



**Durham Employers' Care and Health Alliance**

**Amended : 1/06/2011**  
**Ratified: 16/06/2011**

## **Constitution**

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## **1 Purpose of the Constitution**

The purpose of this constitution is to clarify the aims, objectives, roles and responsibilities of the “durham employers’ care and health alliance” (decha).

Amendments to the constitution must be approved by the Alliance Board

## **2 Status**

decha is a formal alliance of member organisations.

Durham County Council, Adults, Wellbeing and Health will be the body to enter into formal agreements and contracts, and be the body complying with those conditions, and will act to facilitate infrastructure as host to decha, including providing support with financial and other resource management, examples provided in Appendix 1.

The responsibilities of the Alliance Board and other constituent elements of the alliance are set out below.

## **3 Aims and Objectives**

The Aim of the Alliance is to support the delivery of high quality health and social care within County Durham by supporting employers in developing a workforce fit for its purpose.

The Objectives of the Alliance are:

- To access appropriate funding opportunities to support workforce development within the health and social care sector.
- To support employers to access training and guidance in line with the statutory regulations of the Sector.
- To facilitate staff training and development across the health and social care sector in County Durham.
- To promote and develop training and capacity within the sector, which meets the individual needs of employers, learners and service users.
- Following the introduction of the personalisation agenda and direct payments, employers and micro employers, unpaid carers, and learners will be supported to ensure appropriate levels of training

#### **4. Management of the Alliance**

The Alliance will be managed by an Alliance Board who will be responsible for strategic direction, (steering the Alliance), approval, implementation and review of this document.

Authority is delegated by the Alliance Board to the Alliance Manager/Development Officer, Independent and Voluntary Sector Team, for full administration, tendering of bids, and financial accountability. The Alliance Manager reports to the board and is hosted by Durham County Council for personnel requirements.

Authority may also be delegated to working parties.

The Alliance Board will be accountable to the members.

Quarterly meetings of the Board will be held, unless emergency meetings are required, they will be minuted.

The members of the Alliance Board will be elected at the Annual General Meeting of the Alliance by the Alliance's Employer Members, postal and electronic votes will also be accepted.

In any case the Board shall have the power to co-opt additional voting or non-voting members to the Board.

#### **5 Membership Eligibility Criteria**

##### Employer Member

An Employer Member will be a health or social care service provider to the people of County Durham or an employer of staff within County Durham, who has completed membership documentation. An organisation is defined as a single owner as registered with the Care Quality Commission or, in the case of organisations not so registered, as determined by the Alliance co-ordinator.

Each member is entitled to one vote per member for the membership of the Alliance Board and any other matters on which the board shall seek their views

Statutory bodies such as NHS trusts and Social Service departments are not eligible to be employer members.

##### Interested Parties

Representatives from interested organisations may be co-opted as a non voting member of the Alliance Board either on an annual basis or for an interim period if their skills, knowledge or expertise are required for a specific period or project.

They may also attend Annual Meetings as non-voting interested parties.

Interested parties include Skills for Care, LSC, NHS County Durham Workforce Collaborative. Regional Development Agency, Care Quality Commission, representatives of carers and users of social care and health provision within County Durham.

## **6 Structure of the Alliance Board**

Chair and board to be elected for a four years term, only in the event of anyone retiring will new elections take place before the end of the 4 year period

Only **Employer Members** are eligible to be voting members of the Alliance Board. Agreement will be by simple majority.

An organisation may only have one voting representative on the Board.

The Adults, Wellbeing and Health Service will be eligible to vote as an employer member and to ensure its legal responsibilities that it undertakes as the accountable body /host to decha. On these matters involving legal accountability the Adults, Wellbeing and Health Service will have a veto.

**Training Provider Members** may be represented at the Alliance Board by a representative, as a non voting party.

**Interested Parties** may be non voting members of the Alliance Board.

### **Administration of voting for Board Membership:**

Prior to the annual meeting volunteer Board Members will be requested to provide a statement of not more than 250 words for their case, including their organisations size and type. This will be sent out to Employer Members before the Annual Meeting. Postal votes may be accepted if received before the Annual meeting. Employer Members may volunteer as representatives of different sectors.

A statement regarding the proportional representation required on the Board regarding numbers of employer members and sector representation will be made when the call for volunteers is made.

The **Chairperson** is to be elected by the Alliance Board for a four year period as identified above. The Chairperson in addition to their normal vote may have a casting vote.

### **Quorums:**

20 Employer Members are required for a quorum at an Annual General Meeting.  
3 Employer Members are required for a quorum at an Alliance Board Meeting.

## **7 Eligibility for access to funds**

Funding may be received from various sources with various different criteria required to gain access to the funding. Therefore, eligibility to funding will be determined by the individual funding criteria and the Alliance Board.

Funding will be allocated following the guidance for equitable distribution of funds:

1. Employer Membership with all documentation completed, and an active nmms-sc registration.
2. Fund eligibility.
3. Ongoing courses part-funded with previous Alliance funds e.g. NVQ's units started with assistance from one bidding round which need to be complete with the next bidding round.
4. Employee qualifications and/or training required by the employer member to meet legislation and National Minimum Standards.
5. Small to medium sized enterprises preferred over large employers.
6. Date of joining the Alliance.
7. Date of completion of annual workforce development forms and application for funding.
8. Have they previously received funding from funding streams through the Alliance, if they have not then they should have priority over organisations who have previously received funding through the Alliance funding streams.
9. If there are more applicants for funding than can be funded by any funding streams available the rules for distribution of funds are applied in the above order.
10. If employer members are equal on the above points but there are still more applicants for funding than can be funded by any funding streams available, then the funding is distributed proportionately between the employer members where ever possible.

- 8 Should decha find it is in the position of inadequate funding or abilities to support its members and achieve the objectives laid out in this constitution an exit strategy should apply. All staff provided by the host shall be eligible for redeployment as per Durham County Council's policies and procedures. Those staff funded through grants should see out their contracts as per the life span of the contract. All resources provided by the host will remain the property of the host. Existing staff shall Endeavour to achieve all the requirements of current contracts and services to decha members until these contracts cease.**

## **Appendix 1**

### **Administration and financial powers delegated to the Independent and Voluntary Sector Team, Adults, Wellbeing and Health, County Durham Council.**

Responsibility for:

- Communications internal and external to the Alliance
- Alliance administration
- Fund administration
- Financial Records
- Identification of funding sources
- Collation and application of bids re funding
- Commissioning of training providers as directed by the Board
- Monitoring of targets
- Production of reports to fund providers, Alliance Board and Members.

*This is not an exhaustive list, but indicative of the work undertaken by the IVS Team.*