



Final version – Adopted by CMG 9/12/08

THE CONSTITUTION OF TELFORD & WREKIN LINK

1. *Name*

This Local Involvement Network will be known as

Telford & Wrekin LINK (the LINK)

2. *Address and Contact Details*

The address of the LINK shall be via the LINK Host:

Telford & Wrekin LINK

Suite 1 Conwy House

St George's Court

St Georges Road

Donnington

Telford TF2 7BF

Email: telford&wrekinlink@staffs.ac.uk

3. *Vision*

The Telford & Wrekin LINK seeks to ensure that the health and social care services available are of high quality, delivered in appropriate ways and based on a genuine understanding of the local citizens needs, through active public involvement in commissioning, design and delivery of provision.

4. Core Aims

The overarching aim of the LINK is as set out in more detail in Section 221(2) of *the Act* (Local Government and Public Involvement in Health Act 2007). The LINK's core aims are to:

- a. Give everyone the chance to influence **what** health and social care services are provided in their area;
- b. Give everyone the chance to influence and check **how** health and social care services are planned and run;
- c. Engage with other neighbouring LINKs as appropriate;
- d. To market itself and communicate with the people of Telford and Wrekin to ensure a broad representation and engagement.

5. Powers

The powers of the LINK are those conferred by *the Act*, namely to:

- a. Obtain replies to requests for information or to reports and recommendations.
- b. Enter and view premises where publicly funded health and social care is being provided.
- c. Refer issues to Overview and Scrutiny Committees and obtain responses.

6. Relationships with Host

- a. Host activities & operations will be determined by the LINK Work plan and the Contract.
- b. The LINK will actively engage in the Contract Performance Management of the Host through participating in feedback to Telford & Wrekin Council (as Contract Holder).

7. Membership

a. Qualification

- i. Membership of the LINK is open to **all** individuals, organisations and groups having an interest in health and social care services commissioned or delivered in Telford & Wrekin subject to the conditions specified below.
- ii. **Individuals and organisations do not have to be members to get involved.**

b. Individuals:

- i. Applications for membership should be directed to the LINK at the address given on **Section 2** above
- ii. Membership is free of charge
- iii. Membership of the LINK is conditional on conforming to the LINK Code of Conduct and Declaration of Interest procedures.

c. Organisations/Groups:

- i. Applications for membership should be directed to the LINK at the address given on **Section 2** above
- ii. Membership is free of charge
- iii. Organisations commissioning or providing publicly funded health and social care services **can not** be members of the LINK.
- iv. Voluntary and third sector providers may be members subject to conforming to Code of Conduct and Declaration of Interest procedures.
- v. Representatives from groups should not be involved in provider services.

8. Cessation of membership

a. Withdrawing from membership

Voluntary withdrawal of membership must be submitted to the LINK at the address given on **Section 2** above.

b. Removal from membership

Membership may be removed for breach of the Code of Conduct

c. Notice of removal and appeal against removal

Members will be notified of the intention to remove membership, stating the reason for removal. They will be given an opportunity to appeal before the final decision is taken in line with the LINK Appeal procedure.

9. *LINK Organisation: Central Management Group*

a. Role

The Central Management Group will take on the formal role of the '*Decision Making Body*' for the LINK. Its role will include:

- i. Formal Governance and decision making
- ii. Setting the strategic direction and Work plan for the LINK
- iii. Determining representation of the LINK on other bodies

b. Responsibilities

The Central Management Group responsibilities will (subject to legal requirements and this Constitution) include, but not be limited to:

- i. Ensuring the LINK works in a transparent way, and is representative of the broad interests and concerns of the people of Telford & Wrekin.
- ii. Formal Governance of the LINK including amending the Constitution (following Consultation with Members) and forming sub-groups, committees or working groups to deliver the LINK Workplan.
- iii. All operation and delivery of LINK activities, including Setting the Work plan and Budget allocation and monitoring.
- iv. Establishing relevant policies and procedures for the effective operation of the LINK.
- v. Ensuring that the LINK conforms to all statutory requirements and in particular:
 1. developing and publishing procedures for making "*relevant decisions*"
 2. developing a procedure for appointing "*authorised representatives*" and publish the list of those representatives
- vi. Publicising LINK activity and communicating on behalf of the LINK
- vii. Coordination of all sub-group activities and reporting
- viii. Ensuring that the LINK conforms to this Constitution.

- ix. Establishing effective working relationships with all stakeholders (including Host, Commissioners of Health & Social Care services, Providers of publicly funded Health & Social Care Services, Overview & Scrutiny Committee and Regulatory bodies).
- x. Approving training required to ensure the effective contribution of LINK members.
- xi. Maintaining such insurances as are necessary for the protection of the LINK and its members.
- xii. Ensuring Reports & Recommendations are produced and sent to relevant bodies (Commissioners & Providers of Health & Social Care Services, Overview & Scrutiny Committee and Regulatory bodies) and receiving responses.
- xiii. Ensuring that Annual Reports and Accounts are produced, approved and distributed as appropriate.
- xiv. Making arrangements for necessary meetings, including the Annual General Meeting (AGM).

c. Constituency

- i. The Central Management Group will have a maximum of **16** members.
- ii. Should insufficient numbers of members stand for election then the Elected Group members can co-opt up to **three** LINK members based on expertise and ability to represent a breadth of views from the Telford & Wrekin public.
- iii. The Central Management Group needs a **third** of the members to be present to be quorate.
- iv. Elected members of the Central Management Group hold office for an initial period of **two years**, and by annual re-election thereafter.
- v. Co-opted members of the Central Management Group hold office for a period of **one year**.
- vi. The members of the Central Management Group will select a Chair and Vice Chair. Meetings of the Central Management Group will be chaired by the chair and in the chair's absence by the vice-chair. In the absence of both the Central Management Group will elect a chair for the meeting from among those present.

- vii. The Central Management Group will meet a minimum of six times per year.
- viii. If a member of the Central Management Group fails to attend three successive meetings without due cause the Central Management Group may seek the election of a replacement from amongst the LINK membership.

10. LINK Organisation: Sub-Committees/Working Groups

- a. Each Sub-Group should have at least one member of the Central Management Group as a member
- b. Other members will be determined by the Central Management Group and be drawn from volunteers from LINK membership, co-opted LINK members, and non-LINK members providing specialist knowledge or expertise.
- c. Sub-groups will meet under terms of reference set by the Central Management Group.

11. LINK Organisation: Annual General Meetings

- a. The Annual General Meeting (AGM) will be held in May, the main business will be:
 - i. To elect members
 - ii. To report on the previous year's activity;
 - iii. Formal approval of the Annual Report (and Accounts) to be submitted under the terms of *the Act*.
 - iv. Approve the Work plan for the coming year
- b. The business of the AGM will be conducted according to Rules made by the Central Management Group.

12. LINK Organisation: Extraordinary General Meeting

- a. An Extraordinary General Meeting (EGM) of LINK members can either be called by the Central Management Group or if ten percent or 30 members (whichever is the greater number) of the membership is in agreement.
- b. The business of the EGM will be conducted according to Rules made by the Central Management Group.

13. Reporting and Publishing Documents

- a. The LINK Annual Report will be made available to all LINK members, as required by *the Act*.
- b. All other documents and decisions of the LINK will be published subject to confidentiality and data Protection.

14. Complaints

- a. There will be one published process for handling all complaints in connection with the LINK (complaints regarding LINK activity and complaints against LINK members).
- b. Complaints need to be made in writing according to the Complaints Procedure.
- c. Any decision regarding complaints may be appealed against under the LINK Appeals Procedure.

Glossary

This Constitution interprets the following terms as described below:

“the Act” means the Local Government and Public Involvement in Health Act 2007

“Decision Making Body” means the body within the LINK that has authority from its members to make decisions on their behalf.

“Authorized representatives” means people appointed by the LINK to carry out its “enter and view” function or to attend committee/meetings on its behalf.

Health and Social Care Services means:

- a. Any services provided or funded by the Department of Health or National Health Service in England
- b. Any services provided or funded through the social services functions of a local authority

The Host is an organization that the Borough Council is required to appoint to facilitate the operation of the LINK.

“relevant decisions” means any of eight types of decision made by the LINK listed in regulation 2(2) of The Local Involvement Network Regulations 2008.