

## Board Meeting Item 4.6

**Subject:** Cheshire and Merseyside Provider Collaborative (CMPC) Joint Working Agreement and Committee in Common  
**Date of meeting:** 23<sup>rd</sup> September 2025  
**Presented by:** Ben Vinter, Director of Risk and Corporate Governance  
**Purpose:** To Note and Agree where required

BAF Reference	Impact on BAF
BAF 8	Provides an update and suggested changes to scope and foundations of system collaborative governance and reporting in place.

### 1. Executive Summary

**Purpose:** To secure Board agreement and sign up to the CMPC Joint Working Agreement and Committee in Common

Cheshire and Merseyside (C&M) providers have come together to collaborate on matters that can be best progressed and responded to, at scale, and through shared focus or action. CMPC has come about through a process borne from bringing together its two forerunners CMAST and MHLDC to focus on work of shared provider delivery: acute, specialist and community services. Working together has achieved real and tangible benefits since the pandemic and been consolidated since. All providers consider this next step will provide further opportunities and opportunities for at scale working where this makes sense.

Following a review requested by the system leaders and sponsored by Trust CEOs, Trust company secretaries have engaged in a process of seeking to build upon the established and available collaboration mechanisms within C&M that have been shown to work and support a track record of collaboration.

In identifying, promoting and championing the benefits of collaboration NHS England have encouraged all providers to build on local successes through provider collaborative structures where these can be shown to work.

C&M cosecs have worked together and drawn upon the expertise and advice of Hill Dickinson to support the redrafting and reframing of a CMPC Joint working agreement and Committees in Common terms of reference. This approach continues the chosen route of governing collaborative delivery and ongoing potential within the system.

The CMPC Leadership Board recommends the enclosed documents for adoption by Trust Boards. The updated documentation follows a review and redrafting process to reflect broadened arrangements and scope of the collaboration.

## **2. Proposed Collaborative Governance and changes to what has gone before**

All providers within C&M have some familiarity and individual experiences of differing means of the proposed way of working. This report therefore seeks to briefly orientate an approach and structure of the two documents and then goes on to highlight, at a headline level, changes and areas of development as proposed by Hill Dickinson or Trust company secretaries to aid clarity, understanding and to respond to the current and changed environment.

Joint Working Agreement (JWA), further detail, and to be read in conjunction with CiC ToR:

- Covers: vision; function; priorities and headline areas of focus
- Establishes: rules of working; process of working together; stages of decision making and scale of involvement and decision making
- Sets: exit plan approach; termination approach; dispute resolution approach; information sharing and competition law principles; conflicts of interest approach

Committee in Common - Terms of Reference (CiC ToR), further detail, and to be read in conjunction with JWA:

- Sets out the C&M response, as proposed by Chairs and Chief Executives, to the Provider Leadership Board collaborative approach
- Committees in Common: Staged levels of Committees in Common decision making; rules based approach; will underpin clear and consistent communication supporting Board awareness and assurance
- Sets aims and objectives of CiC
- Establishes membership and signals wider engagement including minimum frequency of Chairs' engagement
- Quorum
- Annex A establishes potential activities delegated to the CiC when in scope of the CiC work as set in the JWA
- To note: NWS is proposed as a participant of the meeting rather than as a Member

Changes and variation from previous documentation (or familiar approaches): further detail, and to be read in conjunction with JWA and draft CiC:

Terms of References:

- Updates of names and terminology – organisations, CMPC etc
- Added definitions – to reflect content of documents at request of company secretaries
- Refer to the full breadth of CMPC responsibilities – including community – but also not seek to restrict nor curtail future Trust Board choices
- Additional words without altering meaning of sentences to support clarity
- Reframing of section 2.1 (ToR) to reorder theme stated aims and objectives.
- Add to ICB reference 'and regulator or those charged with performance management'
- Specifying MS Teams or equivalent as an option for a CiC meeting Joint working agreement:
- Provide further clarity on the route for determining any costs arising from collaborative arrangements (section 6)
- Provide further clarity on the route for calculating any exit costs or transition arrangements arising from a cessation of collaborative arrangements (section 6)
- Additional parameters on timescales for stages of any dispute resolution (section 10)

A request was also made from one Trust for definition and adoption of an information sharing agreement (something explored on numerous occasions in the past by Leadership Boards). If the will exists for this it is proposed that this is developed by Trust Company Secretaries (with legal support and input) and proposed to Leadership Board for adoption.

The documentation provides outputs that represent the culmination of a period of engagement and development with C&M Trust Board leadership and supporting officers. The approach represents the will and direction of this leadership steer and contribution and is put forward as representative of C&M's preferred way of operating.

The document delivers both a foundation and framework for CMPC development, decision making and supports its evolution. It focuses on approach and governance. Business and content scope will iterate and be defined by Boards as the scope and remit of CMPC develops and the ask of the system, for it, expands, varies or diminishes.

Given the position of the system currently (recovery) it is both noteworthy and encouraging that the provider collaborative is being referred to and described as a key system decision making forum. The pace of change required within C&M means that the scope and ambition for collaboration may change and vary over time – by agreement. These documents provide a framework for responding to such challenges but are by their very nature a product of a point in time and are not intended nor expected to cover every eventuality or current live discussions

## **2.1 ICS and ICB**

LHCH is part of the Cheshire & Merseyside ICS with updates and information being provided through executive structures and reporting.

These proposals provide a framework for NHS Trust providers to respond to NHSE and ICB expectations for change and increasing levels of provider engagement. Such activities are subject to live and ongoing discussions. The consensus from system leadership and provider CEOs is that this documentation provides a foundation to support such discussions.

## **3. Recommendation**

The Board of Directors is asked to:

- A. To endorse and agree the CMPC Joint Working Agreement and Committee in Common as proposed
- B. To adopt and sponsor the approaches to collaborative working and decision making, as described, recognising the anticipated evolution and development of these proposals under the direction of C&M Trust leadership
- C. To explore and commit to the use of delegation when required and supported by Trust Boards as a means of embedding system decision making