

**TELFORD & WREKIN COUNCIL**

**HEALTH & WELLBEING BOARD - 17<sup>th</sup> JULY 2013**

**REVIEW OF THE TERMS OF REFERENCE OF THE HEALTH & WELLBEING BOARD**

**REPORT OF THE ASSISTANT DIRECTOR: LAW, DEMOCRACY AND PUBLIC PROTECTION**

**PART A) – SUMMARY REPORT**

**1. SUMMARY OF MAIN PROPOSALS**

A review of the terms of reference for the Board which includes proposals for changes to the Board meeting procedure to allow public speaking.

**2. RECOMMENDATIONS**

**2.1 That the Board review the terms of reference in Appendix 1 of the report, consider the proposals to change the procedure for Board meetings and make recommendations for amendment of the constitution to full Council as appropriate.**

**3. IMPACT OF ACTION**

3.1 If the Board agree to changes to the meeting procedure it will change the agenda for future meetings.

There will be a formal route for the public to engage with the HWB which will allow them to raise questions and make presentations. It may assist HWB members in gaining further knowledge and alternative perspectives on public health issues.

Some changes may potentially make the HWB meetings longer in duration and there will be a requirement for more administration to organise the additional aspects to the meetings.

#### **4. SUMMARY IMPACT ASSESSMENT**

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to a specific HWB Priority	
	Yes	The proposals contribute to all of the HWB's priorities and will help the HWB meet their principles of accessibility, engagement and positive experience.
	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	The proposals contribute to the Council meeting the 'Health and Wellbeing' objective by giving the members of the Board access to more information on local health issues. This will help to inform their decision-making which will play a part in both improving the health and wellbeing of our communities and addressing health inequalities.
	Will the proposals impact on specific groups of people?	
	Yes	This will benefit all of the community
<b>TARGET COMPLETION/DELIVERY DATE</b>	If the Board recommend proposals to full Council and they are subsequently approved the changes can be in place in time for the HWB meeting on 13 <sup>th</sup> November at the latest.	
<b>FINANCIAL/VALUE FOR MONEY IMPACT</b>	Yes	There are no direct financial implications from the review of terms of reference for the Health & Well Being Board. The size of venue for holding the meetings will need to be considered if the meetings are opened up for public speaking as a larger venue is likely to be required. There may be a charge associated with hiring a venue if a "free" room can not be secured. There is currently no central budget in respect of room hire for meetings. Consideration should also be given to the resource implications for the Democratic Services Team. Administration of another large meeting could lead to additional costs if the team can not deliver from within its existing structure. MLB 10.06.13
<b>LEGAL ISSUES</b>	Yes	Section 194 of The Health and Social

		<p>Care Act 2012 requires the Council to establish a Health and Wellbeing Board as a formal committee of the Council in accordance with section 102 of the Local Government Act 1972 (subject to some exceptions). Accordingly the conduct and procedure of the Board must comply with the appropriate statutory requirements that relate matters such as the publication of the meeting agenda and publishing of reports. The aim of the making changes to the terms of reference outlined in this report is to amend the procedures to allow the interaction with stakeholders but also comply with the statutory requirements.</p> <p>In order to give effect to any changes full Council has to approve the changes which will result in the consequent amendment to the Council's constitution to incorporate the new arrangements. Council Constitution Committee also have involvement in the structure and content of the Committee terms of reference and procedures.</p>
<b>EQUALITY &amp; DIVERSITY</b>	Yes	Access to the HWB should be for all of the community. The policies which the Council has in place to communicate with all of the community will be utilised where necessary.
<b>IMPACT ON SPECIFIC WARDS</b>	Yes	Borough-wide impact
<b>PATIENTS &amp; PUBLIC ENGAGEMENT</b>	No	The proposals in the report relate to public engagement. If changes are made, any feedback can be used to make improvements to the process in the future.
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>	Yes	Set out at section 2 of this report below.

## **PART B) – ADDITIONAL INFORMATION**

### **1. INFORMATION**

1.1 It is good practice for Boards and Committees of the Council to review their terms of reference at the commencement of the new municipal year (in fact it is contained in the Board's terms of reference at paragraph 18). Whilst the Health & Wellbeing Board have only met once since moving from a shadow Board there are already some issues emerging which make it appropriate to review the Board's terms of reference at this stage. The terms of reference together with the procedure rules are attached to this report at Appendix 1 (Note - in addition to the specific points set out below the Board can review all of the terms of reference set out and raise any issues which they believe may need to be addressed). As the 'shadow' period has ended there are some changes to the terms of reference which are required in any event and these are set out in the aforementioned attachment.

1.2 The Board has received a lot of public interest from local volunteer groups, interest groups and provider organisations. This was evident at the first meeting of the Board on 15<sup>th</sup> May 2013.

1.3 However, the current procedure rules for the Committee make it difficult for the Board to hear from these groups and the public.

1.4 In order to address this issue the Board are asked to consider making recommendations to full Council to amend the rules relating to the Board's procedure and allow the following

- Public speaking for the public and local community/volunteer groups to ask questions or raise issues for discussion
- Presentations from experts, providers and other organisations to inform the Board members and contribute to their knowledge base
- Regular presentations to give the Board specific examples of people's experiences and highlight areas of good practice and instances where there are learning points for future improvement of services

The Proposed change is set out below.

OPTION	ADVANTAGES	DISADVANTAGES
To have a section for public speaking and regular agenda items for presentations and case studies	<ul style="list-style-type: none"> <li>• More structured with clarity for HWB and stakeholders wishing to take part in the meeting</li> <li>• Can be organised so presentations tie in with other topics on the agenda.</li> <li>• Ensures those attending to speak can do so (as the agenda will be finalised before the meeting)</li> </ul>	<ul style="list-style-type: none"> <li>• Will be more resource intensive, requiring more work before the meeting to receive requests to speak and organise timing, attendance et cetera.</li> </ul>

1.5 If the Board are minded to recommend the option set out above, officers will work on the appropriate amendments to the procedure rules. This will include drawing up procedure rules to give clarity to the process and address issues such as time limits for public speaking, prior notice of attendance and dealing with repetitious or inappropriate questions. The changes will be recorded by an amendment to the constitution which has to be agreed at a meeting of full Council. New processes and procedures will be produced in consultation with the HWB Chairman and officers who will be responsible for administering the process.

## **2. IMPACT ASSESSMENT – ADDITIONAL INFORMATION**

Sections of the meeting agenda which allow public speaking will have to be publicised on the Council's website and via other Council methods of communication with the public. Provisions will need to be made to ensure that those attending with special needs or disabilities can access the meeting and present their views.

The process for arranging the agenda for public speaking and other presentations will require additional administration by officers and could extend the length of the meetings (although procedures will be put in

place for the Chairman to keep these parts of the meeting at an appropriate length).

**3. PREVIOUS MINUTES**

None

**4. BACKGROUND PAPERS**

Telford and Wrekin Health and Wellbeing Strategy 2013/14 to 2015/16

[https://www.telford.gov.uk/downloads/file/4123/hwb\\_priorities\\_consultation\\_may\\_2012](https://www.telford.gov.uk/downloads/file/4123/hwb_priorities_consultation_may_2012)

Health and Wellbeing Boards – A practical guide to governance and constitutional issues. Issued by the Local Government Association, March 2013

The Health and Social Care Act 2012

<http://www.legislation.gov.uk/ukpga/2012/7/contents>

**Report prepared by Matthew Cumberbatch, Legal Services Manager,  
Telephone: 01952 383255**