



**TELFORD & WREKIN COUNCIL**

**COUNCIL – 23 NOVEMBER 2017**

**APPOINTMENTS OF COMMITTEES & BOARDS - HEALTH & WELLBEING BOARD**

**REPORT OF THE ASSISTANT DIRECTOR GOVERNANCE, PROCUREMENT & COMMISSIONING**

**PART A) – SUMMARY REPORT**

**1.0 SUMMARY OF MAIN PROPOSALS**

1.1 This report sets out proposed revisions to the Membership of the Health & Wellbeing Board.

**2.0 RECOMMENDATIONS**

2.1 That Council approves the revised Membership of the Health & Wellbeing Board as set out at Appendix 1;

2.2 That the Monitoring Officer be authorised to give effect to nominations notified to him in writing by Group Leaders and member organisations of the Health & Wellbeing Board;

2.3 That Council approves the associated revisions to the Terms of Reference of the Health & Wellbeing Board at Appendix 2.

**3. SUMMARY IMPACT ASSESSMENT**

<b>COMMUNITY IMPACT</b>	Do these proposals contribute to specific Co-Operative Council priority objective(s)?	
	Yes	The changes ensure that the terms of reference are up to date and relevant to the work of the Board.
	Will the proposals impact on specific groups of people?	
	No	
<b>TARGET COMPLETION/DELIVERY DATE</b>	The changes will become effective upon the end of the Council meeting	
<b>FINANCIAL/VALUE FOR MONEY IMPACT</b>	No	There are no financial implications arising from proposed changes to the Membership of the Health &

		Wellbeing Board as set out in the Terms of Reference of the Board at Appendix 2. TS 8.11.17
<b>LEGAL ISSUES</b>	Yes	<p>Section 194 of The Health and Social Care Act 2012 [as amended] requires the Council to establish a Health and Wellbeing Board, which is a formal committee of the Council and it is to be treated as such under Section 102 of the Local Government Act 1972 [as amended] (subject to some exceptions).</p> <p>Accordingly the conduct and procedure of the Board must comply with the appropriate statutory requirements that relate to matters such as the publication of meeting agenda and the publishing of reports.</p> <p>Section 194 of the Health and Social Care Act 2012 also prescribes the membership requirements for the Health and Wellbeing Board, which is reflected in the Membership section of the Terms of Reference at Appendix 1.</p> <p>Any changes to the membership as part of the review of the Terms of Reference must comply with the requirements of Section 194.</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. The Council Constitution Committee also has involvement in the structure and content of Committee terms of reference and procedures. KF 7.11.17</p>
<b>OTHER IMPACTS, RISKS &amp; OPPORTUNITIES</b>	No	There are no other specific impacts arising from this report.
<b>IMPACT ON SPECIFIC WARDS</b>	No	Borough-wide impact

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

### **1. INFORMATION**

1.1 The following membership changes to the Terms of Reference of Health & Wellbeing Board are proposed in order to strengthen the Board's links with the NHS and the voluntary sector.

(a) With the emergence of the Sustainable Transformation Plan (STP) and the clear alignment the plan has to the Health & Wellbeing Strategy. It is proposed that governance arrangements are strengthened by inviting a representative from the STP to be a member of the Board.

(b) The Health and Wellbeing Strategy focuses on supporting and developing community assets and strengths. Harnessing the power of local organisations and groups as a means of building resilience in individuals and communities. In order for the Board to do this, officers propose that the involvement of the voluntary sector is key and that a representative from the CVS Chief Officers Group on the Board would enable this approach.

1.2 No further amendments to the Terms of Reference are proposed.

### **2. PREVIOUS MINUTES**

Health & Wellbeing Board – 8 March 2017

Council – 25 May 2017

Health & Wellbeing Board – 14 June 2017

### **3. 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 Deborah Moseley, Democratic & Scrutiny Services Team Leader – Tel: (01952) 383215***

<b>Health &amp; Wellbeing Board – 16 Seats</b>	
Cllr A R H England <b>(Chairman)</b>	Cabinet Member – Communities, Health & Wellbeing
Cllr J C Minor	Cabinet Member – Leisure, Green Spaces & Parks, TWC
Cllr S A W Reynolds	Cabinet Member – Education & Skills
Cllr P R Watling	Cabinet Member – Children’s & Adult’s Early Help & Support, TWC
Cllr K L Tomlinson	Lib Dem / Independent Group
Cllr J M Seymour	Conservative Group, TWC
Dr J Leahy	Chair, Telford & Wrekin CCG
B Parnaby	Healthwatch
D Evans	Chief Operating Officer, Telford & Wrekin CCG
C Jones	Director: Children’s & Adult Services, TWC
L Noakes	Director of Public Health, TWC
Sarah Dillon	Assistant Director: Early Help & Support, TWC
T Harding	Community Safety Partnership
R Woods	NHS England (North Midlands – Shropshire & Staffordshire)
To be confirmed	Sustainable Transformation Plan
Wendy Condlyffe	CVS Chief Officers Group

**Telford & Wrekin Health and Wellbeing Board Terms of Reference**

The Committee has the responsibility for public health and health and wellbeing responsibilities within the Borough.

**TERMS OF REFERENCE**

1. The Health and Wellbeing Board is responsible for
  - 1.1. the development of a joint Health & Wellbeing Strategy for Telford & Wrekin based upon the needs identified in the Joint Strategic Needs Assessment (JSNA)
  - 1.2. the ongoing development of the JSNA and the development, review and oversight of the delivery of actions identified in the joint health and wellbeing strategy and other key plans and strategies that may be developed from time to time
  - 1.3. the encouragement of joint and co-commissioning between health and care sectors, including Telford and Wrekin CCG, Telford and Wrekin Council, and NHS England and ensuring that commissioning activity of the relevant organisations are aligned with the priorities set out in the Health & Wellbeing Strategy
  - 1.4. the general oversight of the Council's Public Health responsibilities and receiving the annual report of the Council's Director of Public Health
  - 1.5. the receiving of reports from and making recommendations to Full Council, NHS England, and the Clinical Commissioning Group Board and Boards and sub-committees that it may establish (and delegate functions to) and from other Boards and organisations involved in the provision of that influence of health and well-being outcomes for the whole population within the Borough.
2. The Health and Wellbeing Board will link to the Local Strategic Partnership and local Adults and Children's' Safe-guarding Boards
3. **General**
  - 3.1. At the first meeting after the Annual Council Meeting and in response to any further guidance consider its terms of reference, structure, membership and activities.

**PROCEDURE**

**4. General**

Unless specifically provided for in these Terms of Reference the Council Procedure Rules govern the way that committees operate but these may be varied or suspended<sup>1</sup> at the discretion of the Chairman of the Committee in the interests of efficient and effective management of the committee

**5. Membership**

- 5.1. Members of the Health and Wellbeing Board will comprise representatives from the Telford & Wrekin Clinical Commissioning Group, Telford & Wrekin Council, HealthWatch and NHS England Local Area Team. The core members are:

- 5.2. Cabinet Member for Communities, Health & Wellbeing
- 5.3. Cabinet Member for Children & Adults Early Help & Support
- 5.4. Cabinet Member for Leisure, Green Spaces & Parks
- 5.5. Cabinet Member for Education and Skills
- 5.6. Director responsible for Adult Social Care
- 5.7. Director responsible for Children's Services
- 5.8. Director of Public Health
- 5.9. NHS England Local Area Team representative
- 5.10. Chair of Telford and Wrekin Clinical Commissioning Group (CCG) (Vice Chair Health and Wellbeing Board)
- 5.11. Non-Executive Director from Clinical Commissioning Group
- 5.12. Chief Officer from Clinical Commissioning Group
- 5.13. A representative from the Sustainability and Transformation Plan
- 5.14. Representative of local HealthWatch
- 5.15. A representative from the CVS Chief Officers Group
- 5.16. Chair of the Community Safety Partnership
- 5.17. Each opposition Group with 4 or more elected members shall have one place on the Health and Wellbeing Board with voting rights.
- 5.18. Such other persons, or representatives of such other persons, as the Local Authority thinks appropriate
- 5.19. The members of the Board will be advised and supported by officers from the local authority and CCG.
- 5.20. Members agree to share all relevant information and data, to allow performance, and other joint working arrangements, to be properly monitored and managed.

## **6. Quorum**

- 6.1. Quorum of one quarter is required, with a minimum of one Councillor Board member from Telford & Wrekin Council and one Board member from the CCG required in attendance.

## **7. Disqualification for Membership**

- 7.1. 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 Health and Wellbeing Board, but the regulations will ensure the disqualifications do not apply to Health and Wellbeing Board 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 Health and Wellbeing Board.
- 7.2. The following disqualifications will be retained for members of the Health and Wellbeing Board:
- 7.3. Being the subject of a bankruptcy restrictions order or interim order
- 7.4. 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.

## **8. Voting Rights**

- 8.1. All Members of the Health and Wellbeing Board 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.

## **9. Meetings**

- 9.1. The Health and Wellbeing Board will meet quarterly and in public. Dates and times of meetings will be agreed and published in advance. Note - the press and public may be excluded during consideration of any matter which would involve the disclosure of confidential or exempt information.
- 9.2. 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. Note - documents that may disclose confidential or exempt information will be made available for public inspection five days before the meeting.
- 9.3. Members of the public and press will have access to the meetings and there will be provision for public speaking section at each Health and Wellbeing Board meeting. A procedure for public speaking at the Health and Wellbeing Board is in place and is available on the Council's website or by contacting Democratic Services.

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

- 10.1. The Health and Wellbeing Board 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.

## **11. Reporting Mechanisms/Accountability**

- 11.1. The actions of the Health and Wellbeing Board will be subject to independent scrutiny by the relevant Scrutiny Committee of the Council.