

NATIONAL INSTITUTE FOR HEALTH AND CARE EXCELLENCE

NICE Local Government External Reference Group within the Centre for Public Health (CPH)

Terms of Reference and Standing Orders

Terms of reference

General

1. The Local Government External Reference Group (LGRG) will operate as a standing reference group of the Board of NICE.
2. The LGRG will advise NICE on the content, format and appropriateness of the individual public health briefings and other public health advice products, and check consistency and quality across all products.
3. The LGRG will support and inform the development of strong relationships between NICE and local authorities and local government networks.
4. The LGRG will support the development of new processes and methods for the development of public health briefings and advice products, including the identification and assessment of good practice.
5. The LGRG will contribute to the development of a corporate communications strategy with local authorities and local government networks on public health issues.
6. The LGRG will not extend the briefing, by including new ideas, opinions and evidence beyond that used to develop the guidance.
7. The LGRG will submit its advice to the NICE Guidance Executive which will act under delegated powers of the Board in considering and approving its recommendations.

Membership

8. The membership will be appointed by NICE and shall reflect both the spread of interests and expertise required for the business of the LGRG and the Institute's values of equality and diversity.
9. The LGRG will normally have sixteen voting members including the chair. However, the number may vary, depending on the needs of the LGRG.
10. The membership will be drawn from councillors, officers, public health and social care and other specialists and community members

Standing Orders

General

11. These standing orders (“the SOs”) describe the procedural rules for managing the LGRG’s work as agreed by NICE. The LGRG will operate as a reference group to NICE. Nothing of these standing orders shall limit compliance with NICE’s Standing Orders so far as they are applicable to this committee.
12. The appointment of reference groups is at the sole discretion of NICE’s Board subject to any direction as may be given by the Secretary of State.
13. Members of the LGRG shall be bound by these standing orders and will be expected to abide by the seven principles for the conduct of public life as recommended by the Nolan Committee which are:
 - selflessness
 - integrity
 - objectivity
 - accountability
 - openness
 - honesty
 - leadership
14. Other members who may be co-opted from time to time at the discretion of the LGRG shall be subject to the same principles
15. The chair and members of the LGRG will be appointed in accordance with NICE’s recruitment to advisory committee’s policy.
16. The chair and members of the LGRG will be appointed for a period of 3 years in the first instance. This may be extended by mutual agreement for a further period of up to 3 years and up to a maximum of 10 years.
17. Where a LGRG member is appointed chair of the LGRG of which they are a member, it will count as a new appointment.
18. The removal or substitution of members and the general constitution of the advisory body shall be at the discretion of NICE in accordance with its published procedures.
19. All reasonable facilities shall be provided for members to ensure they have the opportunity to participate fully and equitably in the business of the LGRG.

Interpretation

20. During the course of the meeting, the chair of the LGRG shall be the final authority on the interpretation of standing orders on which s/he may be advised by NICE.
21. Statements of LGRG members made at meetings shall be relevant to the matter under discussion at the time and the decision of the chair on questions of order, relevancy, and interpretation (including conflicts of interest) shall be final.

LGRG chair and vice chair

22. Meetings will be conducted by the chair or in his/her absence the vice chair.
23. The vice chair will be appointed by the LGRG chair, the Centre Director (or an appointed deputy) and non-executive director. The vice chairs' appointment will be for a period of 3 years in the first instance, renewable for a further period, of no more than 3 years, to a maximum of 10 years.
24. Where a LGRG member has been promoted from within the LGRG to vice chair, the new term will count against the 10 year total. For example, if a member serves one 3 year term and is then promoted to vice chair for another 3 year term, this will be regarded as having served 6 years as a member of the LGRG.
25. The chair or the vice chair in the chair's absence, may take action on behalf of the LGRG outside of the scheduled committee cycle when urgent decisions are required and it is impracticable to convene a special meeting of the LGRG.
26. On the occasion(s) where the chair or the vice chair are absent, another member of the LGRG can be used as proxy to fulfil the role. The proxy vice chair of the meeting will be appointed by the Centre Director or an appointed deputy and the chair of the meeting.

Voting

27. The decisions of the LGRG will normally be arrived at by a consensus of those members present. Voting will only be used for decision making in exceptional circumstances. Before a decision to move to a vote is made, the chair will, in all cases, consider whether continuing the discussion at a subsequent meeting is likely to lead to consensus.
28. Voting will be anonymous and decisions determined by a simple majority of those members present at the meeting.
29. The chair of the meeting will be included in the vote and in the event of

there being an equality of votes the chair will have a second, casting vote.

30. Only those present at the meeting will be eligible to vote. There will be no proxy voting.

Collective responsibility

31. All members of the LGRG shall abide by the principle of collective responsibility, stand by the recommendations of the LGRG and not speak against them in public.

Confidentiality

32. On appointment, LGRG members will be required to sign a confidentiality agreement with NICE relating to any information designated confidential by NICE such as academic or commercial in confidence material or sensitive personal data.
33. Confidential papers and confidential information disclosed in LGRG deliberations should not be discussed with colleagues who are not members of the LGRG, other organisations, the media or members of the LGRG who are conflicted for the topic.
34. Observers invited by the LGRG will sign a confidentiality agreement in advance and be subject to the same confidentiality regulations as LGRG members.

Arrangements for meetings

35. NICE will ensure that LGRG meetings will take place in venues that are accessible to persons with disabilities.
36. Meetings of the LGRG shall be held at such times and places as NICE may determine to facilitate the conduct of its business but will normally meet once every 8 weeks in Manchester, other than in the month of August when the LGRG do not meet, unless otherwise stated.
37. NICE shall determine what matters shall appear on every agenda in advance of each meeting.
38. No other business shall be discussed at the meeting save at the discretion of the chair.
39. Where considered necessary because of the confidential nature of the business to be transacted, the agenda will be divided into two parts. Part 1 will be open to the public and part 2 will be closed to the public to enable the LGRG to discuss confidential information whereupon SO [document reference 46] will apply.

40. Only members of the LGRG and NICE staff and observers invited by NICE will be present for part 2 of the meeting.
41. At least 20 working days before each meeting of the LGRG, a public notice of the time and place of the meeting, along with the public part of the agenda, shall be displayed on NICE's website. The final agenda will be displayed on the NICE website at least 5 working days before the meeting.
42. Meetings will normally commence at 10.00 and finish at approx. 16.00 unless otherwise advised.
43. Members will be expected to attend for the full day unless agreed in advance with the chair or where they have declared a conflict of interest to one or more relevant discussions.
44. The NICE project team will make all reasonable attempts to agree each meeting date in advance and members are expected to keep these dates free until they are released.

Admission of members of the public

45. The public and representatives of the press shall be afforded facilities to observe all formal meetings of the LGRG for part 1 of the agenda but shall not be entitled to ask questions or otherwise engage in the business of the LGRG.
46. The public and representatives of the press shall be excluded from part 2 of the LGRG meeting upon the chair moving the following motion:

“That representatives of the press and other members of the public be excluded from the remainder of this meeting having regard to the confidential nature of the business to be transacted, publicity in which would be prejudicial to the public interest” [section 1(2) Public Bodies (Admissions to Meetings) Act 1960].

47. Notwithstanding the above, the chair will have the discretion to adjourn the meeting at any time if the presence of the public or representatives of the press are considered prejudicial to the effective conduct of the business of the meeting upon moving the following motion:

“That in the interests of public order the meeting adjourn for (the period to be specified by the chair) to enable the Committee to complete business without the presence of the public” [section 1(8) Public Bodies (Admission to Meetings) Act 1960].

Minutes

48. The draft minutes of the LGRG proceedings shall be drawn up and submitted to the next meeting for approval.
49. The approved minutes will be published on NICE's website subject to the

redaction of any confidential or otherwise exempt material within 20 working days of the meeting.

Declarations of Interest

- 50. All LGRG members must make an annual declaration of interests in accordance with NICE's Code of Practice on the Declaration of Interests.
- 51. All members must make a declaration of any potential conflicts of interest that may require their withdrawal in advance of each meeting. This declaration will be reaffirmed again at the start of each meeting. Declarations of interest will be recorded in the minutes and published on the NICE website.
- 52. During the course of the meeting if a conflict of interest arises with matters under consideration the member concerned must withdraw from the meeting, or part thereof, as appropriate.

Suspension of standing orders

- 53. Except where this would contravene any statutory provision, any one or more of the standing orders may be suspended at any meeting providing a simple majority of those present and eligible to participate, vote in favour of the suspension.
- 54. Any decision to suspend standing orders shall be recorded in the minutes of the meeting.
- 55. No formal business may be transacted while standing orders are suspended.
- 56. NICE's Audit Committee shall review all decisions to suspend standing orders.

Petitions

- 57. Petitions from the public will not be received directly by the LGRG. Anyone wishing to present a petition will be directed to the NICE project team.

Recording of meetings

- 58. The recording of proceedings or the taking of pictures at LGRG meetings is not allowed.

Terms of reference

- 59. LGRG members must comply with the terms of reference which set out the scope of the LGRG's work and its authority.

Record of attendance

60. A record will be kept of members' attendance at LGRG meetings via the minutes

61. Members are expected:

- to attend at least 75% of their LGRG's meetings during a 12-month period.
- not to miss more than 2 consecutive LGRG meetings.

Members who are unable to meet either of these expectations may be asked to stand down from the LGRG in accordance with SO [document reference number].

Review of terms of reference and standing orders

62. These terms of reference and standing orders will be reviewed every 3 years.

Date: April 2013

Review date: April 2016