



HEALTH AND WELLBEING BOARD

Thursday, 20 July 2023

REPORT TITLE:	HEALTH AND WELLBEING BOARD MEMBERSHIP AND TERMS OF REFERENCE
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

This report provides the Health and Wellbeing Board with an opportunity to:

1. review its formal membership as contained within the Wirral Council Constitution
2. note its Terms of Reference

and propose any amendments to the Constitution and Standards Committee.

One of the key themes in the Wirral Plan 2021-2026 is to provide happy, active and healthy lives for all, with the right care, at the right time to enable residents to live longer and healthier lives. By having active, effective partnerships on the Board and developing strategies in partnership to combat health inequalities and enable more effective working, the Board will contribute to the key priorities set out within the current Wirral plan. Reviewing the membership and terms of reference can help facilitate this.

This matter relates to all Wards within the Borough and is not a key decision.

RECOMMENDATION/S

The Health and Wellbeing Board is recommended to:

- (1) (i) note the Health and Wellbeing Board's current membership,
(ii) review the co-opted membership of the Committee for the 23/24 municipal year and
(iii) recommend to Constitution and Standards Committee the following changes in the core and appointed membership list of the Health and Wellbeing Board:

Removal of:

the Chair of Wirral NHS Clinical Commissioning Group;
a Representative from the Local Area Team: Cheshire, Warrington and Wirral, NHS England;

Representatives from the three divisions of the NHS Clinical Commissioning Group to present annual commissioning plan.

Replacement of:

'Accountable Officer of Wirral Clinical Commissioning Group' with 'Integrated Care Board Place Director'.

'Chief Executive, Voluntary & Community Action Wirral' with 'a representative as nominated by the Community, Voluntary, Faith and Social Enterprise sector'.

(2) note the Health and Wellbeing Board's Terms of Reference.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To make the Board aware of its membership and to clarify which members have voting rights.
- 1.2 To enable the Board to consider its membership to ensure that the Terms of Reference and remit of the Board is supported, whilst acknowledging changes in organisational structures since the Board was instituted.
- 1.3 To enable to Board to note its Terms of Reference.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 An alternative option was to not update the Board on its membership. However, updating the Board on its current membership assists in the effective management of its meetings and ensures the Board are utilising its ability to co-opt additional members and removing any co-optees no longer as relevant, and allows the list to be updated following changes such as the cessation of the Clinical Commissioning Group and the changing of some job titles or organisations.
- 2.2 The Terms of Reference could not be reviewed but a new Municipal Year seemed an appropriate time for consideration of any change.

3.0 BACKGROUND INFORMATION

- 3.1 The Health and Social Care Act 2012 sets out that a local authority must establish a Health and Wellbeing Board for its area and prescribes the membership must contain a minimum of that outlined at 3.2.
- 3.2
 - (a) at least one councillor of the local authority
 - (b) the director of adult social services for the local authority
 - (c) the director of children's services for the local authority
 - (d) the director of public health for the local authority
 - (e) a representative of the Local Healthwatch organisation for the area of the local authority
 - (f) a representative of each relevant clinical commissioning group (n.b. It should be noted that CCGs no longer exist within the NHS infrastructure)
 - (g) such other persons, or representatives of such other persons, as the local authority thinks appropriate.
- 3.3 Health and Wellbeing Boards (HWBs) have been a key mechanism for driving joined up working at a local level since they were established in 2013.
- 3.4 The Health and Care Act 2022 introduced new architecture to the health and care system, specifically the establishment of integrated care boards (ICBs) and integrated care partnerships (ICPs).

- 3.5 In this new landscape, HWBs continue to play an important statutory role in instilling mechanisms for joint working across health and care organisations and setting strategic direction to improve the health and wellbeing of people locally.
- 3.6 It is important that Wirral's Health and Wellbeing Board reflects the Council's operating Executive arrangements, and those of other partners.
- 3.7 At its meeting on 25 May 2022, the Council adopted a revised Constitution within which contained the Terms of Reference and membership of the Health and Wellbeing Board. The membership is included below.

3.8 **Current Core Membership**

- (i) Five (5) elected Members of Wirral Borough Council, being the:
- (1) Leader (or Deputy Leader) of the Council.
 - (2) The Chair (or Vice Chair) of the Adult Social Care and Public Health Committee.
 - (3) The Chair (or Vice Chair) of the Children, Young People and Education Committee; and
 - (4) The leaders (or nominee) of the two largest opposition Political Groups.
- (i) the Chief Executive of Wirral Borough Council.
- (ii) the Director of Adult Social Services of Wirral Borough Council.
- (iii) the Director of Children's Services of Wirral Borough Council.
- (iv) the Director of Public Health of Wirral Borough Council.
- (v) the Chair of Wirral NHS Clinical Commissioning Group.
- (vi) the Accountable Officer of Wirral Clinical Commissioning Group.
- (vii) a representative of HealthWatch; and
- (viii) a Representative from the Local Area Team: Cheshire, Warrington and Wirral, NHS England

Current Appointed Membership

- (i) A senior officer of Wirral Borough Council responsible for housing policy and services.
- (ii) Chief Executive, Voluntary & Community Action Wirral.
- (iii) Chief Executive, Wirral University Teaching Hospital NHS Foundation Trust.
- (iv) Chief Executive, Wirral Community NHS Foundation Trust.
- (v) Chief Executive, Cheshire & Wirral Partnership NHS Foundation Trust.
- (vi) Chief Executive, Clatterbridge Cancer Centre NHS Foundation Trust.
- (vii) Representatives from the three divisions of the NHS Clinical Commissioning Group to present annual commissioning plan.
- (viii) Representative from Merseyside Police.
- (ix) Representative from Merseyside Fire & Rescue Service; and
- (x) Representative from Jobcentre Plus.
- (xi) Chairs of the local NHS Trusts (co-opted).
- (xii) Chair of the Primary Care Council (co-opted).
- (xiii) Principal of Wirral Metropolitan College (co-opted).
- (xiv) Magenta Living (co-opted).
- (xv) Wirral Chamber of Commerce (co-opted).

- 3.6 The Health and Wellbeing Board is a partnership body and has historically invited attendees from various organisations to participate in meetings or be co-opted to the Board to support effective decision-making.
- 3.7 This report also provides an opportunity to review the number and range of co-opted individuals and organisations for the remainder of the 2023/2024 Municipal Year. Attendance by appointed organisations has been very low.
- 3.8 This report also gives the Board an opportunity to make recommendations for amendments to its core membership to the Constitution and Standards Committee.

Suggested membership changes

- 3.9 Suggested amendments to be recommended to Constitution and Standards Committee include:

Removal of:

the Chair of Wirral NHS Clinical Commissioning Group. (as the CCG no longer exists);

a Representative from the Local Area Team: Cheshire, Warrington and Wirral, NHS England (as the Local Area Teams no longer exist);

Representatives from the three divisions of the NHS Clinical Commissioning Group to present annual commissioning plan. (as the CCG no longer exists).

Replacement of (to reflect changes in job titles or organisations):

'Accountable Officer of Wirral Clinical Commissioning Group' with 'Integrated Care Board Place Director'.

'Chief Executive, Voluntary & Community Action Wirral' with 'a representative as nominated by the Community, Voluntary, Faith and Social Enterprise sector'.

'The Director of Adult Social Services of Wirral Borough Council' be amended to 'The Director of Adults, Health, and Strategic Commissioning'.

'The Director of Children's Services of Wirral Borough Council' be amended to the 'Director of Child, Family and Education'.

Terms of Reference

- 3.10 Health and Wellbeing Boards (HWBs) have been a key mechanism for driving joined up working at a local level since they were established in 2013.
- 3.11 The Health and Care Act 2022 introduced new architecture to the health and care system, specifically the establishment of Integrated Care Boards (ICBs) and Integrated Care Partnerships (ICPs).
- 3.12 In this new landscape, HWBs continue to play an important statutory role in instilling mechanisms for joint working across health and care organisations and setting strategic direction to improve the health and wellbeing of people locally.
- 3.13 This non-statutory guidance (attached as Appendix 2) sets out the roles and duties of HWBs and clarifies their purpose within the new system architecture. It accompanies previously published [statutory guidance](#) on joint strategic needs

assessments (JSNAs) and joint local health and wellbeing strategies (JLHWSs). The Health and Care Act 2022 amends section 116A of the Local Government and Public Involvement in Health Act 2007, renaming 'joint health and wellbeing strategies' to 'joint local health and wellbeing strategies'. Statutory guidance on JSNAs and JLHWSs currently remains unchanged.

- 3.14 The current Terms of Reference are reproduced in Appendix 1 for information and consideration.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications.

5.0 LEGAL IMPLICATIONS

- 5.1 Any individual co-opted to the Health and Wellbeing Board will be a non-voting member.
- 5.2 Changes to the formal membership as defined in the Constitution would require endorsement by the Constitution and Standards Committee and approval by Council.
- 5.3 The principal role of the Health and Wellbeing Board is to discharge functions pursuant to sections 195 and 196 of the Health and Social Care Act 2012.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are no resource implications.

7.0 RELEVANT RISKS

- 7.1 Having an unclear membership risks decision making not being taken in accordance with the defined Terms of Reference.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 No additional consultation has been undertaken.

9.0 EQUALITY IMPLICATIONS

- 9.1 There are no direct equality implications.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 There are no environmental and climate implications.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 There are no direct implications for community wealth as a result of this report.

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APPENDICES

Appendix 1 – Health and Wellbeing Board - Terms of Reference
Appendix 2 – Role and purpose of Health and Wellbeing Boards from the Department of Health and Social Care

BACKGROUND PAPERS

The Health and Social Care Act 2012
Council Constitution
Guidance on Health and Wellbeing Boards
(<https://www.gov.uk/government/publications/health-and-wellbeing-boards-guidance/health-and-wellbeing-boards-guidance>)

TERMS OF REFERENCE

By ensuring its membership is effective and representative, the report aims to enable the Board to meet the following term of reference:

- i. To establish a key forum for local democratic accountability relating to commissioning against agreed health outcomes.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Health and Wellbeing Board	16 June 2021