

## Terms of Reference

### Governance Sub-Committee (GovS) reporting to the Area Prescribing Committee

#### Birmingham, Sandwell, Solihull and environs (APC)

<b>Terms of Reference</b>
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- The Terms of Reference outline the Sub-committee's purpose, responsibility, scope, membership, roles and responsibilities, accountability, reporting mechanisms, recording of meeting, frequency of meeting, and quorum.
- These terms of reference will be reviewed annually, or when organisational changes occur.

<b>Purpose of the Sub-Committee</b>
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The purpose of the Governance sub-committee is to make recommendations to the Area Prescribing Committee (APC) where potential conflicts of interest associated with APC decisions have been identified, and to provide assurance to the APC that any such conflicts of interest were appropriately managed throughout the decision making processes. The sub-committee has no executive powers other than those specifically delegated in these Terms of Reference.

<b>Background</b>
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- The Area Prescribing Committee (APC) of Birmingham, Sandwell, Solihull and environs members are Hospital Consultants, GPs, Pharmacists and members who may attend the APC relating to specific agenda items. It is anticipated that situations may arise where a conflict of interest exists for these members. In cases such as these, where members of the decision making body may have a material interest in a decision, there is specific advice in NHS England's Code of Conduct<sup>1</sup>. In essence the advice is to ensure that members, who may have a potential conflict, are excluded from the decision making process. In following this advice it is therefore necessary to implement a mechanism to support in making decisions, and to provide assurance that any conflicts of interest have been identified and managed appropriately.
- The subcommittee will be called upon 2 to 4 times a year, to review the process for decision making where there were evident potential conflicts of interest. Matters can be referred to the sub-committee from the APC, CCG Governing body (Board) and its committees, the executive, actual or potential provider organisations and other stakeholders (including the public), or in response to a specific complaint issue.

- The ABPI code states that pharmaceutical industry members will now provide information relating to remuneration fees for healthcare professionals they have engaged with <http://www.abpi.org.uk/our-work/disclosure/Pages/disclosure.aspx>

### Responsibilities

- To report to the APC on any specific potential conflicts of interest identified in the course of the decision making process.
- Review decision making processes where potential conflict of interest have been identified, provide assurance or recommendation to the APC/Board on handling of such conflicts of interest following the APC Code of Practice Policy.
- Where appropriate ensure the template has been utilised when making decisions in which Consultants, Pharmacists, GPs and all relevant stakeholders have a financial interest.

### Membership

- Lay member of APC is the elected Chair of the sub-committee
- APC Joint Chairs
- APC Secretariat
- In the event of any of the above being unable to attend, a nominated deputy is entitled to attend in their place.
- Other members maybe co-opted at the discretion of the Sub-committee

### Responsibilities of Individual Sub- committee Members

- To ensure that all members of the APC have completed an Annual Declaration of Interest and are given the opportunity to declare prior to each meeting any outside interests, which might have a bearing on their actions, views and involvement in discussions within the committee.
- To ensure that the quality of declaration provides details of the duration of the interest and any relevant benefit.
- To ensure that deputies or representatives attending on behalf of APC members declare interests relating to the agenda items.
- To ensure that any expert advisers and applicants to the formulary (non APC) complete the declaration of interest in detail and that these are added to the register.
- To provide assurance on all Governance issues to the APC in readiness for any challenges.

### Accountability

The sub-committee will:

- Decide whether it is assured that conflict of interest has been addressed appropriately.
  - And if so, decide to go ahead and approve the APC decision and that it has no such bias and forward any relevant information to the APC beforehand.
  - If not, refer back to the Chair of the sub-committee with request for further information on the declaration and forward any objections to the APC with reservations or objections.
- Review decision making processes and scrutinise governance where conflicts of interest exist in new drug applications for the formulary. This will generally be where stakeholders such as consultants, pharmacists, GPs and relevant stakeholders will be advocating a specific new drug decision.

### Recognition and Reporting

- The sub-committee will report to the APC which is accountable to the respective Governing bodies and Boards of the member organisations responsible for commissioning and delivering healthcare for patients across Birmingham, Solihull and Sandwell.

### Quorum

The 2 voting members are the Chair and a Chair of APC.

### Frequency of meetings

- The sub-committee will meet every three to six months, or at a frequency determined by the Chair.
- The chair of the sub-committee may call a meeting at any time, giving a reasonable period of notice.
- In the interests of expediency and by exception, or when there are few items to be discussed, the business for the committee may be conducted by secure email or teleconference.

<b>Declaration of interests</b>
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All members will complete “Declaration of interests “form (See Appendix A) on a regular basis, at least annually. If there are changes to any member’s interests in the interim which may affect any particular APC discussion this must be declared at the time.

**Conduct of the committee will be in-line with:-**

- **NHS Codes of Conduct and Accountability (see separate document)**
- **NHSE Standards of Business Conduct** <https://www.england.nhs.uk/wp-content/uploads/2012/11/stand-bus-cond.pdf>.

Appendix A:

**AREA PRESCRIBING COMMITTEE – Birmingham, Sandwell, Solihull and environs**

**Annual Declaration of Interests for Members of the Area Prescribing Committee**

**Name:**

**Role:**

**Declaration of Interest**

Please detail below any interests in which you are involved as per the Declaration of Interest Procedure. If you have nothing to declare please state this clearly below.

Date / Duration	Details of Interest	Details of any relevant benefit

I confirm that the above declaration is current and undertake to update the committee chair should this alter during the next 12 months.

Print name:

Signed:

Date:

(If preferred members can email the completed form to the APC Secretary from their email registered with the APC Secretary. The email will be taken as the authorised signature).