

24 June 2022		ITEM: 5
Thurrock Health and Wellbeing Board		
Consequential amendments to the Health and Wellbeing Board's Terms of Reference and membership		
Wards and communities affected: None	Key Decision: Non-key	
Report of: Councillor Coxshall, Chair of Thurrock Health and Wellbeing Board		
Accountable Head of Service: n/a		
Accountable Director: Ian Wake, Corporate Director for Adults, Housing and Health		
This report is Public		

Executive Summary

The Health and Wellbeing Board is a committee of the Council. As such, its terms of reference are agreed by Council and are contained within the Council's Constitution.

Statutory provisions for Health and Wellbeing Boards are contained within the Health and Social Care Act 2012. This includes provisions about changes to Board membership which require Council approval, following approval from the Health and Wellbeing Board. The Monitoring Officer has the authority pursuant to Article 15 Paragraph 3.4 of the Constitution to make consequential amendments to the Constitution including the current clarifications to the Board's Terms of Reference and changes in legislation to ensure that the Constitution is up-to-date.

Once Health and Wellbeing Board members have considered recommendations in this report the Monitoring Officer will be requested pursuant to Article 15 to incorporate these consequential amendments into the Constitution.

This paper asks the Health and Wellbeing Board to agree to the following consequential amendments to its Terms of Reference. Key changes proposed are:

- Minor amendments to the Board's membership to ensure that the TOR reflects changes in personnel
- Continuing to adopt the new operational approach set out in this paper, reflecting the findings of the independent review of Board in 2022.

1. Recommendation(s)

1.1 That the Health and Wellbeing Board agrees to:

- The changes to the Terms of Reference as outlined within the report and subject to member's approval will be reflected in the attached Terms of Reference.

2. Introduction and Background

- 2.1 The Health and Wellbeing Board is a statutory partnership board governed by s194 of the Health and Social Care Act 2012 (the Act). The Act specifies who must be a member of the Board and specifies how additional Board members are to be appointed. The Act states that at any time after a Health and Wellbeing Board is established, the Local Authority must, before appointing another member of the Board or amending the Terms of Reference, consult the Health and Wellbeing Board.
- 2.2 A commitment provided in the Board's Terms of Reference is that it will be reviewed and refreshed on an annual basis. The purpose of this report is to ask the Health and Wellbeing Board to agree the recommended amendments prior to them being considered by the Council's Monitoring Officer for inclusion in the Council's Constitution as consequential changes pursuant to Article 15 Paragraph 3.4.

3. Issues, Options and Analysis of Options

Membership of Board

- 3.1 Amending the functions and job titles for Board membership will ensure that the Terms of Reference continues to accurately reflect the roles of existing members of the Health and Wellbeing Board.
- 3.2 Organisations previously represented on the HWB largely continue to be represented albeit with a change in personnel. The Mid and South Essex (MSE) Integrated Care System (ICS) continues to be represented on the Board in place of Thurrock Clinical Commissioning Group. The national legislation which governs Board continues to refer to CCG representation at this point. However, representatives of MSE ICS being members of the Board ensures that the legislative membership requirements continue to be met.
- 3.3 The Chair and elected members of the Health and Wellbeing Board are reviewed annually and selected by the Leader as part of determining Committee and Board memberships.

Operation of Board

- 3.4 The action and decision log introduced last year supports the Board and provides an audit of decisions and approvals that have been taken. The continued use of an action and decision log will provide for members to approve the minutes and keep track of actions that have been agreed.
- 3.5 The simple flag system is introduced whereby presenters are provided with a two-minute warning when their allocated time is concluding has been a success for the 2022/23 Municipal Year. Presenters are advised of the time that they have been allocated in advance of the meeting and prompted at the

meeting when their time is concluding. This approach facilitates members of Board providing comments and asking any questions that they may have.

- 3.6 As part of ensuring that Board drives forward the refreshed Health and Wellbeing Strategy and effectively monitors progress it is proposed that each of the six themes of the HWB Strategy continue to be considered each Municipal year.
- 3.7 For the last Municipal Year elected members nominated agreed substitutions to attend meetings when needed. Constitutionally, there is no restriction on having substitutes for those places. However, for this year nominations have not been considered at Full Council.

4. Reasons for Recommendation

- 4.1 As set out in section 2, the recommendations aim to ensure that the Terms of Reference for the Health and Wellbeing Board accurately reflect members' roles and functions and ensures appropriate representation and meets as regularly as required to consider strategic issues that impact on the wider determinants of health and wellbeing.

5. Consultation (including Overview and Scrutiny, if applicable)

- 5.1 The report is being provided to Health and Wellbeing Board as part of consulting members about proposed changes.

6. Impact on corporate policies, priorities, performance and community impact

- 6.1 The Health and Wellbeing Board leads on the community and corporate priority 'improve health and wellbeing'. It is important that its membership is appropriate to influencing and setting that agenda and allows health and wellbeing in Thurrock to be improved and inequalities in health and wellbeing to be reduced.

7. Implications

7.1 Financial

Implications verified by: N/A these are standard TOR reviewed annually

There are no financial implications.

7.2 Legal

Implications verified by: N/A these are standard TOR reviewed annually

The membership of the Board is in keeping with the requirements of the Health and Social Care Act 2012. The process for amending the Board's membership also complies with the Health and Social Care Act 2012 and Article 15 of the Council Constitution.

7.3 **Diversity and Equality**

Implications verified by: N/A these are standard TOR reviewed annually

The Board's membership ensures representation is able to identify and respond to diversity and equality implications for Thurrock to ensure that all Thurrock citizens can achieve good health and wellbeing outcomes.

7.4 **Other implications** (where significant) – i.e., Staff, Health, Sustainability, Crime and Disorder)

None

8. **Background papers used in preparing the report** (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- Not applicable

9. **Appendices to the report**

- Health and Wellbeing Board Terms of Reference

Report Author:

Darren Kristiansen, Business Manager, Adults, Housing and Health Directorate