

<p>Health and Wellbeing Board</p> <p>26th April 2017</p>	
<p>Report of the London Borough of Tower Hamlets</p>	<p>Classification: Unrestricted</p>
<p>Draft Tower Hamlets Health and Wellbeing Board Terms of Reference 18/19</p>	

<p>Lead Officer</p>	<p>Somen Banerjee, Director of Public Health</p>
<p>Contact Officers</p>	<p>Jamal Uddin, Strategy, Policy & Performance Officer</p>
<p>Executive Key Decision?</p>	<p>No</p>

Summary

This report sets out the proposed terms of reference of the Health and Wellbeing Board for 18/19. The functions remain as previously stated. However, there has been a revision of the membership to reflect the emergence of Tower Hamlets Together governance bodies overseeing the health and care system in Tower Hamlets.

Under the Health and Social Care Act 2012, the Health and Wellbeing Board is empowered to appoint additional members as it sees fit (see legal comments)

Recommendations:

The Health & Wellbeing Board is recommended to::

1. appoint the additional members as set out in section 3.4 of report
2. note the changes in post titles set out in 3.5 of the report

1. REASONS FOR THE DECISIONS

Since the previous revision to the Terms of Reference at the start of the municipal year 17/18 there have been significant developments in the governance of the health and care system in Tower Hamlets involving Tower Hamlet Together Board and Joint Commissioning Executive. These changes have been discussed with the Health and Wellbeing Board at previous meetings.

2. ALTERNATIVE OPTIONS

- 2.1 By not revising membership, the Health and Wellbeing Board would not reflect the developments in the governance of the health and care system in Tower Hamlets over 17/18

3. DETAILS OF REPORT

- 3.1 It is clear from the Health and Social Care Act 2012 that health and wellbeing boards are different to other section 102 committees, in particular in relation to the appointment of Councillors. The regulations disapply the requirement for political proportionality and enables Directors of the Local Authority to become members of the board. In the 'HWBB a practical guide to governance and constitutional issues'¹ the following is the core membership that health and wellbeing boards must include:
- at least one councillor from the relevant council
 - the director of adult social services
 - the director of children's services
 - the director of public health
 - a representative of the local Healthwatch organisation
 - a representative of each relevant clinical commissioning group (CCG)
 - any other members considered appropriate by the council
- 3.2 The membership of the Board in Tower Hamlets reflects the requirements of the Health and Social Care Act 2012 and allows other members that Tower Hamlets regard as important to the Health and Wellbeing of its residents.
- 3.3 This in effect means the board is able to review its membership and make necessary changes to appointments of the board to reflect health and wellbeing priorities in Tower Hamlets. There is more than one elected councillor on the board but there is no restriction on the total number of elected members that can be board members. The council is free to decide, in consultation with the health and wellbeing board, which members of the health and wellbeing board should be voting members.
- 3.4 In this context, the following additions are proposed for co-opted members
- a) Add the chair of the Tower Hamlets Together Board (which reports to the Health and Wellbeing Board)
 - b) Add the chairs of the Joint Commissioning Executive (although it is recognised that under current arrangements the chairs are already members of the Board ie the Managing Director of Tower Hamlets Clinical Commissioning Group, Corporate Director of Health, Adults and Communities).
- 3.5 To note, changes have been made to reflect the appropriate title of regular attendees at the board in 17/18:
- a) Managing Director of Royal London Site, Barts Health replaces Chief Officer Barts Health

¹ The source of 'HWBB a practical guide to governance and constitutional issues' is <http://www.olderpeoplescouncil.org/docs/projects/HWB%20governance%20and%20constitutional%20issues.pdf>

- b) Chief Executive East London and the Foundation Trust (ELFT) replaces Regional Managing Director ELFT
- c) Managing Director, NHS Tower Hamlets Clinical Commissioning Group (THCCG) replaces Chief Officer THCCG (this post no longer exists due to the appointment of a Single Responsible officer of the East London Sustainability and Transformation Partnership - who is added to the list of stakeholder non-members)

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 There are no financial implications directly relating to this report.

5. LEGAL COMMENTS

- 5.1 Section 194 of the Health and Social Care Act 2012 (“the Act”) requires the establishment of a Health and Wellbeing Board (HWBB) and sets out who the HWBB must consist of. The existing Membership meets those requirements.
- 5.2 There are two ways that additional appointments can be made to the Board. The local authority can appoint additional members, if it first consults with the Board. Alternatively, section 194(8) of the Act empowers the HWB to appoint such additional members as it sees fits, in accordance with the recommendations of this report.
- 5.3 Any proposed amendments to the HWB’s Terms of Reference to reflect additional appointments, as well as the amendments to the job titles of the existing members, will need to be presented to Council for agreement, pursuant to Article 4.02(d) of the Constitution.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The changes outlined are envisaged to strengthen partnership work across the Tower Hamlets health and care economy by incorporating senior level Tower Hamlets Together representation onto the Health and Wellbeing Board

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 There are no specific Best Value implications arising from this report.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 There are no specific sustainability implications arising from this report.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 The change in membership mitigates a risk of a disconnection between Tower Hamlets bodies and the Health and Wellbeing Board.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 There are no specific crime and disorder implications arising from this report.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

1. Health and Wellbeing Board Terms of Reference

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- NONE

Officer contact details for documents:

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