

## Section 9 - Joint Arrangements

### 1. Arrangements to promote well being

1.1 The Council or the Cabinet, in order to promote the economic, social or environmental well-being of its area, may enter into arrangements or agreements with any person or body, co-operate with, or facilitate or co-ordinate the activities of, any person or body; and exercise on behalf of that person or body any functions of that person or body.

### 2. Joint arrangements

2.1 The Council may establish joint arrangements with one or more local authorities and/or their Overview and Scrutiny Committees to exercise functions which are not executive functions in any of the participating authorities or advise the Council.

2.2 The Cabinet may establish joint arrangements with one or more local authorities to exercise functions which are executive functions. Such arrangements may involve the appointment of Joint Committees with those other local authorities.

2.3 The Cabinet may only appoint Cabinet members to a joint Committee unless:

- The Joint Committee has functions for only part of the area of the authority, and that area is smaller than two-fifths of the authority by area or population. In such cases, the Cabinet may appoint to the Joint Committee any Councillor who is a member for an electoral division which is wholly or partly contained within the area; or
- The Joint Committee is between a County Council and a single District Council and relates to executive functions of the County Council. In such cases, the Cabinet of the County Council may appoint to the Joint Committee any Councillor who is a member for an electoral division which is wholly or partly contained within the area.

In both cases the political balance requirements do not apply to such appointments.

2.4 The Council may establish a Joint Overview and Scrutiny Committee where the subject of the Joint Committee relates to the attainment of any local improvement target set out in the Local Area Agreement or



relates to a matter of health service variation that impacts upon the communities of the local authority concerned.

- 2.5 The Joint Committee will be constituted from elected representatives from the local authorities concerned. For a crime and disorder issue the Police, Fire and Crime Commissioner would be accountable to a crime and disorder committee rather than a Joint Committee.
- 2.6 Agreement to instigating or participating in an Overview and Scrutiny Joint Committee will be made through discussion with the relevant Scrutiny Chair and Vice Chair and the Deputy Chief Executive and Director for Corporate Services. Where the investigation relates to a Local Area Agreement target the Strategic Board will be notified in advance of the commencement of the Joint Committee.

### **3. Access to Information**

- 3.1 The Access to Information Procedure Rules in Section 12 (Access to Information Procedure Rules) of this Constitution apply.
- 3.2 If all the members of a Joint Committee are members of the Cabinet or Executive in each of the participating authorities then its access to information regime is the same as that applied to the Cabinet.
- 3.3 If the Joint Committee contains elected members who are not on the Cabinet or Executive of any participating authority then the access to information rules in Part VA of the Local Government Act 1972 will apply.

### **4. Delegation to and from other local authorities**

- 4.1 A Committee responsible for a non-executive function may delegate it to another local authority or, in certain circumstances, the Executive of another local authority.
- 4.2 The Cabinet may delegate executive functions to another local authority or the Executive of another local authority in certain circumstances.
- 4.3 The decision whether or not to accept such a delegation from another local authority shall be reserved to the Cabinet or the Committee by which the functions in question would be exercised on behalf of the Council.



## 5. Current Joint Arrangements with Delegated Powers

5.1 The County Council currently has the following joint arrangements in place which exercise delegated powers.

### 5.2 Staffordshire and Stoke-on-Trent Joint Archives Committee

<b>Membership</b>	2 County Council (members of the County Council's Cabinet) with substitutes 1 County Council Observer 1 Stoke-on-Trent City Council (member of the City Council's Cabinet)
<b>Terms of Reference</b>	To deal with all matters pertaining to archives and archive services in the County and the City of Stoke-on-Trent.
<b>Delegated Powers</b>	To act within the Joint Committee's terms of reference.

### 5.3 Cannock Chase National Landscape Joint Committee

<b>Membership</b>	1 County Council (member of the County Council's Executive); 1 Cannock Chase District Council (member of its Executive/Cabinet); 1 Lichfield District Council (member of its Executive/Cabinet); 1 South Staffordshire District Council (member of its Executive/Cabinet); 1 Stafford Borough Council (member of its Executive/Cabinet)  Each of the constituent authorities will appoint a substitute elected member, who is eligible to be a voting member, to attend meetings of the Joint Committee when the member is unable to attend.
<b>Co-Opted Advisers (Non-Voting)</b>	The Joint Committee shall invite additional partners to act as advisers in a non-voting capacity, to directly advise and influence.  The Joint Committee may invite, change or amend advisers as appropriate.  Suggested co-opted members: Natural England; Forestry Commission; Forestry Enterprise; Friends of Cannock Chase; Historic England; Staffordshire Wildlife Trust; Private Landowners (NFU/CLA, Quarry operators); RSPB; National Trust; Parish Councils representative (2 seats); Local Access Forum and or Representative from recreational user groups; LEP and/or Destination Management Partnership; Business (tourism)
<b>Terms of Reference</b>	To act jointly for the purpose of exercising and discharging the functions and attaining and realising the objectives relating to the Cannock Chase National Landscape in accordance with the provisions of the Agreement entered into between the partnering authorities establishing the Joint Committees.
<b>Delegated Powers</b>	To act within the Joint Committee's terms of reference.



## 5.4 Staffordshire and Stoke-on-Trent Joint Coroners Committee

<b>Membership</b>	2 County Council (members of the County Council's Cabinet) with substitutes 2 Stoke-on-Trent City Council (members of the City Council's Cabinet) with substitutes
<b>Terms of Reference</b>	The Joint Committee is responsible for setting budgets and will receive reports on the performance of the local coroner service and will seek to drive the transformation and continued development of the service including new mortuary and pathology provision and arrangements for the body removal service.
<b>Delegated Powers</b>	To act within the Joint Committee's terms of reference

## 5.5 Staffordshire and Stoke-on-Trent Joint Enterprise Delivery Committee

<b>Membership</b>	2 County Council (members of the County Council's Cabinet) with substitutes 2 Stoke-on-Trent City Council (members of the City Council's Cabinet) with substitutes
<b>Terms of Reference</b>	The Joint Committee is responsible for all decisions within the budget and policy frameworks for both councils arising from the winding down and cessation of the Staffordshire and Stoke on Trent Local Enterprise Partnership (LEP).
<b>Delegated Powers</b>	To act within the Joint Committee's terms of reference

## 6. Statutory Joint Arrangements

6.1 The County Council participates in the following Joint Arrangements.

### 6.2 Police, Fire and Crime Panel

6.2.1 Established under the provisions of Section 28 of the Police Reform and Social Responsibility Act 2011. Constituted in accordance with Section 102 of the Local Government Act 1972.

6.2.2 Staffordshire County Council shall be the host authority for the Police, Fire and Crime Panel and shall be responsible for the associated administration.

#### Membership

6.2.3 There shall be 10 council elected members, together with 2 lay co-opted members. The Panel may appoint up to an additional 8 co-opted members. These may or may not be council elected members. The Panel will only exercise its powers to appoint additional co-opted members with the agreement of the 10 constituent local authorities,



and the appointment of each additional co-optee must be approved by all 10 constituent local authorities to be effective.

6.2.4 Council members:

6.2.5 Elected members to be appointed as follows:

Authority	Core members
Staffordshire County Council	1
Stoke-on-Trent City Council	1
Cannock Chase District Council	1
East Staffordshire Borough Council	1
Lichfield District Council	1
Newcastle-under-Lyme Borough Council	1
Stafford Borough Council	1
Staffordshire Moorlands District Council	1
South Staffordshire District Council	1
Tamworth Borough Council	1
TOTAL	10

Appointments shall be made on an annual basis

The appointment of core council elected members shall be the responsibility of the individual Authority on the basis of political control of that Authority.

In the event of a council member resigning or otherwise ceasing to be eligible to serve on the Panel, the appointment of a replacement shall be the responsibility of the Authority concerned and will be taken from the same political group (or controlling group) as the member being replaced.

### **Lay Co-opted members**

6.2.6 Appointments shall be made by the Panel for a 4 year term of office and shall be made on the basis of skills, knowledge and experience.

### **Terms of Reference**

- a. To review and make a report or recommendation to the Police, Fire and Crime Commissioner on the police and crime plan and fire and rescue plan, or draft variations, given to the panel by the Police and Crime Commissioner;
- b. To review, put questions to the Police, Fire and Crime Commissioner at a public meeting, and make a report or recommendation (as necessary) on the annual report;



- c. To hold a confirmation hearing and review, make a report, and recommendation (as necessary) in respect of proposed senior appointments (i.e. Chief Constable, Chief Fire Officer, Chief Executive, Chief Finance Officer and Deputy Police Fire and Crime Commissioner) made by the Police Fire and Crime Commissioner;
- d. To review and make a report to the Police Fire and Crime Commissioner on the proposed appointment of the Chief Constable and Chief Fire Officer;
- e. To review and make a report and recommendation to the Police Fire and Crime Commissioner (as necessary) on the proposed precept;
- f. To review or scrutinise decisions made, or other action taken, by the Police Fire and Crime Commissioner in connection with the discharge of the commissioner's functions, including holding the Chief Constable and Chief Fire Officer to account, setting the police precept and budget, fire precept and budget, appointing (and removing) the Chief Constable and Chief Fire Officer and publishing a Police and Crime Plan and Fire and Rescue Plan setting out the strategic policing objectives;
- g. To make reports or recommendations to the Police Fire and Crime Commissioner with respect to the discharge of the commissioner's functions;
- h. To support the effective exercise of the functions of the Police Fire and Crime Commissioner;
- i. To ensure that, when formulating the Police and Crime Plan and the Fire and Rescue Plan, the Police Fire and Crime Commissioner gives due regard to the priorities of local Community Safety Partnerships and the residents they serve;
- j. To record and investigate complaints about the Police Fire and Crime Commissioner or other office holders that relate to non-criminal behaviour (Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2011);
- k. To appoint an Acting Police Fire and Crime Commissioner if necessary; and
- l. To suspend the Police Fire and Crime Commissioner if it appears to the Panel that the Commissioner has been charged in the United Kingdom or Isle of Man with an offence which carries a maximum term of imprisonment exceeding two years.

### **6.3 Health and Wellbeing Board**

- 6.3.1 The Purpose of the Health and Wellbeing Board ("the Board"), as described in the latest guidance, is to provide a forum where political, clinical, professional and community leaders from across the health and care system come together to:



- Lead improvement of health and wellbeing; and
- Reduce health inequalities

6.3.2 The statutory functions of Staffordshire Health and Wellbeing Board are described in Section 195 and 196 of the Health and Social Care Act 2021. These emphasise a “duty to encourage integrated working”.

6.3.3 The Staffordshire Health and Wellbeing Board has some practical functions which it must continue to discharge, these are:

- Assessing the health and wellbeing needs of the Staffordshire population, and publishing a joint strategic needs assessment (JSNA)
- Publishing a joint local health and wellbeing strategy (JLHWS), which sets out the priorities for improving the health and wellbeing in Staffordshire and how the identified needs will be addressed, including addressing health inequalities, and which reflects the evidence of the JSNA
- The JLHWS should directly inform the development of joint commissioning arrangements (see section 75 of the National Health Service Act 2006) in the place and the co-ordination of NHS and local authority commissioning, including Better Care Fund plans
- Develop a Pharmaceutical Needs Assessment which is separate to, but can be annexed to, the JSNA.

6.3.4 There are also several updated expectations with respect to NHS partners. These are as follows:

- The Integrated Care Board (ICB) and partner NHS Trusts and NHS Foundation Trusts must outline the steps they will take to support the implementation of the Health and Wellbeing Strategy.
- The Health and Wellbeing Board must be involved in the development and subsequent refresh of the ICB Joint Forward Plans (JFP).
- The Health and Wellbeing Board must ensure that the JFP takes proper account of the Health and Wellbeing Strategy.
- The Health and Wellbeing Board must provide a statement to the ICB to confirm that the Health and Wellbeing Strategy has been properly taken account of within the JFP.
- The ICB Annual Report must review steps taken to implement the Health and Wellbeing Strategy.
- The ICB must consult the Health and Wellbeing Board as it prepares the annual report.
- As part of an annual performance assessment of ICBs, NHS England must consult relevant Health and Wellbeing Boards to receive views



on how the ICB has contributed to the delivery of the Health and Wellbeing Strategy.

- Health and Wellbeing Boards are expected to work with the Integrated Care Partnership and Integrated Care Board “to determine the integrated approach that will best deliver holistic care and prevention activities, including action on wider determinants in their communities.”
- A Care Quality Commission (CQC) review of Integrated Care Systems (NHS Care, Public Health and Adult Social Care) will include an assessment of how the system functions as a whole.
- ICBs and their partner NHS trusts and NHS foundation trusts are required to share their joint capital resource use plan and any revisions with each relevant HWB.

6.3.5 The key principles that are expected of the Health and Wellbeing Board and partners are:

- Building from the bottom up & being informed by people in our local communities.
- Decision making that is made as close as possible to local communities (subsidiarity).
- Having clear governance, with clarity on which statutory duties are being discharged.
- Ensuring that leadership is collaborative.
- Avoiding duplication of existing governance mechanisms
- A focus on population health and health inequalities

## **Membership**

- **Staffordshire County Council (x4)**
  - Cabinet Member for Children & Young People
  - Cabinet Member for Health & Care
  - Director of Health and Care (statutory member – DASS / DPH)
  - Director of Children’s Services (statutory member)
- **Integrated Care Board (statutory member) (x2)**
  - Chief Transformation Officer
  - Deputy Chief Medical Officer
- **Healthwatch (statutory member) (x1)**
  - Lead Officer
- **Voluntary Sector representatives (x2)**
  - Chief Executive of SCYVS
  - Chief Executive of Support Staffordshire





- **District and Borough Council representatives (x3)**
  - Elected Member x2
  - Chief Executive x1
- **Police representative (x1)**
  - Chief Constable or nominee
- **Fire representative (x1)**
  - Chief Fire Officer or nominee
- **NHS England (x1)**
  - To be confirmed

6.3.6 Members will be asked to nominate one substitute who is able to attend meetings in the event they are not available. A list of substitute attendees can be found on our website: [Terms of reference - Staffordshire County Council](#)

### **Constitution and Decision Making**

- 6.3.7 The Board is a Committee of Staffordshire County Council and is to be treated as if it were a committee appointed by that authority under section 102 of the Local Government Act 1972.
- 6.3.8 Decisions will be made by consensus. The Board does not have the power to direct any of the statutory organisations. However, where the Board has agreed a course of action it will expect the statutory agencies to ensure that this is enacted.
- 6.3.9 Board Members will come to meetings with the authority to take decisions on behalf of their organisations or will secure this where necessary through their own governing bodies.
- 6.3.10 Board Members are expected to feed back the deliberations and decisions of the Board to their respective organisations.
- 6.3.11 Administrative support will be provided by the County Council.
- 6.3.12 Constituent organisations are responsible for meeting the expenses of their own members.

### **Quorum**



6.3.13 The quorum for a meeting shall be a quarter of the membership rounded up to a whole number (e.g. if the Board has 18 members, quoracy will be  $18/4$  rounded up = 5). To be quorate, Board Members must attend in person. The Board must have at least one elected member from Staffordshire County Council and one member from the NHS.

6.3.14 Board Members are expected to have a minimum 50% attendance and a summary of attendance will be published prior to each December meeting.

### **Reporting Structure**

6.3.15 The following groups may report to the Board but are not subgroups of the Health and Wellbeing Board:

#### Families Strategic Partnership

- Health and Early Life
- Childrens Safeguarding

#### Health & Care / Social Care

- Better Care Fund
- Adult Safeguarding
- Mental Health
- Better Health Staffordshire Steering Group
- Healthy Ageing
- JSNA

#### ICB

- Health Inequalities Group
- ICB Prevention Group

6.3.16 The Board will consider an approach to enabling greater alignment with priorities of Stoke-on-Trent Health and Wellbeing Board.

6.3.17 Formal subgroups may be formed at the discretion of the Board.

### **Meeting Arrangements**

6.3.18 Meetings will be held in public except where there are items that need to be considered in private to protect the confidentiality of individuals or commercial confidences.



6.3.19 Meetings will be held at a frequency and intervals to be determined by the Board and there will be at least four meetings a year, currently held quarterly as follows:

- March
- June
- September
- December

6.3.20 The expectation is that items will be managed by respective lead officers.

6.3.21 The Board Forward Plan will provide the outline for each agenda as follows:

Meeting	Agenda Items	Other items
Standard Agenda Items	<ul style="list-style-type: none"> <li>• Welcome to the meeting</li> <li>• Apologies</li> <li>• Declarations of Interest</li> <li>• Questions from the Public</li> <li>• Matters Arising</li> <li>• Action Tracker</li> </ul>	
March	<ul style="list-style-type: none"> <li>• Healthy Ageing &amp; Frailty Progress Update</li> <li>• Staffordshire Better Care Fund</li> <li>• Public Engagement - Healthwatch</li> <li>• ICB JRF / Annual Report               <ul style="list-style-type: none"> <li>◦ Pharmaceutical Needs Assessment (every 3 years)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• ICB Joint Capital Resource Use Plan</li> <li>• Director for Public Health Report</li> </ul>
June	<ul style="list-style-type: none"> <li>• Healthy Weight Priority Progress Update</li> <li>• Joint Strategic Needs Assessment Review</li> <li>• Staffordshire Better Care Fund</li> <li>• Children's Safeguarding</li> <li>• ICB JRF / Annual Report Sign Off</li> </ul>	<ul style="list-style-type: none"> <li>• Ad-hoc strategies e.g. Mental Health</li> </ul>
September	<ul style="list-style-type: none"> <li>• Health in Early Life Priority Progress Update</li> <li>• Public Engagement - Healthwatch</li> <li>• Staffordshire Better Care Fund</li> <li>• JLHWS General Review</li> </ul>	<ul style="list-style-type: none"> <li>• Specific items raised by Partners</li> </ul>
December	<ul style="list-style-type: none"> <li>• Good Mental Health Priority Progress Update</li> <li>• Adult Safeguarding Board Annual Report</li> <li>• Staffordshire Better Care Fund</li> <li>• Joint Strategic Needs Assessment Update</li> <li>• ICB JRF / Annual Report Process</li> </ul>	<ul style="list-style-type: none"> <li>• Partnership Protocol</li> </ul>



- 6.3.22 The forward plan for the next meeting will be reviewed at each meeting to ensure it remains appropriate.
- 6.3.23 Agendas for each Board meeting will be published at least 5 clear working days in advance of a meeting. Draft minutes will be circulated to the Chairs for comment at the preview meeting for the subsequent Board meeting. Final minutes and actions will be published after they have been ratified by the Board.
- 6.3.24 Any report due for the Health and Wellbeing Board will be discussed at an Officers' Briefing Meeting and subsequently a draft version presented to a Chairs' Preview Meeting, approximately two weeks before they are published. Reports are therefore expected to be received in line with these meetings and a final version submitted to the County Council's Member and Democratic Services Team no later than 7 working days in advance of the Board meeting.

### **Code of Conduct**

- 6.3.25 Members of the Board and their substitutes are required to abide by a Code of Conduct based on the 7 Nolan Principles of Public Life (selflessness, integrity, objectivity, accountability, openness, honesty and leadership).
- 6.3.26 Board members must complete a register of interests (Disclosable Pecuniary Interests - DPIs). DPIs cover matters such as sponsorship, contracts tenancies and securities. This will be reviewed annually.
- 6.3.27 Where a Board member feels they have a DPI in relation to a decision being taken by the Board then they are required to declare this at the start of the meeting and the Chair will take a view on whether it is appropriate for them to speak or vote on the matter. quorum for a meeting shall be a quarter of the membership including at least one elected member from the County Council and one member from the NHS.

### **Review**

- 6.3.28 These terms of reference will be reviewed annually.

## **6.4 Joint Health Scrutiny Committee (JHSC) for Staffordshire and Stoke-on-Trent – re: Consultation on future of Local Health Services in Northern Staffordshire**



6.4.1 Established in accordance Regulation 30 of The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

6.4.2 Constituted in accordance with Section 102 of the Local Government Act 1972

### **Purpose**

6.4.3 To operate as a mandatory Committee solely for the purpose of considering and formally responding to formal consultation by the relevant NHS body or health service provider on The Future of Local Health Services in Northern Staffordshire.

### **Membership**

6.4.4 18 members, comprised of 9 elected members from Staffordshire County Council and 9 members from Stoke-on-Trent City Council:

- Appointments by each Authority shall reflect the political balance of that Authority.
- Changes in membership shall be at the behest of the relevant Authority provided the total number of seats allocated to each Authority does not exceed 9.
- Substitute members will not be permitted.
- Co-opted members (with the exception of those formally appointed as core members to represent the Health and Care Overview and Scrutiny Committee) will not be permitted

### **Terms of Reference**

6.4.5 To operate as a Mandatory Committee to:

- Jointly respond to consultation by the relevant NHS body or health service provider on the Future of Local Health Services;
- Jointly exercise the power to require the provision of information by the relevant NHS body or health service provider about the proposal;
- Jointly exercise the power to require members or employees of the relevant NHS body or health service provider to attend before it to answer questions in connection with the consultation; and
- Make recommendations, as necessary, to Staffordshire County Council and Stoke-on-Trent City Council on any referral to the Secretary of State.



## **Procedural Rules**

- The Joint Committee shall be in existence from the point at which the relevant NHS body or health service provider notifies the Joint Committee of the formal consultation timetable for the Future of Local Health Services consultation until the point at which a formal joint response is submitted and any subsequent dialogue on its contents completed;
- The Adults and Neighbourhoods Overview and Scrutiny Committee and the Health and Care Overview and Scrutiny Committee will continue to operate as two separate scrutiny committees to scrutinise health and social care issues relevant to their respective areas and remits, including the referral of matters to the Secretary of State;
- No matter to be discussed by the Joint Health Scrutiny Committee shall be considered to be confidential or exempt without the agreement of both Authorities and subject to the requirements of Schedule 12A of the Local Government Act 1972;
- The quorum for the meeting shall be 8 members comprising 4 members from each authority (to include the Chairman or Vice-Chairman of that Authority);
- The relevant Cabinet member for each Authority may attend meetings as a witness in order to provide information but not to participate in questioning;
- Outside witnesses shall be invited to present information to the Joint Committee as and when deemed by members to be appropriate;
- Meeting venues shall alternate between the offices of Staffordshire County Council and Stoke-on-Trent City Council, with costs borne by the host Authority;
- Responsibility for chairing meetings will alternate between the Chairmen of the Health and Care Overview and Scrutiny Committee and the Adults and Neighbourhood Scrutiny Committee. The chairman of the Host Authority's Committee to chair the Joint meeting;
- In the absence of the host Chairman, the order of appointment of substitute Chairman shall be:
  - 'Visiting' Chairman
  - Host Vice-Chairman
  - 'Visiting' Vice- Chairman

## **Support Arrangements**

- 6.4.6 Responsibility for administrative support and clerking arrangements will alternate between the two authorities with associated home costs borne by the respective authorities. Support will include, but not



restricted to, overall co-ordination, setting up and clerking meetings and underpinning policy support and administrative arrangements. Specific tasks include:

- Liaising with health colleagues ahead of the meeting;
- Producing and issuing agendas;
- Production of formal minutes; and
- Drafting and securing final approval to the formal response to the consultation. This will be responsibility of the host authority for the final meeting.

