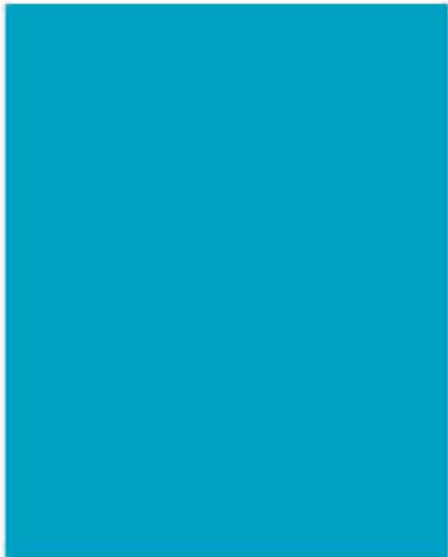


Procurement Controls Committee:
Terms of Reference



Procurement Controls Committee

Terms of Reference

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Medical	Tools
Nursing	Guidance
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Commissioning Development	
Policy	
Human Resources	

Publications Gateway Reference	xx
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1 Constitution

- 1.1 The Board hereby resolves to establish a Committee of the Board to be known as the Procurement Controls Committee. The Committee is a non-executive committee and as such has no delegated authority other than that specified in these Terms of Reference.

2 Delegated Authority

- 2.1 The Committee has the following delegated authority:
- 2.1.1 The authority to require any Officer to attend a meeting and provide information and/or explanation as required by the Committee;
- 2.1.2 The authority to obtain outside legal or other independent professional advice and to secure the attendance of outsiders with relevant experience and expertise if it considers this necessary;
- 2.1.3 The authority to approve expenditure on activities relating to the NHS CB's functions, as set out in the NHS Act 2006 (as amended), and the Health and Social Care Act 2012.

3 Accountability

- 3.1 NHS CB Board

4 Reporting Line

- 4.1 NHS CB Board

5 Objective

- 5.1 To approve expenditure on activities relating to the NHS CB's functions, as set out in the NHS Act 2006 (as amended), and the Health and Social Care Act 2012 utilising, where appropriate, the delegated financial limits set out in the Standing Financial Instructions for members in attendance (the Committee has no delegated budgetary authority of its own).

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6 Duties

- 6.1 The Committee will deliver its Objective by:
 - 6.1.1 Approving business cases for the procurement of goods and services (including professional services);
 - 6.1.2 Reviewing all significant business cases for expenditure prior to their submission to the Department of Health;
 - 6.1.3 Reviewing all assignments which fall within the Office of Government Commerce (OGC) definition of consultancy on a rolling basis every three months and agreeing any proposal to prolong a professional services agreement beyond nine months, before it is submitted for approval by the Minister for the Cabinet Office/Chief secretary to the Treasury; and,
 - 6.1.4 Approving the quarterly forecast of spending to be provided by the NHS CB to the Department of Health.

7 Permanency

- 7.1 The Committee is a permanent Committee.

8 Membership

- 8.1 Members are appointed by the Board.

8.2 Chair

- 8.2.1 Chief Executive

8.3 Other Members

- 8.3.1 Chief Financial Officer
- 8.3.2 National Director: Policy
- 8.3.3 National Director: Human Resources
- 8.3.4 Audit Committee Chair

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8.4 **In Attendance (not members and no voting rights)**

8.4.1 Board Secretary

8.4.2 Secretariat

8.4.3 Director of Financial Control

9 Quorum

9.1 Two members attending in person, via teleconference or via videoconference.

10 Attendance

10.1 Members to aim to attend 100% of meetings.

10.2 Attendance below 50% on a rolling annual basis to be highlighted to the Board.

11 Internal (Executive) Lead

11.1 Chief Financial Officer

12 Secretariat

12.1 Head of Assurance & Procurement

13 Frequency of Meetings

13.1 The Committee will consider the frequency and timing of meetings needed to allow it to discharge all of its responsibilities.

13.2 Under normal circumstances the Committee will meet at least monthly.

14 Papers

14.1 The Secretary to agree the agenda with the Chair and Internal (Executive) Lead.

14.2 Papers to be distributed to members and those in attendance five days in advance of the meeting.

14.3 Papers to be distributed, for information, to:

14.3.1 Director of Strategic Finance

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15 Work Programme

- 15.1 The Committee will prepare a work programme covering at least the 12 months following each meeting, detailing the items expected to be considered at each meeting, grouped under heading aligned with the Duties detailed above.
- 15.2 The Work Programme is to be a living document, updated for each meeting.
- 15.3 Review of the Work Programme is to be a standing agenda item.

16 Openness

- 16.1 The Chair to present a written report to the next Board after each meeting, detailing:
 - 16.1.1 Attendance at the meeting;
 - 16.1.2 The matters considered by the meeting;
 - 16.1.3 The conclusions drawn and/or actions agreed;
 - 16.1.4 The exercise of any delegated authority;
 - 16.1.5 Any matters the meeting specifically wished to draw to the attention of the Board.
- 16.2 The minutes approved at the meeting to be attached to the report for information (redacted in accordance with the Freedom of Information Act as required).

17 Effectiveness

- 17.1 The effectiveness of the Committee in meeting its Terms of Reference will be measured by the preparation of an Annual Report detailing:
 - 17.1.1 Attendance by individual members; and,
 - 17.1.2 The delivery of the Committee Terms of Reference by reference to:
 - 17.1.2.1 The matters considered by the Committee through the year and whether these occurred in line with the Work Programme (detailing why not if not);
 - 17.1.2.2 The conclusions drawn and/or actions agreed;
 - 17.1.2.3 The exercise of any delegated authority in the year; and,

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17.1.2.4 The matters the Committee specifically drew to the attention of the Board during the year.

17.2 The Annual Report to be considered and approved by the Committee at its first meeting in each financial year, covering the preceding financial year.

17.3 The Annual Report to be presented to the next Board meeting after approval by the Committee.

18 Review of Terms of Reference

18.1 These terms of reference to be reviewed annually alongside the preparation of the Annual Report.

18.2 The outcome of that review to be reported as part of the Annual Report, together with any recommendations for amendment.

18.3 These terms of reference will be reviewed more frequently should the need arise.

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