

**CONSTITUTION AND STANDARDS COMMITTEE****24<sup>th</sup> February 2021**

<b>REPORT TITLE:</b>	<b>AMENDMENT TO THE CONSTITUTION – HEALTH AND WELLBEING BOARD</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF LAW AND GOVERNANCE</b>

**REPORT SUMMARY**

This report requests the Committee to consider a minor amendment to the Constitution to update the Terms of Reference for Health and Wellbeing Board, following consultation with the Governance Working Group.

This is not a key decision.

**RECOMMENDATIONS**

The Constitution and Standards Committee is requested to:

1. consider and comment on the report.
2. recommend to Council that in respect to the Health & Wellbeing Board Terms of Reference as detailed in Part 3b Section 16.4 of the Constitution, that 'Chairing the Board' be revised to read 'The Board will be chaired by the Leader of the Council (or their nominee).'

## SUPPORTING INFORMATION

### 1.0 REASONS FOR RECOMMENDATIONS

- 1.1 The Committee is requested to comment on the proposed amendment to the constitution and recommend to Council that it be approved in order to enable the Leader of the Council to delegate the chairing of the Health and Wellbeing Board.

### 2.0 OTHER OPTIONS CONSIDERED

- 2.1 Not to recommend the proposed amendments to the Constitution at the present time.

### 3.0 BACKGROUND INFORMATION

#### Part 3(B) 16, Health and Wellbeing Board

- 3.1 The Health and Social Care Act 2012 stipulates that each authority's Health and Wellbeing Board must consist of at least one member of the local authority. The appointment of members and the chairing of the Board is at the discretion of the local authority.
- 3.2 The Board's Terms of Reference as set out in the Constitution state that the Health and Wellbeing Board will consist of the following five (5) elected Members of Wirral Borough Council:
1. Leader (or Deputy Leader) of the Council;
  2. The Chair (or Vice Chair) of the Adult Social Care and Health Committee;
  3. The Chair (or Vice Chair) of the Children, Young People and Education Committee;
  4. The leaders (or nominee) of the two largest opposition Political Groups.
- 3.3 The Terms of Reference also state that the Board will be chaired by the Leader of the Council or, in his/her absence, the Deputy Leader. Therefore, the proposed change to the Constitution enables the Leader to delegate the chairing of the Board to another member.

#### Further Review

- 3.4 This is a minor change to accommodate the currently desired approach with the Council's leadership and is the only change put to the Committee at this point, whilst a wider change is to be proposed shortly as a result of a significant review.
- 3.5 The wider review of the Health and Wellbeing Board is intended to prepare the Council for the changes due as an outcome of the Government's policy paper ('White Paper'), entitled "*Further change is being considered Integration and innovation: working together to improve health and social care for all*". The White Paper proposes that future legislation will place upon the NHS and local authorities a duty to collaborate with each other and bring forward measures for statutory integrated care systems (ICSs). These will be comprised of an ICS Health and Care Partnership, bringing

together the NHS, local government and partners, and an ICS NHS Body. The ICS NHS body will be responsible for the day to day running of the ICS, while the ICS Health and Care Partnership will bring together systems to support integration and develop a plan to address the systems' health, public health, and social care needs.

3.6 In regard to Health and Wellbeing Boards, the White Paper states that:

- 'Health and Wellbeing Boards will remain in place and will continue to have an important responsibility at place level to bring local partners together, as well as developing the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy, which both HWBs and ICSs will have to have regard to.'
- 'The ICS will also have to work closely with local Health and Wellbeing Boards (HWB) as they have the experience as 'place-based' planners, and the ICS NHS Body will be required to have regard to the Joint Strategic Needs Assessments (JSNAs) and Joint Health and Wellbeing Strategies that are being produced at HWB level (and vice-versa).'
- 'We also recognise the importance of bringing together ICSs and Health and Wellbeing Boards (HWB) as complimentary bodies at system and place level. ICS NHS Bodies and Health and Care Partnerships will have formal duties to have regard to HWB plans, and we will continue to support and prioritise meaningful integration that makes patient and user journey's smoother.'

#### **4.0 FINANCIAL IMPLICATIONS**

4.1 There are no financial implications arising from this report.

#### **5.0 LEGAL IMPLICATIONS**

5.1 The Constitution and Standards Committee is charged by full Council to keep the Council's constitutional arrangements under review and to make recommendations as to amendments and improvements to the Council's Constitution, including the code and protocols.

#### **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

6.1 There are no resource implications arising from this report.

#### **7.0 RELEVANT RISKS**

7.1 There are no risks arising from this report.

#### **8.0 ENGAGEMENT/CONSULTATION**

8.1 The cross-party Governance Working Group has been consulted on the proposed amendments.

#### **9.0 EQUALITY IMPLICATIONS**

9.1 There are no equality implications arising from this report.

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

10.1 There are no direct environment or climate implications arising from this report.

### **REPORT AUTHOR:**

Steve Fox  
Head of Democratic and Member Services  
stevefox@wirral.gov.uk

### **APPENDICES**

None

### **BACKGROUND PAPERS**

Constitution  
The Health and Social Care Act 2012

### **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>