



**CONSTITUTION OF THE LEICESTER, LEICESTERSHIRE AND RUTLAND LOCAL MEDICAL COMMITTEE
("LMC")**

1. PREAMBLE

- 1.1 This document sets out the constitution of the Local Medical Committee for the Leicester, Leicestershire and Rutland area. For as long as the LMC is recognised by NHS England or any successor organisation, as being representative of the practitioners in an area, this Constitution shall not be rendered invalid by any changes to the structures and boundaries of the NHS.

2. RECOGNITION

- 2.1 In accordance with paragraph 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 LMC formed for its area as representing the GPs in its area. The LMC shall also be independently recognised in accordance with this Constitution by way of authority from its Constituents.

3. REPRESENTATION/MEMBERSHIP

- 3.1 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) for Leicester, Leicestershire and Rutland. This shall include principal GPs, salaried GPs, sessional GPs and GPs undertaking work for the local Out of Hours services.
- 3.2 For the avoidance of doubt, the Committee shall also represent all General Practitioners in the Area, which shall include without limitation as follows:
- 3.2.1 GPs as providers and/or performers of primary care services
- 3.2.2 GPs in their capacity as members of an ICB or any successor NHS commissioning organisation, or members of a governing body of an ICB or any successor NHS commissioning organisation.
- 3.2.3 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.
- 3.2.4 GPs in their capacity as service providers under any arrangement via a provider arm organisation or otherwise
- 3.3 All of the above shall hereby be referred to as "Constituents".

4. INTERPRETATION

- 4.1 The paragraph headings shall be taken into account in the interpretation of this Constitution and where the context so requires:
- 4.1.1 the singular number shall include the plural number and vice versa; and
- 4.1.2 reference to statutes or parts or sections of statutes shall include any statutory modifications or re-enactments thereof or any regulations orders or directions made there under for the time being in force.
- 4.1.3 "persons" include persons and all other legal entities

5. DEFINITIONS

Act	The National Health Service Act 2006.
Area	The counties of Leicestershire and Rutland.
BMA	The British Medical Association.
Chair	Means the person appointed as Executive Chair of the Governing Body in accordance with these Rules.
Clear Days	Means in relation to a period of notice that period excluding the day when the notice is given or deemed to be given and the day for which it is given or on which it is to take effect
Co-Opted Members	A person co-opted as a Governing Body Member pursuant to Rule 6
Deputy Chair	Means the person that may be appointed as Deputy Chair of the Governing Body by the Chair in accordance with these Rules.
Elected Members	A Governing Body Member elected in accordance with the provisions of these Rules
Electoral term	A period of four years commencing with the first Governing Body meeting following election of the Governing Body
GP	A general practitioner, whose name appears on the list of registered general medical practitioners compiled and held by the General Medical Council
Governing Body	The governing body of the LMC constituted in accordance with Rule 6 hereof
Governing Body Member	A person elected or co-opted onto the Governing Body in accordance with the provisions of this Constitution.
ICB	The body corporate known as an Integrated Care Board formalised as legal entity with statutory powers and responsibilities by amendment of the Act by Section 19 of the Health and Care Act 2022.
Levy Paying Member	All levy paying GPs performing primary or general medical services in the Area for which the LMC was formed; or those GP Constituents as defined in clause 3 herein who have paid (or had paid on their behalf) the membership levy. For avoidance of doubt this includes all general practitioners who perform medical services for a practice within Leicester, Leicestershire or Rutland

Limited Company	Leicester, Leicestershire and Rutland Local Medical Committee Limited. A company limited by guarantee registered no. 6278584
LMC	The Leicester, Leicestershire and Rutland 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 and general medical services in the area for which the LMC was formed and as independently recognised by its Constituents by way of a mandate of authority.
LMC year	Means the 1st of April to the 31st of March in each year and where an officer or a Governing Body Member 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 at the close of the AGM applicable to such year
NHS England	The commissioning organisation, recognised by the Health and Social Care Act 2012 on behalf of the NHS, and responsible for commissioning primary care services from, and holding contracts with, GP practices or organisations providing primary medical services (including single handed GPs) or any successor organisation.
Officers of the Governing Body	The Chair, Chief Executive, Treasurer and any officers appointed by the Chair, or the governing body.
Performers lists	The lists maintained by NHS England of medical practitioners providing primary medical services (as defined in section 91(3) of the Act.
Register of members	The combined register of represented Levy Paying Members and Governing Body Members which shall be maintained in several parts as necessary for administrative purposes i.e. all fully trained/post CCT GPs on the Medical Performers List for Leicestershire and Rutland.
Returning officer	A person whose name is not included on any part of the Register of Governing Body Members invited by the Committee to act, in person or through a deputy, to assist in any capacity at elections of the Governing Body
Chief Executive	Means the person appointed as Chief Executive of the Governing Body in accordance with these Rules.
Treasurer	Means the person appointed as Treasurer of the Governing Body in accordance with these Rules.
Working Group	A sub-committee or working group established or authorised for a particular or general purpose by the Governing Body

6. THE GOVERNING BODY OF THE LMC

Composition: The Governing Body shall consist of Elected Members and Co-Opted Members.

6.1.1 **The Elected Members:** There shall be no more than 11 Levy Paying Members elected in accordance with the provisions of this Constitution, of which at the time of election a minimum will be:

- four from the city
- four from the county
- one from Rutland.
- six contractors
- two sessional GPs
- one qualified two years or less as a general practitioner

The exact number of LMC members will be determined by the governing body from time to time reflecting the population of the area. Other rules regarding to ensure fair representation of different groups of constituents will be determined by the governing body from time to time.

6.1.2 **Co-opted Members:** Up to 3 Co-Opted Members may be co-opted by the Elected Members, to be Governing Body Members.

6.1.3 **Chair:** An Elected Member shall be elected by the Elected Members and Co-Opted Members of the Governing Body to the role of Chair.

6.1.4 **Chief Executive:** An Elected Member shall be elected by the Elected Members and Co-Opted Members of the Governing Body to the role of Chief Executive. Alternatively, the majority of the governing body can appoint a general practitioner who is not a member of the governing body to the role of Chief Executive, and in this case the appointed person must be co-opted as a member of the governing body.

6.1.5 **Treasurer:** An Elected Member shall be elected by the Elected Members and Co-Opted Members of the Governing Body to the role of Treasurer.

6.1.6 **Deputy Chair:** An Elected Member may be appointed by the chair with the agreement of the governing body to the role of Deputy Chair.

6.1.7 **Assistant Chief Executive:** An Elected Member may be appointed by the Chief Executive with the agreement of the Governing Body to the role of Assistant Medical Secretary.

6.1.8 **Vacancies:** The Governing Body may co-opt into any vacancy of the roles set out in paragraph 6.1.3, 6.1.4, 6.1.5, 6.1.6, or 6.1.7.

6.1.9 The Governing Body shall inform the represented GPs of the names of all Officers and Governing Body Members and their status whether co-opted or elected.

6.2 Election and Terms of office

6.2.1 A vote of the Levy Paying Members shall elect the Elected Members. Such vote shall take place at a general meeting of the LMC; or at the option of the Governing Body,

may be carried out by ballot in accordance with such procedure and practice as the Governing Body shall determine.

- 6.2.2 The votes shall be counted by the Returning Officer and one Governing Body Member who is not a candidate in the election or any such person as the outgoing governing body should nominate.
- 6.2.3 Subject to paragraph 6.1.1, the candidates receiving the majority of votes shall be declared elected.
- 6.2.4 Subject to these Rules provided, each Elected Member shall hold office on the Governing Body for a fixed period of four years. The existing board will continue to function until the new board has an inaugural meeting.
- 6.2.5 Half of the Elected Members will be elected every 2 years. If there is an uneven number, then the nearest whole number above half will be elected alternating with the nearest whole number below half.

6.3 Appointment of Chair, Deputy Chair, Chief Executive, Deputy Chief Executive and Treasurer

- 6.3.1 The Governing Body will appoint a Chair, Chief Executive and a Treasurer from the elected members following an election as per section 6.2.
- 6.3.2 The Chair, Chief Executive and Treasurer will each be elected for a two-year term.
- 6.3.3 The Chair and Treasurer can each be appointed for a maximum of four consecutive terms (eight years).
- 6.3.4 The Chair will be funded for a nominal 0.5 sessions per week.
- 6.3.5 If appointed, the Deputy Chair will be funded on an ad hoc basis for work done on the same hourly rate paid to other members of the Governing Body. The number of hours to be subject to agreement by the Executive Chair.
- 6.3.6 The Chief Executive will be funded for a nominal minimum of two sessions and maximum of six. The number of sessions to be agreed between the Chair and Governing Body at the start of the term of office.
- 6.3.7 The Chief Executive may appoint a Deputy Chief Executive from the elected members of the Governing Board, with the agreement of the Governing Board. The total funded nominal sessions for both posts combined will not exceed six.
- 6.3.8 The Treasurer will be funded for a nominal 0.5 sessions per week.
- 6.3.9 The term of the Chair, Deputy Chair, Chief Executive, Deputy Chief Executive or Treasurer will be ended prematurely
 - 6.3.9.1 On their resignation from the role of ~~Executive~~ Chair, Deputy Chair, Chief Executive, Deputy Chief Executive, or Treasurer respectively.
 - 6.3.9.2 On their resignation from the Governing Body
 - 6.3.9.3 If disqualified from membership as per section 6.7

6.3.9.4 Following a vote of no confidence passed by a majority of all voting Governing Body Members.

6.3.10 If the term of the Chair, Chief Executive or Treasurer is ended prematurely as per section 6.3.9 the Governing Body will elect or appoint a replacement for the remainder of the electoral term.

6.3.11 If the term of a Deputy Chair is ended prematurely as per section 6.3.9, the Chair may appoint a replacement subject to agreement by the Governing Body.

6.3.12 If the term of the Deputy Chief Executive is ended prematurely as per section 6.3.9, the Chief Executive may appoint a replacement subject to subsection 6.3.7, and agreement by the Governing Body.

6.4 Governing Body Vacancies

6.4.1 Where the number of persons elected to the Governing Body is fewer than 11 the Governing Body may either:

6.4.1.1 co-opt any person to fill any vacancies, or

6.4.1.2 hold a by-election to elect a replacement for the remainder of that electoral term

6.4.2 A vacancy will occur on:

6.4.2.1 The resignation, suspension from or removal from the Performers Lists or the LMC or on the death of a Governing Body Member, or

6.4.2.2 The disqualification of a Governing Body Member by reason of their removal as a director of the Limited Company, in accordance with the terms of the Memorandum and Articles of Association of the Limited Company.

6.5 Resignation

6.5.1 A Governing Body Member may resign from the Governing Body on giving no less than one months' notice in writing to the Chair.

6.6 Attendance and Absence

6.6.1 Full attendance at Governing Body Meetings and any meetings of Working Groups of the Governing Body to which a Governing Body Member has been appointed is expected.

6.6.2 Should a Governing Body Member fail to attend 3 consecutive meetings or fewer than 9 Governing Body meetings in any 12-month period the Chair may refer the Governing Body Member's level of absenteeism to the Governing Body (but excluding the Member whose attendance is in question) for consideration of disqualification of the Governing Body Member.

6.7 Disqualification

6.7.1 An Elected Member shall be disqualified from membership of and shall immediately cease to be a Governing Body Member if:

- 6.7.1.1 They cease to be a registered medical practitioner or Levy Paying Member.
 - 6.7.1.2 They cease to perform general medical services under any primary medical services contract under the Act; or being a performer of such services whose name appears in the Register, advises NHS England that he no longer wishes to be represented by the LMC.
 - 6.7.1.3 They have had their name removed from a Performers List and has not subsequently had their name included in such a list.
 - 6.7.1.4 They hold the office of Chair or Medical Director of an ICB Board or an office that the Governing board deem to be in conflict with a seat on the LMC board.
- 6.7.2 An Elected Member or Co-Opted Member shall be disqualified from membership of and shall immediately cease to be a Governing Body Member if:
- 6.7.2.1 They fail to disclose a pecuniary or other interest in a matter which is the subject of consideration at a meeting of the Governing Body 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 "Code of Conduct and Conflicts of Interests Policy" adopted from time to time by the Governing Body.
 - 6.7.2.2 They fail to attend a meeting of the Governing Body for a period of three consecutive meetings or fails to attend more than 9 Governing Body meetings in any twelve-month period unless the Governing Body are satisfied that the absence was reasonable in all the circumstances.
 - 6.7.2.3 They are disqualified from holding the position of a Director in the Limited Company.

7. ROLE OF THE GOVERNING BODY IN RELATION TO LEVY PAYING MEMBERS AND OTHER PERSONS

- 7.1 The LMC shall use all reasonable endeavours to promote the interests of the represented GPs, in whatever capacity, and advise, support and liaise with them in accordance with the principal objectives of the LMC and limited company. The LMC shall use its best endeavours to work with other persons as the LMC deems necessary to further the interests of the represented GPs whether locally, regionally, nationally or otherwise.

8. GOVERNING BODY MEETINGS

- 8.1 Chair of Meetings:** The Chair of the Governing Body shall chair meetings of the Governing Body. In the absence of the Chair his nominee shall act as Chair. Should neither Chair nor such nominee be present within 15 minutes of the meeting's start time, the Governing Body shall elect a Governing Body Member to act as Chair for the duration of the meeting.
- 8.2 Frequency:** The Governing Body will meet no less frequently than six times in any year commencing on the 1st of April.
- 8.3 Notice and Papers:** The Chair shall give not less than 30 Clear Days' notice to the Elected Members of the time and place of each meeting of the governing Body. Any papers prepared in respect of each meeting of the governing Body will be circulated to the Elected Members no fewer than 5 clear working days prior to the date of the meeting of the governing Body.
- 8.4 Quoracy:** A quorum shall be five board members.

- 8.5 Voting:** On a show of hands every Elected Member and Co-Opted Member shall have one vote. In the case of equality of voting the Chair shall have a second or casting vote.
- 8.6 Observers:** The Governing Body may in its absolute discretion invite such persons as it thinks fit to attend the whole or any part of any Governing Body meeting.
- 8.7 Confidential Session:** The Governing Body may hold all or part of any meeting in confidential session save as required by law.
- 8.8 Record Keeping:** A record will be taken at all Governing Body Meetings and meetings of any Working Groups and / or sub-committees. Contributions by Governing Body Members may be individually minuted. Minutes will be circulated to the Chair of the meeting within one week of the date of the meeting to check for accuracy and amendment if necessary. Minutes will then be included within the papers for the next meeting for approval by the Governing Body Members as an accurate and complete record, prior to signature by the Chair.

9. ANNUAL REPORT

- 9.1 In each year, the Governing Body shall prepare a report of their proceedings since the publication of the preceding report together with a statement of accounts and such report and statement shall be circulated to Levy Paying Members not later than three months after the Governing Body shall have approved the same.

10. GENERAL AND EXTRAORDINARY MEETINGS

- 10.1 Frequency:** Not less than once in every 13-month period the Governing Body shall convene a general meeting of the Levy Paying Members
- 10.2 Attendance:** In addition to the Levy Paying Members any person can attend a Governing Body meeting with prior approval from the Chair.
- 10.3 Disqualification:** A Levy Paying Member who otherwise would be entitled to attend any general meeting of the LMC or any extraordinary meeting of the LMC shall be disqualified from doing so if as a Governing Body Member he would be disqualified from membership in accordance with the provisions of Rule 6.6.
- 10.4 Business at general meetings:** The receipt and consideration of the annual report and such other business of which 14 days' notice has been given to the Governing Body and which the Governing Body in its absolute discretion accept as appropriate for discussion may be transacted at the General Meeting.
- 10.5 Extraordinary General Meeting (EGM)**
- 10.5.1 Upon the written request of not less than 30 eligible Levy Paying Members who are not disqualified, the Governing Body shall convene an extraordinary meeting of the LMC on not less than 21 and not more than 28 days' notice. The only business that may be transacted at such a meeting shall be that specified in the written request to the Governing Body; a copy of which shall be circulated to all Levy Paying Members.
- 10.5.2 Extraordinary General Meetings may be convened at the written request of a quorum of the Governing Body on not less than 21 and not more than 28 days' notice. The only business that may be transacted at such a meeting shall be that specified in the

written request to the Governing Body; a copy of which shall be circulated to all Levy Paying Members.

10.5.3 The Chair can call an EGM at their discretion at any time.

11. OFFICERS

11.1 Are appointed by the board from time to time.

12. FUNDING

12.1 Amount: The amounts of LMC levy shall be determined by the Governing Body. The Governing Body shall have absolute discretion as to how those levies are applied having regard to the benefit and required support of Levy Paying Members at any given time.

12.2 Accounting: The LMC shall maintain accounts for the statutory levy and the voluntary levy which must clearly identify the statutory element paid by practitioners respectively on the register.

13. DISCLOSURE OF INTEREST

13.1 If an officer of the Governing Body or Governing Body 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 Governing Body or Working Group 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.

13.2 If any Officer or Governing Body Member has any doubts about whether or not he has such an interest he shall report the matter to the Chair who shall advise as to whether or not the matter should be declared.

13.3 The Governing Body shall publish and maintain a Conflicts of Interest Policy and ensure it shall be available for inspection by Governing Body Members and Levy Paying Members.

13.4 The Governing Body shall maintain a Register of Members' interests normally available for inspection by Levy Paying Members by application to the Chair

13.5 All Governing Body Members will be required to sign the Governing Body Confidentiality Agreement and Conflicts of Interest Policy.

14. WORKING GROUPS

14.1 The Governing Body may delegate any of its powers to Working Groups consisting of such Governing Body Member or Governing Body Member and others as it thinks fit, provided that such any Working Group so formed shall, in the exercise of the powers so delegated, conform to any regulations imposed on it by the Governing Body. The meetings and proceedings of any such Working Group shall be governed by the provisions of these Rules for regulating the meetings and proceedings of the Governing Body so far as applicable and so far as the same shall not be superseded by any regulations made by the Governing Body

15. AMENDMENTS TO CONSTITUTION

- 15.1 This Constitution may be amended in the following manner, but not otherwise. A proposal for amendment may be made by:
- 15.1.1 not less than 30 Levy Paying Members addressed for the attention of the Chair, who shall place the same before the Governing Body, for consideration on a date not more than 42 days after the same was received, or
 - 15.1.2 any member of the Governing Body
- 15.2 After such proposals have been considered, the Chair shall circulate such proposed amendments (together with the comments or view of the governing Body thereon) to all Levy Paying Members, inviting comments to be addressed to the Chair within 14 days.
- 15.3 After expiry of such period of 14 days, the Governing Body shall consider the nature and extent of replies received in accordance with the provisions of these Rules; and shall determine whether the proposed amendments (either as circulated or as varied as a result of the consideration of such replies) shall be adopted; and
- 15.4 By agreement of the entire Governing Body with a 2/3 majority.

16. NOTICES

- 16.1 Any notice, document or other information shall be deemed served on or delivered to the intended recipient:
- 16.1.1 if properly addressed and sent by prepaid United Kingdom first class post to an address in the United Kingdom, 48 hours after it was posted (or five business days after posting either to an address outside the United Kingdom or from outside the United Kingdom to an address within the United Kingdom, if (in each case) sent by international post addressed to the intended recipient;
 - 16.1.2 if properly addressed and delivered by hand, when it was given or left at the appropriate address.
 - 16.1.3 if properly addressed and sent or supplied by electronic means, one hour after the document or information was sent or supplied; and
 - 16.1.4 if sent or supplied by means of a website, when the material is first made available on the website or (if later) when the recipient receives (or is deemed to have received) notice of the fact that the material is available on the website.
- 16.2 For the purposes of this Rule, no account shall be taken of any part of a day that is not a business day. In proving that any notice, document or other information was properly addressed, it shall suffice to show that the notice, document or other information was addressed, in the case of communications to Levy Paying Members, to the current address held by the LMC for such Levy Paying Member; or in the case of the LMC, the address from which it operates.

17. WINDING UP

- 18.1 If upon any amalgamation or reorganisation of the LMC there remain any residual funds or liabilities the same shall be distributed back to levy payers or any other successor organisation as determined by the Governing Body.

This constitution was formally ratified and agreed by the following members of LMC Board:

	Name (BLOCK CAPITALS)	Role	Signature	Date
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11				
Witnessed by:				

LLR LMC
 Version 1.0 January 2017
 Version 2.0 September 2019
 Version 3.0 March 2022
 Version 4.0 April 2022
 Version 5.0 August 2024
 Version 6.0 January 2026