

<p>Non-Executive Report of the: Health and Wellbeing Board</p> <p>Tuesday 2 November 2021</p>	
<p>Report of: Cllr Rachel Blake, Chair of Tower Hamlets Health and Wellbeing Board</p>	<p>Classification: Unrestricted</p>
<p>Proposed changes to Tower Hamlets Health and Wellbeing Board Terms of Reference</p>	

Originating Officer(s)	Jamal Uddin, Strategy & Policy Officer, LBTH
Wards affected	All wards

Executive Summary

The Health and Social Care Act 2012 helped establish statutory health and Wellbeing Boards in April 2013. Since its inception, the ambition has always remained that health and wellbeing boards will build strong and effective partnerships, which improve the commissioning and delivery of services across NHS and local government, leading to better health and wellbeing outcomes for local people.

The Health & Wellbeing Board operates according to the Council's Constitution and also according to the Terms of Reference for the Board itself.

A few changes in NHS structures and ways of working within the current pandemic has warranted a quick review of the current Health and Wellbeing Boards Terms of Reference resulting in two proposed amendments to the current Terms of Reference.

1. In April 2021, Tower Hamlets Clinical Commissioning Group (CCG) along with the six other North East London (NEL) CCGs – City and Hackney, Newham, Waltham Forest, Barking and Dagenham, Havering and Redbridge- started working together as a commissioning alliance to develop an aligned approach to working with providers to ensure long term sustainability.
As a result of these changes in NHs structures, the position of Independent chair of Tower Hamlets CCG no longer exists. It is proposed that a suitable clinical representation from the NHS North East London CCG is identified.
2. Due to the pandemic, the Government made allowances to local Authorities to host committee meetings virtually until end of March 2021. Since then, Tower Hamlets has been operating a hybrid model providing a quarter of the membership attend the meeting physically as per Terms of Reference. Health and Wellbeing Board Terms of Reference holds an additional premise that the quarter of the membership 'includes at least one Elected Member of the Council and one representative from the NHS Tower Hamlets Clinical Commissioning Group'. There is no legal precedent for this requirement and

to ensure that meetings are quorate the proposal is to remove the additional premise from the Terms of Reference with boards agreement.

Recommendations:

The Health and Wellbeing Board is recommended to:

1. To note and agree the proposed changes requested to the boards current Terms of Reference.
2. To note that further review of the Terms of Reference will take place in the coming months following development of Integrated Care System and NHS reorganisation in April 2022.

1. REASONS FOR THE DECISIONS

- 1.1 To make proposed changes to the current Terms of Reference so that there is suitable clinical representation from NHS North East London CCG following changes to NHS structures. As well as addressing quoracy issues.

2. ALTERNATIVE OPTIONS

- 2.1 We can keep the Terms of Reference as it is and review as part of the wider NHS reorganisation planned in April 2022. But there is a risk, the board will not have a suitable clinical representative from NHS North East London CCG to support discussion and decisions of the board as well as make it difficult to ensure meetings are quorate.

3. DETAILS OF THE REPORT

- 3.1 The ambition behind health and wellbeing boards is to build strong and effective partnerships, which improve the commissioning and delivery of services across NHS and local government, leading to better health and wellbeing outcomes for local people. The Health and Social Care Act 2012 created a common flexible framework, by requiring the establishment of health and wellbeing boards for every upper tier local authority which has been in effect since April 2013.
- 3.2 The Health & Wellbeing Board operates according to the Council's Constitution and also according to the Terms of Reference for the Board itself. The Terms of Reference for the Health and Wellbeing Board defines the boards key aims, functions and collection of people who have agreed to work together to accomplish statutory duties such as produce a joint strategic needs assessment, a local joint health and wellbeing strategy and sign off Better Care Fund Plans.
- 3.3 A number of changes in NHS structures and 'ways of working' within the current pandemic has warranted a quick review of the current Health and Wellbeing Boards Terms of Reference and suggested amends as required -
1. In April 2021, Tower Hamlets Clinical Commissioning Group (CCG) along with the six other North East London (NEL) CCGs – City and Hackney, Newham, Waltham Forest, Barking and Dagenham, Havering and Redbridge- started working together as a commissioning alliance to develop an aligned approach to working with providers to ensure long term sustainability.
As a result of these changes in NHs structures, the position of Independent chair of Tower Hamlets CCG no longer exists.
Proposed amendment: It is proposed that a suitable clinical representation from the NHS North East London CCG is identified,

2. Due to the pandemic, the Government made allowances to local Authorities to host committee meetings virtually until end of March 2021. Since then, Tower Hamlets has been operating a hybrid model providing a quarter of the membership attend board meetings physically as per Terms of Reference. Health and Wellbeing Board Terms of Reference holds an additional premise that the quarter of the membership 'includes at least one Elected Member of the Council and one representative from the NHS Tower Hamlets Clinical Commissioning Group'.

Proposed amendment: There is no legal precedent for this requirement and to ensure that meetings are quorate the proposal is to remove the additional premise from the Terms of Reference with boards agreement:

- 3.4 From April 2022, North East London CCG will become a new organisation – we expect this to be called NHS North East London – with an Integrated Care Board which will include NHS providers and Local authorities, to make decisions on planning services and work to reduce inequalities and maintain patient choice.
- 3.5 The HWBB will reconsider the Boards Terms of Reference and membership in line with NHS reorganisation in the coming months and make proposed changes in the new municipal year.

4. EQUALITIES IMPLICATIONS

- 4.1 These proposals will allow the Health and Wellbeing Board to continue hosting meetings in the hybrid model – enabling wider participation and choice from members to attend physically and others virtually to board meetings. This will make it easier for meetings to be quorate and make meetings more sustainable.

5. OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
 - Best Value Implications,
 - Consultations,
 - Environmental (including air quality),
 - Risk Management,
 - Crime Reduction,
 - Safeguarding.
 - Data Protection / Privacy Impact Assessment.
- 5.2 There are no specific statutory implications arising from this noting report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 This report recommends that the Health and Wellbeing Board ('the Board') is to agree its revised quorum and membership. There are no direct financial implications arising from this report.

7. COMMENTS OF LEGAL SERVICES

- 7.1 The Council is required to establish a Board in accordance with S102 of the Local Government Act 1972 and S194 of Health and Social Care Act 2012 to act as a forum in which key leaders from the local health and care system can work together to improve the health and wellbeing of their local population.
- 7.2 The proposals set out in this report comply with the above legislation.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- APPENDIX 1- Proposed changes to Tower Hamlets Health and Wellbeing Board Terms of Reference

Local Government Act, 1972 Section 100D (As amended)

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:

Jamal Uddin, Strategy & Policy Officer, Health, Adults & Community Service, LBTH

Jamal.uddin@towerhamlets.gov.uk