

# THE CONSTITUTION OF STAFFORDSHIRE LINK

## Section A: Name, Contact Details, Objects, & Powers

### 1. Name

This Local Involvement Network will be known as  
**Staffordshire LINK** (the LINK)

### 2. Address and Contact Details

The address of the LINK shall be via the LINK Host (Staffordshire University):

Staffordshire LINK  
Unit 30 Stafford Business Village  
Dyson Way  
Staffordshire Technology Park  
Stafford  
ST18 0TW  
Tel: 01785 887990  
Fax: 01785 887820  
Email: [enquiries@staffordshirelink.staffs.com](mailto:enquiries@staffordshirelink.staffs.com)

### 3. Objectives

The objectives of the LINK as set out in more detail in Section 221(2) of *the Act* (Local Government and Public Involvement in Health Act 2007) are:

- a. Give everyone the opportunity to influence what health and social care services are provided in their area.
- b. Give everyone the opportunity to say what they think about their local health and social care services - what is working well and what is not so good.
- c. Give people the opportunity to check how health and social care services are planned, organised and delivered.
- d. Feedback what people have said about health and social care services so that things can change.

### 4. Powers

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

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

## **Section B: Membership**

### **5. Qualification for membership**

Membership of the LINK is open to **all** individuals, organizations and groups having an interest in care services delivered in Staffordshire or to Staffordshire residents subject to the conditions specified below.

Members will include:

- a. user-led organizations
- b. local voluntary and community organizations and groups
- c. individual people

BUT ... individuals and organisations **do not** have to be members to be involved.

### **6. Individual members**

Membership of the LINK is conditional on conforming to the LINK Code of Conduct and Conflict of Interest procedures.

### **7. Organization and group members**

- a. Organisations commissioning or providing publicly funded health and social care services **can not** be members of the LINK.
- b. Voluntary and third sector providers may be members subject to conforming to Code of Conduct and Conflict of Interest procedures.
- c. Representatives from group members should not be involved in provider services.

### **8. Applications for membership**

Applications for membership should be directed to the LINK at the address given in **Section 2**.

## **Section C: Cessation of Membership**

### **9. Withdrawing from membership**

When joining the LINK members will be asked to notify the LINK when they withdraw.

### **10. Removal from membership**

Membership may be removed for breach of the Code of Conduct

### **11. 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.

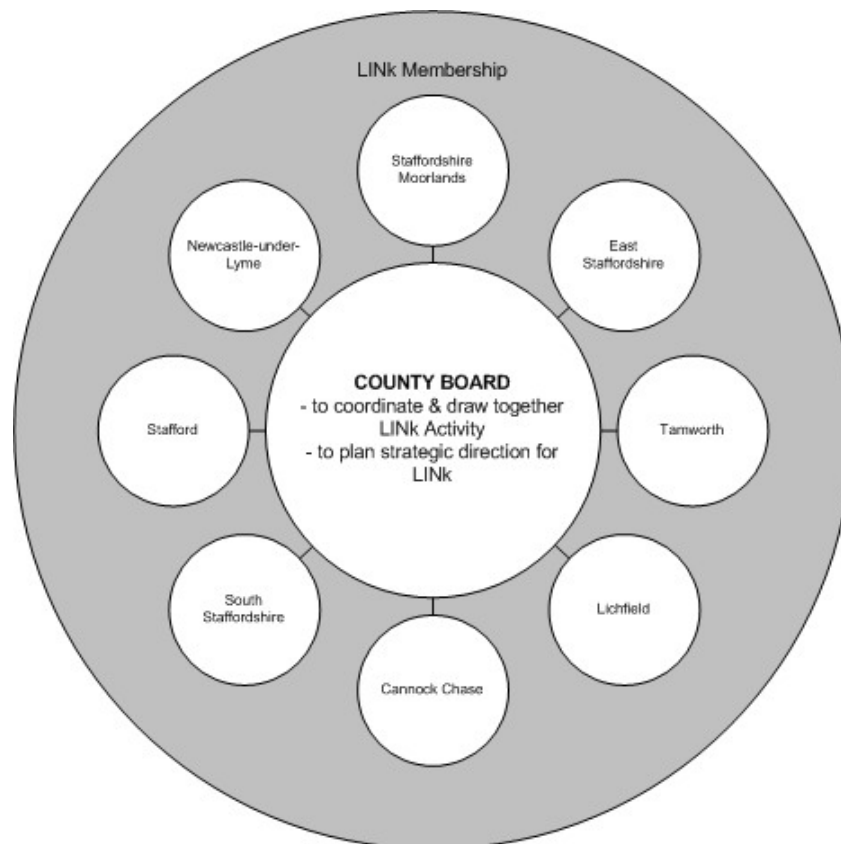
## Section D: Organization of the LINK

### 12. District Committees

- a. There will be eight District Committees, one for each of the local authority districts in Staffordshire (as of April 2008).
- b. The members within each district will be entitled to vote for the members of their local District Committee.
- c. Each District Committee will have a maximum of sixteen elected Members and will need to have a minimum of four Committee members present to be quorate.

### 13. The County Board

- a. The LINK will conduct its business through the County Board .
- b. Each District Committee will nominate two members to the County Board which will be responsible, subject to this Constitution, for the conduct of the LINK.
- c. These nominees will be chosen according to Rules prepared by the Board.



## **Section E: Governance Meetings**

### **14. Annual General Meetings**

- a. There will be an Annual District General Meeting (ADGM) of members in each District held in **March**, the main business of which will be the election of the District Committee.
- b. The Annual General Meeting (AGM) of the County Board will be held in **April**, the main business will be:
  - i. To elect a Chair and Vice-Chair; and
  - ii. To report on the previous year's activity;
  - iii. To formally approve the Annual Report to be submitted under the terms of *the Act*.
- c. The business of all Governance Meetings will be conducted according to Rules made by the County Board.

## **Section F: Constitution, Responsibilities and Operation of the County Board**

### **15. Composition of the Board**

The County Board shall consist of two members from each District, nominated by the District committees.

### **16. Terms of office**

- a. The membership of the County Board will be for a period of **one year**.
- b. District Committees can nominate the same individual for a maximum of two consecutive years, after which the individual would not normally be eligible for nomination for a further term of office for a period of two years, unless circumstances require an extension of that individuals term of office

### **17. Meetings of the County Board**

- a. Meetings of the County Board will be chaired by the chair and in the chair's absence by the vice-chair.
- b. In the absence of both the County Board will elect a chair for the meeting from among those present.
- c. The County Board will meet a minimum of four times a year.
- d. The LINK Host will act as secretary to the County Board

### **18. Election of office holders**

At its first meeting the new County Board will elect a chair and vice- chair.

### **19. Responsibilities of the County Board**

The County Board's will have responsibility for the general direction of the LINK subject to legal requirements and this Constitution. These will include, but not be limited to:

- a. Ensuring that the LINK operates in a transparent way.
- b. Ensuring that the LINK conforms to all statutory requirements and in particular:
  - i. develop and publish procedures for making "*relevant decisions*"
  - ii. develop and publish a procedure for appointing "*authorized representatives*", and publish the list of those representatives
  - iii. Appoint train and coordinate the activities of Authorised Representatives
- c. Ensuring that the LINK conforms to this Constitution.
- d. Establishing effective working relationships with *the Host* and the County Council in respect of their respective contractual functions.
- e. Establishing such other policies and procedures as are necessary for the effective operation of the LINK.

- f. Approving training required to ensure the effective contribution of LINK members.
- g. Maintaining and implementing a Business Plan and in particular a detailed costed Work Plan for the current year within the annual budget.
- h. Coordinating delivery of the Work Plan throughout the Districts, either through the District Committee or other groups and committees established for specific purposes.
- i. Ensuring that ongoing expenditure is within budget, modifying the Work Plan if necessary.
- j. Maintaining such insurances as are necessary for the protection of the LINK and its members.
- k. Make such delegations as necessary to carry out the activities of the LINK.
- l. Approving expenses procedures for LINK members.
- m. Developing cooperation, working relationships and effective arrangements for communication and with all relevant parties, to include:
  - i. County and District Overview and Scrutiny Committees.
  - ii. Regulatory bodies
  - iii. Health and social care Commissioners and Providers.
  - iv. Other LINKs (locally, regionally and nationally).
- n. Making arrangements for necessary meetings.
- o. Establishing effective Performance Measures and Accountability arrangements.
- p. Ensuring that Annual Reports and Accounts are produced, approved and distributed as appropriate.

**20. Failure to fulfill office**

If a member of the Board fails to attend three successive meetings without due cause the County Board may ask the District Committee to nominate a replacement.



## Section G: Constitution, Responsibilities and Operation of the District Committees (see Section's D and E for further information)

### 21. Election of District Committee Members

- a. Election to the District Committee will follow a published election process that is open and transparent.
- b. Nominees for election must attend the inaugural District Committee meeting to be confirmed as a Committee Member.

### 22. Terms of Office

- a. The membership of the District Committee will be for a period of **One Year**.
- b. Individuals can be elected to the District Committee for a maximum of two consecutive years, after which the individual would not normally be eligible to stand for election for a further term of office for a period of two years, unless circumstances require an extension of that individual's term of office.

### 23. District Committee Meetings

- a. District Committees will meet a minimum of four times a year
- b. The District Committee will conform to the Workplan of the County Board.

### 24. Election of office holders

- a. At its first meeting the new District Committee will elect a chair and vice- chair.
- b. At its first meeting the District Committee will elect two representatives to the County Board
- c. The Chair and Vice-Chair are not *automatically* the nominated representatives on the County Board

**25. Responsibilities of the District Committee**

- a. To raise local public awareness of the Staffordshire County LINK
- b. To identify current local health and social care needs/issues
- c. To promote the involvement of people from all sections of the local community
- d. To gather local information and experience of services for the County Board
- e. To represent the views of local people to the County Board

**26. Failure to fulfill office**

If a member of a District Committee fails to attend three successive meetings without due cause the District Committee may co-opt a replacement who would serve until the next Annual General Meeting.

## **Section H: Annual Report, Accounts, and Constitution and Published Documents**

### **27. Annual Report and Accounts**

- a. The Annual Report and Accounts of the LINK for the financial year will be approved at the Annual General Meeting of the Link held before 30<sup>th</sup> June following the end of that year.
- b. It will be published and circulated as required by *the Act*.

### **28. The Constitution**

- a. The Constitution will be made publicly available.
- b. Amendments to the Constitution may be made by the Board after consultation with members.

### **29. Published Documents**

Any documents required by law or specified in this Constitution to be published will be made available on the LINK website and may be viewed at the address given in **Section 2**.

Published documents will include, but not be limited to:

- a. Lists of Chairs and Vice-Chairs
- b. Lists of Authorised Representatives

## **Section H: Complaints**

### **30. Registering Complaints**

The process for registering complaints against the LINK or its members will be published.

### **31. Handling Complaints**

The Board will produce and publish procedures for handling complaints

### **32. Responding to Complaints**

The procedure for handling complaints will include provisions for acknowledgement of complaints and communication of the outcome of investigations.

## Glossary

This Constitution interprets the following terms as described below:

**“the Act”** means the Local Government and Public Involvement in Health Act 2007 Part 14 Sections 221-234.

**“authorized representatives”** means people appointed by the LINK to carry out its “enter and view” function.

**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 County 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 Part 2, Section 3 (1a) of The Local Involvement Network Regulations 2008.