

# Health and Wellbeing Board Terms of Reference

Health and Wellbeing Board

Date: 25 May 2016

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| Author:            | Director of Law and Democratic Services |
| Wards:             | All                                     |
| Locality Affected: | All                                     |
| Parishes Affected: | All                                     |

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## 1. Purpose and Reasons

- 1.1 The report sets out for consideration the co-opting of a lay member to the Board as a voting member.
- 1.2 The report also sets out proposals for the lay member co-opted to the Board to become its Chair.

## 2. Recommendations

The Board is recommended to:

- 2.1 Appoint Mr Brian Mattock to the Board as a voting, co-opted lay member of the Board.
- 2.2 Recommend to full Council:
  - 2.2.1 The adoption of the revised Health and Wellbeing Board Terms of Reference (as set out in Appendix 1) to reflect that future meetings of the Board may be chaired by the co-opted lay member.
  - 2.2.2 That the Director of Law and Democratic Services be authorised to amend the Role Definition for the Chair of the Health and Wellbeing Board in Part 5 Section 4 of the Council's Constitution, in consultation with the Leader of the Council.

## 3. Detail

- 3.1 The Health and Social Care Act 2012 establishes Health and Wellbeing Boards as a forum where key leaders from the health and care system work together to improve the health and wellbeing of their local population and reduce health inequalities. Swindon's Health and Wellbeing Board was established in April 2013.
- 3.2 Mr Brian Mattock has been a voting member of the Board since its establishment, and he was the Cabinet Member with portfolio responsibility for adults' health throughout that time. Mr Mattock ceased to be a councillor following the May 2016 elections, and the Chair of the Board, Councillor David Renard, is keen to keep him involved and to make best use of his considerable knowledge but asking the Board whether it would wish to co-opt him on to the Board.

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- 3.3 In the event that Mr Mattock is co-opted, Councillor Renard would also wish the Board to consider at its next meeting whether Mr Mattock should be elected to Chair of the Board in his place as the pressures on Councillor Renard's time are increasing as the decisions the Council faces are becoming more complex, challenging and controversial.
- 3.4 The Vice-Chair of the Board, Dr Peter Crouch (Clinical Chair of the NHS Swindon Clinical Commissioning Group), has been consulted on these proposals and fully supports them.
- 3.5 Section 194(8) of The Health and Social Care Act 2012 provides for the Health and Wellbeing Board to appoint such additional persons to be members of the Board as it thinks fit. Mr Brian Mattock is being put forward as a lay member, and the Board is being asked to appoint him as a voting co-opted member. The proposed amendments to Section 6 of the Board's Terms of Reference, which would be required as a result of this decision, have been shown in tracked changes in Appendix 1.
- 3.6 There are no provisions in the Act, or the Regulations made under that section (The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny Regulations 2013)) as to who must chair meetings of the Board. However, the current Terms of Reference state that meetings will be chaired by the Leader of the Council, or by the Vice-Chair in their absence and it is proposed that the Board may also be chaired by a lay member. Should the Board support this, this will require an amendment to the current Terms of Reference. The proposed amendments to Section 7 of the Board's Terms of Reference are attached at Appendix 1, and will have to be adopted by full Council at its meeting on 14 July 2016 or at an earlier Special Committee meeting if appropriate.
- 3.7 Part 5 Section 4 of the Council's Constitution contains a role definition for the Chair of the Health and Wellbeing Board. These proposals will require some amendments to this document and it is suggested that the Director of Law and Democratic Services be authorised to amend the role definition, in consultation with the Leader of the Council.
- 3.8 If these proposals are endorsed, Councillor Renard will remain as a nominated deputy for the Cabinet Member representatives on the Board, and will retain on overview of the Board's work as Leader of the Council.

## 4. Alternative Options

- 4.1 The Board could agree to maintain the status quo. However, the Board's knowledge base and capacity would be lower if the recommendations are not agreed.

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## **5. Implications, Diversity Impact Assessment and Risk Management**

### Financial and Procurement Implications

- 5.1 There are no financial or procurement implications.

### Legal and Human Rights Implications

- 5.2 Legal and Human Rights considerations have been taken fully into account in compiling this report. It is considered that the recommendations are consistent with Convention rights.

### All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 There are no specific implications that relate to staff, sustainability, health, rural, crime and disorder within this report.

### Diversity Impact Assessment

- 5.4 A Diversity Impact Assessment has not been completed for this report since no change in the level or nature of services is being proposed.

### Risk Management

- 5.5 There are no risk management implications.

## **6. Consultees**

- 6.1 The Board Director, Resources (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

## **7. Background Papers**

- 7.1 None.

## **8. Appendices**

- 8.1 Appendix 1 – Health and Wellbeing Board Terms of Reference containing proposed amendments.