

**TELFORD & WREKIN COUNCIL HEALTH & WELLBEING BOARD**

**10<sup>th</sup> JUNE 2015**

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

**REPORT OF: MATTHEW CUMBERBATCH, LEGAL SERVICES MANAGER**

**LEAD CABINET MEMBER – CLLR R. OVERTON**

**PART A) – SUMMARY REPORT**

**1. SUMMARY OF MAIN PROPOSALS**

This report reviews the terms of reference for the Health and Wellbeing Board ('the Board'), recommends no changes to the current terms and makes reference to possible future changes to legislation which might result in a further review being required at a later date.

**2. RECOMMENDATIONS**

That the Board review the terms of reference attached at Appendix 1 and consider whether any changes should be made.

**3. IMPACT OF ACTION**

Any changes to the Board membership, meeting frequency and rules on quorum will require changes to the programme of meetings and their administration.

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

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to a specific HWB Priority	
	Yes	The review ensures that the terms of reference are up to date and relevant to the work of the Board
	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	The review contributes to the Council meeting the 'Health and Wellbeing' objective.
	Will the proposals impact on specific groups of people?	
	No	
<b>TARGET COMPLETION/DELIVERY DATE</b>	If the Board recommends any changes to the terms of reference; they will proceed to Council Constitution Committee and then, if approved, onto full Council at the earliest opportunity.	
<b>FINANCIAL/VALUE FOR MONEY IMPACT</b>	No	There are no financial implications arising as there are no proposed changes to the current terms of reference. Any proposed changes agreed at the HWB meeting may impact on the frequency and administration of future Board meetings which may impact on future costs but it is anticipated that this would be minimal and within the existing resources available. Any financial implications resulting from significant developments as a result of the enactment of legislation will be detailed within a future report.
<b>LEGAL ISSUES</b>	Yes	Section 194 of The Health and Social 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 to matters such as the publication of the meeting agenda and publishing of reports.

		Section 194 of the Health and Social Care Act 2012 also establishes the membership requirements of the Health and Wellbeing Board set out at paragraph 1.3 of this report. Any changes to the membership as part of the review of the terms of reference must comply with these requirements. 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 has involvement in the structure and content of the Committee terms of reference and procedures.
<b>EQUALITY &amp; DIVERSITY</b>	No	
<b>IMPACT ON SPECIFIC WARDS</b>	No	Borough-wide impact
<b>PATIENTS &amp; PUBLIC ENGAGEMENT</b>	No	
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>	Yes	It is recommended that the Board take the opportunity to review their Terms of Reference on at least an annual basis.

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

### **1. INFORMATION**

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 (it is contained in the Board's terms of reference at paragraph 18). It is now more than twelve months since the Board undertook the last review when changes were made to the frequency of meetings, membership and quorum.

Attached at appendix 1 are the current terms of reference including the membership of the committee and the quorum. Officers are not proposing any changes to the terms of reference but it is a matter for the Board to consider the current terms of reference and decide whether any changes are needed.

It should be noted that earlier in 2015 the government undertook a consultation concerning local government powers that included measures which may affect the powers of the Health and Wellbeing Board. A proposal to issue a new statutory instrument entitled The Local Government (Functions and Responsibilities)(England) Order 2015 could result in the Council having the option of delegating further powers to the Board. At the time of preparing this report it is not clear whether the aforementioned draft legislation will be enacted. It is suggested therefore that a further report is provided to the Board at a future date if there are significant developments concerning the powers and responsibilities of the Board which require further consideration.

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

The impact will depend upon whether the Board decide to make any changes to the current terms of reference at Appendix 1 of this report.

### **3. PREVIOUS MINUTES**

17th July 2013 – Health and Wellbeing Board, HWB - 22

15<sup>th</sup> May 2014 – Health and Wellbeing Board, HWB - 64

### **4. BACKGROUND PAPERS**

- 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**