Locality, Theme and Issue groups where necessary.
- Supporting the development and maintenance of the framework of the LINK as a whole.

In order for the Countywide group to carry out these essential administrative functions, it will be necessary to constitute a Countywide co-ordinating group that will meet more often than the full Countywide group meetings open to the whole public.

It should be noted that this co-ordinating group, will not be able to make full and binding decisions. It will only be able to make recommendations (for example on signing off accounts) that will have to be agreed by a full Countywide group meeting open to the whole public. The co-ordinating group has limited delegated authority to make the necessary day to day operational decisions about process but not policy.

The 24th January 2009 countywide public meeting confirmed the existing arrangements for the Countywide co-ordinating group:

- Any Locality groups set up after 24th January 2009 will meet in public as soon as possible thereafter to nominate their representative to the Countywide co-ordinating group (maximum 6 envisaged). The Southeast

Essex Locality Group will have 2 representatives, 1 for the Southend-on Sea Borough Council area and 1 for the Essex County Council area within its locality.

- Any Theme or Issue groups set up on or after 24th January 2009 will meet in public as soon as possible after 24th January to nominate their representatives. Theme groups will be able to appoint one representative of all Theme groups to the Countywide co-ordinating group. Issue groups will be able to appoint one representative of all Issue groups to the Countywide co-ordinating group.
- The Countywide group on the 24th January 2009 will nominate further representatives to the Countywide co-ordinating group to ensure that the co-ordinating group is fully representative of both health and social care interests. Individuals are encouraged to take part in this way. It is envisaged that there would be seven such members.

All of the above representatives will form the Countywide co-ordinating group. It is a working group so for practical, working purposes it should not be too big. It may co-opt a treasurer. It will elect its own chair and vice chair. It requires a quorum of five. Decision making would be on the basis of majority voting. The co-ordinating group will meet to carry out any activities necessary for the LINK and all its groups to be able to get on with their work.

The Countywide group must make provision for 'Executive Action' type decisions that need to be made from day to day in conjunction with the Host. This may involve deputing one person or several persons from the Countywide group or co-ordinating group to be consulted by the Host if an urgent action needs to be completed. All such 'Executive Action' and any decisions that have to be made by anyone from the Host or LINK between public meetings must be reported to the next available public meeting for retrospective ratification and/or subsequent amendment.

(d) Locality Groups

The Locality groups will work in accordance with the agreed Terms of Reference.

Each of the Locality groups will receive a set share of the funding to be decided annually in April by the Countywide group and administrative support will be provided by the Host organisation.

The Locality groups will have responsibility for:

- the use of their funding and administrative support
- the development of their local workplan
- the use of LINK powers to achieve that workplan

The Locality groups will be supported by the Host organisation in:

- maintaining a Locality group presence (through an office, online or by telephone)
- booking rooms and presentation facilities for meetings
- maintaining Locality group websites/pages on the LINK website
- local advertising and publishing of meetings
- carrying out research
- report production and filing
- training members
- paying members expenses

The Locality groups can devolve a share of their funding, administrative support and the use of LINK powers to any local, Theme or Issue group(s) as they consider appropriate.

All decisions made by the Locality groups must be taken in accordance with the general principles outlined above.

(e) Issue and Theme groups

These groups will each draft their own Terms of Reference using a template approved by the Co-ordinating group.

Issue and Theme groups will work on specific subjects (e.g. mental health, diabetes) which have been approved at a public meeting at the LINK

Issue-based groups may be time-limited and project-based.

Theme groups may be more long-standing.

Any member of the LINK can propose the creation of an Issue or Theme group. A decision to create/disband such groups must be approved at a public meeting of the LINK.

The Countywide or Locality groups can choose to devolve their funding, administrative support and use of LINK powers to create or support an Issue or Theme group as they consider appropriate.

Issue and Theme groups will have responsibility for:

- the use of their funding and administrative support
- the development of their own workplan
- the use of LINK powers to achieve that workplan

Issue and Theme groups will be supported by the Host organisation in:

- maintaining a group presence (through an office, online or by telephone)
- booking rooms and presentation facilities for meetings
- maintaining Issue or Theme group websites/pages on the LINK website

- local advertising and publishing of meetings
- carrying out research
- report production and filing
- training members

The Issue and Theme groups can delegate a share of their funding, administrative support and the use of LINK powers to any Countywide, local, or other Theme or Issue group(s) as they consider appropriate.

All decisions made by the Issue and Theme groups must be taken in accordance with the general principles outlined above.

5. Arrangements for terms of office

Independent members of the Countywide Coordinating group appointed at the Countywide public meeting held on 24 January 2009 will be appointed until June 2010.

Locality theme and issue groups will appoint their representatives to the Countywide coordinating group at their first public meeting after the 24 January 2009 and they will be appointed until June 2010.

Any casual vacancies which arise will be filled at the first public meeting of the relevant group after the vacancy occurs.

All groups will hold a public meeting in June each year at which they will present their annual report for the previous year (April 2008-March 2009, April 2009-March 2010, and April 2010-March 2011).

At the public meetings of all relevant groups held in June 2010 the members of the Countywide Coordinating group will be subject to election annually.

6. Allocation of resources

The setup and running costs and support needs of each LINK group must be established by the members/participants and host annually.

Resources will be allocated accordingly so that each LINK group has sufficient money and support from the Host organisation to carry out its activities.

This allocation will be based on the submission by each LINK group of a budget and work plan.

Any decisions on allocation of spending should be taken by the Countywide group at an open public meeting.

The Countywide group should retain a fund to allocate to priorities arising during the course of the year. The size of the fund will be determined at a meeting of the Countywide group.

7. Governance and accountability

Essex County Council and Southend-on-Sea Borough Council as contractors will hold the Host organisation to account. This will be done in conjunction with the Countywide co-ordinating group, which will take soundings from all LINK groups to ensure a fully-rounded picture of the Hosts performance.

The Countywide co-ordinating group is accountable to the wider Countywide group public meetings which will make decisions on any recommendations provided. The Locality, Theme and Issue groups will have representatives on the Countywide co-ordinating group and so will exert accountability in this way.

The Countywide, Locality, Theme and Issue groups are accountable to the public of the local area or those who are interested in the Theme or Issue, any of whom can turn up to the meetings, which must be advertised widely.

Financially the Locality, Theme and Issue groups are accountable to the Countywide group, who will sign off the accounts of the Essex and Southend LINK which have been agreed by the Countywide co-ordinating group.

The Essex and Southend LINK will produce an annual report which will be approved at a meeting in public for the Secretary of State for Health. This report will contain reports for all the locality groups plus issue and theme groups. Each locality group's report will be approved at a meeting in public in the appropriate locality.

8. Training and support

A skills audit will be undertaken annually of the LINK members / participants by a committee set up for the purpose to identify the gaps in their skills and to create a development programme to ensure that members / participants have the necessary skills to fulfil their agreed tasks. A rolling programme of support and training will be provided by the Host. The finance will be agreed annually by the Countywide group.

Definition of terms

LINKs: Local Involvement Networks (LINKs) are networks of local people and groups that will ensure local communities can monitor service provision, influence key decisions and have a stronger voice in the process of commissioning health and social care. LINKs cover the geographical area of Local Authorities that have social services responsibilities.

LINKs have the authority to:

- enter and view specific types of premises where services and care are provided;
- ask for information and expect a response within a specific timescale;
- make recommendations and expect a response within a specific timescale;
- Refer matters to the local Overview and Scrutiny Committee and expect a response.

Essex and Southend LINK Countywide Coordinating Group: This group has a responsibility for overseeing and monitoring the LINK overall including the performance of the Host in conjunction with Essex County Council and Southend Borough Council.

Essex and Southend LINK Countywide Group: This group includes and incorporates everything in the boundaries of Essex County Council and Southend Borough Council

Essex and Southend LINK Issue Group: This group is set up to deal with issues as they arise.

Essex and Southend LINK theme Group: This group deals with a topic or theme as an ongoing concern.

Local Government and Public Involvement in Health Act 2007: The Act received Royal Assent on 30 October 2007. It provides a legislative framework for a number of proposals in the Local Government White Paper 2006. It abolished Patient and Public Involvement Forums and introduced Local Involvement Networks (LINKs) introduced a duty on 'named partners' to cooperate with another in the development and agreement of Local Area Agreements (LAAs), which have been given a statutory basis. The Act also provides powers for Overview and Scrutiny Committees (OSCs) to review and scrutinise the actions of key local public service providers.

Health Overview and Scrutiny Committees (HOSCs): Health Overview and Scrutiny Committees of all local authorities with social services responsibilities have the power to examine health services. This contributes to local authorities'

wider role in health improvement and reducing health inequalities for their area and their populations.

Referral to Overview and Scrutiny Committees (OSC): LINKs can refer matters relating to care services to an OSC. The referral must be in relation to a LINK activity as defined in the Act. The committee must acknowledge receipt and keep the referrer informed of the committee's actions. If it decides to exercise its powers, the OSC must have regard to information it has received from the LINK.

LINK Host : To enhance LINKs independence, each LINK must be hosted by a body other than a Local Authority or an NHS body.

CEMVO: This stands for the Council for Ethnic Minority Voluntary Organisations and CEMVO is the Host of the Essex and Southend LINK.

Essex County: The County includes the following borough and district councils; [Basildon District Council](#) , [Braintree District Council](#) , [Brentwood Borough Council](#), [Castle Point Borough Council](#) , [Chelmsford Borough Council](#) , [Colchester Borough Council](#) , [Epping Forest District Council](#), [Harlow District Council](#), [Maldon District Council](#), [Rochford District Council](#), [Tendring District Council](#), [Uttlesford District Council](#). It also has two unitary authorities: [Southend-on-Sea Borough Council](#) and [Thurrock Council](#).

Thurrock Council: This council has formed its own Thurrock LINK which means that Thurrock is not covered by the Essex and Southend LINK.

Strategic Health Authorities: They manage the NHS locally and are a key link between the Department of Health and the NHS. They hold all local NHS organisations (apart from NHS Foundation Trusts) to account for performance.

Primary Care Trusts: These are free-standing statutory NHS bodies with responsibility for delivering health care and health improvements to their local areas. They commission or directly provide a range of community health services as part of their functions.

NHS Foundation Trusts: These are a new type of NHS organisation, established as independent, not for profit public benefit corporations with accountability to their local communities rather than Central Government control. The Secretary of State for Health has no powers of direction over them. NHS Foundation Trusts remain firmly part of the NHS and exist to provide and develop healthcare services for NHS patients in a way that is consistent with NHS standards and principles - free care, based on need not ability to pay. Clinical activity for private patients is strictly limited.

LINK Annual Report: The annual report must include anything the Secretary of State directs, details of amounts spent by the Host in respect of LINK activity and what the amounts were spent on and details of amounts spent on 'non-networked' activity and what the amounts were spent on.



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