

HEALTH AND WELLBEING BOARD – 27 MAY 2015

Title of paper:	Change to the Health and Wellbeing Board Terms of Reference and Establishment of a Sub-Committee		
Director(s)/ Corporate Director(s):	Acting Corporate Director of Resources	Wards affected: All	
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Other colleagues who have provided input:	Antony Dixon, Strategic Commissioning Manager Nancy Barnard, Governance Manager Jane Garrard, Senior Governance Officer Sarah Molyneux, Head of Legal Services		
Date of consultation with Portfolio Holder(s) (if relevant)	Cllr Alex Norris, February 2015 Cllr Jon Collins, May 2015		
Relevant Council Plan Strategic Priority:			
Cutting unemployment by a quarter			<input type="checkbox"/>
Cut crime and anti-social behaviour			<input type="checkbox"/>
Ensure more school leavers get a job, training or further education than any other City			<input type="checkbox"/>
Your neighbourhood as clean as the City Centre			<input type="checkbox"/>
Help keep your energy bills down			<input type="checkbox"/>
Good access to public transport			<input type="checkbox"/>
Nottingham has a good mix of housing			<input type="checkbox"/>
Nottingham is a good place to do business, invest and create jobs			<input type="checkbox"/>
Nottingham offers a wide range of leisure activities, parks and sporting events			<input type="checkbox"/>
Support early intervention activities			<input type="checkbox"/>
Deliver effective, value for money services to our citizens			<input type="checkbox"/>
Relevant Health and Wellbeing Strategy Priority:			
Healthy Nottingham: Preventing alcohol misuse			<input type="checkbox"/>
Integrated care: Supporting older people			<input type="checkbox"/>
Early Intervention: Improving Mental Health			<input type="checkbox"/>
Changing culture and systems: Priority Families			<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users and contribution to improving health & wellbeing and reducing inequalities):			
The report asks the Health and Wellbeing Board to: <ul style="list-style-type: none"> • note changes to its terms of reference agreed by the Leader of Nottingham City Council • establish a sub-committee of the Board with responsibilities including: <ul style="list-style-type: none"> ○ performance management and amendment of the Health and Wellbeing Commissioning Plan and ○ making funding decisions relating to the spend of the Better Care Fund and Domestic Violence Commissioning pooled budgets. 			
The membership and voting arrangements for the sub-committee and the proposed terms of reference, are set out in the appendix.			
Recommendation(s):			
1	To note the changes to the Terms of Reference for the Health and Wellbeing Board.		

2	To establish a sub-committee of the Health and Wellbeing Board called the Health and Wellbeing Board Commissioning Sub-Committee with the terms of reference as set out in Appendix 1.
3	To note that Full Council was asked to approve the membership and voting arrangements for the Health and Wellbeing Board Commissioning Sub-Committee, as set out in Appendix 1, subject to the establishment of the sub-committee by this Board. Council's decision will be reported verbally to this meeting for noting.
	<p>How will these recommendations champion mental health and wellbeing in line with the Health and Wellbeing Board aspiration to give equal value to mental health and physical health ('parity of esteem'):</p> <p>The recommendations relate to governance of the Health and Wellbeing Board, which aims to ensure that the Board is operating appropriately so that it can carry out its role and responsibilities, including fulfilling its aspiration to give equal value to mental health and physical health.</p>

1. REASONS FOR RECOMMENDATIONS

- 1.1 The Leader of the Council has delegated responsibility to take funding decisions relating to the spending of the Better Care Fund and Domestic Violence pooled budgets and Priority Families' schemes to the Health and Wellbeing Board. This includes taking decisions above the key decision level. Council was asked to agree a change to this Board's Terms of Reference to reflect this delegation at its meeting on 18 May.
- 1.2 In order to ensure timely and appropriate consideration of commissioning plans and pooled budgets, including the Better Care Fund and Domestic Violence pooled budgets and Priority Families' schemes, it is proposed that the Board establishes a sub-committee (the Health and Wellbeing Board Commissioning Sub-Committee) to which these functions can be sub-delegated. The detailed arrangements for this sub-committee are set out at appendix 1.
- 1.3 The membership and voting arrangements on the Health and Wellbeing Board Commissioning Sub-Committee can only be made by Full Council, in consultation with the Board. Council was asked to approve these arrangements at its meeting on 18 May. Council's decision will be reported verbally at this meeting.

2. BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 The Health and Wellbeing Board can decide to establish and delegate any of its functions to a sub-committee. Following the agreement of the Leader of the Council to delegate authority to the Board to make funding decisions, including key decisions, relating to the Better Care Fund and Domestic Violence pooled budgets and Priority Families' schemes, it is proposed to establish a Health and Wellbeing Board Commissioning Sub-Committee and delegate these functions and functions relating to performance management and amendment of the Health and Wellbeing commissioning plan to it. Detailed terms of reference, and proposed membership and voting arrangements are set out in the Appendix.
- 2.2 The Health and Social Care Act 2012 directs that all members of a Health and Wellbeing Board and its sub-committees are voting members unless decided

otherwise by Full Council. Therefore while the Board can establish the sub-committee, Council was asked to approve the proposed voting arrangements at its meeting on 18 May 2015. The informal Commissioning Executive Group (CEG) will continue to exist alongside this formal sub-committee with its existing terms of reference and membership.

3. OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 The Health and Wellbeing Board could retain all of its functions to itself rather than delegating them to a sub-committee. This presents risks in terms of the ability of the Board to give timely consideration to specific issues, for example in relation to the Better Care Fund; and the appropriateness of the full Board membership being involved in commissioning decisions.

4. FINANCIAL IMPLICATIONS (INCLUDING VALUE FOR MONEY/VAT)

- 4.1 Formal meetings of the Health and Wellbeing Board Commissioning Sub-Committee will be supported by the Nottingham City Council Constitutional Services Team from within existing resources.

5. RISK MANAGEMENT ISSUES (INCLUDING LEGAL IMPLICATIONS AND CRIME AND DISORDER ACT IMPLICATIONS)

Rules 1-10 of the Access to Information procedure rules as set out in the Council's constitution will apply to Sub-Committee meetings.

6. EQUALITY IMPACT ASSESSMENT

Has the equality impact been assessed?

Not needed (report does not contain proposals or financial decisions) ☒

No ☐

Yes – Equality Impact Assessment attached ☐

Due regard should be given to the equality implications identified in the EIA.

7. LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

None

8. PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

Health and Social Care Act 2012

The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013

Nottingham City Council Constitution

Health and Wellbeing Board Commissioning Sub Committee Proposed Terms of Reference

The role of the Health and Wellbeing Board Commissioning Sub Committee is:

- (a) To provide advice and guidance to the Health and Wellbeing Board in relation to strategic priorities, joint commissioning and subsequent action plans and commissioned spend and strategic direction;
- (b) To performance manage the Health and Wellbeing Board commissioning plan and to agree changes to that plan based on monitoring and performance management considerations;
- (c) To take strategic funding decisions relating to the Better Care Fund and Domestic Violence pooled budgets, including Key Decisions and decisions relating to schemes funded through such mechanisms;
- (d) To provide strategic oversight of the Priority Family Health and Wellbeing Strategy priority including implications for integrated children and families commissioning and funding decisions relating to Priority Families' schemes.

The Health and Wellbeing Board Commissioning Sub-Committee will meet on a bi monthly basis in the same month as the Health and Wellbeing Board.

The quorum for the meeting is 2 voting members, one of whom must represent the City Council and one of whom must represent the Clinical Commissioning Group.

The meeting will be chaired in rotation by the Strategic Director for Early Intervention and the Director of Primary Care and Service Integration. In the absence of both of these members, the Chair will pass to the voting member present from the body next due to chair the meeting.

The chair of the meeting will not have a casting vote. In the event that agreement cannot be reached on a decision to be taken by the sub-committee, the matter will be referred to a meeting of the sub-committee which will be convened within the next 10 working days for this purpose by the Acting Corporate Director of Resources.

Membership

Voting Members

- Portfolio Holder for Adults Commissioning and Health (City Council)
- Strategic Director of Early Intervention (City Council)
- Director of Primary Care and Service Integration (Clinical Commissioning Group)
- GP Lead (Clinical Commissioning Group)

The City Council and Clinical Commissioning Group have one vote each, shared between its voting members.

Non Voting Members

- Director of the Crime and Drugs Partnership
- Director of Public Health
- Assistant Director of Commissioning – Mental Health and Community Services (Clinical Commissioning Group)

- Assistant Strategic Director Commissioning, Policy and Insight (City Council)
- Director for Procurement & Children's Commissioning (City Council)
- Healthwatch

Substitution for voting members is permissible provided that the Chair is notified of the substitution in advance of the meeting.

Minutes of Sub –Committee Meetings

The Health and Wellbeing Board will be informed of the sub-committee's decisions by the inclusion on its agenda of the minutes of the sub- committee's meetings.