

REPORT FOR: HEALTH AND WELLBEING BOARD

- Date of Meeting:** 9 January 2014
- Subject:** Review of the Decision Making Powers of the Health and Wellbeing Board
- Responsible Officer:** Hugh Peart, Director of Legal and Governance Services
- Public:** Yes
- Enclosures:** Current Terms of Reference of the Health and Wellbeing Board

Section 1 – Summary and Recommendations

As required by the Board's Terms of Reference, a review has been undertaken to consider whether any decision making powers are required. The proposed officer delegations will require a recommendation to Full Council.

In addition, the opportunity has been taken to review the meeting frequency in response to the Board's remit and to consider the dates and times of meetings for the 2014/15 municipal year.

Recommendations:

1. The Board is requested to:
 - 1) Note the recommendation to Council that the proposed delegation to the Corporate Director of Community Health and Wellbeing in consultation with the Leader of the Council as outlined in paragraph 2.6;
 - 2) consider whether the Board should continue to meet on a bimonthly basis; recommendations continued on the next page

- 3) agree to revise procedural rule 12.1 to reflect the change in the times of meetings from 3pm to 12.30 to read 'Meetings of the Board will be held during the day.' and to delete rule 12.2 which will no longer be required;
- 4) confirm the dates and times of meetings for the 2014/15 municipal year, as set out in paragraph 2.8.

Section 2 – Report

Background

2.1 The Health and Wellbeing Board was set up in accordance with section 102 of the Health and Social Care Act 2012. It is a Committee of the Council under Section 194 of the Health and Social Care Act. The Council can choose to delegate decision making powers to the Health and Wellbeing Board. The Board does not currently have any delegated powers and any recommendations are subject to the agreement of the Leader of the Council if they are not covered by delegated authority. The Act gave the Board specific functions and further functions can be given to the Board in line with local circumstances

2.2 At its meeting on 19 June 2013, the Board noted its terms of reference and procedure notes and associated constitutional changes, as agreed by the Council on 23 May 2013. The terms of reference and procedure notes were developed in consultation with the Shadow Health and Wellbeing Board.

Current situation

2.3 The Health and Wellbeing Board (HWB) has so far met on 3 occasions. There have been no recommendations although the Joint Health and Wellbeing Strategy Implementation Plan was agreed and forwarded to Council for information.

2.4 The discharge of functions by HWBs are within the remit of scrutiny. It should be noted, however, that the core functions of HWB are not subject to call in as they are not executive functions.

The Proposal

2.5 As a newly constituted body, it was not known what decision making powers would be required, if any. It is not proposed that any of the Council's decision making powers be delegated to the Health and Wellbeing Board. 2.6

2.6 However, to facilitate decision making by the partners who comprise the Board it is proposed that the Council delegate to the Corporate Director of Community Health and Wellbeing, in consultation with the Leader of the Council, the following powers on behalf of the Council:

- to approve a joint strategic needs assessment
- to approve a joint health and wellbeing strategy and implementation plan
- to agree relevant commissioning plans and strategies across NHS, social care and public health
- to agree a Pharmaceutical Needs Assessment
- to approve the health and care integration plan
- to agree the allocation of Section 256 monies in consultation with the S151 officer.

Frequency and dates of meetings

2.7 The Terms of Reference state that the Board shall meet bimonthly, subject to review. The opportunity is therefore being taken to review the schedule of meetings and report the provisional dates for the 2014/15 municipal year.

2.8 The next scheduled meeting is 3 April 2014 at 12.30pm. Following consultation with the Chairman and Vice-Chairman the following dates are proposed, all to commence at 12.30:

Thursday 3 July 2014
Thursday 11 September 2014
Thursday 6 November 2014
Thursday 8 January 2015
Thursday 5 March 2015
Thursday 28 May 2015

2.9 These dates are provisional at this stage pending confirmation by Cabinet as part of the Calendar of Meetings. The Board is requested to confirm whether bimonthly meetings meet the requirements of the Board.

2.10 Procedural rule 12.1 reads 'Meetings of the Board will commence at 3.00 pm and close at 5.00pm unless it resolves to extend the meeting beyond that time.'

2.11 Whilst the Chairman has, in accordance with procedural rule 7.1, the power to alter the venue, day and time it is proposed that the procedural rule should be amended to read "Meetings of the Board will be held during the day.' Procedural Rule 12.2 regarding determining business upon closure will not be required as the closure of meeting arrangements applicable to evening meetings will not apply to daytime meetings.

Other options considered

None

Implications of the Recommendation

As it is not proposed that any of the Council's decision making powers be delegated to the Health and Wellbeing Board there are no implications.

Legal comments

Financial Implications/Comments

There are no financial implications arising directly from this report

Legal Implications/Comments

There are no additional legal comments to those contained in the body of the report.

Risk Management Implications

None in the context of this report

Equalities implications

Was an Equality Impact Assessment carried out? No

Priorities

The report incorporates the administration's priority to deliver a cleaner, safer and fairer Harrow by supporting and protecting people in need.

Section 3 - Statutory Officer Clearance (Council and Joint Reports)

Name: Donna Edwards	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 10 December 2013		
Name: Matthew Adams	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 17 December 2013.		

Section 4 - Contact Details and Background Papers

Contact:

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Linda Cohen, Senior Employment Lawyer

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Background Papers: Terms of reference of the Health and Wellbeing Board

Report and minutes of the Health and Wellbeing Board held on 19 June 2013.