

# **THE CONSTITUTION OF NORTH YORKSHIRE LOCAL MEDICAL COMMITTEE (November 2015)**

## **PREAMBLE**

This document sets out the constitution, (including appendices 1 - 3) of the Local Medical Committee formed for the locality of North Yorkshire and York.

In accordance with section 97 of The Act (as amended by paragraph 41, Part 4 of Schedule 4 of the Health and Social Care Act 2012 and any subsequent amendments), NHS England formally recognises the Committee formed for its area as representing the general medical practitioners (GPs) in its area. Furthermore, the Committee is recognised by its members by virtue of a separate mandate of authority nominating the Committee as representative of GPs in the manner as set out in this Constitution.

For as long as the Committee is recognised by NHS England as being representative of the practitioners in an area, and/or as long as the Committee carries mandates of authority from its members, then this Constitution shall not be rendered invalid by changes to the structures and boundaries of the NHS.

## **INTERPRETATION**

The paragraph headings shall be taken into account in the interpretation of this Constitution and where the context so requires:

- the male gender shall be deemed to include the female gender;
- the singular number shall include the plural number; and

references to statutes or parts or sections of statutes shall include any statutory modifications or re-enactments thereof or any regulations orders or directions made thereunder for the time being in force.

## **DEFINITIONS**

### **Administrative Expenses of the Committee**

Include travelling and subsistence allowances payable to members of the Committee.

### **Area**

The area as recognised by NHS England under current recognition and comprising of Hambleton, Richmondshire & Whitby, Harrogate & Rural District, Scarborough & Ryedale and Vale of York

### **CCG**

The body corporate known as a Clinical Commissioning Group established in accordance with chapter 142 of Part 2 of the Health and Social Care Act 2012.

### **Chief Executive**

A person elected under clause 3.11 or appointed under clause 7.1 by the Committee to act as its Chief Executive.

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| <b>Committee</b>                       | The North Yorkshire Local Medical Committee recognised by NHS England (or any successor organisation) as formed within the Area and representative of all GPs, as defined in section 91 of the Act, performing primary medical services in the area for which the Committee was formed.  |
| <b>Committee Member</b>                | A person elected or co-opted onto the Committee in accordance with the provisions of this Constitution together with the Chief Executive and Deputy Chief Executive  |
| <b>Committee Year</b>                  | Shall conclude on 31 March in each year and where an Officer of the Committee or a member of the Committee is elected or co-opted for a term of office (whether the term shall be for one year or more) the said term shall conclude on the relevant 31 March.   |
| <b>Company</b>                         | YOR Local Medical Committee Limited.   |
| <b>Deputy Chief Executive</b>          | A person elected under clause 3.11 or appointed under clause 8.1 by the Committee to act as its Deputy Chief Executive.  |
| <b>GPC Voting Register</b>             | A list of Represented Members (including medically qualified LMC Officers) who are eligible to stand, vote or nominate another Represented Member as a GPC Regional Representative.  |
| <b>Medical Register</b>                | The list of Registered Medical Practitioners compiled and held by the General Medical Council.   |
| <b>NHS England</b>                     | The commissioning organisation, recognised in the Health and Social Care Act 2012 (or successive Acts), on behalf of the NHS, and responsible for commissioning primary care services from, and holding contracts with, practices or organisations providing primary medical services (including single handed GPs) or any successor organisation. |
| <b>Officers of the Committee</b>       | The Chairman, the Vice-Chairman, the Chief Executive, Deputy Chief Executive and Liaison Officers.   |
| <b>Ophthalmic Medical Practitioner</b> | A medical practitioner on the ophthalmic list of NHS England.  |
| <b>Performers List</b>                 | The lists maintained by NHS England of medical practitioners providing primary medical services (as defined in section 91(3) of the Act) or ophthalmic services in the Area.   |

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| <b>Register of Members</b> | The combined Register of Represented Members and Committee Members which shall be maintained in several parts as necessary for administrative purposes.                       |
| <b>Represented Member</b>  | The categories of GP as set out in clause 1.7 within this Constitution. .   |
| <b>Returning Officer</b>   | A person whose name is not included on any part of the Register of Members invited by the Committee to act, in person or through a deputy, at elections for Committee members |
| <b>The Act</b>             | The National Health Service Act 2006.   |

## **1. THE COMMITTEE**

### **1.1 MEMBERSHIP**

The Committee shall consist of:-

#### **1.1.1 ELECTED MEMBERS**

**24** Represented Members elected in accordance with the provisions of this Constitution, 1 of whom shall, if possible, be an Ophthalmic Medical Practitioner and the remainder GPs on the Performers' List.

1 GP who received a CCT<sup>1</sup> or CEGPR<sup>2</sup> within the previous 5 years

**2** GP Registrars elected by the GP Registrars on the Performers' List on the North Yorkshire & York training schemes.

**1** GP Locum elected by the Locums on the Performers' List.

The expression "elected members" shall where the context so requires include those persons co-opted to fill a vacancy in accordance with clause 1.3.

An Elected Member's eligibility to stand for election shall in addition to the disqualification provisions in clauses 1.5.1 to 1.5.10 be dependent on his having paid, or had them paid for him, at the time of his nomination all current Statutory and Voluntary Levies due to the Committee together with any arrears that may be outstanding and the Returning Officer shall verify the fact of such payment before circulating electors who are not disqualified with election nomination papers.

#### **1.1.2 CO-OPTED**

Not more than **4** persons representing a particular class of experience not otherwise represented on the Committee.

Such co-opted members may be exempt from the requirement to pay Statutory and Voluntary levies. For the avoidance of doubt, all individuals so co-opted shall be subject to a review every two years. The Committee in its absolute discretion shall decide whether any co-options are appropriate, representative and should continue.

## 1.2 TERM OF OFFICE

A period during which an Officer of the Committee or a Committee Member holds office concluding at the end of the Committee's Year.

## 1.3 VACANCIES

Where the number of persons elected under paragraph 1.1.1 is less than the number of persons mentioned in such paragraph by reason that no or insufficient qualified candidates have been nominated the Committee may at any time after the election, elect duly qualified persons to fill the vacancies. The Committee however shall, in its discretion decide to co-opt any individual to fill the position of a casual vacancy rather than elect.

A casual vacancy will occur:-

- on the resignation, death or disqualification of an elected member of the committee; or
- depending on the individual circumstances, temporary absence (30 consecutive days or more) due to sickness or other similar circumstances;

Upon such a vacancy arising the Committee shall seek to fill the same as soon as practicable by the election or co-option of a practitioner who as far as possible represents the same class of practitioners or interest as the person in post prior to the vacancy arising.

Pending the filling of any vacancy the proceedings of any Committee shall not be invalid by reason of such vacancy.

A person elected or co-opted to a vacancy shall hold office for the remainder of the period for which the person in whose place he is co-opted would have been entitled to hold office.

## 1.4 RETIREMENT

A member of the Committee whether elected or co-opted may retire on giving written notice delivered to the Chief Executive /Deputy Chief Executive and the retirement shall take effect on the date specified in the notice if a date is given or if not on the date when the notice is received by the Chief Executive/Deputy Chief Executive.

## 1.5 DISQUALIFICATION

A member of the Committee shall be disqualified if:-

- 1.5.1 he ceases to be a registered medical practitioner or a registered general ophthalmic practitioner or he is suspended from the medical register;
- 1.5.2 he ceases to perform general or personal medical services under any primary medical services contract or general ophthalmic services under the Act, or being a performer of such services whose name appears in the Register, either advises NHS England that he no longer wishes to be represented by the Committee or he is absent from any practice and has not carried out any clinical duties for a period of 6 months or more, except for the temporary circumstances set out in paragraph 1.3;
- 1.5.3 he has had his name removed from the Performers List and has not subsequently had his name included in such a list;
- 1.5.4 he is suspended in respect of the provision of general medical services, personal medical services, primary medical services or general ophthalmic services under the Act by a direction under section 154 of The Act;
- 1.5.5 if within one month of receiving a due call he fails to pay to the Committee any current Statutory or Voluntary Levy due to the Committee together with any arrears that may be outstanding;
- 1.5.6 he fails to disclose a pecuniary or other significant interest in a matter which is the subject of consideration at a meeting of the Committee and takes part in the consideration or discussion of that matter or votes on any question with respect to that matter or acts in any way contrary to the [[Management of Interests Policy](#)] (or successor policy) or the roles and responsibilities described in an anti-conflict policy adopted from time to time by the Committee;
- 1.5.7 he regularly fails to attend meetings of the Committee unless the Officers of the Committee excluding the absent Member are satisfied that the absence was due to a reasonable cause and that the absent member will be able to resume attending meetings of the Committee within such period as it considers reasonable;
- 1.5.8 a co-opted member of the Committee shall be disqualified if he ceases to hold the office or qualification which entitled him to be a member of the class of co-opted Members;
- 1.5.9 the Committee member is disqualified from the Company under the Company bye-laws, or by general company law;

#### 1.5.10

if any Committee Member's registration with the General Medical Council is suspended by a Fitness to Practise Panel or a Committee Member is suspended from the Performers List, he shall not be entitled to resume his membership of the Committee for the remainder of the period for which he was originally appointed. If there are no restrictions on his medical practice and he remains or becomes re-eligible to stand, he shall be permitted, to stand afresh in the next following election if the suspension has ended prior to the date when the Returning Officer sends a notice of election to each elector;

For the avoidance of doubt if any Committee Member's registration with the GMC is suspended by a Interim Orders Panel (IOP), he shall be entitled to resume his membership of the Committee for the remainder of the period for which he was originally appointed, If during that time the IOP determines there are to be no restrictions on his medical practice.

It shall be the duty of each member to inform the Committee as soon as reasonably practicable of any change in status that may invalidate his/her position on the Committee and may potentially lead to that individuals disqualification under this section.

#### 1.6 CHANGE OF ROLE

Where a member elected by virtue of one role or location changes their role they shall remain in office until the end of their normal period of office as long as none of the provisions of disqualification in 1.5 apply *except* that if a Member elected to the Locum Districtwide Seat ceases to be a locum or a GP registrar representative ceases to be a registrar, they will be disqualified.

#### 1.7

##### REPRESENTATION/MEMBERSHIP

The LMC is formed to represent all GPs in any relevant capacity in the Area: this shall include all doctors who have completed their training as a GP on the Medical Performers List (and any equivalent successors). This shall include principal GPs, salaried GPs, freelance (locum) GPs and GPs undertaking work for the local Out of Hours services.

For the avoidance of doubt, the Committee shall also represent all General Practitioners in the Area, which shall include without limitation as follows:

- GPs as providers and/or performers of primary care services
- GPs in their capacity as members of a CCG or members of a governing body of a CCG.

- GPs as shareholders and/or members of any provider arm organisation created for the purposes of bidding and/or tendering for primary care or secondary care services by any NHS commissioner or other organisation within the Area or otherwise.
- GPs in their capacity as service providers under any arrangement via a provider arm organisation or otherwise

All of the above shall hereby be referred to as “Represented Members”

## 2. ELECTIONS

### 2.1 CONSTITUENCIES

The Committee may if it wishes divide the Area into a number of constituencies for administrative and electoral purposes. If it does so it shall use its best endeavours to ensure, across each constituency, the fair and equitable representation of each class of Represented Member. (see appendix 1).

Where an election is for a particular constituency the following provisions with respect to eligibility to stand, nominate or vote shall be restricted to the electorate of that constituency.

### 2.2 TERM OF OFFICE

Elected members shall hold office for a term of four years save that after the first election of a new Committee a proportion (to be determined in accordance with the provisions outlined in appendix 1) shall hold office for two years. Registrars shall be eligible to hold office for two years.

### 2.3 FREQUENCY

Save as provided in the case of a new Committee the election of a proportion of the committee (to be determined in accordance with the provisions outlined in appendix 1) shall take place in the same month in every second year and elected members shall commence their term of office on the next following 1 April.

### 2.4 METHOD

Voting shall be by any electronic means acknowledged as fair, safe and reliable by the Electoral Reform Society and agreed by a two thirds majority of elected Committee members, or by postal ballot if necessary, of those represented members whose names appear in the Performers' List of the Area recognised by NHS England on the last day of the month which precedes the month in which the Returning Officer sends notice of an election to each elector and each GP Registrar in-post on that date. The persons whose names are so included on the Performers' List are referred to as "the electors".

A Represented Member shall not be eligible to vote in or stand in an election if he is disqualified under the provisions of paragraphs 1.5.1 to 1.5.10 and as to the provisions of paragraph 1.5.5 the Returning Officer shall verify the fact of payment or otherwise before circulating qualified electors with election nomination papers.

The Returning Officer shall send notice of the election to each elector and such notice shall be sent so as to be delivered to the elector not less than 14 clear days before the date of the election.

Each notice shall:-

- state the date of the election;
- state the number of vacancies for GPs included on the Performers' List of the Area recognised by NHS England and of GP Registrars;
- state the date by which nominations must be submitted to the Returning Officer;
- set out the nomination provisions, as set out below;
- enclose a copy of the Committee's Constitution, a description of the responsibilities of a LMC Member and a nomination form; and
- advise candidates that in the event of an election the full results of the vote will be circulated to all candidates and the electorate.

Each candidate shall be required to declare in their election statement, with reference to the [[Management of Interests Policy](#)], any matter which may be perceived by the electorate to present a conflict of interest.

Each candidate shall be nominated by a GP whose name appears on the Performers' List, or self-nominated and each nomination form must be accompanied by a statement that he is prepared to accept office.

Salaried and locum GPs will be required to provide a declaration confirming that they are carrying out primary medical services in the form of clinical sessions and that the majority of such work is carried out in the constituency for which they are standing. A form will be provided for this purpose.



If the number of nominated candidates qualified for election in each category where there are vacancies does not exceed the number of vacancies the Returning Officer shall declare those candidates to be elected. In other cases a vote shall be taken.

The method of balloting will be the single transferable vote system where there are three or more candidates. The Returning Officer shall prepare voting papers which shall contain a list of the candidates for whom the elector may vote.

The voting paper shall also specify the date by which the voting paper must be returned to him. A voting paper shall be invalid if the elector has cast more votes than are allowed.

The Returning Officer may also disallow a voting paper if it does not comply with this constitution or if it causes uncertainty as to the candidates for whom the elector desires to record his vote, save that the Returning Officer may in his absolute discretion treat a voting paper so marked as valid for the purpose of any vote other than that in connection with which the uncertainty arises.

Voting papers received by the Returning Officer after the election date are invalid.

The Returning Officer after examining the voting papers and determining the validity of the votes, shall count the votes properly recorded and shall prepare a return for the candidates in accordance with the single transferable vote system (where the system is utilised).

The Returning Officer in his absolute discretion shall determine any question as to the validity of a nomination or voting paper or otherwise in connection with an election.

At the conclusion of the election the Returning Officer shall give notice of the full results of the vote to all candidates and the electorate.

## 2.5 SAVING PROVISIONS

No election shall be invalid by reason of any mis-description or non-compliance with the provisions of this scheme or by reason of any miscount or of the non-delivery, loss or miscarriage in the course of post of any document required or authorised by this Constitution to be despatched by post if the Returning Officer is satisfied that the election was conducted substantially in accordance with the provisions of this Constitution.

### 3. MEETINGS

#### 3.1 FIRST MEETING

The Returning Officer shall give not less than seven days clear notice to the Members of the Committee of the time and place of the first meeting. The Chief Executive/Deputy Chief Executive shall inform the electors of the identity of each of the Committee Members.

#### 3.2 QUORUM

A quorum shall be one third of the elected and co-opted voting Committee Members but if one third is not a whole number the next whole number above one third. For the avoidance of doubt those co-opted to the Committee with no voting rights shall not be included in the total number of Members used to calculate a quorum, or constitute or be counted as making up one third of the number of members for the purposes of this section

#### 3.3 VOTING

Only elected members, co-opted members (other than those co-opted under 1.1.2) and Chief Executive/Deputy Chief Executive of the Committee may vote at Committee meetings. If at any Committee meeting there is an equality of votes the presiding officer shall have a second and casting vote.

#### 3.4 OBSERVERS

The Committee may in its absolute discretion invite such persons as it thinks fit to attend the whole or any part of any Committee meeting.

#### 3.5 IN CAMERA

The Committee may require all or any of the invited observers to withdraw from any meeting if it wishes to consider any business in camera.

#### 3.6 CHAIRMAN

The Committee shall elect a Chairman from amongst its number. Nominations will be sought as soon as the result of Committee elections are known or as soon as possible after the Chairman stands down, and if there is more than one nomination there will be a secret ballot conducted, the electorate being all voting members.

Candidates for the position of Chairman shall only be eligible to stand if they are a voting member (excluding GP Registrars)

The Chairman shall hold office for 2 years ending on 31 March. Where the Chairman does not remain in post for the full 2 years, a newly elected Chairman will hold office for the remainder of the original term of office.

If for any part of any meeting the Chairman be not present the chair shall be taken by the Vice-Chairman .

### 3.7 VICE CHAIRMAN

The Committee shall elect a Vice-Chairman from amongst its number. Nominations will be sought as soon as the result of Chair elections are known or as soon as possible after the Vice Chairman stands down, and if there is more than one nomination there will be a secret ballot conducted, the electorate being all voting members.

Candidates for the position of Vice Chairman shall only be eligible to stand if they are a voting member (excluding GP Registrars)

The Vice Chairman shall hold office for 2 years ending on 31 March. Where the Vice Chairman does not remain in post for the full 2 years, a newly elected Chairman will hold office for the remainder of the original term of office.

If for any part of any meeting neither the Chairman nor the Vice-Chairman be present the Committee shall elect another of their number to act as the presiding officer for the duration of that meeting.

### 3.8 LIAISON OFFICER

A Liaison Officer will be elected for each locality constituency outlined in Appendix 1. Nominations will be sought as soon as the results of the Chair and Vice Chair elections are known or as soon as possible after a Liaison Officer stands down, and if there is more than one nomination there will be a secret ballot conducted, the electorate being all voting members carrying out the majority of their work in the relevant locality constituency.

Candidates for the position of Liaison Officer shall only be eligible to stand if they are a voting member (excluding GP Registrars) and carry out the majority of their work in the relevant locality constituency.

A Liaison Officer shall hold office for 2 years ending on 31 March. Where the Liaison Officer does not remain in post for the full 2 years, a newly elected Liaison Officer will hold office for the remainder of the original term of office.

### 3.9 OFFICER VACANCY

In the absence of nominations for the Chair, Vice Chair or a Liaison Officer role, the Committee may at its discretion appoint another of their number to the vacancy.

### 3.10 TREASURER

When an appointed Chief Executive/Deputy Chief Executive is in post he will normally embrace the duties of Treasurer.

3.11 CHIEF EXECUTIVE /  
DEPUTY CHIEF EXECUTIVE

In the absence of there being an appointed Chief Executive or appointed Deputy Chief Executive the Committee shall, from time to time and for such period and upon such terms as they may determine elect from amongst their members a person to act as Chief Executive /Deputy Chief Executive.

3.12 MINUTES

The Chief Executive/Deputy Chief Executive on behalf of the Committee shall keep minutes of each meeting which shall be drawn up and submitted for agreement at the next meeting of the Committee where, if agreed, they shall be signed by the person presiding over it.

**4. SUBCOMMITTEES**

4.1 EXECUTIVE

The Committee may appoint an executive sub-committee which shall comprise the Chairman, Vice-Chairman, Chief Executive Deputy Chief and Liaison Officers.

Terms of Reference are at Appendix 2

4.2 DIVISION

The Committee may appoint Members to Divisions of the Committee

Terms of Reference are at Appendix 3

4.3 OTHER

The Committee shall have power from time to time to delegate any of their functions, with or without restrictions or conditions, to other Sub-committees composed of members of the Committee.

4.4 DISCLOSURE of INTEREST

The provisions of paragraph 11 of this Constitution shall apply to Sub-committees as it applies to the Committee.

5. ANNUAL REPORT

In each year the Committee either itself or through the Company shall:

- prepare a report of their proceedings since the publication of the preceding report, unless the equivalent is produced by the Company;
- prepare a statement of accounts of the Committee and the Company (where appropriate) to be made available to those whose names are listed in the Registers not later than three months after the Committee shall have approved the same. A copy of the report and statement of accounts shall be sent to NHS England or their equivalent

**6. GENERAL and EXTRAORDINARY MEETINGS**

6.1 FREQUENCY

Not less than once in every year the Committee shall convene a meeting of the Represented Members.

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| 6.2 | ATTENDANCE                      | <p>In addition to the Represented Members the following persons shall have the right to attend:-</p> <ul style="list-style-type: none"> <li>• any Committee Member;</li> <li>• Chief Executive/Deputy Chief Executive;</li> <li>• such other persons as the Committee may in their absolute discretion determine.</li> </ul>  |
| 6.3 | DISQUALIFICATION                | <p>A Represented Member who otherwise would be entitled to attend any General Meeting of the Committee or any Extraordinary Meeting of the Committee shall be disqualified from doing so in the circumstances set out in clauses 1.5.1 to 1.5.10. as if those clauses applied to Represented Members as well as to Members of the Committee.</p>  |
| 6.4 | BUSINESS AT<br>GENERAL MEETINGS | <p>The following business may be transacted at a General Meeting:-</p> <ul style="list-style-type: none"> <li>• the receipt and consideration of the Annual Report unless the equivalent is produced by YORLMC Ltd</li> <li>• together with such other business of which 14 days' notice has been given to the Committee and which the Committee in its absolute discretion accept as appropriate for discussion.</li> </ul>  |
| 6.5 | EXTRAORDINARY MEETINGS          | <p>Upon the written request of no less than 30 Represented Members who are not disqualified (in the circumstances set out in paragraphs 1.5.1 to 1.5.10 (inclusive)) the Committee shall convene an Extraordinary Meeting on not less than 21 and not more than 28 days' notice. The only business that may be transacted at such a meeting is that specified in the written request to the Committee a copy of which shall be circulated to all those who receive notice of the meeting.</p>   |
| 7.  | <b>CHIEF EXECUTIVE</b>          |   |
| 7.1 | APPOINTMENT                     | <p>The Committee shall, from time to time and for such period and upon such terms as they may determine, employ a person to act as an appointed Chief Executive or, in accordance with Clause 311, elect a Chief Executive from amongst its number. On assuming office such the Chief Executive shall notify NHS England thereof. If an Appointed Chief Executive is not a Medical Practitioner the Committee shall invite such a practitioner to act as a Medical Advisor and his name shall be notified to the Represented Members.</p> |

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| 7.2 | <b>FUNCTIONS</b>                  | The Chief Executive whether elected or appointed, shall maintain the Register of Members and the GPC Voting Register and shall carry out such functions as the Committee from time to time requests.   |
| 8.  | <b>THE DEPUTY CHIEF EXECUTIVE</b> |  |
| 8.1 | <b>APPOINTMENT</b>                | The Committee shall, from time to time and for such period and upon such terms as they may determine, employ a person to act as an Appointed Deputy Chief Executive or, in accordance with Clause 3.11, elect a Deputy Chief Executive from amongst its number.  |
| 8.2 | <b>FUNCTIONS</b>                  | The Deputy Chief Executive , whether elected or appointed, shall deputise for the Chief Executive when necessary and shall carry out such functions as the Committee from time to time requests.   |
| 9.  | <b>FUNDING</b>                    |  |
| 9.1 | <b>THE STATUTORY LEVY</b>         | The Administrative Expenses of the Committee may be collected on a statutory basis from all Represented Members whose names appear on the Register of Members and in line with policies agreed from time to time by the Committee. The Committee shall have absolute discretion as to how the levies are applied for ultimate benefit of its Represented Members as necessary from time to time. |
| 9.2 | <b>THE VOLUNTARY LEVY</b>         | The Committee may raise an additional Voluntary Levy from Represented Members whose names appear on the Register of Members to cover its other expenses and in line with policies agreed from time to time by the Committee. The Committee shall have absolute discretion as to how the levies are applied for the ultimate benefit of its Represented Members as necessary from time to time.   |
| 9.3 | <b>COLLECTION</b>                 | The method of collection of the Statutory Levy and the Voluntary Levy shall be determined from time to time by the Committee.  |
| 9.4 | <b>AMOUNT</b>                     | The amounts of Statutory Levy and the Voluntary Levy shall respectively be determined having regard to the requirements of openness, transparency and equity and upon an estimation of the proportion of administrative and other expenses attributable to each class of Represented Member.   |

9.5 ACCOUNTING

The Committee shall maintain separate accounts for the Statutory Levy and the Voluntary Levy. The accounts for the statutory levy must clearly identify the statutory element paid by practitioners respectively on the Register of Members.

10. NOTICES

Where a document is required to be sent to an elector it shall be deemed to have been duly sent if it was delivered or posted to the address of the elector shown respectively in the Register of Members.

11. DISCLOSURE OF INTEREST

If an Officer of the Committee or Committee Member sits on or works for any stakeholder or relevant organisation or has a pecuniary or other significant interest, direct or indirect, in any contract, proposed contract, stakeholder or relevant organisation or other matter and is present at a meeting of the Committee or sub-committee when the contract, proposed contract, or other matter is the subject for consideration he shall at the meeting and as soon as practicable after its commencement disclose that fact and shall act in accordance with the "[Management of Interests Policy](#)" (or subsequent relevant policy) drawn up by the Committee from time to time.

If any Officer of the Committee or a Committee Member has any doubts about whether or not he has such an interest he shall report the matter to the Chairman who shall advise as to whether or not the matter should be declared.

The Committee shall publish and maintain a '[Management of Interests](#)' policy, a document which shall be available for inspection to members and Represented GPs.

12. RESERVED

13. AMENDMENTS TO CONSTITUTION

This constitution may be amended in the following manner:-

13.1 A proposal to amend this constitution may be made by any member of the Committee, by the LMC Chief Executive or by 15 represented members in writing to the LMC Chief Executive;

13.2 When such a proposal is received the LMC Chief Executive shall circulate it to all

represented members and the Committee inviting comments within 21 days;

13.3 At the end of that period the original proposer(s) of the amendment (having been appraised of the comments) will be invited to amend it or not, and submit it to the Committee or withdraw it, in the light of the comments;

13.4 If submitted to the Committee (in original or amended form) it will be placed on the agenda for the next LMC meeting and will take immediate effect if passed by a two-thirds majority of those present and voting. No amendments other than minor technical changes can be made at the meeting.

## 14. WINDING UP

If upon any amalgamation or reorganisation of the Committee there remain any residual funds or liabilities the same shall be distributed between such other Committees that may be involved in the amalgamation or reorganisation so as equitably to reflect the proportions in which represented members are transferred to other Committees.

<sup>1</sup>CCT – Certificate of Completion of Training  
<sup>2</sup>CEGPR – Certificate of Eligibility for GP Registration



## **APPENDIX 1**

### **Constituencies – NORTH YORKSHIRE**

#### **(1) Locality constituencies – 24 seats\***

|                                   |    |
|-----------------------------------|----|
| Harrogate and Rural District      | 5  |
| Hambleton, Richmondshire & Whitby | 4  |
| Scarborough & Ryedale             | 4  |
| Vale of York                      | 11 |

**ELECTORATE:** All GP principals, salaried and freelance (locum) GPs<sup>#</sup> carrying out all or a substantial part of their work in one of the above locality constituencies.

#### **(2) District Wide Locum – 1 seat\*\***

**ELECTORATE:** All freelance (locum) GPs carrying out the majority of their work in the Hambleton, Richmondshire & Whitby, Harrogate and Rural District, Scarborough and Ryedale or Vale of York areas

#### **(3) Districtwide GPR Constituency – 2 seats**

**ELECTORATE:** All GP Registrars or trainees on the Performers List on the North Yorkshire & York training schemes or their successors

#### **(4) Districtwide Early Years GP – 1 seat \*\***

**ELECTORATE:** All GP principals, salaried and freelance (locum) GPs who received a CCT<sup>1</sup> or CEGPR<sup>2</sup> within the previous 5 years, carrying out the majority of their work in the Hambleton, Richmondshire & Whitby, Harrogate and Rural District, Scarborough & Ryedale or Vale of York areas

Total number of seats 28

#1.7 of the Constitution provides details of GPs represented by North Yorkshire LMC

\* No GP will be permitted to vote or stand for election within more than one of the locality constituencies listed under (1) above. Candidates in the locality constituencies should carry out the majority of their work in that locality constituency.

\*\* All freelance (locum) GPs may offer themselves as candidates in constituency (2); in addition they may be a candidate in any one of the locality constituencies under (1) in which they are qualified to stand and Constituency (4) (if within 5 years of qualification);. Any GP elected to constituency (4) will be removed from the list of candidates for a Constituency under (2) and/or a constituency under (1) and any candidate elected to Constituency (2) will be removed from the list of candidates for a Constituency under (1).

## **Appendix 2**

### **SUB-COMMITTEES**

#### **LMC EXECUTIVE COMMITTEE**

##### **Terms of Reference**

#### **1) Role and purpose of the LMC Executive Committee**

The Executive sub-committee shall consider any matter referred to it by the Committee and by the Officers of the Committee together with matters requiring consideration before the next scheduled meeting of the Committee. The sub-committee shall have power to act on behalf of the Committee between Committee meetings.

#### **2) Membership**

The Executive Committee shall comprise the Chairman, Vice-Chairman, Chief Executive Deputy Chief Executive and Liaison Officers.

The Executive Committee shall have power to co-opt such other committee members as may be necessary to assist with its duties.

#### **3) Quoracy**

A quorum for the sub-committee shall be two from the Chair, Vice Chair and Chief Executive and two Liaison Officers

#### **4) Meeting Frequency**

As required. Members of the Executive Committee will be provided with a minimum of 48 hours' notice

#### **5) Chair**

The Chair of the LMC will Chair the meeting. In the absence of the Chair, the Vice Chair of the LMC will Chair the meeting.

#### **6) Reporting Mechanisms**

LMC Members will be informed of the outcome of any meeting of the Executive Committee at the earliest opportunity. In addition the Executive Committee shall circulate with the agenda for each LMC meeting, minutes of its own meetings held since the circulation of the last LMC agenda.

#### **7) Review Date**

As required

## Appendix 3

### SUB-COMMITTEES

#### LMC DIVISION – HARROGATE (Harrogate & Rural District)

##### Terms of Reference

Date: April 2016

**1. Role and purpose of the Harrogate and Rural District Division of the North Yorkshire Branch of YORLMC Ltd**

The Harrogate and Rural District Division of the North Yorkshire Branch of YORLMC Ltd is a formal group representing all GPs and GP practices in the Harrogate and Rural District locality whatever their contractual status.

The Harrogate and Rural District Division of the North Yorkshire Branch of YORLMC Ltd has been established to strengthen medico-political engagement and collaboration between YORLMC, constituent GPs and practices, Harrogate and Rural District CCG and Harrogate District NHS Foundation Trust.

Specifically the Division structure is designed to complement, strengthen and operate alongside YORLMC's existing Districtwide meeting arrangements. It will provide a forum for the elected YORLMC Harrogate and Rural District locality representatives, constituent GPs and practice managers, representatives of Harrogate and Rural District CCG and Harrogate District NHS Foundation Trust to discuss matters that are pertinent to the locality.

The Harrogate and Rural District Division of the North Yorkshire Branch of YORLMC Ltd is authorised to make decisions on behalf of constituent GPs and practice managers without reference to Branch where those decisions do not affect the Hambleton, Richmond and Whitby; Vale of York and Selby; and Scarborough and Ryedale localities.

**2. Membership of the Harrogate and Rural District Division of the North Yorkshire Branch of YORLMC Ltd**

- a) Elected members of YORLMC Ltd, Harrogate and Rural District locality
- b) Representative(s) of Harrogate and Rural District CCG with appropriate delegated authority to make decisions on behalf of the CCG
- c) Representative(s) of Harrogate District NHS Foundation Trust with appropriate delegated authority to make decisions on behalf of the Trust
- d) Constituent GPs and practices of the Harrogate and Rural District locality
- e) Invited representatives of other organisations as appropriate

**3. Quoracy**

A quorum shall be not less than one third of the YORLMC Membership. This equates to 2 members for the Harrogate and Rural District Division.

**4. Invited guests**

It is recognised that representatives of other organisations will be invited to attend the whole or any part of meetings of the Harrogate and Rural District Division of the North Yorkshire Branch of YORLMC Ltd as appropriate to the agenda under consideration.

**5. Meeting Frequency**

Meetings will generally take place 12.45pm – 2.45pm bi-monthly on the first Wednesday of the month, commencing February. The venue will generally be YORLMC offices, First Floor, 87-79 Leeds Road, Harrogate, HG2 8BE.

**6. Chair**

The Chair shall be the Harrogate and Rural District Liaison Officer appointed by the North Yorkshire Branch of YORLMC Ltd.

**7. Secretarial Support**

To be provided by YORLMC's Corporate Affairs Team.

**8. Reporting Mechanisms**

Minutes of the Harrogate and Rural District Division of the North Yorkshire Branch of YORLMC Ltd will be circulated to:

- Members, North Yorkshire Branch, YORLMC Ltd
- Harrogate and Rural District CCG
- Harrogate District NHS Foundation Trust

**9. Review Date**

April 2018

**LMC DIVISION – NORTHALLERTON  
(Hambleton, Richmondshire & Whitby)**

**Terms of Reference**

**Date:** April 2016

**10. Role and purpose of the Hambleton, Richmond and Whitby Division of the North Yorkshire Branch of YORLMC Ltd**

The Hambleton, Richmond and Whitby Division of the North Yorkshire Branch of YORLMC Ltd is a formal group representing all GPs and GP practices in the Hambleton, Richmond and Whitby locality whatever their contractual status.

The Hambleton, Richmond and Whitby Division of the North Yorkshire Branch of YORLMC Ltd has been established to strengthen medico-political engagement and collaboration between YORLMC, constituent GPs and practices, Hambleton, Richmond and Whitby CCG and South Tees Hospitals NHS Foundation Trust.

Specifically the Division structure is designed to complement, strengthen and operate alongside YORLMC's existing Districtwide meeting arrangements. It will provide a forum for the elected YORLMC [insert] locality representatives, constituent GPs and practice managers, representatives of Hambleton, Richmond and Whitby CCG and South Tees Hospitals NHS Foundation Trust to discuss matters that are pertinent to the locality.

The Hambleton, Richmond and Whitby Division of the North Yorkshire Branch of YORLMC Ltd is authorised to make decisions on behalf of constituent GPs and practice managers without reference to Branch where those decisions do not affect the Vale of York and Selby; Harrogate and Rural District; and Scarborough and Ryedale localities.

**11. Membership of the Hambleton, Richmond and Whitby Division of the North Yorkshire Branch of YORLMC Ltd**

- a) Elected members of YORLMC Ltd, Hambleton, Richmond and Whitby locality
- b) Constituent GPs, Hambleton, Richmond and Whitby locality
- c) Constituent practices, Hambleton, Richmond and Whitby locality
- d) Representative(s) of Hambleton, Richmond and Whitby CCG with appropriate delegated authority to make decisions on behalf of the CCG
- e) Representative(s) of South Tees Hospitals NHS Foundation Trust with appropriate delegated authority to make decisions on behalf of the Trust
- f) Invited representatives of other organisations as appropriate

**12. Quoracy**

A quorum shall be not less than 2 members of the YORLMC Membership.

**13. Invited guests**

It is recognised that representatives of other organisations will be invited to attend the whole or any part of meetings of the Hambleton, Richmond and Whitby Division of the North Yorkshire Branch of YORLMC Ltd as appropriate to the agenda under consideration.

**14. Meeting Frequency**

Meetings will generally take place at 8pm, bi-monthly on the third Tuesday of the month, commencing February. Meetings will generally be held at The Friarage Hospital, Northallerton.

**15. Chair**

The Chair shall be the Hambleton, Richmond and Whitby Division Liaison Officer appointed by the North Yorkshire Branch of YORLMC Ltd.

**16. Secretarial Support**

To be provided by YORLMC's Corporate Affairs Team

**17. Reporting Mechanisms**

Minutes of the Hambleton, Richmond and Whitby Division of the North Yorkshire Branch of YORLMC Ltd will be circulated to:

- Constituent GPs and practice managers, Hambleton, Richmond and Whitby locality
- Members, North Yorkshire Branch, YORLMC Ltd
- Hambleton, Richmond and Whitby CCG
- South Tees Hospitals NHS Foundation Trust

**18. Review Date**

April 2018

## **LMC DIVISION – SCARBOROUGH (Scarborough & Ryedale)**

### **Terms of Reference**

**Date:** April 2016

#### **19. Role and purpose of the Scarborough and Ryedale Division of the North Yorkshire Branch of YORLMC Ltd**

The Scarborough and Ryedale Division of the North Yorkshire Branch of YORLMC Ltd is a formal group representing all GPs and GP practices in the Scarborough and Ryedale locality whatever their contractual status.

The Scarborough and Ryedale Division of the North Yorkshire Branch of YORLMC Ltd has been established to strengthen medico-political engagement and collaboration between YORLMC, constituent GPs and practices, Scarborough and Ryedale CCG and York Teaching Hospitals NHS Foundation Trust.

Specifically the Division structure is designed to complement, strengthen and operate alongside YORLMC's existing Districtwide meeting arrangements. It will provide a forum for the elected YORLMC Scarborough and Ryedale locality representatives, constituent GPs and practice managers, representatives of Scarborough and Ryedale CCG and York Teaching Hospitals NHS Foundation Trust to discuss matters that are pertinent to the locality.

The Scarborough and Ryedale Division of the North Yorkshire Branch of YORLMC Ltd is authorised to make decisions on behalf of constituent GPs and practice managers without reference to Branch where those decisions do not affect the Harrogate and Rural District; Vale of York and Selby; and Hambleton, Richmond and Whitby localities.

#### **20. Membership of the Scarborough and Ryedale Division of the North Yorkshire Branch of YORLMC Ltd**

- a) Elected members of YORLMC Ltd, Scarborough and Ryedale locality
- b) Constituent GPs, Scarborough and Ryedale locality
- c) Constituent practices, Scarborough and Ryedale locality
- d) Representative(s) of Scarborough and Ryedale CCG with appropriate delegated authority to make decisions on behalf of the CCG
- e) Representative(s) of York Teaching Hospitals NHS Foundation Trust with appropriate delegated authority to make decisions on behalf of the Trust
- f) Invited representatives of other organisations as appropriate

#### **21. Quoracy**

A quorum shall be not less than one third of the YORLMC Membership.

#### **22. Observers and Invited guests**

It is recognised that representatives of other organisations will be invited to attend the whole or any part of meetings of the Scarborough and Ryedale Division of the North Yorkshire Branch of YORLMC Ltd as appropriate to the agenda under consideration. A representative of the Scarborough and Ryedale Practice Manager Group will be invited to attend the meeting as an observer.

**23.Meeting Frequency**

Meetings will generally take place 3pm-5pm, bi-monthly on the first Thursday of the month, commencing February. Meetings will generally be held at The Surgery, 53 Pickering Road, West Ayton, Scarborough, YO13 9JF.

**24.Chair**

The Chair shall be the Scarborough and Ryedale Liaison Officer appointed by the North Yorkshire Branch of YORLMC Ltd.

**25.Secretarial Support**

To be provided by YORLMC's Corporate Affairs Team

**26.Reporting Mechanisms**

Minutes of the Scarborough and Ryedale Division of the North Yorkshire Branch of YORLMC Ltd will be circulated to:

- Constituent GPs and practice managers, Scarborough and Ryedale locality
- Members, North Yorkshire Branch, YORLMC Ltd
- Scarborough and Ryedale CCG
- York Teaching Hospitals NHS Foundation Trust

**27.Review Date**

April 2018



## **LMC DIVISION – YORK & SELBY (Vale of York)**

### **Terms of Reference**

**Date:** April 2016

#### **28. Role and purpose of the Vale of York and Selby Division of the North Yorkshire Branch of YORLMC Ltd**

The Vale of York and Selby Division of the North Yorkshire Branch of YORLMC Ltd is a formal group representing all GPs and GP practices in the Vale of York and Selby locality whatever their contractual status.

The Vale of York and Selby Division of the North Yorkshire Branch of YORLMC Ltd has been established to strengthen medico-political engagement and collaboration between YORLMC, constituent GPs and practices, Vale of York CCG and York Teaching Hospital NHS Foundation Trust.

Specifically the Division structure is designed to complement, strengthen and operate alongside YORLMC's existing Districtwide meeting arrangements. It will provide a forum for the elected YORLMC Vale of York and Selby locality representatives, constituent GPs and practice managers, representatives of Vale of York CCG and York Teaching Hospitals NHS Foundation Trust to discuss matters that are pertinent to the locality.

The Vale of York and Selby Division of the North Yorkshire Branch of YORLMC Ltd is authorised to make decisions on behalf of constituent GPs and practice managers without reference to Branch where those decisions do not affect the Harrogate and Rural District, Scarborough and Ryedale; and Hambleton, Richmond and Whitby localities.

#### **29. Membership of the Vale of York and Selby Division of the North Yorkshire Branch of YORLMC Ltd**

Membership shall be all elected members of YORLMC Ltd, Vale of York and Selby locality

#### **30. Quoracy**

A quorum shall be not less than 6 elected members of YORLMC Ltd, Vale of York and Selby locality

#### **31. Observers and Invited guests**

It is recognised that representatives of other organisations will be invited to attend the whole or any part of meetings of the Vale of York and Selby Division of the North Yorkshire Branch of YORLMC Ltd as appropriate to the agenda under consideration. To include:

- a) Representative(s) of Vale of York CCG with appropriate delegated authority to make decisions on behalf of the CCG
- b) Representative(s) of York Teaching Hospitals NHS Foundation Trust with appropriate delegated authority to make decisions on behalf of the Trust
- c) Constituent GPs and practices of the Vale of York and Selby locality
- d) Invited representatives of other organisations as appropriate

#### **32. Meeting Frequency**

Meetings will generally take place at 1pm – 3pm bi-monthly on the second Thursday of the month, commencing February. The venue will generally be Priory Medical Group, Lavender Grove, Boroughbridge Road, York.

### **33. Chair**

The Chair shall be the Vale of York and Selby Liaison Officer appointed by the North Yorkshire Branch of YORLMC Ltd.

### **34. Secretarial Support**

To be provided by YORLMC's Corporate Affairs Team.

### **35. Reporting Mechanisms**

Minutes of the Vale of York and Selby Division of the North Yorkshire Branch of YORLMC Ltd will be circulated to:

- Members, North Yorkshire Branch, YORLMC Ltd
- Vale of York CCG
- York Teaching Hospitals NHS Foundation Trust

### **36. Review Date**

April 2018