

Delegation

- 1 In accordance with its powers under section 14Z3 and 14Z4 of the National Health Service Act 2006 (as amended) (“NHS Act”) Dorset CCG (“the CCG”) has approved the establishment of the Ambulance Joint Commissioning Committee (“AJCC”) and has delegated the exercise of the functions specified in this Delegation to the AJCC.

Delegation Functions

- 2 The following commissioning functions (known as the Delegated Functions) are hereby delegated to the AJCC:
 - 2.1 all commissioning functions associated with the commissioning of emergency ambulance services as an integral part of the urgent and emergency care system according to national requirements and standards;
 - 2.2 developing and agreeing a shared vision and understanding of emergency ambulance commissioning, working with colleagues within the urgent and emergency care system to do so and ensuring that the vision supports alignment and integration of services;
 - 2.3 negotiating and agreeing a contract that delivers national performance, clinical and quality standards, incorporating any known challenges and improvement plans into the contract;
 - 2.4 the award and entering into of contracts for the provision of emergency ambulance services;
 - 2.5 performance managing the contract against agreed standards and key performance indicators, including agreed quality standards, observance of service specifications and monitoring of activity and finance;
 - 2.6 all decision-making in respect of variations to the contract in accordance with national policy, service user needs and clinical developments;
 - 2.7 all decision-making in respect of financial adjustments or sanctions resulting from provider breach of the contract;
 - 2.8 ensuring that the ambulance service is clear on, and has plans to meet, their contractual, performance, quality, transformational and financial objectives and critical infrastructure resilience and interoperability. This includes but is not limited to all decision-making in relation to planned investments by the ambulance service;
 - 2.9 managing the ambulance service’s performance against the plans referred to in 2.8 above and being assured of performance;
 - 2.10 supporting and challenging the ambulance service and holding it to account for planning guidance deliverables;
 - 2.11 being assured of the ambulance service’s level of emergency preparedness;

- 2.12 all decision making relating to the termination of the contract, or any part of it, in accordance with the terms of that contract;
 - 2.13 if necessary, responding to informal or formal legal challenges brought in connection with the commissioned services;
 - 2.14 ensuring compliance with all relevant statutory duties as they apply to the CCGs including, but not limited to, those relating to equality (under the Equality Act 2010 and specifically including the public sector equality duty under s 149 of that Act); health inequality (section 14T of the NHS Act); patient and public involvement (section 14Z2 of the NHS Act); improvement in quality of services (section 14R of the NHS Act); and integration (section 14Z1 of the NHS Act); and
 - 2.15 such other related commissioning functions as need to be exercised by the AJCC in order to lawfully complete the procurement and contracting process for emergency ambulance services and for managing and assuring the services in accordance with the terms of that contract.
- 3 Even though the exercise of the functions passes to the AJCC, the liability for the exercise of any of its functions remains with the CCG.
 - 4 In exercising its delegated functions the AJCC must comply with the statutory duties set out in the NHS Act and/or any directions made by NHS England or by the Secretary of State, and must enable and assist the CCG to meet its corresponding duties.

Commencement

- 5 This Delegation, and any terms and conditions associated with the Delegation, including the terms of reference for the AJCC take effect from [1 February 2020].

Exercise of delegated authority

- 6 The AJCC must exercise its delegated functions in accordance with its terms of reference.
- 7 The decisions of the AJCC shall be binding on the CCG.

Accountability

- 8 The CCG must continue to comply with its statutory duties, including those relating to finance under sections 223H and 223I of the NHS Act and those relating to equality / inequalities under the Equality Act 2010 and the NHS Act, in particular section 14T.
- 9 The CCG will comply with the reporting and audit requirements set out in the NHS Act.
- 10 The CCG may, at its discretion, waive non-compliance with the terms of the Delegation.

- 11 The CCG may, at its discretion, ratify any decision made by the AJCC that is outside the scope of this Delegation and which it is not authorised to make. Such ratification will take the form of the CCG considering the issue and decision made by the AJCC and then making its own decision. This ratification process will then make the said decision one which the CCG has made. In any event ratification shall not extend to those actions or decisions that are of themselves not capable of being delegated by the CCG to the AJCC.

Variation, Revocation and Termination

- 12 The CCG may vary this Delegation at any time, including by revoking the existing Delegation and re-issuing by way of an amended Delegation.
- 13 This Delegation may be revoked by the CCG on giving six months' written notice to the other CCG members of the AJCC, with new arrangements starting from the beginning of the next new financial year.

Signed by:

Date:

Appendix 1: AJCC Terms of Reference

[Separately enclosed as Appendix 2]