



# East Riding of Yorkshire LINK

## Governance Framework

Approved 22 June 2010

[www.erylink.org.uk](http://www.erylink.org.uk)



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**The East Riding of Yorkshire ERYLINK Governance Framework is a working document which will be continually reviewed, revised and updated by the ERYLINK membership.**

**It was adopted by the ERYLINK Interim Lead Group on 13 February 2009 and altered at the AGM on 22 June 2010**

## **1. Name and Legal Status**

- 1.1 The East Riding of Yorkshire Local Involvement Network for Health and Social Care (hereinafter referred to as the ERYLINK) brings together voluntary and community groups and individuals to enable them to have a stronger voice in improving health and social care services.
- 1.2 The ERYLINK is an unincorporated association of members holding no assets.
- 1.3 The Humber and Wolds Rural Community Council Limited (hereafter referred to as The HWRCC) is the host organisation contracted by The East Riding of Yorkshire Council to provide operational, administrative and infrastructure support to the ERYLINK. All financial and other resources used for the purpose of the ERYLINK are held by HWRCC and subject to its own governance arrangements. The relationship between the ERYLINK and HWRCC is set out in Appendix 1.

## **2. Purpose of the ERYLINK**

- 2.1 The ERYLINK is established for the benefit of the people of The East Riding of Yorkshire local authority area to carry out the following activities as defined by Section 221 of the Local Government and Public Involvement in Health Act 2007 as follows:
- a) promoting, and supporting, the involvement of people in the commissioning, provision and scrutiny of local care services;
  - b) enabling people to monitor the standard of provision of local care services and whether, and how, services could/ought to be improved; and to review for those purposes, the commissioning and provision of local care services;
  - c) obtaining the views of people about their needs for, and their experiences of, local care services; and
  - d) making:
    - i) views such as are mentioned in paragraph c) known, and
    - ii) reports and recommendations about how local care services could or ought to be improved, to persons responsible for commissioning, providing, managing or scrutinising local care services.
- 2.2 There are statutory powers the ERYLINK has which will underpin its work:
- a) Request information from commissioners and providers and receive a response within 20 working days.
  - b) Refer issues to Overview and Scrutiny Committees and get a response within 20 working days.
  - c) Enter and view premises where publicly funded care is being provided and to do this the ERYLINK will:
    - i) identify ERYLINK members who would be interested to undertake visiting, and develop a pool of trained visitors;
    - ii) put in place a training programme for visiting;

- iii) develop a programme of visiting with reports back to the ERYLINK Lead Group and any other group that would need to know the outcome; and
- iii) report back to relevant providers and commissioners.

2.3 The ERYLINK is also bound by associated statutory instruments as issued by Government under the 2007 Act.

### **3 ERYLINK Membership Categories**

3.1 **ERYLINK Members** ERYLINK Members will receive information and be invited to attend events, vote on ERYLINK issues and stand/vote for elections to the ERYLINK Lead Group and can be ERYLINK representatives on outside bodies. There will be two categories of The East Riding of Yorkshire ERYLINK membership:

- a) Individual Membership** open to anyone living within The East Riding of Yorkshire Council area, or who lives outside the area but uses significant primary care services or social care services within The East Riding of Yorkshire (i.e. a GP, dentist, or optician). In the latter case members will make a signed declaration to this effect on applying to join the ERYLINK which will be considered on an individual basis by the ERYLINK Lead Group. Each candidate standing for election to the Lead Group must make it absolutely clear before any election whether they are standing as an individual, or as the nominated person for a voluntary or community sector group. It is not permissible to stand as both.
- b) Voluntary and Community Groups Membership** open to any group based in, or who work in The East Riding of Yorkshire Council area. The group will need to inform the ERYLINK Co-ordinator of its nominated representative. Nominated representatives can vote on ERYLINK issues and will be the main point of contact for information. Voluntary/Community groups must demonstrate:
  - i)** they are a voluntary organisation, i.e. that their affairs are managed by, and/or are ultimately accountable to, a group of people for no pecuniary advantage
  - ii)** that their aims and objectives are broadly charitable to the exclusion of private gain
  - iii)** the organisation is conducted for the benefit of the public and is active in the community
  - iv)** the organisation's activities principally benefit people in or around The East Riding of Yorkshire

Further.

- v)** no organisation shall be represented more than once, in whatever capacity, on the Lead Group of ERYLINK
- vi)** every candidate representing an organisation must have the mandate of that organisation to do so.

- vii) Organisations wishing representation on the Lead Group must therefore nominate one representative to stand as an Organisational Representative. This automatically precludes any other individual with an interest in that organisation – employee, director, trustee etc - from standing as an Individual Candidate or Organisational Candidate for election. An organisation should, therefore, seek for consensus from all those with an interest in it –employees, directors, trustees, etc - when nominating its candidate.
- viii) All individuals standing as Individual Candidates for the Lead Group must sign a declaration to the effect that they have no interest – as an employee, director, trustee etc, - in any organisation.
- ix) every candidate standing for election to the Lead Group must make it absolutely clear before any election whether they are standing as an individual, or as the nominated person for a voluntary or community sector group. It is not permissible to stand as both.

### 3.2 ERYLINK Associates

- a) Individuals who do not meet the requirements of paragraph 3.1(a) above can become ERYLINK Associates.
- b) Voluntary and community groups who do not meet the requirements of paragraph 3.1 (b) above can become ERYLINK Associates.
- c) Additional people (staff, volunteers, trustees) besides the nominated representative of a voluntary and community group as set out in paragraph 3.1 (b) above can also become ERYLINK Associates.
- d) ERYLINK Associates will receive information and be invited to attend events but cannot vote on ERYLINK issues or stand / vote for elections to the ERYLINK Lead Group or be ERYLINK representatives on external bodies/committees.

### 3.3 ERYLINK Stakeholders

Open to representatives of statutory sector agencies, private sector and commercial companies and elected Councillors having an interest in and expressing support for the aims of the ERYLINK. ERYLINK Stakeholders can receive information but will not play an active part in the ERYLINK. They may attend meetings but will have no voting / speaking rights, nor can they stand for election to the ERYLINK Lead Group or be approved ERYLINK representatives on external bodies/committees due to conflicts of interest.

### 3.4 Joint Working with Other LINKs

- a) The East Riding of Yorkshire LINK will work closely with other LINKs on shared health or social care services. Any issues arising from shared health care services (e.g. The East Riding of Yorkshire and East Yorkshire Hospitals, Humber Mental Health Trust and the Yorkshire Ambulance Service) should be raised in

the first place by individuals or voluntary/community groups with the LINK in which they live/are based. This will at no time cede the autonomy of the ERYLINK and its statutory rights.

### **Membership Decisions**

- 3.5 Membership issues will be resolved by the ERYLINK Lead Group or a delegated Sub Group. Membership is free and will be on completion of an application form. Membership will remain indefinite unless the member informs the ERYLINK Host of their decision to leave, or the ERYLINK Lead Group (or delegated Sub Group) decides to expel the member as a result of their conduct which renders them unfit to hold ERYLINK membership.
- 3.6 Where membership applications cannot be accepted, the Lead Group/Sub Group:
- a) must inform the applicant in writing of the reasons for refusal within 21 days of refusal (this must be if they consider it in the best interest of the ERYLINK to refuse the application);
  - b) must consider any written representations the applicant may make about the decision;
  - c) must notify the applicant in writing of its decision following any written representations which may be subject to an independent appeal under the ERYLINK Complaints Policy (see Appendix 2)
- 3.7 Before a member is expelled by the Lead Group/Sub Group the Member:
- a) will be given a minimum of 14 days written notice to attend a meeting of the Group/Sub Group at which it is proposed to expel them and the reasons why expulsion is proposed.
  - b) The member will be allowed the opportunity to answer complaints against them before a decision is made.
  - c) The decision will then be confirmed in writing and the member can make an independent appeal against this using the ERYLINK Complaints Policy (see Appendix 2).
  - d) The member will be entitled to be accompanied by one other person at any meeting to which they are invited, providing that person has not also been expelled. The Group/Sub Group must be informed of the intention of the member to be accompanied along with details of the accompanying person at least 7 days prior to the meeting taking place.
- 3.8 A register of members will be kept by HWRCC and will be publicly available for inspection. Personal data on members will be processed by HWRCC in accordance with the 1998 Data Protection Act.

#### **4 ERYLINK Member's Forums**

- 4.1 The ERYLINK Lead Group will hold a minimum of eight ERYLINK Members Forums in each financial year. The Forums are one of the main ways for ERYLINK members to meet with the ERYLINK Lead Group, volunteers and staff.
- 4.2 Additional forums may be organised by the ERYLINK Lead Group or if requested by at least one tenth of the ERYLINK membership in writing to the ERYLINK Host.
- 4.3 Forum objectives:
  - a) To promote the ERYLINK and encourage engagement in its activities.
  - b) To receive reports from the ERYLINK Lead Group on work they have undertaken, and for members to respond.
  - c) To allow members to hear about specific ERYLINK work priorities and activities (e.g. Enter and View visits; membership of relevant committees; Focus Groups; Sub Groups)
  - d) To allow ERYLINK members to raise issues and concerns regarding local health and social care services, and to help identify and set priorities for the ERYLINK annual work plan.
  - e) For everyone involved in or interested in the work of the ERYLINK to network.
  - f) To approve amendments to the ERYLINK Governance Framework.
- 4.4 The quorum for a Forum will be 10% of the membership or 20 members whichever is the smaller.
- 4.5 Forums will be held in accessible venues and care will be taken to address any special requirements in line with the ERYLINK Equal Opportunities Policy. (see Appendix 3)
- 4.6 Meetings of the Forum will be chaired by a member of the ERYLINK Lead Group. The Chair will ensure the smooth running of the Forum to the agreed agenda.
- 4.7 Administration of the Forum will be carried out by the ERYLINK host staff team.
- 4.8 Notice of Forums will be at least 14 days in advance in a variety of formats (emails, post, and website).
- 4.9 Where Forums are required to vote on issues, ERYLINK members (paragraph 3.1) shall have one vote. If there is equality of votes the person who is chairing the meeting shall have a casting vote.
- 4.10 The Lead Group must seek to ensure that every member who wants to take part in a Forum is able to do so, including by submitting

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postal or electronic ballots giving at least 14 days notice in writing.

4.11 An Annual General Meeting (AGM) of the ERYLINK Members will be held each year and shall be held not more than fifteen months after the preceding AGM. The AGM will:

- a) Receive the ERYLINK Annual Report and Accounts for the previous year for approval
- b) To approve the election results for the ERYLINK Lead Group.

### **5. ERYLINK Lead Group**

5.1 The ERYLINK Lead Group, elected annually by the ERYLINK membership, will steer and deliver the ERYLINK annual work programme, supported by HWRCC. It will work under the guidance of the wider ERYLINK membership and seek to involve and engage as many ERYLINK members as possible in the work of the ERYLINK.

5.2 ERYLINK Lead Group responsibilities:

- a) Ensuring the ERYLINK meets its stated aims and objectives and that it is representative of and accountable to the local community.
- b) Working in partnership with HWRCC and ERYLINK members to produce and deliver an annual work plan and budget, recognising that there are limited resources and that the ERYLINK cannot take on all the work requested.
- c) Preparing the ERYLINK annual report and accounts for the AGM as required by the Department of Health.
- d) Ensure that governance of the ERYLINK complies with the ERYLINK Governance Framework and regulations published by Government.
- e) Exercise the statutory powers of the ERYLINK.
- f) Oversee the detailed activities carried out by ERYLINK members including approving: reports produced by ERYLINK Sub Groups and Focus Groups; reports of Enter and View visits; consultation research; credible reports for service providers; membership of relevant external committees and necessary reports on activities.
- g) To chair and report on achievements to ERYLINK Members Forums.

5.3 Lead Group meetings will be planned bi-monthly or as business requires. The Lead Group meetings will complete the business required by this Governance (see Section 5 with particular reference to section 5.2.f).

5.4 Lead Group Membership

5.4.1 Lead Group members must be approved members of the ERYLINK. Lead Group members may not appoint substitutes to act on their behalf at Lead Group meetings.

5.4.2 The membership of the Lead Group will be up to 16 members elected at each AGM (to be reviewed after 1 year) comprising:

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- a) Up to 8 ERYLINK Individual members
- b) Up to 8 ERYLINK Voluntary/Community group members

Initially it is possible that numbers of interested parties may not be sufficient to fill the above quota. Consequently, in order to ensure parity between individual member numbers and organizational member numbers, there will be a cap on either number if the other does not have sufficient. For example, should only 5 individuals be elected, then only 5 organisational candidates will be elected and vice versa.

5.4.3 The ERYLINK Lead Group will be elected as set out in the ERYLINK Election Procedure. (see Appendix 4) The first election will elect the whole ERYLINK Lead Group. After the first year elections will be held annually with one third of the ERYLINK Lead Group standing down in turn. Lots will be drawn to determine which members should stand down in the first and second years. Members reaching the end of their term on the ERYLINK Lead Group will be able to seek re-election.

5.4.4 The membership agrees to the option to co-opt onto the Lead Group. This may be short-term (having identified a need for particular specialist knowledge or organizational expertise) or for the duration of the term of a Lead Group vacancy.

5.4.5 A Lead Group member will cease to hold office if he/she:

- a) ceases to be an individual member of the ERYLINK or
- b) ceases to be the nominated representative of a member organisation of the ERYLINK or
- c) gives written notice to the ERYLINK Host of the intention to resign or
- d) fails to attend three consecutive meetings without good reason or
- e) fails to act in a reasonable manner and abide by relevant governance policies. Expulsion will accord with the procedure set out in paragraph 3.7.

## 5.5 Election of Chair/Vice Chair

5.5.1 For the first year the Lead Group will elect a Chair and Vice Chair. In subsequent years the Chair and Vice Chair will be elected at the AGM by the ERYLINK members.

## 5.6 Procedures

5.6.1 The quorum for Lead Group meetings will be one third of the Lead Group membership at that point in time.

5.6.2 Decisions should be reached through discussion and reaching a consensus, but in the event that this is not possible, decisions will be made by a majority of those Lead Group members present at a quorate meeting. In the event of a tie, the Chair or Vice Chair (if Chair is absent) shall have a casting vote.

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- 5.6.3 Items for an agenda may be proposed by any member of the Lead Group to the ERYLINK Host not later than 14 days before each scheduled meeting. Agendas will be agreed by the ERYLINK Host and Chair (or Vice Chair). Late items can be added at the Chair's discretion, or may (time permitting) be added to the agenda under 'Any Other Business'. Urgent items, for example where there is immediate risk to people, can be brought to the table through convening an extraordinary meeting as required.
- 5.6.4 Administration of the Lead Group will be carried out by the ERYLINK staff team. Papers will be sent out with a week's notice and be in the public domain. Draft minutes will be prepared within 14 days following a Lead Group meeting and will be in the public domain following agreement by the Chair or Vice Chair.

## **6 Focus Groups/Sub Groups**

- 6.1 The ERYLINK Lead Group may establish time limited Focus Groups and more permanent Specialist Sub Groups to examine and report on ERYLINK issues and priorities.
- 6.2 Focus Groups will focus on specific pieces of work as set out in the ERYLINK work plan (e.g. a specific health or social care service). They will co-ordinate research and produce recommendations to the ERYLINK Lead Group and Forum for approval and submission to external stakeholders. They will allow a wider range of members to participate in the ERYLINK's work based on their specific interests and expertise.
- 6.3 Sub Groups will focus on ongoing specialist areas of work such as the monitoring of specific NHS Trusts, commissioning issues, or ERYLINK operations issues.
- 6.4 The ERYLINK Lead Group will decide the terms of reference and criteria for membership of Focus Groups and Specialist Sub Groups taking account of: local specialism and expertise; the issues to be examined; and the local situation regarding health and social care.
- 6.5 The ERYLINK Lead Group will invite expressions of interest from people interested in joining Focus Groups and Sub Groups. Once established, Focus Groups and Sub Groups may invite further members to join if they feel their skills and experience would benefit the group.
- 6.6 Focus Groups should ideally be chaired by a member of the Lead Group. If this is not possible the Chair will be co-opted to the Lead Group for the life of the Group.
- 6.7 In order for the ERYLINK Chair to remain impartial during any dispute between Sub Group Chairs, the Chair cannot hold the position of both ERYLINK Chair and Sub Group Chair.

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- 6.8 There is no set number of members for Focus Groups and Sub Groups. Groups will be encouraged to operate flexibly in order to achieve the best outcome. Groups will be able to decide how they manage themselves in terms of roles within the Group and how the Group operates. If such issues cannot be resolved by the group members they will be referred to the ERYLINK Lead Group for a decision.
- 6.9 Focus Groups and Sub Groups will agree their work plan and budget with the ERYLINK Lead Group. Support will be available from the ERYLINK staff team. Decisions to exercise any of the ERYLINK statutory powers will require the prior approval of the ERYLINK Lead Group.
- 6.10 Focus Group and Specialist Sub Group members will be expected to act in a reasonable manner and abide by relevant governance policies such as the ERYLINK Code of Conduct and the ERYLINK Conflicts of Interest Policy. (see Appendices)
- 6.11 The Chairs of Focus Groups and Sub Groups will report regularly to the ERYLINK Lead Group.
- 6.12 Focus Groups and Sub Groups will communicate with and report to the wider ERYLINK membership and relevant statutory service commissioners and providers.
- 6.13 The decision to wind-up any Focus Group or Sub Group which has completed its work will be taken by the ERYLINK Lead Group, after consulting with the Group concerned.
- 6.14 The ERYLINK Lead Group will consult with the Focus Group or Sub Group which it feels is not operating effectively, or in accordance with its aims, or in the best interests of the ERYLINK, with view to achieving a suitable resolution. Ultimately the ERYLINK Lead Group may decide to wind up a Group, or to exclude a member of a Group, if it feels this is in the best interests of the ERYLINK.

## **7 Relationship with Statutory Agencies**

- a) The ERYLINK Lead Group will meet with representatives from the Local Authority and NHS organisations to discuss forthcoming work planning.
- b) The ERYLINK Lead Group or Sub Group will meet with the relevant Local Authority or NHS organisation or private providers to discuss the outcome of any piece of work.
- c) Individuals representing the ERYLINK on Trust Boards, Boards of Governors, Overview and Scrutiny Committees or other external committees are to be appointed by the ERYLINK Lead Group (first year to be reviewed) and these individuals will report back to the ERYLINK Lead Group and Forum.

- d) Individuals representing the ERYLINK on external bodies will be selected through a process based on experience, area of interest and the ability to engage in meaningful dialogue with members of those external bodies. If there are objections raised about individuals by the external bodies, these will be considered by the ERYLINK Lead Group on a particularized basis and discussed with the individual in more depth.

## **8 Relationship with Other Agencies**

- a) All other contacts will go through the ERYLINK Host and then to the Lead Group or Chair.
- b) Only the Chair and Vice Chair, Chairs of Sub Groups and ERYLINK Host may speak on behalf of the ERYLINK to outside agencies.
- c) Anyone who speaks to the press or other outside agency on behalf of the ERYLINK may
  - i) only speak on relevant issues agreed by the Lead Group and ERYLINK Host in agreement with guidelines or
  - ii) there has been prior agreement by the ERYLINK Lead Group/ERYLINK Host that this person can speak to the agency concerned (e.g. where special knowledge or expertise is required)
  - iii) press releases or any other statements to the press on behalf of the ERYLINK must be validated by the Chair, Vice-Chair or ERYLINK Host in advance
  - iv) If an individual is speaking to the media in a 'single agenda/specialist response' capacity without prior agreement by the Lead Group, that individual must ensure that the media is fully aware that they are not speaking on behalf of the ERYLINK.

## **9. Alterations to the Governance Framework**

- 9.1 The ERYLINK Lead Group will keep the Framework under review and propose amendments to ERYLINK Forums.
- 9.2 Any provision contained in this Framework may be amended by a simple majority of members present and voting at a general meeting of the ERYLINK Forum.
- 9.3 A full review of the Framework will be undertaken at each AGM.

## Appendix 1

### **Relationship between The East Riding of Yorkshire LINK and The HWRCC (Host Body)**

#### **Introduction**

- 1 HWRCC (The Humber and Wolds Rural Community Council Limited.) is the host body for The East Riding of Yorkshire LINK. The core aims of the HWRCC are:
  - I. To influence and support policy development at the local, regional and national level to address the needs of rural communities
  - II. To build the capacity of the rural voluntary and community sector through community development, advice & guidance
  - III. To support and deliver services to rural communities
  - IV. To build HWRCC organizational capacity to ensure quality services and high performance

Its values are:

- I. To ensure all services are accessible and socially inclusive
  - II. To ensure all services are provided in a way that promotes empowerment
  - III. To strive for continuous improvement
  - IV. To work collaboratively with other agencies
- 2 The East Riding of Yorkshire ERYLINK is an unincorporated organisation with statutory powers as set out in Section 2 of the Governance Framework. It is managed by a Lead Group.
- 3 This protocol sets out the principles which will govern the relationship between the two bodies.

#### **HWRCC Host Body Responsibilities**

- 4 HWRCC has entered into an agreement with The East Riding of Yorkshire Council for the funding of The East Riding of Yorkshire LINK. The HWRCC will discharge all duties of the host body within that contract.

#### **HWRCC Specialist and Administrative Support for The East Riding of Yorkshire Local Information Network**

5. In addition to the duties and responsibilities under the contract with The East Riding of Yorkshire Council HWRCC will provide the following support to The East Riding of Yorkshire ERYLINK.
  - a. Act as employer and provide day to day management and supervision to The East Riding of Yorkshire ERYLINK staff team.

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- b. Provide professional support in the recruitment of ERYLINK staff and administration of the recruitment process, in accordance with HWRCC policies and procedures. HWRCC will have a reserved place on any recruitment panel.
- c. Provide accommodation along with general office equipment (e.g. telephone, fax, E-mail and photocopying etc.)
- d. Full access to the expertise, knowledge and information held within HWRCC e.g. Information and Finance Services, Learning Services, Volunteer Centre.
- e. Provide financial services in line with the budgets agreed annually between The East Riding of Yorkshire LINK Lead Group and HWRCC trustees.

### **The East Riding of Yorkshire ERYLINK Host organisation responsibilities**

6. The Humber & Wolds Rural Community Council, as ERYLINK host organisation will be responsible for the following:
  - a. Ensuring provision in the annual budgets to:
    - i) Pay all employment costs of staff as agreed.
    - ii) Pay HWRCC an annual management fee in accordance with the host body duties. This includes financial services.
    - iii) Pay an annual rent for accommodation etc.
    - iv) Pay for all additional/ consumable costs (e.g. photocopying, printing and postage).
  - b. Co-operating with the HWRCC Chief Officer in ensuring compliance with the requirements of the contract with The East Riding of Yorkshire Council and legal requirements as set by the Department of Health. To include:
    - i) Adoption of an Annual Work Plan and submission of quarterly monitoring reports to The East Riding of Yorkshire Council
    - ii) Preparing and adoption of the ERYLINK Annual Report and Accounts

### **Employment Issues**

7. The East Riding of Yorkshire ERYLINK staff team are employees of HWRCC but responsible to The East Riding of Yorkshire ERYLINK Lead Group for performance and delivery. It is therefore important that both parties recognise this and co-operate effectively
8. The ERYLINK Lead Group should be aware that as employer HWRCC has a duty and responsibility to comply with all its statutory and legal obligations as employer.
9. Complaints about ERYLINK staff will be dealt with under the HWRCC complaints procedure.

**Resolution of Disputes**

10. It is expected that the two parties will work in harmony, however it is possible that situations may arise which create concern and discord. It is therefore necessary to ensure processes are available which will provide a means of affecting an early resolution so that the proper business of the ERYLINK is not inhibited. The following process should be followed:
- a) The ERYLINK Chair, the Chair of HWRCC Trustees, along with the HWRCC Chief Officer and The East Riding of Yorkshire ERYLINK Host should meet to assess whether the issue can be resolved informally.
  - b) If the issue can not be resolved informally, officers from The East Riding of Yorkshire Council should be asked to provide informal advice/arbitration to the two parties.
  - c) If either party remain aggrieved The East Riding of Yorkshire Council will be requested to establish, with the agreement of the parties, a panel to investigate the issue.
  - d) Both parties will accept the decision of the panel.

## Appendix 2

### Complaints and Grievance Policy

#### Introduction

1. The ERYLINK is committed to high standards of service and welcomes feedback of all kinds. The ERYLINK is committed to dealing with any complaint in a professional and friendly manner.
2. When any complaint is received ERYLINK staff and volunteers must follow the procedure outlined below. This document will be made available to the complainant to enable them to pursue the complaint.
3. If there is a complaint about HWRCC as ERYLINK host or a member of the HWRCC ERYLINK staff team this will be dealt with through HWRCC own complaints procedure available from the HWRCC Chief Officer.

#### The East Riding of Yorkshire LINK

4. If there is a complaint about the ERYLINK, an individual or group the following procedure will apply.

#### Procedure

5. Wherever possible the ERYLINK will try to resolve complaints in an informal and amicable manner.

#### Making a verbal complaint

6. Anyone who is unhappy with a service from the ERYLINK should speak to the relevant staff member or the ERYLINK Host to attempt to resolve the issue.

#### Making a written complaint

7. Anyone who is unhappy with the response to a verbal complaint, or who has a complaint that they do not wish to raise verbally, should write to the ERYLINK Host or Chair and it will be considered by the ERYLINK Lead Group in a private part of the meeting. An independent investigation of the complaint will be carried out if required.
8. All written complaints will be logged. Complainants will receive a written acknowledgement within three working days explaining who is dealing with the complaint and what will happen next.
9. The ERYLINK Lead Group will aim to investigate complaints fully and respond within ten working days. If this is not possible an interim response will be made informing the complainant of action taken to date or being considered.
10. If further investigation is needed, a panel will be called consisting of the ERYLINK Chair, Vice-Chair and the ERYLINK Host.

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11. Should the complaint be regarding the actions of a LINK member, that member may be requested to attend a meeting of the above panel. The member will be given a minimum of 14 days written notice to attend.
12. The member will be entitled to be accompanied by one other person at any meeting to which they are invited, providing that person has not also been expelled (This non-legal representation is sometimes referred to as a 'McKenzie Friend'). The Group/Sub Group must be informed of the intention of the member to be accompanied along with details of the accompanying person at least 7 days prior to the meeting taking place.
13. The decision of the panel is final.

## Appendix 3

### Equal Opportunities Policy

1. The ERYLINK is a network of people, groups and organisations. A key part of its role is to find out views about health and social care services, particularly those of people and groups that are 'difficult to reach' or engage with. The ERYLINK is committed to promoting equality and diversity in all areas of its work.
2. Equality means:

Treating all individuals, groups and communities equally, and not allowing prejudice or discrimination to create barriers founded on, for example (but not exclusively): ethnic or national origin; race; citizenship; nationality; colour; disability; HIV infection; gender (including gender reassignment); religious beliefs; age; sexual orientation; marital status; asylum or refugee status; dependents; rehabilitation of offenders; socio-economic status.
3. Diversity means:
  - Creating an environment that respects, includes and values difference
  - Treating individuals and communities the way they want to be treated
  - Nurturing potential
  - Recognising that we have prejudices and challenging them before we act
  - Taking positive steps to address inequality
  - Proactively working to facilitate involvement of those not already involved
4. The ERYLINK will operate under the following principles:
  - Removing barriers to participation in its work
  - Involving a diverse range of service users, patients and carers in the ERYLINK
  - Building community development approaches into its work
  - Being creative and innovative in the way it reaches out to communities
  - Learning from 'experts by experience' rather than 'representative views'.
5. Positive action will be taken to ensure communities of interest groups and individuals views are sought and they are recruited to join the ERYLINK. Contact will be made with key voluntary and community sector organisations representing disability, race, culture, religion, sexuality, age and gender interests for this purpose.

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6. All ERYLINKs communications (website, newsletters, minutes of meetings etc) will be made available on request in the major different languages in The East Riding of Yorkshire and in specialist formats (audio, Braille, easy-read versions).
7. The Host Organisation will strive to ensure that all venues used for ERYLINK meetings/events will be checked to ensure they are accessible in terms of the Disability Discrimination Act 1995. ERYLINK workshops/events will be held in community settings and at flexible times to ensure they are as accessible as possible for as many people as possible to participate.
8. An expenses fund will cover costs of travel/childcare to attend ERYLINK events to ensure these factors are not a barrier to involvement. The rates for these will be determined by the Lead Group as soon as possible.
9. The ERYLINK will aim to provide resources to ensure equal accessibility, such as hearing loops for example. Additional resources will be made available, subject to need by prior request from participants at meetings etc.
10. Monitoring of membership/participation in ERYLINK activities by communities of interest groups/individuals will be undertaken and reported to the ERYLINK Lead Group.
11. Registered ERYLINK members should not produce or distribute material or promote views which are racist, sexist, ageist, homophobic or offensive to people due to their disability or ethnic origin.
12. Breaches of this policy will be investigated and may result in expulsion from the ERYLINK.

## Appendix 4

### ERYLINK Elections

#### Introduction

1. This procedure covers elections to the ERYLINK Lead Group and any other elections which may be run by the ERYLINK in the course of its work.
2. Elections will be run by ERYLINK host staff, who will remain impartial throughout the process and refrain from voting themselves.
3. The ERYLINK Lead Group will set a timetable for the election process. This will set time limits for receipt of nominations and for receipt of completed ballot papers.

#### Nominations

4. The ERYLINK will invite nominations for candidates for election. This will be done via suitable communication channels such as the ERYLINK website, newsletters and the local press.
5. Nomination packs will be sent to all members of the ERYLINK. The packs will include a nomination form together with information about the role the election relates to (including criteria) and the election process.
6. Nominees will be required to complete and return a nomination form. ERYLINK staff will offer advice with completing nomination forms if requested, but will not complete forms on behalf of nominees.
7. Nominees will be urged to study all papers carefully and to complete all sections of the form. The paperwork will make clear to nominees that the information they provide will not be altered when it is transferred to the voting papers. Nominees will be advised that their personal statement will be sent out with voting papers. Personal statements may be subject to a word limit.
8. Nominees will be urged to ensure that their personal statement relates to the criteria for the role and demonstrates how they meet the criteria.
9. All nominees must be nominated by a current member of the ERYLINK. This can be an individual member or a group member. Nominees will not be able to go forward to the election if they have not been correctly nominated in line with this procedure.
10. Nomination forms will be checked on receipt by ERYLINK staff. Any queries will be raised at the earliest opportunity.
11. Completed nomination forms must be received at the ERYLINK office by the deadline for nominations.

## **Voting**

12. ERYLINK staff will put together voting packs which include ballot papers and candidates' personal statements. Candidates' names will appear in alphabetical order.
13. Voting packs will be sent out to all ERYLINK members (individual and organisational).
14. Each member may only vote once. Voting packs will state how many candidates members can vote for.
15. To register their vote members will be required to complete and return a ballot registration form along with their ballot paper. This measure is designed to guard against multiple voting. Ballot registration forms will be detached from the ballot papers before votes are counted. Votes which are returned without the ballot registration forms will not be counted.
16. Voting packs will include the deadline by which votes must be returned. Votes which are received after this deadline will not be counted.
17. Each organisation wishing to have a representative on the Lead Group will be permitted to field one candidate for election to represent it. No more than one candidate will be permitted for any one organisation.
18. Each candidate must make it clear whether they are standing as an individual candidate, or as an organisational representative. No one person is allowed to stand for both simultaneously.
19. The ERYLINK will urge organisational members to include people involved in their group when reaching a decision on which candidates to vote for – for example, by discussing the elections at a meeting, or by circulating information among members. However it is for each organisational member to decide how it will exercise its vote.

## **Results**

20. Votes will be counted by ERYLINK staff. An independent observer will verify the count and results.
21. In the event of a tie a recount will be conducted. If the result is still tied ERYLINK staff will arrange to toss a coin to determine the winner. This will be independently witnessed.
22. Candidates will be informed of the results in writing.
23. Election results will be publicised via the ERYLINK website and newsletters and also via events such as ERYLINK Members Forums and AGM.

### **Support from the ERYLINK**

24. To help organisational members consult their members on nominations and how to vote, copies of information such as candidates' personal statements will be available from the Network staff team on request. This information will also be available on the ERYLINK website.
25. Any questions concerning the election process should be addressed to ERYLINK staff.

### **Breaches of Procedure**

26. Any alleged breaches of this procedure will be dealt with under the ERYLINK Complaints Policy.

## **Appendix 5**

### **Conflict of Interest Policy**

#### **Introduction**

1. The ERYLINK is committed to good governance and will abide by the seven principles of public life (also known as the Nolan Principles) as defined by the Committee on Standards on Public Life, summarised here:

#### **Selflessness**

Act only in terms of the public interest, not in order to gain financial or other benefits for self, family or friends.

#### **Integrity**

Do not be placed under any financial or other obligation to outside individuals or organisations that might seek to influence the performance of official duties.

#### **Objectivity**

Make decisions on merit and the basis of evidence.

#### **Accountability**

Be accountable for decisions and actions to the public and submit to whatever scrutiny is appropriate.

#### **Openness**

Be as open as possible about all decisions and actions. Give reasons for decisions and restrict information only when the wider public interest clearly demands.

#### **Honesty**

Declare any private interests relating to public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

#### **Leadership**

Promote these principles by leadership and example.

## Dealing with Potential Conflicts of Interest

2. In order to ensure fairness and to make the way the ERYLINK is run as transparent as possible, it is important that people and groups governing the ERYLINK should declare any interests in relation to local health and social care services. It is envisaged that not everyone who takes part in ERYLINK activities will declare any interests, only those who play a part in decision making. The Nolan Principles set out above are a general guide to the type of issues to consider.
3. A conflict of interest may arise when someone involved in governing the ERYLINK is involved in discussion or decision making about work which involves actual or potential financial or non-financial gain for them or for an individual or organisation to which they have a connection. The key test is not whether a person thinks they have an interest to declare but whether another ERYLINK member, or member of the public think they have an interest they should declare.
4. This policy relates to ERYLINK meetings and to external meetings attended by people involved on behalf of the ERYLINK.
5. Any person involved in governing the ERYLINK should declare if he or she has a financial or non-financial interest in any activity, project or contract under discussion.
6. Declarations should be made at the start of the meeting or, if this is not possible, at the point when the discussion begins. If a person has an interest in a matter under discussion that creates a real danger of bias they should declare the nature of the interest and withdraw from the meeting, unless they have a dispensation to speak.
7. If a person has any other interest which does not create a real danger of bias, but which might reasonably cause others to think it could influence their decision, they should declare the nature of the interest, but may remain in the room, participate in the discussion, and vote if they wish at the discretion of other members of the meeting.
8. If you are not sure about what to do, please err on the side of caution. Guidance can be provided by the ERYLINK Host on request if you are unsure about whether or not to make a declaration.
9. If anyone involved in the ERYLINK believes that there are undeclared conflicts of interest, they should raise the matter through the Chair of the relevant meeting and to the ERYLINK Host.
10. All decisions about conflicts of interest will be recorded in the minutes of meetings, together with an outline of the discussions and the actions agreed to manage the conflicts.
11. Breaches of this policy will be reported to the ERYLINK Lead Group for investigation and action. This may involve annulling any decisions made and possible expulsion of the ERYLINK member concerned.

### **Register of Interests**

12. Any person involved in governing the ERYLINK should declare any interest in relation to local health and social care services to the ERYLINK Host. This will be entered on a Register of Interests which will be publicly available through the ERYLINK website and regularly updated. Interests which should be declared include:

- If a person is employed by a local health or social care provider
- If a person serves on the governing body of a local health or social care provider
- If a person has a financial interest in a company or business which may benefit from business with a local health or social care provider

If anyone is unsure about which interests should be entered on the register, please consult with the ERYLINK Host.

13. If a member has specialist experience or training in any specific area, but their direct participation may be seen to constitute a conflict of interest, they may still be asked to contribute background information or advice on what direct participants should be looking for. For example, if a situation arose where an 'enter and view' was to be performed at a private sector facility, a statutory sector manager with influence over similar service provision by other contractors may be asked to advise on a list of activities or processes which should be evaluated on that visit.

## Appendix 6

### Code of Conduct

1. This code of conduct sets out how participants in the ERYLINK are expected to behave to each other and those they come into contact with as a member of the ERYLINK. It applies to:
  - Members of the ERYLINK
  - ERYLINK Lead Group members
  - ERYLINK volunteers
  - ERYLINK staff
  - Members of ERYLINK Focus Groups/Sub Groups
2. Participants in the ERYLINK must:
  - Treat all others with respect
  - Respect equal opportunities, diversity and cultural differences
  - Respect confidentiality
  - Act in the best interests of the ERYLINK and in accordance with ERYLINK policies and procedures
  - Have regard to relevant professional advice (e.g. legal advice or advice regarding financial matters concerning the ERYLINK)
  - Act in accordance with legal requirements
  - Follow the Nolan Principles (principles of public life) see Appendix 5
3. Participants in the ERYLINK must not:
  - Bully or intimidate any person
  - Discriminate against any person or group of people on grounds of race, ethnicity, gender, disability or sexual orientation
  - Act in a manner which could reasonably be regarded as bringing the ERYLINK into disrepute
4. Any breaches of this code of conduct will be referred to the ERYLINK Lead Group for investigation and decision.

## Appendix 7

### Expenses Policy

1. The East Riding of Yorkshire ERYLINK is committed to involving a diverse range of people in its activities and recognises that barriers to involvement must be addressed. It is very important that people involved in the work of The East Riding of Yorkshire ERYLINK do not lose out through incurring costs associated with their involvement. To encourage local people to take part in its activities The East Riding of Yorkshire ERYLINK will repay out of pocket expenses to those who get involved.

#### **Who does this policy apply to?**

2. People who are involved in the work of The East Riding of Yorkshire ERYLINK, whether as an individual or through a voluntary organisation or community group. This includes ERYLINK volunteers, ERYLINK Lead Group members, Focus/Sub Group members and ERYLINK members representing the ERYLINK on relevant committees.

#### **What activities can people involved with the ERYLINK claim reimbursement of out of pocket expenses for?**

3. People involved with The East Riding of Yorkshire ERYLINK can claim reimbursement of out of pocket expenses for:
  - ERYLINK Lead Group meetings
  - ERYLINK Focus Group/Sub Group meetings
  - ERYLINK Forums
  - 'Enter and View' visits undertaken on behalf of The East Riding of Yorkshire LINK
  - Meetings, training sessions and workshops organised by The East Riding of Yorkshire LINK
  - Other 'external' meetings attended as a ERYLINK representative as agreed by the ERYLINK Lead Group. In these cases the representative should seek the agreement of the ERYLINK Co-ordinator in advance of incurring expenses relating to these activities.

#### **What out of pocket expenses can be claimed?**

4. Out of pocket expenses eligible for repayment are travel, car parking, subsistence and carers expenses.

N.B. The ERYLINK Lead Group is monitoring progress on the repayment of lost earnings protocol currently being undertaken by the Government. This will also apply to carrying out LINK activities or attending LINK meetings, and the ERYLINK Lead Group will respond according to government guidelines when issued.

## Governance Framework

### Travel

5. Claimants are expected to use their discretion in determining the most appropriate mode of transport for travel on ERYLINK business taking into account the time spent on the journey, personal safety (particularly when travelling out of office hours), equipment carried, other ERYLINK members accompanied and cost effectiveness.
6. Claimants are required to carry passengers as and when necessary without any additional payment. Claimants should use public transport on all appropriate occasions, where practical.
7. Claimants are responsible for arranging suitable insurance cover for their vehicles. Claimants should consult with their insurance company to ensure that they have cover in place whilst travelling to and from relevant meetings.
8. Parking, rail and bus fares should be claimed on an actual basis and **all** receipts must be attached to the claim form. Taxi fares may be claimed where individuals may find it difficult to use any other form of transport (i.e. do not own a car) and when meetings are held on an evening or at times when there is insufficient public transport to meet the individuals needs. Taxis will be booked in advance by the ERYLINK staff team where this is shown to be an issue.
9. Payment of mileage expenses will be at the approved rate.

### Subsistence

10. If you are prevented from taking a meal at home or at a place where you would normally take your meal, as a result of an eligible meeting, and as a result you incur expenditure greater than normal, then you may claim the appropriate subsistence allowance. The allowance will not be paid when a suitable meal is provided.
11. If you are working outside of normal working hours as a result of an eligible meeting, you may claim a subsistence allowance as follows:

Before 7am (or leave home before)	Breakfast allowance
After 6.30pm (but before 8.30pm)	Lunch allowance
After 8.30pm	Evening Meal allowance
12. If you are travelling by rail and must by necessity take a meal in a restaurant car, you may claim their actual cost of the standard meal less the cost of alcoholic drinks.
13. Payment of subsistence allowances is subject to the expenditure having actually been made and with receipts been attached to the claim form.
14. Subsistence allowances are the maximum that can be claimed and representatives should be considerate of budget constraints and act in good faith.

## Governance Framework

15. Any other expenses claims will be considered on an individual basis, but must have prior agreement by the ERYLINK Host or Assistant Co-ordinator if the Co-ordinator is not available..

### **Carers Expenses**

16. People who are involved with the ERYLINK who have childcare or carer's responsibilities are also able to claim for reasonable out of pocket expenses in connection with these responsibilities. This could include childcare costs or the cost of a personal assistant for the duration of a ERYLINK meeting.
16. People wishing to claim carers' expenses should clear this in advance with the ERYLINK office. Payment of carers expenses is subject to the expenditure having actually been made and with receipts been attached to the claim form. Payment will be made to registered carers only.
17. Claimants claiming carers' expenses should be considerate of budget constraints and act in good faith. Rates will be determined by the ERYLINK Lead Group in accordance with other similar organisation refunding in similar circumstances.

### **Claiming Expenses**

18. Expenses must be claimed on the approved ERYLINK claim forms. Copies of the claim forms are available from the ERYLINK office on request.

### **Benefits and Tax**

19. It is the responsibility of claimants to declare receipt of any relevant repayment of out of pocket expenses to the benefits and/or tax authorities. The general rule for both the benefits and tax systems is that expenses that are 'wholly, exclusively and necessarily incurred in the course of the work' are not considered to be earnings and therefore should not affect benefit entitlement or tax liability. Any queries about this should be taken up with the ERYLINK staff team.

### **Timescale for Submitting Claims**

20. Claimants are responsible for submitting expense claim forms on a regular basis to the relevant ERYLINK Host. It is recommended that claims are made on a monthly basis. Regular submission will greatly help the ERYLINK in managing its expenses budget.
21. Backdated expenses will only be paid for a maximum of three months from the time the claim is submitted. Expense claims over three months will not normally be reimbursed, unless there are special reasons why a claim was submitted late, such as illness.

### **Meetings or Events outside the East Riding of Yorkshire**

22. Meetings and events outside The East Riding of Yorkshire Council local authority area, to which a claimant has been invited or wishes to attend, and for which expenses from The East Riding of Yorkshire ERYLINK are requested, must be cleared by the ERYLINK Host in advance giving at least one weeks notice. Such requests should normally be discussed at a ERYLINK Lead Group which will agree who will attend. Where due to timescales this is not possible this will be approved by the ERYLINK Host and the ERYLINK Chair/Vice Chair.
23. For such meetings claimants should complete an application form stating why attendance would benefit The East Riding of Yorkshire ERYLINK, and detailing the proposed travel costs and any potential overnight accommodation costs. Copies of the application form are available from the ERYLINK office on request and should be returned promptly to the ERYLINK Host. Claimants should be considerate of budget constraints and act in good faith when making applications. Failure to give at least one weeks notice in returning an application form will mean the request will be refused.
24. Travel allowances for journeys outside of The East Riding of Yorkshire will normally only be paid based on the cost of second-class rail travel and/ or other appropriate public transport costs. Mileage allowances for such journeys will only be paid when the use of public transport is demonstrably impractical or when more than one person is travelling on the same journey and the shared use of a motor vehicle results in an overall economy.
25. Claimants wishing to claim for the cost of overnight hotel accommodation will only be paid if it would be demonstrably impractical for a claimant to travel and return home the same day (e.g. if attending an event a considerable distance from home, or attending a conference over two days).
26. All bookings for travel and overnight accommodation will be made by the ERYLINK staff team with consideration to budget constraints and the maximum rates below. Any bookings by claimants will not be accepted, unless by prior agreement in extenuating, or beneficial circumstances.
27. Attendance at such events and payment of expenses is conditional on the participant producing a written report on the outcomes of the event to share with the ERYLINK Lead Group and wider ERYLINK members.

### **Monitoring and Review**

28. The ERYLINK staff team will monitor the Expenses Policy and budget and regularly report to the ERYLINK Lead Group on its implementation.

### **Breaches of Policy**

29. Any alleged breaches of this policy will be referred to the ERYLINK Lead Group for resolution.

### **30. Approved Expenses Rates**

#### **Mileage Rates**

The rate of reimbursement for motor cars will remain at the current Inland Revenue agreed rate.

- Motor cycles/electric wheelchairs 24p per mile
- Bicycles/wheelchairs 50% of the motor car rate

### **Subsistence, meals and accommodation**

These rates allow an amount to be claimed regardless of the amount spent. It is now regarded as good practice to only repay against actual expenditure.

#### **Meals and accommodation**

Bed and Breakfast	£59.50
Bed and Breakfast London	£80.00
Breakfast taken separately	£6.70
Lunch	£7.20
Evening meal	£16.60

## Appendix 8

### Accountability Statement

#### Introduction

1. The ERYLINK has been established to give the local community a stronger voice in how health and social care services are delivered. The ERYLINK will be accountable to the local community by:
  - Explaining its decisions and actions
  - Being open, honest and free from bias
  - Developing a credible work programme, based on priorities that reflect local needs
  - Encouraging participation
  - Publishing an annual report and accounts
  - Publishing an annual work plan

#### **Who is the ERYLINK accountable to?**

2. The ERYLINK is accountable to the local population, and accountability to the community is at the core of its work. It is also accountable to the Department of Health, local government and the NHS.

#### **How will the ERYLINK demonstrate accountability?**

3. Ways the ERYLINK will demonstrate accountability:
  - Publishing decision making procedures
  - Complying with published procedures
  - Publishing a procedure for dealing with breaches of procedures
  - Publishing written statements of decisions and reasons for decisions
  - Publishing a procedure for deciding who may be an authorised representative of the ERYLINK
  - Publishing a list of authorised representatives
  - Providing authorised representatives with written evidence of authorisation
  - Only authorising people who have received a criminal records certificate, providing the ERYLINK Host is satisfied they are suitable. If the ERYLINK Host is unsure of the applicant's suitability, they will consult with the chair (or vice-chair if the chair is unavailable) to reach a final decision.
  - Holding meetings in public and papers in the public domain
  - Publishing a register of members interests

**What decisions will be published?**

4. Decisions that will be published relate to:
- How the ERYLINK will undertake its activities
  - Which care services the activities will relate to
  - The amounts spent on ERYLINK activities
  - Whether information is to be requested from a service provider
  - Whether a report or recommendation is to be made
  - Which premises are to be visited and when the visit will happen (except for unannounced visits)
  - Whether to refer a matter to Health and Social Well-being Overview and Scrutiny Commission
  - Whether to report a matter to anyone else

**What methods will the ERYLINK use to communicate and demonstrate accountability?**

5. Methods the ERYLINK will use to communicate and demonstrate accountability:
- An annual report
  - ERYLINK website
  - ERYLINK Forums
  - ERYLINK newsletters and email updates
  - Talks, visits and presentations

These and other methods form part of the ERYLINK Communication Strategy.

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**Humber & Wolds  
Rural Community Council**

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