

Audit and Governance Committee



Date of meeting:	29 November 2021
Title of Report:	Health and Wellbeing Board Terms of Reference
Lead Member:	Councillor Patrick Nicholson (Deputy Leader)
Lead Strategic Director:	Ruth Harrell (Director of Public Health)
Author:	Amelia Boulter (Democratic Advisor)
Contact Email:	amelia.boulter@plymouth.gov.uk
Your Reference:	HWB/AB
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

To seek approval to amend the Terms of Reference as outlined in Appendix I of this report and to incorporate these changes into the Council's Constitution.

Recommendations and Reasons

To recommend to Council the changes to the Health and Wellbeing Board's Terms of Reference as outlined in Appendix I of this report.

Reason: To reflect to the changes to stakeholders and membership.

Alternative options considered and rejected

N/A

Relevance to the Corporate Plan and/or the Plymouth Plan

N/A

Implications for the Medium Term Financial Plan and Resource Implications:

There are no implications for the Medium Term Financial Planning.

Financial Risks

There are no financial risks.

Carbon Footprint (Environmental) Implications:

The changes will not impact on the carbon footprint.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

* When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.

None

Appendices

*Add rows as required to box below

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Briefing Report							
B	Appendix I – Health and Wellbeing Board Terms of Reference (including tracked changes)							

Background papers:

*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

Sign off:

Fin	djn.21 .22.15 7	Leg	LS/37 615/A C/17/ 11/21	Mon Off	LS/37 615/A C/17/ 11/21	HR	N/A	Asset s	N/A	Strat Proc	N/A
Originating Senior Leadership Team member: Ruth Harrell, Director of Public Health											
Please confirm the Strategic Director(s) has agreed the report? Yes											
Date agreed: 03/11/2021											
Cabinet Member approval: Councillor Nicholson approved verbally											
Date approved: 09/11/2021											

HEALTH AND WELLBEING BOARD

Amended Terms of Reference



1. Proposed Changes to the Terms of Reference

- 1.1 At the Health and Wellbeing Board Meeting on 7 October 2021 it was agreed that the following changes are made to the Terms of Reference.

Section 2 – Responsibilities of Health and Wellbeing Board

- 1.2 In paragraph 2.2 last bullet point the words NEW and Commissioning Board to be removed and England to be added to reflect the changes to organisational name changes.

Section 3 – Matters Delegated to Officers

- 1.3 In paragraph 3.1 Director of Public Health and Director of Children’s Services to be included as roles authorised to carry out functions in respect of health and wellbeing.

Section 4 - General

- 1.4 In paragraph 4.1:
Bullet point 3 to be changed to the opposition member;
Bullet point 4 to include the Chair of the Local Care Partnership;
Bullet point 8 to include the Director of Children Services;
Bullet point 9 to include Devon to the organisational name.
- 1.5 In paragraph 4.4 to remove ‘which will be reviewed after 12 months’.

2. Recommendation

- 2.1 It is therefore recommended that the Audit and Governance Committee agrees the changes as outlined in Appendix I.

Health and Well Being Board

I. FUNCTIONS

The council's function relating to its Health and Wellbeing Board under Part 5 of the Health and Social Care Act 2012 as amended (2.2 below).

2. RESPONSIBILITIES OF HEALTH AND WELLBEING BOARD

2.1 The purpose of the Board is to promote the health and wellbeing of all citizens in the City of Plymouth. The Board has three principles of working cooperatively which are to:

- Work together with all city partners and with those we serve to take joint ownership of the sustainability agenda
- Ensure systems and processes will be developed and used to make the best use of limited resources, every time
- Ensure partners move resources – both fiscal and human to the prevention and health and wellbeing agenda

2.2 The Board will identify and develop a shared understanding of the needs and priorities of local communities in Plymouth through the development of the Plymouth Joint Strategic Needs Assessment (JSNA). Specifically, the Board will ensure that:

- A Joint Health and Wellbeing Strategy for Plymouth is prepared and published to ensure that the needs identified in the JSNA are delivered in a planned, coordinated and measurable way.
- The Plymouth JSNA is based on the best evidence and data available so that it is fit for purpose and reflects the needs of local people, users and stakeholders
- The JSNA drives the development of the Joint Plymouth Health and Wellbeing Strategy and influences other key plans and strategies across the city
- Plymouth City Council, ~~NEW~~ Devon Clinical Commissioning Groups and NHS ~~Commissioning Board~~ England Area Teams demonstrate how the JSNA has driven commissioning decisions

2.3 The Board will:

- Develop an agreed set of strategic priorities to focus both collective effort and resources across the city
- Seek assurance that commissioners plans are in place to deliver the Board's strategic priorities and outcomes
- Review the commissioning plans for healthcare, social care and public health to ensure that they have due regard to the Joint Plymouth Health and Wellbeing Strategy and take appropriate action if they do not
- Ensure that appropriate structures and arrangements are in place to ensure the effective engagement and influence of local people and stakeholders
- Represent Plymouth in relation to health and wellbeing issues across the sub regional and at national level
- Work closely with Plymouth Healthwatch ensuring that appropriate engagement and involvement with existing patient and service user involvement groups takes place

- Retain a strategic overview of the work of commissioners in the city
- Support joint commissioning of NHS, social care and public health services and identify those service areas in Plymouth where additional improvements in joint commissioning could achieve the Board's priority outcomes
- Recommend the development of aligned or pooled budgets and encourage partners to share or integrate services where this would lead to efficiencies and improved service delivery

3. MATTERS DELEGATED TO OFFICERS

3.1 The Strategic Director for People, [Director of Public Health and Director for Children Services](#) ~~is~~are authorised to carry out all other functions in respect of health and wellbeing in accordance with the officer scheme of delegation of functions.

4. GENERAL

Membership

4.1 The Council's Health and Wellbeing Board is comprised of:

A core membership being -

- The Cabinet Member responsible for Health and Adult Social Care
- The Cabinet Member responsible for Children and Young People
- ~~The lead~~ opposition member ~~for health~~
- [Chair of the Local Care Partnership](#)
- The Strategic Director of Public Health
- The Strategic Director for People
- ~~The~~ Service Director for Community Connections
- [Director for Children Services](#)
- One representative from the [Devon](#) Clinical Commissioning Groups
- One representative of the local Healthwatch

Reflecting the approach to engage with customers and other stakeholders over the city's key priorities, the Board will co-opt additional partners which it considers are most likely to be able to work together to deliver the vision. The Board will make recommendations to the city council for appointments to the Board.

4.2 The Health and Wellbeing Board is a committee of the council under the Local Government Act 1972. The Local Authority (Public Health, Health and Wellbeing and Health Scrutiny) Regulations 2013 have dis-applied aspects of the Act which have been incorporated into these terms of reference.

4.3 The Board will act in accordance with the council constitution unless this conflicts with law.

4.4 Meetings

The Health and Wellbeing Board will meet four times per year ~~which will be reviewed after 12 months~~. The date, time and venue of meetings will be fixed in advance by the Board and an annual schedule of meetings will be agreed by council. Additional meetings may be convened at the request of the Chair. Meetings will be webcast and utilise social media tools to allow real time interaction with the meeting.

4.5 Voting

In principle, decisions and recommendations will be reached by consensus. In exceptional circumstances and where decisions cannot be reached by a consensus of opinion and/or there is a need to provide absolute clarity on the will of the Board to executive bodies, voting will take place and decisions will be agreed by a simple majority of all members (councillors and co-opted members) present.

Where there are equal votes the Chair of the meeting will have the casting vote.

4.6 Declaration of Interests

Members of the Health and Wellbeing Board will promote and support high standards of conduct and as such will be subject to the council's code of conduct. Members of the Board must, before the end of 28 days beginning with the day on which they become a member of the Board, notify the authority's monitoring officer of any disclosable pecuniary interests. Notification of changes to declared interests must be made to the authority's monitoring officer within 28 days of the change taking effect.

4.7 Quorum

A quorum of one third of all members will apply for meetings of the Health and Wellbeing Board including at least one elected councillor from Plymouth City Council.

4.8 Access to Information/ Freedom of Information

Health and Wellbeing Board meetings will be regarded as a council committee for Access to Information Act purposes and meetings will be open to the press/public. Freedom of Information Act provisions shall apply to all business.

4.9 Papers

The agenda and supporting papers will be in a standard format and circulated at least five clear working days in advance of meetings. The minutes of decisions taken at meetings will be kept and circulated to partner organisations as soon as possible and will be published on the city council web site.

4.10 General Rules

The Health and Wellbeing Board will adhere to the Rules of Debate and General Rules Applying to Committees. Where there are gaps in procedure the Chair will decide what to do.