

# Governance Framework



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**The Hull LINK Governance Framework is a working document which will be continually reviewed, revised and updated. It was adopted by the LINK Interim Steering Group on 26<sup>th</sup> September 2008**

## LINK Steering Group Updates

Appendix 4	14 <sup>th</sup> February 2009 and 25 <sup>th</sup> February 2009
Appendix 5	25 <sup>th</sup> February 2009
Appendix 9	Added December 2008

## **1. Name and Legal Status**

- 1.1 The Hull Local Involvement Network for Health and Social Care (hereinafter referred to as the LINK) brings together voluntary and community groups and individuals to enable them to have a stronger voice in improving health and social care services.
- 1.2 The LINK is an unincorporated association of members holding no assets.
- 1.3 Hull Community and Voluntary Services Ltd (hereafter referred to as Hull CVS) is the host organisation contracted by Hull City Council to provide professional and staff support to the LINK. All financial and other resources used for the purpose of the LINK are held by Hull CVS and subject to its own governance arrangements. The relationship between the LINK and Hull CVS is set out in Appendix 1.

## **2. Purpose of the LINK**

- 2.1 The LINK is established for the benefit of the people of the Kingston upon Hull local authority area to carry out the following activities as defined by Section 221 of the Local Government and Public Involvement in Health Act 2007 as follows:
  - a) promoting, and supporting, the involvement of people in the commissioning, provision and scrutiny of local care services;
  - b) enabling people to monitor the standard of provision of local care services and whether, and how, services could/ought to be improved; and to review for those purposes, the commissioning and provision of local care services;
  - c) obtaining the views of people about their needs for, and their experiences of, local care services; and
  - d) making:
    - i) views such as are mentioned in paragraph c) known, and
    - ii) reports and recommendations about how local care services could or ought to be improved,to persons responsible for commissioning, providing, managing or scrutinising local care services.
- 2.2 There are statutory powers the LINK has which will underpin its work:
  - a) Question commissioners and providers and receive a response within 20 working days.
  - b) Refer issues to Overview and Scrutiny Committees and get a response within 20 working days.
  - c) Enter and view premises where publicly funded care is being provided and to do this the LINK will:
    - i) seek people who would be interested to undertake visiting and develop a pool of trained visitors;
    - ii) put in place a training programme for visiting;

- iii) develop a programme of visiting with reports back to the LINK Steering Group and any other group that would need to know the outcome; and
- iv) report back to relevant providers and commissioners.

2.3 The LINK is also bound by associated statutory instruments as issued by Government under the 2007 Act.

### 3. LINK Membership Categories

3.1 **LINK Members** Link Members will receive information and be invited to attend events, vote on LINK issues and stand/vote for elections to the LINK Steering Group and can be LINK representatives on outside bodies. There will be two categories of Hull LINK membership:

a) **Individual Membership** open to anyone living within the Hull City Council area, or who lives outside the area but uses primary care services within Hull (i.e. a GP, dentist, or optician). In the latter case members will make a signed declaration to this effect on applying to join the LINK.

b) **Voluntary and Community Groups Membership** open to any group based in, or who work in the Hull City Council area. The group will need to inform the LINK manager of its nominated representative. Nominated representatives can vote on LINK issues and will be the main point of contact for information.

Voluntary/Community groups must demonstrate:

- i) they are a voluntary organisation, i.e. that their affairs are managed by, and/or are ultimately accountable to, a group of people for no pecuniary advantage
- ii) that their aims and objectives are broadly charitable to the exclusion of private gain
- iii) the organisation is conducted for the benefit of the public and is active in the community
- iv) the organisation's activities principally benefit people in or around Hull

### 3.2 LINK Associates

- a) Individuals who do not meet the requirements of paragraph 3.1(a) above can become LINK Associates.
- b) Voluntary and community groups who do not meet the requirements of paragraph 3.1 (b) above can become LINK Associates.
- c) Additional people (staff, volunteers, trustees) besides the nominated representative of a voluntary and community group as set out in paragraph 3.1 (b) above can also become LINK Associates.
- d) LINK Associates will receive information and be invited to attend events but cannot vote on LINK issues or stand / vote for elections to the LINK Steering Group or be LINK representatives on external bodies/committees.

### 3.3 **LINK Stakeholders**

Open to representatives of statutory sector agencies, private sector and commercial companies and elected Councillors having an interest in and expressing support for the aims of the LINK. LINK Stakeholders can receive information but will not play an active part in the LINK. They may attend meetings but will have no voting / speaking rights, nor can stand for election to the LINK Steering Group or be approved LINK representatives on external bodies/committees due to conflicts of interest.

### 3.4 **Joint Working with Other LINKs**

Hull LINK will work closely with other LINKs on shared health care services. Any issues arising from shared health care services (e.g. Hull and East Yorkshire Hospitals, Humber Mental Health Trust and the Yorkshire Ambulance Service) should be raised in the first place by individuals or voluntary/community groups with the LINK in which they live/are based.

#### **Membership Decisions**

- 3.5 Membership issues will be resolved by the LINK Steering Group or a delegated sub-group. Membership is free and will be on completion of an application form. Membership will remain indefinite unless the member informs the LINK Manager of their decision to leave, or the LINK Steering Group (or delegated Sub-Group) decides to expel the member as a result of their conduct which renders them unfit to hold LINK membership.
- 3.6 Where membership applications are refused the Steering Group/Sub-Group:
- a) must inform the applicant in writing of the reasons for refusal within 21 days of refusal (this must be if they consider it in the best interest of the LINK to refuse the application);
  - b) must consider any written representations the applicant may make about the decision;
  - c) must notify the applicant in writing of its decision following any written representations which may be subject to an independent appeal under the LINK Complaints Policy (see Appendix 2)
- 3.7 Before a member is expelled by the Steering Group/Sub Group the member will be given 21 days written notice to attend a meeting of the Group/Sub-Group at which it is proposed to expel them and the reasons why expulsion is proposed. The member will be allowed the opportunity to answer complaints against them before a decision is made. The decision will then be confirmed in writing and the member

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can make an independent appeal against the LINK Complaints Policy (see Appendix 2)

- 3.8 A register of members will be kept by Hull CVS and be publicly available for inspection. Personal data on members will be processed by Hull CVS in accordance with the 1998 Data Protection Act.

### **4. LINK Members Forums**

- 4.1 The LINK Steering Group will organise at least four LINK Members Forums in each financial year. The Forums are one of the main ways for LINK members to meet with the LINK Steering Group, volunteers and staff.
- 4.2 Additional forums may be organised by the LINK Steering Group or if requested by at least one tenth of the LINK membership in writing to the LINK Manager.
- 4.3 Forum objectives:
- a) To promote the LINK and encourage engagement in its activities.
  - b) To receive reports from the LINK Steering Group on work they have undertaken, and for members to respond.
  - c) To allow members to hear about specific LINK work priorities and activities (e.g. Enter and View visits; membership of relevant committees; Task and Finish Groups; Sub-Groups)
  - d) To allow LINK members to raise issues and concerns regarding local health and social care services, and to help identify and set priorities for the LINK annual work plan.
  - e) For everyone involved in or interested in the work of the LINK to network.
  - f) To approve amendments to the LINK Governance Framework.
- 4.4 The quorum for a Forum will be 10% of the membership or 20 members whichever is the smaller.
- 4.5 Forums will be held in accessible venues and care will be taken to address any special requirements in line with the LINK Equal Opportunities Policy. (see Appendix 3)
- 4.6 Meetings of the Forum will be chaired by a member of the LINK Steering Group. The Chair will ensure the smooth running of the Forum to the agreed agenda.
- 4.7 Administration of the Forum will be carried out by the LINK host staff team.
- 4.8 Notice of Forums will be at least 21 days in advance in a variety of formats (emails, post, and website).

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- 4.9 Where Forums are required to vote on issues, LINK members (paragraph 3.1) shall have one vote. If there is equality of votes the person who is chairing the meeting shall have a casting vote.
- 4.10 The Steering Group must seek to ensure that every member who wants to take part in a Forum is able to do so, including by submitting postal or electronic ballots giving at least 21 days notice in writing.
- 4.11 An Annual General Meeting (AGM) of the LINK Members will be held each year and shall be held not more than fifteen months after the preceding AGM. The AGM will:
- a) Receive the LINK Annual Report and Accounts for the previous year for approval
  - b) To approve the election results for the LINK Steering Group.

### **5. LINK Steering Group**

- 5.1 The LINK Steering Group, elected annually by the LINK membership, will steer and deliver the LINK annual work programme, supported by Hull CVS. It will work under the guidance of the wider LINK membership and seek to involve and engage as many LINK members as possible in the work of the LINK.
- 5.2 LINK Steering Group responsibilities:
- a) Ensuring the LINK meets its stated aims and objectives and that it is representative of and accountable to the local community.
  - b) Working in partnership with Hull CVS and LINK members to produce and deliver an annual work plan and budget, recognising that there are limited resources and that the LINK cannot take on all the work requested.
  - c) Preparing the LINK annual report and accounts for the AGM as required by the Department of Health.
  - d) Ensure that governance of the LINK complies with the LINK Governance Framework and regulations published by Government.
  - e) Exercise the statutory powers of the LINK.
  - f) Oversee the detailed activities carried out by LINK members including approving: reports produced by LINK Sub-Groups and Task and Finish Groups; reports of Enter and View visits; consultation research; credible reports for service providers; membership of relevant external committees and necessary reports on activities.
  - g) To chair and report on achievements to LINK Members Forums.
- 5.3 The LINK Steering Group will meet at least every 6 weeks. An annual cycle will be agreed each year. Meetings will be held in public.

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### 5.4 Steering Group Membership

- 5.4.1 Steering Group members must be approved members of the LINK. Steering Group members may not appoint substitutes to act on their behalf at Steering Group meetings.
- 5.4.2 The membership of the Steering Group will be 14 members elected at each AGM (to be reviewed after 1 year) comprising:
- a) Up to 7 LINK Individual members
  - b) Up to 7 LINK Voluntary/Community group members
- 5.4.3 The LINK Steering Group will be elected as set out in the LINK Election Procedure. (see Appendix 4) The first election will elect the whole LINK Steering Group. After the first year elections will be held annually with one third of the LINK Steering Group standing down in turn. Lots will be drawn to determine which members should stand down in the first and second years. Members reaching the end of their term on the LINK Steering Group will be able to seek re-election.
- 5.4.4 The Steering Group will have the power to co-opt additional members to fill any vacancies until the next AGM providing the number of co-opted members does not exceed one third of the elected members.
- 5.4.5 A Steering Group member will cease to hold office if he/she:
- a) ceases to be an individual member of the LINK
  - b) ceases to be the nominated representative of a member organisation of the LINK
  - c) gives written notice to the LINK Manager of the intention to resign
  - d) fails to attend three consecutive meetings without good reason
  - e) fails to act in a reasonable manner and abide by relevant governance policies. Expulsion will accord with the procedure set out in paragraph 3.7.

### 5.5 Election of Chair/Vice Chair

- 5.5.1 For the first year the Steering Group will elect a Chair and Vice Chair. In subsequent years the Chair and Vice Chair will be elected at the AGM by the LINK members.

### 5.6 Procedures

- 5.6.1 The quorum for Steering Group meetings will be 6 members - 3 individual members and 3 voluntary/community group members.
- 5.6.2 Decisions should be reached through discussion and reaching a consensus, but in the event that this is not possible, decisions will be made by a majority of those Steering Group members present at a

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quorate meeting. In the event of a tie, the Chair or Vice Chair (if Chair is absent) shall have a casting vote.

- 5.6.3 Items for an agenda may be proposed by any member of the Steering Group to the LINK Manager not later than 14 days before each scheduled meeting. Agendas will be agreed by the LINK Manager and Chair (or Vice Chair). Late items can be added at the Chairs discretion.
- 5.6.4 Administration of the Steering Group will be carried out by the LINK staff team. Papers will be sent out with a weeks notice and be in the public domain. Draft minutes will be in the public domain 7 days after the meeting.
- 5.6.5 Steering Group meetings will be public members. Observers may speak only at the discretion of the Steering Group.

### **6. Task and Finish Groups/Sub-Groups**

- 6.1 The Link Steering Group may establish time limited Task and Finish Groups and more permanent Specialist Sub-Groups to examine and report on LINK issues and priorities.
- 6.2 Task and Finish Groups will focus on specific pieces of work as set out in the LINK work plan (e.g. a specific health or social care service). They will co-ordinate research and produce recommendations to the LINK Steering Group and Forum for approval and submission to external stakeholders. They will allow a wider range of members to participate in the LINK's work based on their specific interests and expertise.
- 6.3 Sub-Groups will focus on ongoing specialist areas of work such as the monitoring of specific NHS Trusts, commissioning issues, or LINK operations issues.
- 6.4 The LINK Steering Group will decide the terms of reference and criteria for membership of Task and Finish Groups and Specialist Sub-Groups taking account of: local specialism and expertise; the issues to be examined; and the local situation regarding health and social care.
- 6.5 The LINK Steering Group will invite expressions of interest from people interested in joining Task and Finish Groups and Sub-Groups. Once that are established, Task and Finish Groups and Sub-Groups may invite further members to join if they feel their skills and experience would benefit the group.
- 6.6 Task and Finish Groups should ideally be chaired by a member of the Steering Group. If this is not possible the Chair will be co-opted to the Steering Group for the life of the Group.
- 6.7 Sub-Groups must be chaired by a member of the Steering Group.

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- 6.8 There is no set number of members for Task and Finish Groups and Sub-Groups. Groups will be encouraged to operate flexibly in order to achieve the best outcome. Groups will be able to decide how they manage themselves in terms of roles within the Group and how the Group operates. If such issues cannot be resolved by the group members they will be referred to the LINK Steering Group for a decision.
- 6.9 Task and Finish Groups and Sub-Groups will agree their work plan and budget with the LINK Steering Group. Support will be available from the LINK staff team. Decisions to exercise any of the LINK statutory powers will require the prior approval of the LINK Steering Group.
- 6.10 Task and Finish Group and Specialist Sub-Group members will be expected to act in a reasonable manner and abide by relevant governance policies such as the LINK Code of Conduct and the LINK Conflicts of Interest Policy. (see Appendices)
- 6.11 The Chairs of Task and Finish Groups and Sub-Groups will report regularly to the LINK Steering Group.
- 6.12 Task and Finish Groups and Sub-Groups will communicate with and report to the wider LINK membership and relevant statutory service commissioners and providers.
- 6.13 The decision to wind-up any Task and Finish Group or Sub-Group which has completed its work will be taken by the LINK Steering Group, after consulting with the Group concerned.
- 6.14 The LINK Steering Group will consult with the Task and Finish Group or Sub-Group which it feels is not operating effectively, or in accordance with its aims, or in the best interests of the LINK, with view to achieving a suitable resolution. Ultimately the LINK Steering Group may decide to wind up a Group, or to exclude a member of a Group, if it feels this is in the best interests of the LINK.

## **7. Relationship with Statutory Agencies**

- a) The LINK Steering Group will meet with representatives from the Local Authority and NHS organisations to discuss forthcoming work planning.
- b) The LINK Steering Group or Sub-Group will meet with the relevant Local Authority or NHS organisation or private providers to discuss the outcome of any piece of work.
- c) Individuals representing the LINK on Trust Boards, Boards of Governors, Overview and Scrutiny Committees or other external committees are to be appointed by the LINK Steering Group (first year to be reviewed) and these individuals will report back to the LINK Steering Group and Forum.

**8. Relationship with Other Agencies**

- a) All other contacts will go through the LINK Manager and then to the Steering Group or Chair.
- b) Only the Chair and Vice Chair, Chairs of Sub-Groups and LINK Manager may speak on behalf of the LINK to outside agencies.
- c) Anyone who speaks to the press or other outside agency on behalf of the LINK may
  - i) only speak on relevant issues agreed by the Steering Group and LINK Manager in advance; and
  - ii) it has been agreed by the LINK Steering Group/LINK Manager that this person can speak to the agency concerned (e.g. where special knowledge or expertise is required)

**9. Alterations to the Governance Framework**

- 9.1 The LINK Steering Group will keep the Framework under review and report amendments to the LINK membership.
- 9.2 Any provision contained in this Framework may be amended by a simple majority of members present and voting at a general meeting of the LINK Forum.
- 9.3 A full review of the Framework will be undertaken at each AGM.

## Appendix 1

### Relationship between Hull LINK and Hull CVS (Host Body)

#### Introduction

1. Hull CVS (Community and Voluntary Services Ltd.) is the host body for Hull LINK. A core aim of Hull CVS is to help the voluntary and community sector to be represented within local decision-making structures.
2. Hull LINK is an unincorporated organisation with statutory powers as set out in Section 2 of the Governance Framework. It is managed by a Steering Group.
3. This protocol sets out the principles which will govern the relationship between the two bodies.

#### Hull CVS Host Body Responsibilities

4. Hull CVS will enter into an agreement with Hull City Council for the funding of Hull LINK. Hull CVS will discharge all duties of the host body within that contract.

#### Hull CVS Specialist and Administrative Support to the Hull Community Network

5. In addition to the duties and responsibilities under the contract with Hull City Council, Hull CVS will provide the following support to the Hull LINK.
  - a. Act as employer and provide day to day management and supervision to the Hull LINK staff team.
  - b. Professional support in the recruitment of LINK staff and administration of the recruitment process, in accordance with Hull CVS policies and procedures. Hull CVS will have a reserved place on any recruitment panel.
  - c. Provide accommodation along with general office equipment (e.g. telephone, fax, E-mail and photocopying etc.)
  - d. Full access to the expertise, knowledge and information held within Hull CVS e.g. Information and Finance Services, Learning Services, Volunteer Centre.
  - e. Provide financial services in line with the budgets agreed annually between the Hull LINK Steering Group and Hull CVS trustees.

#### Hull LINK Steering Group Responsibilities

6. The Hull LINK Steering Group will be responsible for the following:
  - a. Ensuring provision in the annual budgets to:

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- i) Pay all employment costs of staff as agreed.
  - ii) Pay Hull CVS an annual management fee in accordance with the host body duties. This includes financial services.
  - iii) Pay an annual rent for accommodation etc.
  - iv) Pay for all additional/ consumable costs (e.g. photocopying, printing and postage).
- b. Co-operating with the Hull CVS Chief Officer in ensuring compliance with the requirements of the contract with Hull City Council and legal requirements as set by the Department of Health.  
To include:
  - i) Adoption of an Annual Work Plan and submission of quarterly monitoring reports to Hull City Council
  - ii) Preparing and adoption of the LINK Annual Report and Accounts

### **Employment Issues**

7. The Hull LINK staff team are employees of Hull CVS but responsible to the Hull LINK Steering Group for performance and delivery. It is therefore important that both parties recognise this and co-operate effectively
8. The LINK Steering Group should be aware that as employer Hull CVS has a duty and responsibility to comply with all its statutory and legal obligations as employer.
9. Complaints about LINK staff will be dealt with under the Hull CVS complaints procedure.

### **Resolution of Disputes**

10. It is expected that the two parties will work in harmony, however it is possible that situations may arise which create concern and discord. It is therefore necessary to ensure processes are available which will provide a means of affecting an early resolution so that the proper business of the LINK is not inhibited. The following process should be followed:
  - a) The LINK Chair, the Chair of Hull CVS Trustees, along with the Hull CVS Chief Officer and Hull LINK Manager should meet to assess whether the issue can be resolved informally.
  - b) If the issue can not be resolved informally officers from Hull City Council should be asked to provide informal advice/arbitration to the two parties.
  - c) If either party remain aggrieved Hull City Council will be requested to establish, with the agreement of the parties, a panel to investigate the issue.
  - d) Both parties will accept the decision of the panel.

## **Appendix 2**

### **Complaints and Grievance Policy**

#### **Introduction**

1. The LINK is committed to high standards of service and welcomes feedback of all kinds. The LINK is committed to dealing with any complaint in a professional and friendly manner.
2. When any complaint is received LINK staff and volunteers must follow the procedure outlined below. This document will be made available to the complainant to enable them to pursue the complaint.

#### **Hull CVS**

3. If there is a complaint about Hull CVS as LINK host or a member of the Hull CVS LINK staff team this will be dealt with through Hull CVS own complaints procedure available from the Hull CVS Chief Officer.

#### **Hull LINK**

4. If there is a complaint about the LINK, an individual or group the following procedure will apply.

#### **Procedure**

5. Wherever possible the LINK will try to resolve complaints in an informal and amicable manner.

#### **Making a verbal complaint**

6. Anyone who is unhappy with a service from the LINK should speak to the relevant staff member or the LINK Manager to attempt to resolve the issue.

#### **Making a written complaint**

7. Anyone who is unhappy with the response to a verbal complaint, or who has a complaint that they do not wish to raise verbally, should write to the LINK Manager or Chair and it will be considered by the LINK Steering Group in a private part of the meeting. An independent investigation of the complaint will be carried out if required.
8. All written complaints will be logged. Complainants will receive a written acknowledgement within three working days explaining who is dealing with the complaint and what will happen next.
9. The LINK will aim to investigate complaints fully and respond within ten working days. If this is not possible an interim response will be made informing the complainant of action taken to date or being considered.

## Appendix 3

### Equal Opportunities Policy

1. The LINK is a network of people, groups and organisations. A key part of its role is to find out views about health and social care services, particularly those of people and groups that are 'easy to ignore'. The LINK is committed to promoting equality and diversity in all areas of its work.
2. Equality means:

Treating all individuals, groups and communities equally, and not allowing prejudice or discrimination to create barriers founded on, for example (but not exclusively): ethnic or national origin; race; citizenship; nationality; colour; disability; HIV infection; gender (including gender reassignment); religious beliefs; age; sexual orientation; marital status; asylum or refugee status; dependents; rehabilitation of offenders; socio-economic status.
3. Diversity means:
  - Creating an environment that respects, includes and values difference
  - Treating individuals and communities the way they want to be treated
  - Nurturing potential
  - Recognising that we have prejudices and challenging them before we act
  - Taking positive steps to address inequality
  - Proactively working to facilitate involvement of those not already involved
4. The LINK will operate under the following principles:
  - Removing barriers to participation in its work
  - Involving a diverse range of service users, patients and carers in the LINK
  - Building community development approaches into its work
  - Being creative and innovative in the way it reaches out to communities
  - Learning from 'experts by experience' rather than 'representative views'.
5. Positive action will be taken to ensure communities of interest groups and individuals views are sought and they recruited to join the LINK. Contact will be made with key voluntary and community sector organisations representing disability, race, culture, religion, sexuality, age and gender interests for this purpose.

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6. All LINKs communications (website, newsletters, minutes of meetings etc) will be made available on request in the major different languages in Hull and in specialist formats (audio, Braille, easy-read versions).
7. The LINK office is accessible under the Disability Discrimination Act 1995, and all venues used for LINK meetings/events will be checked to ensure they are accessible in terms of the Act. LINK workshops/events will be held in community settings and at flexible times to ensure everyone has an opportunity to participate.
8. An expenses fund will cover costs of travel/childcare to attend LINK events to ensure these factors are not a barrier to involvement.
9. Monitoring of membership/participation in LINK activities by communities of interest groups/individuals will be undertaken and reported to the LINK Steering Group.
10. Registered LINK members should not produce or distribute material or promote views which are racist, sexist, ageist, homophobic or offensive to people due to their disability or ethnic origin.
11. Breaches of this policy will be investigated and may result in expulsion from the LINK.

## Appendix 4

### LINK Elections

#### Introduction

1. This procedure covers elections to the LINK Steering Group and any other elections which may be run by the LINK in the course of its work.
2. Elections will be run by LINK host staff, who will remain impartial throughout the process.
3. The LINK Steering Group will set a timetable for the election process. This will set time limits for receipt of nominations and for receipt of completed ballot papers.

#### Nominations

4. The LINK will invite nominations for candidates for election. This will be done via suitable communication channels such as the LINK website, newsletters and the local press.
5. Nomination packs will be sent to all members of the LINK. The packs will include a nomination form together with information about the role the election relates to (including criteria), a declaration of interests form and the election process.
6. Nominees will be required to complete and return a nomination and declaration of interests form. LINK staff will offer advice with completing nomination forms if requested, but will not complete forms on behalf of nominees.
7. Nominees will be urged to study all papers carefully and to complete all sections of the form. The paperwork will make clear to nominees that the information they provide will not be altered when it is transferred to the voting papers. Nominees will be advised that their personal statement will be sent out with voting papers. Personal statements may be subject to a word limit.
8. Nominees will be urged to ensure that their personal statement relates to the criteria for the role and demonstrates how they meet the criteria.
9. All nominees must be nominated by a current member of the LINK. This can be an individual member or a group member. Nominees will not be able to go forward to the election if they have not been correctly nominated in line with this procedure.
10. Nomination forms will be checked on receipt by LINK staff. Any queries will be raised at the earliest opportunity.

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11. Completed nomination forms must be received at the LINK office by the deadline for nominations.

### **Voting**

12. LINK staff will put together voting packs which include ballot papers, candidates' personal statements and declarations of interests. Individual and group names will appear in alphabetical order. For Groups, the Group name will be highlighted in bold first before the candidate's name
13. Voting packs will be sent out to all LINK members (individual and organisational).
14. Each member may only vote once. Voting packs will state how many candidates members can vote for.
15. To register their vote members will be required to complete and return a ballot registration form along with their ballot paper. This measure is designed to guard against multiple voting. Ballot registration forms will be detached from the ballot papers before votes are counted. Votes which are returned without the ballot registration forms will not be counted.
16. Voting packs will include the deadline by which votes must be returned. Votes which are received after this deadline will not be counted.
17. The LINK will urge organisational members to include people involved in their group when reaching a decision on which candidates to vote for – for example, by discussing the elections at a meeting, or by circulating information among members. However it is for each organisational member to decide how it will exercise its vote.

### **Results**

18. Votes will be counted by LINK staff. An independent observer will verify the count and results.
19. In the event of a tie a recount will be conducted. If the result is still tied LINK staff will arrange to toss a coin to determine the winner. This will be independently witnessed.
20. Candidates will be informed of the results in writing.
21. Election results will be publicised via the LINK website and newsletters and also via events such as LINK Members Forums and AGM.

**Support from the LINK**

22. To help organisational members consult their members on nominations and how to vote, copies of information such as candidates' personal statements and declaration of interests will be available from the Network staff team on request. This information will also be available on the LINK website.
23. Any questions concerning the election process should be addressed to LINK staff.

**Breaches of Procedure**

24. Any alleged breaches of this procedure will be dealt with under the LINK Complaints Policy.

## Appendix 5

### Conflict of Interest Policy

#### Introduction

1. The LINK is committed to good governance and will abide by the seven principles of public life (also known as the Nolan Principles) as defined by the Committee on Standards on Public Life, summarised here:

#### Selflessness

Act only in terms of the public interest, not in order to gain financial or other benefits for self, family or friends.

#### Integrity

Do not be placed under any financial or other obligation to outside individuals or organisations that might seek to influence the performance of official duties.

#### Objectivity

Make decisions on merit and the basis of evidence.

#### Accountability

Be accountable for decisions and actions to the public and submit to whatever scrutiny is appropriate.

#### Openness

Be as open as possible about all decisions and actions. Give reasons for decisions and restrict information only when the wider public interest clearly demands.

#### Honesty

Declare any private interests relating to public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

#### Leadership

Promote these principles by leadership and example.

#### Dealing with Potential Conflicts of Interest

2. In order to ensure fairness and to make the way the LINK is run as transparent as possible, it is important that people and groups governing the LINK should declare any interests in relation to local health and social care services. It is envisaged that not everyone who

## Governance Framework

takes part in LINK activities will declare any interests, only those who play a part in decision making. The Nolan Principles set out above are a general guide to the type of issues to consider.

3. A conflict of interest may arise when someone involved in governing the LINK is involved in discussion or decision making about work which involves actual or potential financial or non-financial gain for them or for an individual or organisation to which they have a connection. The key test is not whether a person thinks they have an interest to declare but whether another LINK member, or member of the public think they have an interest they should declare.
4. This policy relates to LINK meetings and to external meetings attended by people involved on behalf of the LINK.
5. Any person involved in governing the LINK should declare if he or she has a financial or non-financial interest in any activity, project or contract under discussion.
6. Declarations should be made at the start of the meeting or, if this is not possible, at the point when the discussion begins. If a person has an interest in a matter under discussion that creates a real danger of bias they should declare the nature of the interest and withdraw from the meeting, unless they have a dispensation to speak.
7. If a person has any other interest which does not create a real danger of bias, but which might reasonably cause others to think it could influence their decision, they should declare the nature of the interest, but may remain in the room, participate in the discussion, and vote if they wish at the discretion of other members of the meeting.
8. If you are not sure about what to do, please err on the side of caution. Guidance can be provided by the LINK Manager on request if you are unsure about whether or not to make a declaration.
9. If anyone involved in the LINK believes that there are undeclared conflicts of interest, they should raise the matter through the Chair of the relevant meeting and to the LINK Manager.
10. All decisions about conflicts of interest will be recorded in the minutes of meetings, together with an outline of the discussions and the actions agreed to manage the conflicts.
11. Breaches of this policy will be reported to the LINK Steering Group for investigation and action. This may involve annulling any decisions made and possible expulsion of the LINK member concerned.

### **Register of Interests**

12. Any person involved in governing the LINK should declare any interest in relation to local health and social care services to the LINK Manager. This will be entered on a Register of Interests which will be publicly available through the LINK website and regularly updated. Interests which should be declared include:
  - If a person is employed by a local health or social care provider
  - If a person serves on the governing body of a local health or social care provider
  - If a person has a financial interest in a company or business which may benefit from business with a local health or social care provider
13. Candidates standing for elections to the LINK Steering Group or any other position will also be required to complete a declaration of interests form (see Appendix 4) in the interests of transparency.
14. If anyone is unsure about which interests should be entered on the register, please consult with the LINK Manager.

## Appendix 6

### Code of Conduct

1. This code of conduct sets out how participants in the LINK are expected to behave to each other and those they come into contact with as a member of the LINK. It applies to:
  - Members of the LINK
  - LINK Steering Group members
  - LINK volunteers
  - LINK staff
  - Members of LINK Task and Finish Groups/Sub Groups
2. Participants in the LINK must:
  - Treat others with respect
  - Respect equal opportunities, diversity and cultural differences
  - Respect confidentiality
  - Act in the best interests of the LINK and in accordance with LINK policies and procedures
  - Have regard to relevant professional advice (e.g. legal advice or advice regarding financial matters concerning the LINK)
  - Act in accordance with legal requirements
  - Follow the Nolan Principles (principles of public life) see Appendix 5
3. Participants in the LINK must not:
  - Bully or intimidate any person
  - Discriminate against any person or group of people on grounds of race, ethnicity, gender, disability or sexual orientation
  - Act in a manner which could reasonably be regarded as bringing the LINK into disrepute
4. Any breaches of this code of conduct will be referred to the LINK Steering Group for investigation and decision.

## Appendix 7

### Expenses Policy

1. Hull LINK is committed to involving a diverse range of people in its activities and recognises that barriers to involvement must be addressed. It is very important that people involved in the work of Hull LINK do not lose out through incurring costs associated with their involvement. To encourage local people to take part in its activities Hull LINK will repay out of pocket expenses to those who get involved.

#### **Who does this policy apply to?**

2. People who are involved in the work of Hull LINK, whether as an individual or through a voluntary organisation or community group. This includes LINK volunteers, LINK Steering Group members, Task and Finish/Sub Group members and LINK members representing the LINK on relevant committees.

#### **What activities can people involved with the LINK claim reimbursement of out of pocket expenses for?**

3. People involved with Hull LINK can claim reimbursement of out of pocket expenses for:
  - LINK Steering Group meetings
  - LINK Task and Finish Group/Sub Group meetings
  - LINK Forums
  - 'Enter and View' visits undertaken on behalf of Hull LINK
  - Meetings, training sessions and workshops organised by Hull LINK
  - Other 'External' meetings attended as a LINK representative as agreed by the LINK Steering Group. In these cases the representative should seek the agreement of the LINK Manager in advance of incurring expenses relating to these activities.

#### **What out of pocket expenses can be claimed?**

4. Out of pocket expenses eligible for repayment are travel, car parking, subsistence and carers expenses.

#### **Travel**

5. Claimants are expected to use their discretion in determining the most appropriate mode of transport for travel on LINK business taking into account the time spent on the journey, personal safety (particularly when travelling out of office hours), equipment carried, other LINK members accompanied and cost effectiveness.
6. Claimants are required to carry passengers as and when necessary without any additional payment. Claimants should use public transport on all appropriate occasions, unless it is demonstrably impractical.

## Governance Framework

7. Claimants are responsible for arranging suitable insurance cover for their vehicles. Claimants should consult with their insurance company to ensure that they have cover in place whilst travelling to and from relevant meetings.
8. Parking, rail and bus fares should be claimed on an actual basis and **all** receipts must be attached to the claim form. Taxi fares may be claimed where individuals may find it difficult to use any other form of transport (i.e. do not own a car) and when meetings are held on an evening or at times when there is insufficient public transport to meet the individuals needs. Taxis will be booked in advance by the LINK staff team where this is shown to be an issue.
9. Payment of mileage expenses will be at the approved rate.

### **Subsistence**

10. If you are prevented from taking a meal at home or at a place where you would normally take your meal, as a result of an eligible meeting, and as a result you incur expenditure greater than normal, then you may claim the appropriate subsistence allowance. The allowance will not be paid when a suitable meal is provided.
11. If you are working outside of normal working hours as a result of an eligible meeting, you may claim a subsistence allowance as follows:

Before 7am (or leave home before)	Breakfast allowance
After 6.30pm (but before 8.30pm)	Lunch allowance
After 8.30pm	Evening Meal allowance
12. If you are travelling by rail and must by necessity take a meal in a restaurant car, you may claim their actual cost of the standard meal less the cost of alcoholic drinks.
13. Payment of subsistence allowances is subject to the expenditure having actually been made and with receipts been attached to the claim form.
14. Subsistence allowances are the maximum that can be claimed and representatives should be considerate of budget constraints and act in good faith.

### **Carers Expenses**

15. People who are involved with the LINK who have childcare or carer's responsibilities are also able to claim for reasonable out of pocket expenses in connection with these responsibilities. This could include childcare costs or the cost of a personal assistant for the duration of a LINK meeting.

## Governance Framework

16. People wishing to claim carers expenses should clear this in advance with the LINK office. Payment of carers expenses is subject to the expenditure having actually been made and with receipts been attached to the claim form. Payment will be made to registered carers only.
17. Claimants claiming carers expenses should be considerate of budget constraints and act in good faith.

### **Claiming Expenses**

18. Expenses must be claimed on the approved LINK claim forms. Copies of the claim forms are available from the LINK office on request.

### **Benefits and Tax**

19. It is the responsibility of claimants to declare receipt of any relevant repayment of out of pocket expenses to the benefits and/or tax authorities. The general rule for both the benefits and tax systems is that expenses that are 'wholly, exclusively and necessarily incurred in the course of the work' are not considered to be earnings and therefore should not affect benefit entitlement or tax liability. Any queries about this should be taken up with the LINK staff team.

### **Timescale for Submitting Claims**

20. Claimants are responsible for submitting expense claim forms on a regular basis to the relevant LINK Manager. It is recommended that claims are made on a monthly basis. Regular submission will greatly help the LINK in managing its expenses budget.
21. Backdated expenses will only be paid for a maximum of three months from the time the claim is submitted. Expense claims over three months will not normally be reimbursed, unless there are special reasons why a claim was submitted late, such as illness.

### **Meetings or Events outside the City**

22. Meetings and events outside the Hull City Council local authority area, to which a claimant has been invited or wishes to attend, and for which expenses from Hull LINK are requested, must be cleared by the LINK Manager in advance giving at least one weeks notice. Such requests should normally be discussed at a LINK Steering Group which will agree who will attend. Where due to timescales this is not possible this will be approved by the LINK Manager and the LINK Chair/Vice Chair.
23. For such meetings claimants should complete an application form stating why attendance would benefit Hull LINK, and detailing the proposed travel costs and any potential overnight accommodation costs. Copies of the application form are available from the LINK office on request and should be returned promptly to the LINK Manager.

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Claimants should be considerate of budget constraints and act in good faith when making applications. Failure to give at least one weeks notice in returning an application form will mean the request will be refused.

24. Travel allowances for journeys outside of Hull will normally only be paid based on the cost of second-class rail travel and/ or other appropriate public transport costs. Mileage allowances for such journeys will only be paid when the use of public transport is demonstrably impractical or when more than one person is travelling on the same journey and the shared use of a motor vehicle results in an overall economy.
25. Claimants wishing to claim for the cost of overnight hotel accommodation will only be paid if it would be demonstrably impractical for a claimant to travel and return home the same day (e.g. if attending an event a considerable distance from home, or attending a conference over two days).
26. All bookings for travel and overnight accommodation will be made by the LINK staff team with consideration to budget constraints and the maximum rates below. Any bookings by claimants will not be accepted.
27. Attendance at such events and payment of expenses is conditional on the participant producing a written report on the outcomes of the event to share with the LINK Steering Group and wider LINK members.

### **Monitoring and Review**

28. The LINK staff team will monitor the Expenses Policy and budget and regularly report to the LINK Steering Group on its implementation.

### **Breaches of Policy**

29. Any alleged breaches of this policy will be referred to the LINK Steering Group for resolution.

30. **Approved Expenses Rates**

### **Mileage Rates**

The rate of reimbursement for motor cars has been capped by the Inland Revenue at 40p per mile for the first 10,000 in the tax year and 25p per mile over 10,000. Anything paid above this amount is classed as a benefit and is liable to tax and national insurance. Hull CVS trustees agreed to adopt this as a part of an environmental policy in March 2002 in order to discourage fuel guzzling cars. Therefore all car journeys will be reimbursed at 40p per mile subject to a limit as above.

- Motor cycles/electric wheelchairs 24p per mile
- Bicycles/wheelchairs 20p per mile

**Subsistence, meals and accommodation**

These rates allow an amount to be claimed regardless of the amount spent. It is now regarded as good practice to only repay against actual expenditure.

**Meals and accommodation**

Bed and Breakfast	£59.50
Bed and Breakfast London	£80.00
Breakfast taken separately	£6.70
Lunch	£7.20
Evening meal	£16.60

## Appendix 8

### Accountability Statement

#### Introduction

1. The LINK has been established to give the local community a stronger voice in how health and social care services are delivered. The LINK will be accountable to the local community by:
  - Explaining its decisions and actions
  - Being open, honest and free from bias
  - Developing a credible work programme, based on priorities that reflect local needs
  - Encouraging participation
  - Publishing an annual report and accounts
  - Publishing an annual work plan

#### Who is the LINK accountable to?

2. The LINK is accountable to the local population, and accountability to the community is at the core of its work. It is also accountable to the Department of Health, local government and the NHS.

#### How will the LINK demonstrate accountability?

3. Ways the LINK will demonstrate accountability:
  - Publishing decision making procedures
  - Complying with published procedures
  - Publishing a procedure for dealing with breaches of procedures
  - Publishing written statements of decisions and reasons for decisions
  - Publishing a procedure for deciding who may be an authorised representative of the LINK
  - Publishing a list of authorised representatives
  - Providing authorised representatives with written evidence of authorisation
  - Only authorising people who have received a criminal records certificate if a nominated person is satisfied they are suitable
  - Holding meetings in public and papers in the public domain
  - Publishing a register of members interests

#### What decisions will be published?

4. Decisions that will be published relate to:
  - How the LINK will undertake its activities
  - Which care services the activities will relate to
  - The amounts spent on LINK activities

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- Whether information is to be requested from a service provider
- Whether a report or recommendation is to be made
- Which premises are to be visited and when the visit will happen (except for unannounced visits)
- Whether to refer a matter to Health and Social Well-being Overview and Scrutiny Commission
- Whether to report a matter to anyone else

### **What methods will the LINK use to communicate and demonstrate accountability?**

#### 5. Methods the LINK will use to communicate and demonstrate accountability:

- An annual report
- LINK website
- LINK Forums
- LINK newsletters and email updates
- Talks, visits and presentations

These and other methods form part of the LINK Communication Strategy.

## **Appendix 9**

### **Communication and Joint Working Protocol between Kingston Upon Hull City Council Health and Social Well-Being Overview and Scrutiny Commission and the Hull Local Involvement Network**

#### **1. Introduction**

- 1.1 This protocol covers the relationship between the City Council's Health and Social Well-Being Overview and Scrutiny Commission (OSC) and the Hull Local Involvement Network (LINK) Steering Group.
- 1.2 Both bodies are committed to developing effective communication and joint working arrangements in order to best carry out their functions and ensure that the people of Hull receive good quality health and social care services.

#### **2. Legal Framework**

- 2.1 The relationship between the Commission and the LINK is covered by the Local Government and Public Involvement in Health Act 2007 (Section 226) and the Local Involvement Networks Regulations 2008. Both bodies are committed to following all legal requirements.

#### **3. Sharing Workplans, Agendas and Minutes**

- 3.1 The Hull LINK Steering Group and the Commission will share their workplans, meetings and minutes. The Hull LINK Manager and designated Scrutiny Officer will be responsible for facilitating this.

#### **4. Referrals and Requests**

##### **a) LINK to OSC**

- 4.1 In line with legislation Hull LINK can refer issues to OSC and request the Commission to investigate the issue further. The decision to make a referral will be made by the Hull LINK Steering Group. Referrals may be made where the LINK Steering Group feels that the matter is sufficiently serious to warrant attention from the Commission; that the matter is one that falls within the remit of the Commission to investigate; and that making a referral is an appropriate step in the circumstances.
- 4.2 Referrals to the OSC will be made in writing through the Hull LINK Manager on behalf of the LINK Steering Group. The Commission will acknowledge receipt of such referrals within 20 working days. The Commission will decide whether its powers are exercisable in the matter and, if they are, whether they are to be exercised. In exercising

these powers the Commission will take into account any information provided by Hull LINK and keep Hull LINK informed about any actions they take concerning the referral.

### **b) OSC to LINK**

- 4.3 The OSC may make requests to the Hull LINK Steering Group to investigate issues and to support its own investigations. In considering whether to make such a request the Commission will take account of Hull LINK's remit and powers under the legislation. Requests will be made in writing through the designated Scrutiny Officer to the Hull LINK Manager. Hull LINK will acknowledge receipt of requests.
- 4.4 Requests will be considered by Hull LINK Steering Group. In deciding whether to accept the request the Steering Group will consider: the resources available to action the request; and existing commitments under the Hull LINK workplan. Hull LINK will keep the Commission informed of progress about action taken regarding the request.
- 4.5 The Scrutiny Officer will report to the Hull LINK Steering Group in writing annually and verbally quarterly.

## **5. Progress Reports**

- 5.1 Hull LINK will make quarterly reports on its work to the OSC. Reports will be made to the March, June, September and December OSC meetings.
- 5.2 In line with legislation Hull LINK is required to publish its Annual Report and Accounts by 30 June of each year. OSC will receive a copy of the final Annual Report and Accounts and will also be given an opportunity to comment on the draft Annual Report.

## **6. Attendance at Meetings**

- 6.1 Representatives from OSC and the LINK Steering Group may attend each other's meetings as observers. In addition to this representatives may request an opportunity to speak at each other's meetings in respect of any referrals or requests as set out in Section 4. Such matters will be facilitated through the Hull LINK Manager and designated Scrutiny Officer.

## **7. Other Opportunities for Joint Working**

- 7.1 There may be opportunities for joint working between the two bodies such as joint workshops, conferences etc. Such opportunities will be investigated and progressed by the Hull LINK Manager and designated Scrutiny Officer who will report to the Hull LINK Steering Group and the OSC respectively.







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Hull CVS Ltd is the host organisation for the Hull LINK



**Hull CVS**  
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