

## **NORTH LINCOLNSHIRE COUNCIL**

### **COUNCIL**

#### **THE NORTH LINCOLNSHIRE HEALTH AND WELLBEING BOARD**

##### **1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To confirm the establishment of the North Lincolnshire Health and Wellbeing Board (HWBB).
- 1.2 To consider the detailed arrangements for the operation of the North Lincolnshire Health and Wellbeing Board.

##### **2. BACKGROUND INFORMATION**

- 2.1 Members will be aware that at the meeting of Cabinet held on 20 March 2013, consideration was given to a report about the establishment of the formal North Lincolnshire Health and Wellbeing Board (HWBB). The Health and Social Care Act 2012 (the Act) establishes Health and Wellbeing Boards as a forum where key leaders from the Health and Care System work together to improve the health and wellbeing of their local population and reduce health inequalities. Each top tier and unitary authority will have its own Health and Wellbeing Board.
- 2.2 The principles which underlie the creation of Health and Wellbeing Boards include -
  - Shared Leadership of a strategic approach to the health and well being of communities that reaches across all relevant organisations.
  - A commitment to driving real action and change to improve services and outcomes.
  - Parity between board members in terms of their opportunity to contribute to the board's strategies and activities.
  - Shared ownership of the board by all its members (with commitment from their nominating organisations) and accountability to the communities it serves.

- Openness and transparency in the way the board carries out its work.

2.3 The Act gives boards specific functions these are a statutory minimum and further functions can be given to the board in line with local circumstances. The statutory functions are -

- To prepare Joint Strategic Needs Assessments (JSNAs) and Joint Health and Wellbeing Strategies (JHWSs) which is a duty of local authorities and Clinical Commissioning Groups (CCGs).
- A duty to encourage integrated working between Health and Social Care Commissioners, including providing advice, assistance or other support to encourage arrangements under Section 75 of the NHS Act 2006 (re lead commissioning, pooled budgets and/or integrated provision) in connection with the provision of health and social care services.
- A power to encourage close working between commissioners of health related services of the board itself.
- A power to encourage close working between commissioners of health related services (such as housing and many other local government services) and commissioners of health and social care services.

2.4 Under Section 194 of the Act, the Health and Wellbeing Board is a committee of the council which establishes it and for the purposes of any enactment is to be treated as if appointed under Section 102 of the Local Government Act 1972. It is therefore a Section 102 Committee. However, the regulations accompanying the legislation modify and disapply certain provisions of Section 102 and other sections of the Local Government Act 1972 and also some provisions of the Local Government and Housing Act 1989, relating in particular to political proportionality.

2.5 Following consideration by Cabinet it was resolved -

(a) That cabinet recommends to council the formal establishment of the North Lincolnshire Health and Wellbeing Board as a committee of the council to discharge the statutory core functions from 1 April 2013 and agree the membership of the board as set out within the report to cabinet including in appendix 1 to that report; (b) that the terms of reference and procedure rules for the board be formally agreed by council following detailed consideration by the Health and Wellbeing Board taking into account the Memorandum of Understanding, and (c) that any other necessary changes to the council's Constitution, Procedure Rules, Terms of Reference of the Health Scrutiny Panel and other related elements be considered at the Annual Meeting of the Council in May 2013.

- 2.6 Following a recent development session involving the membership of the Health and Wellbeing Board a Health and Wellbeing Board Memorandum of Understanding has been developed which sets out details of how the board will function including details of its terms of reference which will be incorporated into the council's Constitution. The proposed terms of reference are attached at Appendix A. Where appropriate other changes will be made to the Constitution to reflect the establishment of the board as a committee of the council.

### **3. OPTIONS FOR CONSIDERATION**

- 3.1 The requirement to establish a North Lincolnshire Health and Wellbeing Board is statutory. Following consideration by Cabinet it was recommended that the board be established with a core of statutory members enhanced by the presence of a wider group of partners based on the membership of the Shadow Health and Wellbeing Board which has been functioning for some twelve months. It was also agreed to implement voting arrangements that reflected the statutory membership and the leadership role of the local authority with the chairman and vice chairman being from the local authority. This is the only option for consideration.

### **4. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)**

#### **4.1 Financial Implications**

There are no direct financial implications associated with this report. The work of the Health and Wellbeing Board must be contained within current resources.

#### **4.2 Staffing Implications**

There appear to be minimal staffing impact in relation to the report. As referred to above the work of the Health and Wellbeing Board must be contained within current resources including staffing.

#### **4.3 Property and IT**

There are no Property or IT implications associated with this report.

### **5. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**

- 5.1 An integrated impact assessment has been carried out.

### **6. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTEREST DECLARED**

- 6.1 Extensive discussions had been held over the last year in relation to the work of the board particularly through the Shadow Board. Further consultation with stakeholders to take account of the recently published

regulation and guidance and the proposed updated Memorandum of Understanding has secured wider partnership agreement.

## **7. RECOMMENDATIONS**

- 7.1 That council confirms the formal establishment of the North Lincolnshire Health and Wellbeing Board as a committee of the council to discharge its statutory core functions from 1 April 2013 with the membership of the board as detailed in the report to cabinet on 24 March, 2013.
- 7.2 That the Terms of Reference for the board be approved and incorporated into the council's Constitution together with any other relevant changes to reflect the establishment of the board as a committee of the council.

### **DIRECTOR OF POLICY AND RESOURCES**

Civic Centre  
Ashby Road  
SCUNTHORPE  
North Lincolnshire  
DN16 1AB  
Ref: MDH/LMK  
Author: Mel Holmes  
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**Background papers used in the preparation of this report** - The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny (Regulations) 2013.

Health and Wellbeing Boards - A Practical Guide to Governance and Constitutional Issues.

## **HEALTH AND WELLBEING BOARD - TERMS OF REFERENCE**

- (a) to prepare Joint Strategic Needs Assessments (JSNAs) and Joint Health and Wellbeing Strategies (JHWSs), which is a duty of local authorities and clinical commissioning groups (CCGs).
- (b) to encourage integrated working between health and social care commissioners, including providing advice, assistance or other support to encourage arrangements under Section 75 of the National Service Health Act 2006 (i.e. lead commissioning, poor budgets and/or integrated provision) in connection with the provision of health and social care services.
- (c) to encourage close working between commissioners of health related services and the board itself.
- (d) to encourage close working between commissioners of health related services (such as housing and many other local government services) and commissioners of health and social care services.
- (e) to consider other health related functions which are linked to the functions detailed above and to the overall objective of improving the health and well being of the citizens of North Lincolnshire.