

Meeting of Primary Care Commissioning Committee

Date: Tuesday 26 February 2019

Time: 9.00am

Location: Clevedon Hall, Elton Rd, Clevedon BS21 7RH

Agenda number: 6

Report title: Ethical Framework for Decision-Making

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1. Purpose

To provide Primary Care Commissioning Committee with information on the development of the BNSSG CCG Ethical Framework for Decision-Making and ask for a decision to adopt it for use by the Committee.

2. Recommendations

Primary Care Commissioning Committee is asked to:

- Note that Governing Body has approved the BNSSG CCG Ethical Framework for Decision-Making
- Approve the BNSSG CCG Ethical Framework for Decision-Making for use by Primary Care Commissioning Committee

3. Executive Summary

The BNSSG CCG Ethical Framework for Decision Making describes the principles that we will use when making commissioning decisions.

The framework will not be a decision-making tool nor the process for decision making. The principles should not be used as a checklist or criteria to be met before a decision can be made.

We have developed the final draft Ethical Framework for Decision Making by looking at the frameworks used by other CCGs and we have taken advice from legal, public health and ethics experts. We engaged with stakeholders, including community and voluntary sector representatives, on the draft during November and early December 2018.

BNSSG CCG Governing Body approved the final draft of the framework in January 2019. The final draft can be found at Appendix 1.

4. Financial resource implications

The Ethical Framework for Decision-Making itself will support BNSSG to understand and take account of financial resource implications across the system when making decisions and will consider these equally with other considerations.

5. Legal implications

The Ethical Framework for Decision-Making will support BNSSG CCG to deliver its duties under the Health and Social Care Act 2012.

6. Risk implications

The absence of an Ethical Framework for Decision-Making may make it more difficult for the CCG to demonstrate the robustness with which it makes decisions. An Ethical Framework for Decision-Making and actions to ensure that it is used will help to mitigate this risk.

7. Implications for health inequalities

The principles described in the Ethical Framework for Decision-Making include making decisions through a non-discriminatory process reinforcing equality of opportunity of access to healthcare and being explicit that there may be times when it is appropriate to target some demographic groups or health issues in order to reduce inequalities in health outcomes and promote the wellbeing of the community.

8. Implications for equalities (Black and Other Minority Ethnic/Disability/Age Issues)

The screening demonstrated that the principles contained in Ethical Framework for Decision-Making could have a positive impact on people with protected characteristics. We recognise that we will need to take practical positive steps to ensure that:

- CCG staff using this framework receive some support to ensure that they fully understand the principles and what it means to make decisions by consensus.
- We adhere to Principle 4 – Transparent and open to scrutiny. This is to ensure that decisions that we make that affect various members of our population can be easily understood by them. We may also need to review the way in which we document the process followed when making decisions and how we show the degree of consensus reached when appropriate.

9. Implications for Public Involvement

Community and voluntary representatives were invited to engage on the draft Ethical Framework for Decision Making in order to explain its purpose and gain their feedback on the principles. This engagement took place in December 2018. There was support for having the framework and for the principles included in it and an emphasis on the CCG needing to support its staff to use it.