

Council
28th July 2022

Report Title	Health and Wellbeing Board (HWB) – Revised Terms of Reference
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Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

List of Appendices

Appendix A - Draft HWB terms of reference (in accordance with the Health and Care Act 2022)

Appendix B – Copy of current HWB terms of reference

1. Purpose of Report

- 1.1 To consider and approve the draft Health and Wellbeing Board (“the Board”) Terms of Reference (ToR) revised in line with the Health and Care Act 2022 for the Integrated Care System (ICS).

2. Executive Summary

2.1 Integrated Care System

- 2.1.1 The Health and Care Act 2022 (the Act) set out plans for the future of health and care, including the statutory creation of Integrated Care Systems (ICS). The Act also set out Government plans to improve collaborative working, empower local leaders, address health inequalities, and focus on population health management. The Act came into force on 1st July 2022.
- 2.1.2 Reforms will mean changes to governance and decision making through the Integrated Care Board and Integrated Care Partnership both at county and place (North Northants) level; to locality leadership and to mechanisms to support enhanced provider collaboration.
- 2.1.3 This report and appendices detail a revised Terms of Reference (ToR) for the Council’s Health and Wellbeing Board to ensure arrangements are fully reflected in the Council’s Constitution.

3. Recommendations

3.1 It is recommended that Full Council:

- a) Approve the revised Terms of Reference for the Health and Wellbeing Board as detailed in Appendix A.

3.2 *Reason for Recommendations*

3.2.1 *The Act sets out new statutory responsibilities for the Health and Wellbeing Board and as the board is a statutory function of the local authority these changes need to be approved by full council as per North Northamptonshire's Council Constitution.*

3.2.2 *This provides an opportunity for the Council to review the membership of the Board in line with local North Northamptonshire requirements.*

3.3 *Alternative Options Considered*

3.3.1 None - the ICS and its requirements fall under the legislation laid out in the 2022 Act and therefore health and social care bodies are required to have in place the specified governance arrangements and the terms of reference need to be amended to reflect this.

4. Report Background

Health and Wellbeing Boards

4.1 Health and wellbeing boards are a formal committee of the Council charged with promoting greater integration and partnership between bodies from the NHS, public health, and local government. They have a statutory duty to produce a joint strategic needs assessment and a joint health and wellbeing strategy for their local population.

4.2 The boards previously had very limited formal powers. They were constituted as a partnership rather than an executive decision-making body.

4.3 Under the Act, the Health and Wellbeing Board has some additional responsibilities and duties which are as follows: -

- To review the Integrated Care Board (ICB) 5 Year Plan to ensure it takes proper account of the Joint Health and Wellbeing Strategy.
- To review the ICB Joint Capital Resource Plan
- To consult with the ICB for the ICB Annual Report on performance of any steps taken by the ICB to implement the Joint Health and Wellbeing Strategy.

4.4 The ICB and ICP will also have to work closely with local Health and Wellbeing Boards (HWBs) as they have the experience as 'place-based' planners, and the ICB will be required to have regard to the Joint Strategic Needs

Assessments and Joint Local Health and Wellbeing Strategies (JHWS) produced by HWBs.

- 4.5 There are two categories of membership of the Board, statutory (as defined by legislation) and non-statutory. Membership is intended to reflect the partnership working of the Board with appropriate and relevant agencies participating.
- 4.6 Statutory members of the Board include: -
- One North Northamptonshire Council (NNC) elected member nominated by the Leader of North Northamptonshire Council
 - Executive Director of Adult Social Services, Community and Wellbeing for North Northamptonshire Council
 - The Director of Children's Services for North Northamptonshire Council
 - The Director of Public Health for North Northamptonshire Council
 - A representative of the Local Healthwatch organisation for Northamptonshire
 - A representative from the Integrated Care Board

Non-statutory members are detailed in Appendix A.

- 4.7 Council will note that the proposed scheme allows for the Leader to designate both a statutory representative (as required by legislation), and a non-statutory member. Council will continue to be able to appoint two non-Executive members. NNC political representation will remain as four NNC elected members.
- 4.8 A suggested addition to the non-statutory membership is a representative of the Northamptonshire Children's Trust.
- 4.9 The revised ToR allows for substitute membership. For NNC this will in the case of Executive appointments be a matter for the Leader, with regard to non-Executive NNC members this will be dealt with through normal non-Executive procedures.
- 4.10 It should be noted that Council would continue to appoint the Board's Chair. This appointment is not limited to a NNC member.

5. Issues and Choices

- 5.1 The ICS and its requirements fall under the legislation laid out in the 2022 Act and therefore health and social care bodies are required to have in place the specified governance arrangements.
- 5.2 During discussions, several members of the Democracy and Standards Committee expressed an interest in having an update on the introduction of the Integrated Care System and this has been communicated to appropriate officers to arrange for all members.

6. Next Steps

- 6.1 Once Full Council have approved the revisions to the terms of reference the Council's Constitution will be updated, including the copy accessible on the Council's website.

7. Implications (including financial implications)

7.1 Resources and Financial

- 7.1.1 There are currently no identified financial implications.

7.2 Legal and Governance

- 7.2.1 To give effect to the requirements of the Act changes will need to be made to the Council's existing governance arrangements, some of these are a necessary consequence of statute and can be made immediately under the Monitoring Officer's powers to amend the Constitution to give effect to changes in the law.

7.3 Relevant Policies and Plans

- 7.3.1 Approval of the suggested amendments will ensure compliance with statute and complete the review of Health and Wellbeing Board (HWB) membership.

7.4 Risk

- 7.4.1 There are no formal identified risks currently.

7.5 Consultation

- 7.5.1 The Health and Wellbeing Board (05/07/22) and the Democracy and Standards Committee (11/07/22) considered amendments to the current Terms of Reference, noting the statutory changes required. Their respective comments have been incorporated into the revised ToR (Appendix A).

7.6 Consideration by Executive Advisory Panel

- 7.6.1 Not applicable. Matters relating to constitutional issues fall within the remit of the Democracy and Standards Committee and Full Council.

7.7 Consideration by Scrutiny

- 7.7.1 The Scrutiny Commission at its meeting on 17/05/22 received an update on the wider implications of the ICS.

7.8 Equality Implications

- 7.8.1 None specific to this report, which requests approval to modifications to the Council's Constitution to ensure compliance with statute.

7.9 **Climate Impact**

7.9.1 There is currently no identified climate or environmental implications.

7.10 **Community Impact**

7.11 Changes to the current ToR will ensure compliance with statutory requirements and ensure that all key partners are represented on the Health and Wellbeing Board.

7.12 **Crime and Disorder Impact**

7.12.1 None specific to this report.

8. Background Papers

8.1 None