



*Although a formal committee of Brighton & Hove City Council, the Health & Wellbeing Board has a remit which includes matters relating to the Clinical Commissioning Group (CCG), the Local Safeguarding Board for Children and Adults and Healthwatch.*

Title:	Reviewing the purpose and functioning of the Health and Wellbeing Board
Date of Meeting:	19th March 2019
Report of:	Rob Persey, Executive Director of Health & Social Care and Wendy Carberry, Managing Director South CCG
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Wards Affected:	ALL

### **FOR GENERAL RELEASE**

#### **Executive Summary**

There have been several reports to Policy Resources and Growth highlighting the need for a review of the Health & Wellbeing Board which they have formally agreed to.

At the January Health & Wellbeing Board the Board agreed to :

- Establish a policy panel to review future purpose and membership of the Health and Wellbeing Board with options to be brought back for consideration in summer 2019

This report provides the draft scoping document for the Policy Panel, draft terms of reference for the Policy Panel with suggested membership for the Board and an outline timeline of meetings and content.



A key consideration is the timing of the Policy Panel. There are two options:

- start this work prior to councillor changes with the local election in May 2019. This would enable current councillors who have had experience of the Board to contribute with their views on the changes required
- start the work after the May elections with the new council.

## **Glossary of Terms**

**HWB** – Health & Wellbeing Board

## **1. Decisions, recommendations and any options**

1.1 That the Board agrees to the following:

1.1.1 Decide on when the Policy Panel will first meet;

1.1.2 Agree the draft Terms of Reference (Appendix 1)

## **2. Relevant information**

2.1.1 The Health & Wellbeing Board was established following the Health & Social Care Act 2012. The Health & Wellbeing Board, like all HWBs across the country is a committee of the respective council and therefore has to comply with the council's constitution and with the statutory requirements of local authority committees.

2.1.2 The Health & Social Care Act 2012 provides the list of Board responsibilities and also the minimum membership of who should be on a HWB. Each Council has autonomy to develop its own specific Terms of Reference for its HWB that reflects local needs as long as the national 'must' do's are included.

2.1.3 The Brighton & Hove HWB Terms of Reference has undergone minor changes, mainly relating to attendance at the Board and voting rights (for example, the statutory directors of the council no longer vote as part of the Board). However, the Board Terms of Reference and membership of the Board have not altered significantly in recent years. Given the significant ongoing and proposed changes in the Health & Social Care system nationally, regionally and locally, there is a clear and pressing need for review.

2.1.4 This review is timely as a key building block to support this work will be the Joint Health & Wellbeing Strategy which can be used as a driver to provide the framework for the Board, its future agenda and work plan. It will provide a 4 yearly structure with the policy drivers, local priorities and clear links to

finance and performance with an annual framework for formal review. This strategy is coming to the March 219 Board for approval.

2.1.5 The HWB has indicated that it seeks to:

- Be strategic, responsive and also focused through system leadership on improving services for local residents
- Have clear understanding of finance, performance and how these flow through the system
- Ensure that the Board reflects the policy decisions that have been made.

2.1.6 There is a need to review the remit and functions of our existing HWB given the national, regional and local changes that are in train. While the statutory functions of any Health & Wellbeing Board (and its legally required membership) are limited, there is the opportunity to include a broader role for the Board and to include wider partnership organisations. There is also the opportunity to review the current delegations to the Board against national good practice and legislative requirements to consider the most effective decision making arrangements for the Council.

2.1.7 The Board has also discussed potential future Board membership and this will be part of the Policy Panel review.

2.1.8 The proposed terms of reference for the HWB Review Policy Panel are attached at Appendix 1. Following the Policy Panel's deliberations, a report will be brought back to the Board no later than November 2019. These should include the future direction of the Board with suggested revised Terms of Reference, the support for the Board including a rolling plan of reporting.

2.1.9 Final decisions about changes to the Board and its Terms of reference will need to go through the following process:

- The Policy Panel to report their recommendations to the Health & Wellbeing Board as an option paper no later than November 2019.
- The agreed recommendations would then need to go through the appropriate Council Cross Party Constitutional Working Group followed by the Council Policy Resources and Growth Committee with Full Council making the final decision on any constitutional changes to what is a council committee.

2.1.10 The agreed recommendations would also go through Clinical Commissioning Group Governing Body.

2.1.11 A scoping document in will be part of the first Policy Panel discussions and will need to look at :

- Meeting frequency ( if quarterly could suggest how this might work e.g. a planned cycle of activity);

- Plan for meetings, including invitees.

### **3. Important considerations and implications**

#### 3.1 Legal:

The Council's Scheme of Delegations to Committee delegates to Committees the power to establish time-limited Policy Panels to carry out short, sharply focused pieces of policy review and development work, as described in the paper.

Lawyer consulted: Elizabeth Culbert

Date: 21/02/19

#### 3.2 Finance:

There are no direct financial implications arising from this report. Any costs such as officer time required to implement the operational changes will be met within existing resources.

Finance Officer consulted: Sophie Warburton

Date: 04/03/2019

#### 3.3 Equalities

This review of the Health and Wellbeing Board is an opportunity to further embed equality, diversity and inclusion in the function and membership of the Board.

### **Supporting documents and information**

Appendix 1 Terms of Reference for the Policy Panel

## **Appendix 1**

### **DRAFT TERMS OF REFERENCE FOR HEALTH AND WELLBEING BOARD REVIEW POLICY PANEL**

#### **1. Name**

Health and Wellbeing Board Review Policy Panel

#### **2. Purpose**

To support a review by the Health and Wellbeing Board (HWB) of the terms of reference and membership of the HWB.

The need for a review arises from significant changes in the Health and Social Care system nationally, regionally and locally. The outcome of the review will form recommendations to be presented by the HWB to Policy, Resources and Growth Committee and full Council.

#### **3. Status**

The Health and Wellbeing Board Review Policy Panel shall be an advisory board to the HWB that the Policy Panel will report to. The Policy Panel will not have subcommittee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply. However, it is expected that the Board will be established on a cross party basis, together with representation from relevant partner organisations.

#### **4. Areas of focus**

To review the terms of reference for the HWB against legislative requirements, national good practice and changes in the Health and Social Care system to ensure that the HWB delivers effective decision making in relation to its core business.

To review the membership of the HWB against the same criteria.

#### **5. Reporting**

The Board will report to the HWB, with recommendations as necessary.

#### **6. Membership**

Membership of the Policy Panel shall consist of 5 elected Members, following nominations by their Group Leaders to reflect the political composition of the Council. In addition the Board shall include 3 members of the CCG. All non voting members of the current HWB will be invited to attend the Panel and one Member from each of the following partner organisations will also be invited to attend:-



Community Works;  
Brighton & Sussex University Hospital;  
Sussex Partnership Foundation Trust  
Sussex Community Foundation Trust.

This does not preclude the Panel from inviting additional organisations or representatives to help inform the work of the Panel.

## **7. Meetings and ways of working**

The timing and number of meetings will be dictated by the volume of business for the Policy Panel.

The Policy Panel will agree ways of working appropriate to the role and remit of the Group.

At the first meeting the Panel will agree the chairing of the Panel.

## **8. Consultation and engagement**

The HWB are keen to ensure that wide engagement and feedback from stakeholders forms part of this review. Part of the initial scoping with the Panel will be consideration of how this can be undertaken in a meaningful and timely manner.

## **8. Review**

These terms of reference may be reviewed and amended by the HWB from time to time.