

Topic:	Membership Changes to the Board
Date:	9th June 2016
Board Member:	Alan White & Charles Pidsley
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Report Type	For decision

Purpose of the Report

1. The report provides an update on the Board's terms of reference and responsibilities and asks the Board's approval for the revised membership following recent changes within the Staffordshire Health, Care and Well-Being economy.
2. The report also provides an update of the duties of the Board as a means of updating new and existing members of their duties and responsibilities.

Background

Health and Wellbeing Boards were established through Section 194 of the Health and Social Care Act 2012. In summary the Board's core functions that it must undertake are to:

- Prepare and publish a Joint Strategic Needs Assessment based on a local authority footprint. In doing so the Board must involve Healthwatch, undertake a wider stakeholder engagement exercise and in the case of 2 tier areas engage each District and Borough Council.
- Prepare a Joint Health and Wellbeing Strategy setting out how the needs identified in the JSNA have been prioritised and addressed. The Board must engage Healthwatch and undertake a wider engagement exercise as part of its development. The Board must be mindful of any direction given by the NHS Commissioning Board when preparing the JSNA and JHWS.
- Promote the integration of health and social care services.
- Provide advice, assistance and other support in encouraging arrangements under section 75 of the NHS Act 2006.
- Encourage providers to work closely with the Board and encourage those that provide health, health related or social care services in an area to work "closely together".
- Prepare and publish a Pharmaceutical Needs Assessment every 3 years (in addition, good practice is for the production of an Eye Health & Sight Loss Needs Assessment including children's eye health but this can be incorporated into the wider needs assessment).
- Provide an opinion as to whether CCG Commissioning Plans have taken proper account of the JHWS. The Board can in turn write to the NHS Commissioning Board outlining its opinion of the CCG Commissioning Plans, notifying the CCG at the same time.
- Review the extent to which CCG Commissioning Plans have contributed to the delivery of the JHWS

The Health and Wellbeing Board can also:

- Arrange for the functions of 2 or more Boards to be exercised jointly or by a joint committee of the Boards.
- Request information relevant to the achievement and performance management of its priorities from CCGs, the Local Authority, local Healthwatch or any body represented on the Board as required. These bodies have a duty to provide such information.
- Give its opinion as to whether the local authority is discharging its duty in giving due regard to the JSNA and JHWS through its commissioning intentions.
- Exercise the functions of a local authority, with the exception of its scrutiny functions, where these functions are formally delegated to it.

Membership

Legislation sets out a required list of people that must sit on the Health and Wellbeing Board. Those people required to be on the Board include at least one County Councillor (for Staffordshire there are 3 Cabinet Members), the Director of Adult and Children's Services, the Director of Public Health, a representative from Healthwatch and a representative from each of the Clinical Commissioning Groups (for Staffordshire they are the Chair of each CCG). The Board must also involve a representative of NHS England in the development of the JSNA and JHWS. The membership is outlined in appendix 1.

In addition the Staffordshire Health and Wellbeing Board has previously chosen to extend its membership to include 2 Elected Member representatives from the District and Borough Councils, a District and Borough Council Chief Executive and the Chief Constable of Staffordshire Police, the Staffordshire Transformation Director and a representative from the Staffordshire Fire and Rescue Service.

The Board has a co-Chair arrangement whereby the Board is jointly chaired by a Cabinet Member from Staffordshire County Council (the Cabinet Member for Health, Care and Wellbeing) and one of the Chair's of the Clinical Commissioning Groups.

The Board is now asked to approve the updated appointments of:

1. Dr Richard Harling (Director of Health and Care- Staffordshire County Council. Director of Public Health and Director of Adult Social Services).
2. Penny Harris- Staffordshire Transformation Director
3. Mark Sutton, Cabinet Member for Children and Young People

In terms of the legislation the Board can review its membership at any point in time. As an Executive Committee of Staffordshire County Council the council can appoint additional members to the Board but it must consult the Board when doing so.

Terms of Reference

- The Board has terms of reference which set out the practical arrangements for how the Board will operate. The key principles that underpin the terms of reference include: Sovereignty around decision making. Board members will be accountable through their own organisation's decision making processes. It is the expectation that Board members will come to the table with the authority to take decisions.
- Agendas for formal Board meetings will be issued 10 working days in advance of a meeting. Where this is the case then such decisions will not normally be subject to separate ratification processes by partner organisations except where such ratification is explicitly required. Where decisions are not within the delegated authority of the Board members, these will be subject to ratification by constituent bodies. Where possible all decisions should be reached through consensus.
- Decisions and agendas for Board meetings will be publically accessible, except where exemption criteria apply.
- The Board can agree a programme of training and development activity over and above the schedule of formal meetings.

(Full terms of reference are available in appendix 2)

Declarations of Interest

Health and Wellbeing Boards were established as a committee of the local authority which established it. As a consequence the Board is covered by the relevant legislation that governs local authority committee procedures (including Section 102 of the Local Government Act 1972 and Localism Act 2011). In practice this means that 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). Board members must also complete a register of interests (Disclosable Pecuniary Interests - DPIs). DPIs cover matters such as sponsorship, contracts tenancies and securities. The purpose of declaring DPIs is to give confidence to the public that Board members are making decisions on the basis of the interests of the communities of Staffordshire rather than any personal interest. 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 will not be able to speak or vote on the matter. Guidance can be offered to Board Members at any point in time prior to, or during a meeting. Board members have been requested to update their DPIs from May 2015.

Recommendations

That the Staffordshire Health and Wellbeing Board:

- a) Approves the appointment of Dr Richard Harling (Director of Health and Care, Staffordshire County Council) to the Board
- b) Approves the appointment of Penny Harris (Staffordshire Transformation Director) to the Board
- c) Approves the appointment of Mark Sutton, Cabinet Member for Children and Young People to the Board
- d) Formally thank Mike Lawrence and Rita Symons for their historical work with the Staffordshire Health and Well Being Board.

Appendix 1: Membership of the Staffordshire Health and Wellbeing Board

Core Roles	Representation
At least one councillor from	<i>Alan White Ben Adams Mark Sutton</i>
The Director of Children's Services	<i>Helen Riley</i>
The Director of Public Health and Director of adult Social Care	<i>Richard Harling</i>
Representative from Health Watch	<i>Jan Sensier</i>
Representative from each relevant Clinical Commissioning Group	<i>Paddy Hannigan Mo Huda John James Charles Pidsley Mark Shapley</i>
NHS England	<i>Ken Deacon</i>
Additional Roles	
District and Borough Elected Member representatives	<i>Roger Lees Frank Finlay</i>
District and Borough Chief Executive	<i>Tony Goodwin</i>
Staffordshire Police	<i>Jane Sawyers</i>
Staffordshire Fire and Rescue Service	<i>Glyn Luznyj</i>
Staffordshire Transformation Director – Together We're Better	<i>Penny Harris</i>