**Out of Area Treatments Panel for Children and Young People**

**Terms of Reference**

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| 1. **Background**   The NHS exists to serve the needs of all its patients, but also has a statutory duty financially to break even (National Health Service Act 2012). Clinical Commissioning Groups (CCG’S) have a responsibility to uphold the pledges of the NHS constitution, to provide health benefit for the whole population, and to commission appropriate care to meet the clinical needs of individual patients. The CCGs receive a fixed budget from central Government with which to commission the healthcare required by its population. Commissioned services include those provided through primary, secondary, and tertiary care NHS providers, the independent sector, voluntary agencies, and independent NHS contractors in house service providers. The commissioning process, by its very nature, focuses on cohorts of patients with the more common clinical conditions. It cannot meet every healthcare need of all patients in any one clinical group; or address the specific needs of patients with less common clinical conditions. The fact that the CCG is not meeting a healthcare need due to resource constraints is an inevitable fact of life in the NHS and not indicate that the CCG is breaching its statutory obligations.  The CCG is required to have a process for funding consideration for individuals who seek NHS commissioned services outside established commissioning policies. The CCG is anticipated to transfer to an Integrated Care Board (ICB) on 01st July 2022. From this point on the CCG will be referred to as the ICB in this document.  At present the Out of Area Treatment (OATS) Panel allocates resources where commissioning in an already existing service is not in place or where identified gaps in commissioning are identified. Currently individual Children and Young People’s (CYP) cases are presented to the existing panel for funding consideration. There has been an increasing number of CYP cases presented to the existing panel which are due to an unmet need or an uncommissioned need. The existing panel can signpost CYP cases to services where it is suitable. However, the current panel agrees that it would be more appropriate for CYP cases to be presented to a bespoke CYP OAT’s panel comprising of professionals with a CYP background. |

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| 1. **Vision**   The CYP Out of Area Treatment Panel’s vision for the local area is for children and young people to be safe, happy and healthy, to have a good quality of life and opportunities to achieve their aspirations, to develop their independence and make a positive contribution to society.  The CYP OATS Panel will contribute by ensuring that CYP cases presented to Panel will be reviewed in an appropriate timeframe and consider what health interventions are known to have the best outcomes for the circumstances of the child who has been assessed as being in need. |

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| 1. **Purpose of the Panel**   The CYP OATs Panel will consider individual requests for funding where a service, intervention or treatment falls outside existing service agreements. It is anticipated that the requests will be submitted due to an unmet need or due to an uncommissioned service. The Panel will also oversee and monitor the type and nature of the requests with a view to identifying themes and making recommendations for planning to address those service gaps in Lincolnshire. |

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| 1. **Responsibilities of the Panel**   The CPY OAT’s Panel will secure a high standard of treatments or placements for CYP whose applications for funding are being considered by paying particular attention to:   * Careful and collective consideration of cases * Accessing expertise, knowledge, and experience to source appropriate placements * Ensuring a high quality and standard of placements utilising previous knowledge related to a specific placement (Quality, outcomes, patient satisfaction and assurance), in accordance with CQC guidelines and governance accredited tools and outcomes. * To share expertise and knowledge with a range of professionals * To develop integrated care pathways for patients and to facilitate collaborative interaction between practitioners, clinicians and specialists throughout both Health and Social Care. * To consider financial and cost-effective measures when placing patients out of area or within specialist care provision * Identify those themes and make recommendations for planning to meet those service gaps in Lincolnshire |

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| 1. **Functions of the Panel**   The CYP OAT’s Panel will collectively oversee and consider individual funding application requests for out of area treatment funding paying particular attention to:   * Collective discussion and decision making relating to CYP cases based upon unmet need or uncommissioned need. * Sourcing a provider if clinically appropriate and commission a package of care. * Identifying themes of applications. * Utilising information acquired via assessing themes/trends in applications, make recommendations for planning to address those service gaps in Lincolnshire. |

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| 1. **Membership of the Panel**   The CYP OATS Panel will be chaired by one of Lincolnshire ICB’s Operational Commissioning Team or Head of Commissioning (LICB). If unable to attend a nominated deputy will chair the meeting. Other members will be admitted to the group subject to approval by the chair. In instances where members are unable to attend a meeting, they will send a suitable representative who will be able to make decisions on their behalf.  The panel will be supported by representation from:   * Designated Clinical Officer for CYP with (SEND LICB) * Children Services SEN Manager (Lincolnshire County Council) * CAMHS Mental Health Practitioner (LPFT) * Representative from Therapies (LCHS) * Community Paediatric Consultant Representative (ULHT) * Administrator (LICB) |

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| 1. **Panel Quoracy**   The panel shall be deemed quorate if the following are present:   * Chair or Deputy Chair (Head of Operational Commissioning Team or Operational Commissioning Manager) * 4 named members of the group, which must include two representatives from both ICB and LPFT (Service Managers) * Administration Support |

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| 1. **Declaration of Interests**   All members of the panel are responsible for declaration of interests at the beginning of each meeting. |

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| 1. **Administration**   The CYP OOAT’s Panel agree that:   * The agenda for each meeting will be circulated / uploaded to the O drive 4 days in advance of the meeting. * The minutes for each meeting will be circulated / uploaded to the O drive 4 days after panel. * All actions will be uploaded to the O drive on the day of panel if possible and if not on the next working day. * All outcome letters are to be sent out within 5 working days of the panel. * To develop systems, processes and working relationships to ensure quality monitoring is robust, shared where appropriate and consistent, and avoids where possible duplication of work. |

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| 1. **Minutes and agreed actions:**   The CYP OAT’s panel agree that:   * Agreed actions and a brief summary of the meeting will be undertaken at each meeting on the appropriate spreadsheet and agreed on the day * The minutes will capture a brief summary of the discussion but will detail agreed action, who is responsible for the agreed action and when by. |

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| 1. **Accountability**   The CYP OAT’s panel is responsible to the following authorities:   * NHS Lincolnshire ICB * Lincolnshire Partnership Foundation Trust * Lincolnshire County Council * LCHS * ULHT |

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| 1. **Governance Arrangements**   Each organisation will be responsible for key quality and safety issues, actions and progress through their respective governance structures.   * All members of the panel are responsible for providing feedback to relevant parties, using the most appropriate communication processes. * All members of the panel are expected to contribute to the agenda and fully engage in meetings * All members of the panel are expected to share training experiences for shared learning * To ensure Mental Capacity Act / Deprivation of Liberty Safeguards (DoL’S) are promoted and assurance is gained on how the principles are embedded into practice. Liberty Protection Safeguards (LPS) are planned to replace DoL’S in 2022. |

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| 1. **Conduct**   Members of the panel should always remain professional and act in accordance with individual professional bodies Codes of practice and Terms and Conditions of employment. |

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| 1. **Review Arrangements**   Terms of Reference and contents within, such as the chair, membership and reporting arrangements for the CYP OAT’s panel will be reviewed after the first 3 months of inception and annually thereafter. |