


<b>Health and Wellbeing Board</b> Tuesday 21 June 2016	
<b>Report of the London Borough of Tower Hamlets</b>	<b>Classification:</b> Unrestricted
<b>Tower Hamlets Health and Wellbeing Board Terms of Reference, Quorum, Membership and Dates of Meetings</b>	

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

## Summary

This report sets out the Terms of Reference, Quorum, Membership and Dates of meetings of the Tower Hamlets Health and Wellbeing Board for the Municipal Year 2016/17 for the information of members of the Board.

Following a peer review of the Board's effectiveness led by the Local Government Association, the report proposes some changes to the Terms of Reference to strengthen the leadership of the Board across the council, Clinical Commissioning Group and partners.

## Recommendations:

The Health & Wellbeing Board is recommended to:

1. Note the Terms of Reference, Quorum, Membership and Dates of future meetings as set out in Appendix 1 and 2 of this report.
2. To discuss the following changes to the Health and Wellbeing Board members proposing to:
  - a) Nominate the Cabinet Member for Health and Adult services as Chair of the HWBB
  - b) Nominate a CCG representative as Vice Chair of the Board
  - c) Request that the Mayor of Tower Hamlets and Chief Executive of LBTH to attend at least one meeting in the municipal year to review priorities and progress, and as required when key decisions are being considered.
  - d) Nominate the Cabinet Member for Housing Management and Performance as a voting member of the Board

- e) Nominate the Tower Hamlets Borough Commander of Met Police; Corporate Director of Communities, Localities and Culture (CLC); and Corporate Director of Development & Renewal, LBTH as co-opted members (non-voting members) of the Board
- f) Nominate by the council a Councillor from the largest opposition group as a stakeholder (non-voting)

**1. REASONS FOR THE DECISIONS**

- 1.1 It is necessary for all Council committees including the Health and Wellbeing Board to note its Terms of Reference, Quorum, Membership and Dates of meetings for the forthcoming Municipal Year. It is timely to propose changes to strengthen the leadership of the Board following a recent review.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The Board could choose not to consider the Terms of Reference but it is not recommended as the Health and Wellbeing Board is expected to meet all the stated requirements in the Terms of Reference.

## **3. DETAILS OF REPORT**

- 3.1 It is traditional that following the Annual General Meeting of the Council at the start of the Municipal Year, at which various committees are established, that those committees note their Terms of Reference, Quorum and Membership for the forthcoming Municipal Year. These are set out in Appendix 1 to this report.
- 3.2 The Board's meetings for the remainder of the year, as agreed at the meeting of the Council on 18 May 2016, are as set out in Appendix 2 to this report. In accordance with the agreed calendar, meetings of the Board are scheduled bi-monthly to take place on Tuesdays at 5.00pm. This means there are six meetings of the board held in a year. There are also two development sessions scheduled in a year.
- 3.3 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'<sup>1</sup> 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

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<sup>1</sup> The source of 'HWBB a practical guide to governance and constitutional issues' is [http://www.local.gov.uk/c/document\\_library/get\\_file?uuid=4503fcd2-4934-4962-8a58-f1b6ed38d5d2&groupId=10180](http://www.local.gov.uk/c/document_library/get_file?uuid=4503fcd2-4934-4962-8a58-f1b6ed38d5d2&groupId=10180)

- 3.4 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.
- 3.5 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.
- 3.6 In addition, the Health and Wellbeing Board took part in a peer review during April 2016 facilitated by the Local Government Association (LGA). The feedback was generally positive; with Board members noting that the Health and Wellbeing Board is ambitious in what can be achieved in Tower Hamlets and external feedback that our broad membership and active engagement from a range of partners was a strong base to build from.
- 3.7 The peer review highlighted the importance of effective and consistent leadership on the Health and Wellbeing Board to see through challenges faced by Tower Hamlets such as significant health inequalities and the collective response to austerity by local partners. The Board is ambitious about fully exploiting its system leadership role and playing a more active role in driving transformational change to tackle our most significant challenges. Best practice also recommends joint leadership between the council and CCG through the chairing arrangements. The Mayor and Chief Executive of Tower Hamlets are fully committed to the health and wellbeing agenda and as such will engage actively with the Board's work outside of formal meetings, to ensure engagement across the whole council, and formally attend the Board at least once a year to review priorities and contribute to key decisions.
- 3.8 In agreement with the current chair of the Board, the Mayor of Tower Hamlets, the report therefore proposes the following changes to the Board's membership and Terms of Reference:
- A new delegated chair person; Cabinet Member for Health and Adult Services to enhance strong, consistent leadership and trust;
  - Nominate a CCG representative as Vice Chair of the Board to promote joint leadership across the main statutory partners;
  - Formally require the Mayor of Tower Hamlets and Chief Executive of LBTH to attend at least one meeting in the municipal year as part of an annual review of health and wellbeing outcomes; They are not restricted to one meeting and are able to attend any Board meetings in an advisory capacity and/or to participate in key decisions;
  - Introduce the Cabinet Member for Housing Management and Performance as an elected representative (voting member). This

means that more emphasis can be given to joint housing priorities across the Council, given the strong links between poor housing and ill health. This position will replace the Executive Advisor on Adult Social Care, which is a position that no longer exists in LBTH;

- The council to nominate a councillor from the largest opposition group as a stakeholder to the board. The stakeholder will be able to attend meetings regularly and take part in board discussions but is not a formal board member given the Board's executive role. A councillor from the majority group, who is not part of the executive, already attends the Board as a non-voting member.
- Additional senior officer appointments across the partnership to support the ongoing development and delivery of the Joint Health and Wellbeing Strategy 2016-2020;
  - The new Borough Commander of Met Police;
  - Corporate Director of CLC; and
  - Corporate Director of Development and Renewal

3.9 Other terms of reference would remain unchanged, such as the Chair of Health Scrutiny and Safeguarding Board Chairs for children's and adults being invited to attend as key stakeholders (non-voting).

#### **4. COMMENTS OF THE CHIEF FINANCE OFFICER**

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

#### **5. LEGAL COMMENTS**

5.1 I would advise that section 194 of the Health and Social Care Act 2012 requires the establishment of a HWB and sets out who the HWB must consist of. The existing Membership meets those requirements.

5.2 With regard to Councillor nominations, the Act requires that where the authority operates executive arrangements, as the Council does, then the Mayor must nominate these Councillors. If changes in the Councillor Membership of the Committee are proposed then a report has to go to the Mayor to nominate these Councillors.

5.3 Any changes to the Terms of Reference must be agreed by full Council pursuant to Article 4.02(d) of the Constitution.

#### **6. ONE TOWER HAMLETS CONSIDERATIONS**

6.1 When drawing up the schedule of dates, consideration was given to avoiding school holiday dates and known dates of religious holidays and other important dates where at all possible.

**7. BEST VALUE (BV) IMPLICATIONS**

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

**8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

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

**9. RISK MANAGEMENT IMPLICATIONS**

9.1 There are no specific risk implications arising from this noting report.

**10. CRIME AND DISORDER REDUCTION IMPLICATIONS**

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

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**Linked Reports, Appendices and Background Documents**

**Linked Report**

- NONE

**Appendices**

- Health and Wellbeing Board Terms of Reference
- Health and Wellbeing Board - Dates of Meetings 2016-17

**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:**

- N/A