

TELFORD & WREKIN COUNCIL

CABINET - 29 MARCH 2012

SHADOW HEALTH & WELLBEING BOARD GOVERNANCE

REPORT OF ASSISTANT DIRECTOR - SOCIAL CARE SPECIALIST

PART A) – SUMMARY REPORT

1. SUMMARY OF MAIN PROPOSALS

- 1.1 This report considers the proposed terms of reference, membership and governance arrangements for the Telford and Wrekin Shadow Health and Wellbeing Board, following the duties placed on the Local Authority in the Health and Social Care Bill, which is currently passing through the parliamentary process.

2. RECOMMENDATIONS

- 2.1 **Agree the proposed terms of reference for the Shadow Health and Wellbeing Board**
- 2.2 **Agree the proposed membership, including Cabinet Member representation.**
- 2.3 **Agree that the Shadow Health and Wellbeing Board is set up as an ‘arms length’ committee of the Local Authority, until the Board becomes a statutory committee of the Local Authority in April 2013, assuming the Health and Social Care Bill becomes law.**
- 2.4 **Agree that meetings will be held in public from April 2012, although the press and public may be excluded during consideration of any matter which would involve the disclosure of confidential or exempt information.**
- 2.5 **Note the proposed structure of the Shadow Board, subject to further engagement and consultation with providers, service users and stakeholders.**

3. SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	<ul style="list-style-type: none"> - Improved lives for all - Vulnerable children and adults are protected
	Will the proposals impact on specific groups of people?	
	Yes	Borough wide
TARGET COMPLETION/DELIVERY DATE	Shadow Board: April 2012 to April 2013	
FINANCIAL/VALUE FOR MONEY IMPACT	Yes	There will be some costs associated with the establishment and support of this new committee but these are likely to be minimal and contained within the existing resources available.
LEGAL ISSUES	Yes	<p>The Health & Social Care Bill, in its current form, proposes a duty for the Local Authority to establish a Health & Wellbeing Board with associated statutory responsibilities to draft a Health & Wellbeing strategy</p> <p>The Bill is still being debated in Parliament and may be subject to further change before it is enacted.</p>
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	Such transformational change inevitably will have significant risks for the commissioning and delivery of health and care services at a local level. However, the recommendations set out can effectively mitigate these risks and provide opportunities to provide better outcomes for local people through the establishment of the Shadow Health and Wellbeing Board.
IMPACT ON SPECIFIC WARDS	Yes	Borough Wide

PART B) – ADDITIONAL INFORMATION

4. INFORMATION

- 4.1 The government has set out a new vision for the leadership and delivery of health and care services. The White Paper, 'Equity and Excellence: Liberating the NHS' published in 2010, set out the government's vision for the future of a transformed NHS. Since then there have been numerous public consultations and a listening exercise on specific aspects of transformation that have helped shape the Health and Social Care Bill which is currently passing through the parliamentary process. The Bill assuming it becomes law will put in place the statutory requirements for such large scale change.
- 4.2 The legislation will place a statutory responsibility on the Council to set up a Shadow Health and Wellbeing Board and accompanying joint health and wellbeing strategy by April 2012 to strengthen democratic legitimacy and ensure that commissioning is joined up across the NHS, social care and public health.
- 4.3 The Board will take on its full statutory role from April 2013 and have a strong role in the development of local commissioning plans, responsibility for promoting joint commissioning and health and social care integration and a lead role in local public involvement.
- 4.4 Appendix 1 sets out the proposed Terms of Reference of the Shadow Board, detailing the aims, objectives, membership, meetings structure and accountability.
- 4.5 It is proposed that members of the Shadow Board will initially comprise representatives from the Clinical Commissioning Consortium, NHS Cluster, Council and LINKS. The core members proposed are:
 - Cabinet Member responsible for wider Health Services and Deputy Leader TWC (Chair)
 - Cabinet Member for Adult and Social Care
 - Cabinet Member for Children, Young People and Families
 - Director responsible for Adult Social Care
 - Director responsible for Children's Services
 - Director of Public Health
 - Managing Director NHS Telford and Wrekin/NHS Commissioning Board representative (when established)
 - Chair of Telford and Wrekin Clinical Commissioning Group
 - Non Executive Director from Clinical Commissioning Group
 - Chief Operating Officer CCG – (awaiting confirmation)
 - Representative of local Healthwatch/LINKs
 - Such other persons, or representatives of such other persons, as the Local Authority thinks appropriate

Attendance and support from such other persons according to the agenda, including:

- Assistant Directors responsible for Commissioning (AD Care & Support for Adults plus AD Family & Cohesion for Children)
- Assistant Director: Social Care Specialist
- Director of Commissioning Intelligence
- Director of Integrated Care

4.6 The Health and Social Care Bill states that '*the Health and Wellbeing Board is a committee of the local authority which established it and, for the purposes of any enactment, is to be treated as if it were a committee appointed by that authority under section 102 of the Local Government act 1972*'. As the Bill has not yet passed through parliament, it is proposed that in Telford and Wrekin, the Shadow Health and Wellbeing Board be an 'arms length' committee of the council until April 2013, when it will become a legal committee, following agreement by Full Council. It is also proposed that meetings will be held in public from April 2012, although the press and public may be excluded during consideration of any matter which would involve the disclosure of confidential or exempt information.

4.7 During the Shadow year, formal decision making and recommendations regarding the Shadow Health and Wellbeing Board work, will therefore be subject to ratification by:

- Telford and Wrekin Council's Executive (Cabinet)
- NHS Cluster Board
- Telford and Wrekin Clinical Commissioning Consortium Board

4.8 The Shadow HWB will have a link to the overarching Telford and Wrekin Local Strategic Partnership but will also very much function in its own right as it moves to full formal status. There will be a need to ensure flexibility of membership during the transition period as its shape and role firms up with an ability to make recommendations to all relevant partner agencies.

4.9 The Shadow HWB will work closely with the Children and Families Board, and existing adult partnership boards, during the shadow year in order to ensure the focus on the improved health and wellbeing outcomes for the whole population of Telford and Wrekin. The relationship between these Boards will be reviewed during the year.

4.10 A wide range of joint commissioning and other partnership groups exist, which were developed to inform previous strategic health and

wellbeing joint arrangements, including, for example: the Adults Learning Disability Partnership Board; Carer's Partnership Board; PODS (Parents Opening Doors); Teenage Pregnancy partnership group; Long Term Conditions (health specific). It is recognised that the number of such groups is difficult to administer within available resources.

- 4.11 It is proposed that views are sought regarding the representation on the Board, future sub structure and appropriate future methods of engagement, with Stakeholders (Providers, Service Users, Carers, Patients, Other Agencies, including the voluntary sector). These will be developed during the shadow year and will be agreed following consultation and engagement with these groups.
- 4.12 Healthwatch will have a key role to play in this engagement. Their key functions will be:
- Gathering views and understanding the experiences of patients and the public
 - Making people's views known.
 - Promoting and supporting the involvement of people in the commissioning and provision of local care services and how they are scrutinized
- 4.13 It is proposed that an Officer Executive Group operates beneath the Shadow Board which will be responsible for agenda setting, JSNA and JHWBS development, performance management and links with joint commissioning plans.
- 4.14 The contents of this report have been discussed by the Shadow Health and Wellbeing Board at its meeting on 22 February and the Board supports the recommendations.

5. PREVIOUS MINUTES

- 5.1 NHS Transformation – Implications for T&W Council – Cabinet 22nd December 2011.

6. BACKGROUND PAPERS

- 6.1 The White Paper, *Equity and Excellence: Liberating the NHS*
- 6.2 The Health and Social Care Bill

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