

### Telford and Wrekin Health and Wellbeing Board (HWB)

#### Terms of Reference

**Date: February 2013**

#### Background

The White Paper *Equity and excellence: liberating the NH*, published in 2010, set out the Government's strategy for the NHS. The consultation document, '*Local democratic legitimacy in health*', gave further information on proposals for increasing democratic legitimacy in health and included the proposed establishment of local Health and Wellbeing Boards. The *Health and Social Care Act 2012*, sets out the establishment, functions and supplementary information relating to the Boards. The legislation places a statutory responsibility on the Local Authority to take on its full statutory role from April 2013 and to have a Joint Health and Wellbeing Strategy in place. The HWB will be a formal Committee of the Council.

Important areas to be highlighted are:

- The transfer of commissioning to GPs
- The abolition of primary care trusts and strategic health authorities
- Transferring the public health budget and responsibility to local authorities
- Giving local authorities the responsibility to promote integration and partnership by working through statutory health and wellbeing boards

#### Aims

1. The HWB is responsible for guiding and overseeing:
  - a. The ongoing development of the joint strategic needs assessment (JSNA)
  - b. Developing a high-level joint health and wellbeing strategy (JHWBS), based upon the findings of the JSNA
  - c. The establishment of sound joint commissioning arrangements
  - d. The development of HealthWatch forum for public and patient engagement and involvement
  - e. The transfer of Public Health responsibilities and arrangements to the local authority
2. The HWB will provide a key forum for public accountability of NHS, social care for adults and children and other commissioned services that the HWB agrees are directly related to health and wellbeing in Telford and Wrekin.
3. The HWB has a duty to encourage integrated working between local health, social care and health-related commissioners.

4. The HWB will have a link to the overarching Telford and Wrekin Local Strategic Partnership but will also very much function in its own right. The HWB will work closely with the Children, Young People and Families Board, Safer Community Board, in addition to the existing adult partnership boards, in order to ensure the focus on the improved health and wellbeing outcomes for the whole population of Telford and Wrekin.

## **Objectives**

1. To lead on the development of a Telford and Wrekin Joint Health and Wellbeing Strategy (JHWBS) for residents which drives health improvement, plans to deliver this strategy and keeps the implementation of these plans under review.
2. Through the JHWBS, to oversee a commissioning programme of service and/or pathway redesign to better meet the needs of patients and service users and to deliver improved outcomes. Successful delivery of this will be dependent on the HWB developing effective management mechanisms with both primary care and secondary care providers where relevant or appropriate.
3. To link into the Local Strategic Partnership, Strategic Boards and associated Partnership Boards, making recommendations to Full Council, NHS Commissioning Board, and the Clinical Commissioning Group Board, as appropriate.
4. To analyse the priorities for deployment of health and care resources in the area based on information collected through the JSNA and other sources.
5. To consider options and opportunities to maximise the impact of aligning the deployment of resources of the health and care agencies in the area on agreed priorities. This will include the joint commissioning of health and social care services for children, families, and adults in Telford and Wrekin, to meet identified needs and to consider any relevant plans and strategies regarding joint commissioning of health and social care services for children and adults.
6. To oversee the development of this proposed joint commissioning activity, ensuring any proposed activity is aligned with local priorities and levels of need and is undertaken within available resources. To consider options for joint commissioning and procurement between relevant organisations to support this work.
7. To oversee all areas of health and social care commissioning activity for people of all ages, to ensure that commissioning priorities are in line with

those set through analysis of the JSNA and the local JHWBS. This commissioning activity includes all local services commissioned by Telford and Wrekin CCG, Telford and Wrekin Council, Joint Commissioning CCG/Council and NHS Commissioning Board, which could include local: specialised services; secondary dental care; general dental services; GP services; general ophthalmic services; pharmaceutical services; any services for the Armed forces or Offenders; and other primary care.

8. To consider options for the development of HealthWatch and establish relevant joint working groups in order to undertake this work, ensuring that appropriate engagement and involvement with existing patient and service user involvement groups takes place.
9. To consider appropriate arrangements for the transfer of Public Health responsibilities to Telford and Wrekin Council, and to propose and consider relevant governance and organisational structures to support this work.
10. To keep under review, the financial and organisational implications of joint and integrated working across health and social care services, ensuring that performance and quality standards for health and social care services to children, families and adults are met and represent value for money across the whole system.
11. To identify and act upon changes that may be required following new guidance to establish a formal Health and Wellbeing Board.
12. To propose recommendations, as appropriate to:
  - a. Telford and Wrekin Council's Full Council
  - b. NHS Commissioning Board
  - c. Telford and Wrekin Clinical Commissioning Group Board
13. To ensure that the HWB works to promote the achievement of the objectives of the organisations represented on the Board, including the establishment of the Council's new health improvement responsibilities.

## **Membership**

Members of the HWB will comprise representatives from the Clinical Commissioning Group, Council, Healthwatch (currently LINKS) and NHS Commissioning Board. The core members are:

- Cabinet Member responsible for wider Health services and Deputy Leader TWC (Chair HWB)
- Cabinet Member for Adult and Social Care
- Cabinet Member for Children, Young People and Families

- Cabinet Member for Leisure and Wellbeing
- Director responsible for Adult Social Care
- Director responsible for Children’s Services
- Director of Public Health
- Local Area Team NHS Commissioning Board representative
- Chair of Telford and Wrekin Clinical Commissioning Group (CCG) (Vice Chair HWB)
- Non Executive Director from Clinical Commissioning Group
- Chief Operating Officer CCG
- Representative of local Healthwatch/LINKs
- Each opposition Group with 4 or more elected members shall have one place on the Health and Wellbeing Board with voting rights.
- 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, CCG

This reflects the statutory minimum membership in the Health and Social Care Act.

The members of the Board will be advised and supported by officers from the local authority and CCG.

Members agree to share all relevant information and data, to allow performance, and other joint working arrangements, to be properly monitored and managed.

### **Disqualification for Membership**

Any person who would be disqualified from being able to stand for election as a councillor will be disqualified from being a member of a committee or sub-committee of a local authority. The regulations state that these disqualifications will be retained for HWB, but the regulations will ensure the disqualifications do not apply to HWB in so far as they cover disqualifications in respect of members of the board holding any paid employment or office in the local authority – this allows the Directors of Adult Social Services, Children’s Services and Public Health to be formal members of the HWB.

The following disqualifications will be retained for members of the HWB:

- Being the subject of a bankruptcy restrictions order or interim order
- Having been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine

## **Voting Rights**

All Members of the HWB will be able to vote alongside the elected representatives. This applies to any additional board members appointed in addition to the statutory membership set out in the Health and Social Care Act 2012.

## **Meetings**

The Health and Wellbeing Board will meet bi-monthly. Dates and times of meetings will be agreed and published in advance.

Agendas and supporting papers will be issued at least five clear days before each meeting and action notes will be produced, confirmed as a true record of the meeting and signed by the Chair.

Members of the public, and press will have access to the meetings. Protocol to be developed and agreed by HWB.

## **Quorum**

Quorum of one quarter is required, cross section of partners represented, (the minimum number of members that need to be in attendance before decisions can be taken). Business shall not be transacted at a meeting of any Council Committee unless at least one quarter of the whole number of the Committee is present.

## **Code of Conduct and Declaration of Interest**

The HWB will adopt the Council's code of conduct. Any interests in item(s) on the agenda should be declared at the start of the meeting.

## **Access to Information/Transparency Provisions**

Meetings of the HWB will be held in public, although the press and public may be excluded during consideration of any matter which would involve the disclosure of confidential or exempt information.

The agenda and papers for meetings of the Board, except for any documents that may disclose confidential or exempt information, will be made available for public inspection five days before the meeting.

## **Reporting Mechanisms/Accountability**

The HWB, as a Committee of the Council, will report to Full Council.

The HWB will regularly update the Telford and Wrekin Local Strategic Partnership with its progress and specific contributions to achieving the vision and priorities of Telford and Wrekin.

The actions of the HWB will be subject to independent scrutiny by the relevant members of the Overview and Scrutiny Committee of the Council.

The Board will review its structure, membership and activities in response to any further guidance.

## **Establishment of Sub-Committees**

The HWB will be able to establish sub-committees and delegate functions to them.

## **Scrutiny**

Health scrutiny function and powers will be delegated by Full Council to the relevant Scrutiny Committee and the power of referral to the Secretary of State is also delegated to this Scrutiny Committee. Scrutiny Committee will notify Full Council of an intention to refer a matter to the Secretary of State before a referral is made.