

County Council – 21 April 2016

Recommendation from the Standards and Governance Committee meeting held on 30 March 2016

Proposed Amendment to the Dorset Health and Wellbeing Board Membership and Associated Terms of Reference and Constitution

- 9 The Committee considered a report by the Director for Adult and Community Services setting out proposed amendments to the Terms of Reference and Constitution of the Dorset Health and Wellbeing Board (HWB) arising from a change to its membership.

The Monitoring Officer explained that the change in membership consisted of the inclusion of the Director for Environment and the Economy, the Chief Constable for Dorset Police and the Chief Fire Officer for Dorset and Wiltshire. Due to a specific change in the law, officers were now classed as members of the Board.

The Independent Member highlighted that the review of membership outlined in the report did not include a timescale for review. It was subsequently proposed by Councillor Cattaway and seconded by Councillor Jones to include an annual review of membership in the HWB workplan which was supported by the Committee.

RECOMMENDED

- (i) That 3 new Health and Wellbeing Board members are appointed; namely the Director for Environment and the Economy, Dorset County Council; The Chief Constable for Dorset, Dorset Police; and the Chief Fire Officer for Dorset and Wiltshire Fire and Rescue Service.
- (ii) That amendments are made to the Dorset Health and Wellbeing Board's Terms of Reference and Constitution to reflect the revised membership, as set out under Appendix 1 and 2 to the report, subject to approval of the appointments;
- (iii) That the Dorset Health and Wellbeing Board reviews its membership on an annual basis and that this item is included in its work programme.

Reason for Recommendations

The appointment of the 3 additional members to the Dorset Health and Wellbeing Board would better enable the Board to meet their aims to improve health and wellbeing, reduce health inequalities and promote closer integration.

Dorset Health and Wellbeing Board

Date of Meeting	2 March 2016
Subject of Report	Proposed Amendment to the Dorset Health and Wellbeing Board Membership and Associated Terms of Reference and Constitution
Report Author Partner Organisation	Director for Adult and Community Services
Responsible Commissioning body	Dorset Health and Wellbeing Board
Delivery partner/s	All Board partners
Executive Summary	<p>The Dorset Health and Wellbeing Board assumed full statutory powers in April 2013 with 28 members. Following a review in June 2014, membership was subsequently reduced to 16, with a stipulation under the Board's constitution that this would be kept under review to ensure that it was "fit for purpose".</p> <p>In 2015 the Board agreed that their focus for the next three years, aligning with their new Joint Health and Wellbeing Strategy, would be early intervention, prevention and inequalities. To support this focus, the value of additional representation on the Board from organisations with a wider role in taking forward this work is being proposed.</p> <p>The Board is being consulted on the proposed appointment of three additional members:</p> <ul style="list-style-type: none"> • The Director for Environment and the Economy (Dorset County Council); • The Chief Constable for Dorset (Dorset Police); • The Chief Fire Officer for Dorset and Wiltshire (Dorset and Wiltshire Fire and Rescue Service).

Impact Assessment:	Equalities Impact Assessment (EqIA): Not applicable.
	Locality Impact: Not applicable.
	Budget: Not applicable.
	<p>Risk Assessment:</p> <p>Having considered the risks associated with this decision using the County Council's approved risk management methodology, the level of risk has been identified as: Current Risk: LOW Residual Risk: LOW</p>
	<p>Health and Wellbeing Implications:</p> <p>Improved health and wellbeing outcomes for citizens as a result of better partnership engagement and involvement in decision making and strategic development.</p>
	<p>Other Implications:</p> <p>A more inclusive Health and Wellbeing Board. Across England and Wales HWBs have included various members from partner organisations which particularly suit their communities and outcome based strategies. Dorset HWB would benefit from the three Members due to their current and/or future focus and success in early prevention.</p>
Evidence Base and Strategic alignment	<p>Use of Evidence:</p> <p>Best practice from other Health and Wellbeing Boards.</p>
	<p>Evidence base within Joint Strategic Needs Assessment:</p> <p>Not applicable. However the JSNA does require a focus on early intervention and prevention and addressing inequalities.</p>
	<p>Community engagement / expressed needs:</p> <p>Not applicable.</p>
	<p>Alignment with Joint Health and Wellbeing Strategy:</p> <p>The additional members would enhance the development and implementation of the JHWS.</p>

Recommendation	<p>That Dorset Health and Wellbeing Board Members:</p> <ol style="list-style-type: none"> 1 Recommend to the County Council the appointment of three new Health and Wellbeing Board Members, as set out under paragraph 2.5 (The Director for Environment and the Economy, The Chief Constable for Dorset, the Chief Fire Officer for Dorset and Wiltshire), following consideration by the Standards and Governance Committee on 30 March 2016; and 2. Recommend revision of the terms of reference and constitution for the Health and Wellbeing Board to reflect the revised membership, as set out under Appendix 1 and Appendix 2.
Reason for Recommendation	<p>The appointment of the three additional members to the Dorset Health and Wellbeing Board would better enable the Board to meet their aims to improve health and wellbeing, reduce health inequalities and promote closer integration.</p>
Appendices	<ol style="list-style-type: none"> 1 Revised Terms of Reference, Dorset Health and Wellbeing Board (amendments in red) 2 Revised Constitution, Dorset Health and Wellbeing Board (amendments in red)
Background Papers	<p>None.</p>
Report Originator and Contact	<p>Name: Ann Harris, Health Partnerships Officer Tel: 01305 224388 E mail: a.p.harris@dorsetcc.gov.uk</p>

1 Introduction

- 1.1 The Dorset Health and Wellbeing Board assumed full statutory powers in April 2013 with 28 members. Following a review in June 2014, membership was subsequently reduced to 16, with a stipulation under the Board's constitution that this would be kept under review to ensure that it was "fit for purpose".
- 1.2 There is a statutory requirement for Health and Wellbeing Boards to include certain members:
- One elected Council Member
 - Director for Adult Services
 - Director for Children's Services
 - Director of Public Health
 - Clinical Commissioning Group Chief Officer
 - Healthwatch representative
 - A representative for NHS England – must be appointed for the purpose of participating in the preparation of the assessment (JSNA) and strategy (JHWS)
- 1.3 In addition to the statutory members, the Dorset HWB currently includes:
- A second County Council elected Member
 - A District / Borough Council elected Member (1 representative to represent all)
 - A District / Borough Council Officer (1 representative to represent all)
 - 3 General Practitioners, representing Locality Executive Teams
 - Chairman of NHS Dorset Clinical Commissioning Group Board
 - A representative for the Local NHS Provider Trust(s)
 - A representative for the Voluntary, Community and Social Enterprise Sector

2 Rationale behind proposed changes to the membership of the Dorset Health and Wellbeing Board

- 2.1 The Health and Wellbeing Board is a Committee of the County Council and subject to the requirements set out in paragraph 1.2 above, the Council may vary its membership to meet local needs and focus. Guidance produced by the Local Government Association on the implementation of the Health and Social Care Act 2012¹, under which Health and Wellbeing Boards were formed, states that the legislation:
- "Enables the council to include other members as it thinks appropriate but requires the authority to consult the health and wellbeing board if doing so any time after a board is established."*
- 2.2 An audit of HWBs in the South West undertaken in 2014 by Five Square Solutions found that eight out of nine included the Police and Crime Commissioner amongst their membership and four included separate representation from the Police Force itself.²

¹Health and Wellbeing Boards – A Practical Guide to Governance and Constitutional Issues, Local Government Association, March 2013

² Opportunities and Challenges: taking health and wellbeing forward in the South West, Naomi Ibbs, Five Square Solutions, June 2014

- 2.3 Similarly a review undertaken by the King's Fund in October 2013³ found that the Police, community safety and rescue forces were the most frequently reported "other roles" by the 60% of respondents who described wider membership of their Board.
- 2.4 In 2015 the Dorset HWB agreed that the focus for the next three years, aligning with their planned new Joint Health and Wellbeing Strategy, would be early intervention, prevention and inequalities. To support this focus, the value of additional representation on the Board from organisations with a wider role in taking forward this agenda is recognised.
- 2.5 The Board is therefore being asked to consider the appointment of three additional members:
- The Director for Environment and the Economy (Dorset County Council);
 - The Chief Constable for Dorset (Dorset Police);
 - The Chief Fire Officer for Dorset and Wiltshire (Dorset and Wiltshire Fire and Rescue Service).
- 2.6 Ordinarily a council officer is disqualified from being a member of their employing Council and from being appointed as a member of a Committee of the Council. However, regulations made by the Secretary of State in 2013 enable an officer to participate as a full member of a Health and Wellbeing Board. This is the basis upon which the three County Council directors listed in paragraph 1.2 are already members of the Board.

3 Recommendations

- 3.1 It is recommended that Dorset Health and Wellbeing Board Members:
1. Recommend to the County Council the appointment of three new Health and Wellbeing Board Members, as set out under paragraph 2.5 (The Director for Environment and the Economy, The Chief Constable for Dorset, the Chief Fire Officer for Dorset and Wiltshire);
 2. Recommend revision of the terms of reference and constitution for the Health and Wellbeing Board to reflect the revised membership, as set out under Appendix 1 and Appendix 2.
- 3.2 Prior to recommendation to the full County Council, this matter will need to be considered by the Standards and Governance Committee. The next meeting at which the Standards and Governance Committee could consider the recommendations will be held on 30 March 2016 and the matter could be put before the County Council for decision on 21 April 2016.

Catherine Driscoll
Director for Adult and Community Services
March 2016

³ Health and Wellbeing Boards: one year on, the King's Fund, October 2013

Appendix 1

Terms of Reference – Dorset Health and Wellbeing Board

The Dorset Health and Wellbeing Board will:

- a) Identify outcome and investment priorities from the key groups that report to the HWB.
- b) Hold partners to account for achieving improved outcomes by developing and updating the Joint Strategic Needs Assessment and by developing and updating the Pharmaceutical Needs Assessment.
- c) Measure progress against local plans, including the Clinical Commissioning Group Strategy and the Joint Health and Wellbeing Strategy, to ensure action is taken to improve outcomes when monitoring or performance indicators show that plans are not working.
- d) Develop, approve and implement the Better Care Fund and any future developments related to the Better Care Fund, as well as anticipating future policy developments in terms of integration and system change between the NHS and local government partners.
- e) Assist in the development and 'sign off' of the Local Transformation Plan for Children and Young People's Mental Health and Wellbeing.
- f) Encourage and oversee integrated working between health and social care commissioners, including providing advice, assistance and other support to encourage commissioning, pooled budget and/or integrated provision in connection with the provision of health and social care services.
- g) Ensure that the patient / service user voice, including that of seldom heard groups and children and young people, is intrinsic to the commissioning cycle and commissioning decisions.
- h) Develop a strategic approach to tackling health inequalities in Dorset and support communities to achieve wellbeing.
- i) Provide an effective link to NHS England.
- j) Provide an effective link to local NHS commissioning decisions and strategy.
- k) Consider Equality and Diversity issues and deliver its public sector equalities duties under the Equality Act 2010.
- l) Work cooperatively with the Bournemouth and Poole HWB and develop opportunities to share views and expertise in the development and delivery of common goals and priorities.
- m) Liaise and cooperate with the Dorset Health Scrutiny Committee as set out under the Memorandum of Understanding agreed by both parties in September 2015.
- n) Make timely and effective decisions.

Membership - Total 19

Elected Members (3 in total)

County Council (2 Cabinet Members in total)
District / Borough Council (1 representative to represent all)

Local Authority Officers (5 in total)

Director for Adult and Community Services DCC
Director for Children's Services DCC
Director of Public Health DCC / NHS
Director for Environment and the Economy DCC
District / Borough Council (1 representative to represent all)

NHS Representatives (7 in total)

Locality Executive Teams (GPs) (3 in total)
Chairman of Dorset Clinical Commissioning Group Board
Clinical Commissioning Group Accountable Officer
NHS England
Local NHS Provider Trust

Other (4 in total)

Healthwatch
Voluntary Sector
Chief Inspector for Dorset
Chief Fire Officer for Dorset and Wiltshire

Appendix 2

Dorset Health and Wellbeing Board - Constitution

1. The Purpose of the Health and Wellbeing Board (HWB)

- 1.1 The agreed purpose of the Dorset Health and Wellbeing Board is to improve health and wellbeing, reduce health inequalities and promote closer integration between social care and health services. It is recognised that this will require: shared leadership; systems integration; and the mobilisation of both local and county-wide action.
- 1.2 There is recognition that the role and functioning of the HWB is evolving and will be subject to regular review. The HWB is a committee of the County Council.
- 1.3 The HWB is to be the integrated governing board through which senior representatives of key partner organisations will:
 - **Give strategic leadership** and direction through the agreement of outcomes for health and wellbeing across Dorset, based on the Joint Strategic Needs Assessment and make recommendations for prioritising investment across organisations to deliver these outcomes through the publication of the Joint Health and Wellbeing Strategy.
 - **Drive change** through an outcomes based approach to improve health and wellbeing and reduce health inequalities for residents of Dorset recognising that many health gains come from work done outside of the NHS. The responsibility for health improvement falls to all partners. An example would be a local planning policy that supports home insulation, renewable energy initiatives, carbon reduction, the local economy and active travel schemes.
 - **Be accountable** and responsible for better outcomes for people's health and wellbeing in Dorset by facilitating collaboration and promoting integrated commissioning to support the delivery of cost effective services.

2. Key areas of responsibility

- 2.1 Identify health and wellbeing needs and priorities, and coordinate the development and updating of the Joint Strategic Needs Assessment (JSNA) for Dorset and make recommendations on the development of services based on evidence from the JSNA and in accordance with the Joint Health and Wellbeing Strategy.
- 2.2 Coordinate the development and updating of the Pharmaceutical Needs Assessment (PNA) for Dorset and publish it every three years. The PNA will be used to support commissioning intentions.
- 2.3 Co-ordinate and develop effective partnership working to ensure that commissioning crosses organisational boundaries, promoting integrating working, and promoting health and wellbeing.

2.4 The HWB will:

- Identify outcome and investment priorities from the key groups that report to the HWB.
- Hold partners to account for achieving improved outcomes by developing and updating the Joint Strategic Needs Assessment and by developing and updating the Pharmaceutical Needs Assessment.
- Measure progress against local plans, including the Clinical Commissioning Group Strategy and the Joint Health and Wellbeing Strategy, to ensure action is taken to improve outcomes when monitoring or performance indicators show that plans are not working.
- Develop, approve and implement the Better Care Fund and any future developments related to the Better Care Fund, as well as anticipating future policy developments in terms of integration and system change between the NHS and local government partners.
- Assist in the development and 'sign off' of the Local Transformation Plan for Children and Young People's Mental Health and Wellbeing.
- Encourage and oversee integrated working between health and social care commissioners, including providing advice, assistance and other support to encourage commissioning, pooled budget and/or integrated provision in connection with the provision of health and social care services.
- Ensure that the patient / service user voice, including that of seldom heard groups and children and young people, is intrinsic to the commissioning cycle and commissioning decisions.
- Develop a strategic approach to tackling health inequalities in Dorset and support communities to achieve wellbeing.
- Provide an effective link to NHS England.
- Provide an effective link to local NHS commissioning decisions and strategy.
- Consider Equality and Diversity issues and deliver its public sector equalities duties under the Equality Act 2010.
- Work cooperatively with the Bournemouth and Poole HWB and develop opportunities to share views and expertise in the development and delivery of common goals and priorities.
- Liaise and cooperate with the Dorset Health Scrutiny Committee as set out under the Memorandum of Understanding agreed by both parties in September 2015.
- Make timely and effective decisions.

2.5 The HWB will **not**:

- Take the place of any statutory commissioning body.
- Exercise the functions of the Dorset Health Scrutiny Committee.
- Hold any budgets.
- Duplicate the role of the existing Children and Adult Safeguarding Boards.

3. Membership

3.1 The membership of the HWB shall be:

Elected Members (3 in total)

County Council (2 Cabinet Members in total)

District / Borough Council (1 representative to represent all)

Local Authority Officers (5 in total)

Director for Adult and Community Services DCC

Director for Children's Services DCC

Director of Public Health DCC / NHS

Director for Environment and the Economy DCC

District / Borough Council (1 representative to represent all)

NHS Representatives (7 in total)

Locality Executive Teams (GPs) (3 in total)

Chairman of Dorset Clinical Commissioning Group Board

Clinical Commissioning Group Accountable Officer

NHS England

Local NHS Provider Trust

Other (4 in total)

Healthwatch

Voluntary Sector

Chief Inspector for Dorset

Chief Fire Officer for Dorset and Wiltshire

Total membership 19

3.2 **Substitute members:** Each Board member should nominate a substitute who can attend in their place. There will be 5 nominated substitute members to represent the District / Borough Councils, although only 1 will be in attendance at any one time, as nominated by the Board member. Only Board members or their named substitutes can attend HWB meetings in a voting capacity.

3.3 **Quorum:** The quorum for meetings of the HWB shall be 6, of which at least 2 must be statutory members.

3.4 **Review of Membership:** It is proposed that the membership is kept under review to ensure that the group is fit for purpose.

4. Peer-Groups and Sub-Groups

4.1 Alongside the 'core' HWB, locality groups will meet in each of the six Districts / Boroughs of Dorset. Whilst the Board will assume responsibility for strategic issues and key decisions, delivery against outcomes and Joint Health and Wellbeing Strategy targets will be the responsibility of these locality groups.

4.2 A number of other partnerships to and from which information must flow to align strategies are also fundamental to the HWB, and it is recognised that there will be a number of groups whose work will be intrinsic to the functioning of the HWB, because of their focus on delivery in key areas.

4.3 The nature of the interrelationships between the HWB and these various groups will need to be established as the Board evolves and appropriate links will need to be established.

5. **Accountability**

5.1 The main focus of the HWB is the improvement of health and wellbeing with a reduction in health inequalities.

5.2 Those stakeholders with statutory responsibilities will retain responsibility for meeting their individual statutory duties and responsibilities.

6. **Decisions and recommendations**

6.1 Decisions and recommendations will be agreed through consensus. Board members can ask for a vote if they wish. If this happens then decisions or recommendations will be agreed on the basis of a majority vote. In the event of an equality of votes the Chairman will have a second (casting) vote.

7. **Meetings of the HWB**

7.1 The Board meetings will be organised and administered as follows:

- **Frequency of Meetings:** The HWB will meet quarterly.
- **Chairman and Vice-Chairman:** The Chairman of the HWB will be an elected member of the County Council. The Vice-Chairman will be drawn from the membership.
- **Public participation:** Meetings of the Board will be held in public and the County Council's Standing Orders shall apply. For public meetings reports and agendas will be published on www.dorsetforyou.com. Public participation in meetings will be in accordance with the requirement of Dorset County Council's Standing Orders.
- **Conduct of meetings:** Meetings will be open but this will be subject to review if sensitive items are under discussion. Meetings may involve workshop style methods such as small group work to promote discussion and debate.
- **Secretariat:** Meetings will be serviced by the Chief Executive of Dorset County Council or his/her representative.
- **Circulation of papers:** Agendas and related papers will be circulated in line with the County Council's Standing Orders for meetings held in public.

7.2 The Locality representatives will participate as follows:

- **Frequency of locality group meetings:** The District / Borough Council locality group member and substitutes will meet quarterly, prior to each HWB meeting. The Director for Adult and Community Services, the Director for Children's Services or the Director of Public Health will attend the locality group quarterly meetings, or their appointed substitute will attend if this is not possible.

- **Participation at Board meetings:** The locality group member or substitute will have an opportunity to present at the main Board meetings.

8. Responsibilities of HWB Members

8.1 The organisations that are members of this partnership are expected to:

Be Accountable

- Be accountable to their organisation / sector for their participation in the HWB and ensure that there is in place a robust route for two way communication.

Observe Good Governance

- Uphold and support the HWB decisions and be prepared to follow through on actions and decisions including observing necessary financial approval from their organisation for HWB proposals and declaring any conflict of interest should it arise.

Represent and make decisions

- Be prepared to make difficult decisions based on evidence about priorities at a time when resources will be limited; and represent the HWB at events and support the agreed majority view when speaking on behalf of the HWB to other parties.
- Be willing to learn more about issues and the work of others and lead on pieces of work and act as a “champion”.

8.2 The Members of the Board will be expected to subscribe to the seven principles of public life in their work and decision making. The principles are selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

9. Review of the Terms of Reference

9.1 It is understood that the Terms of Reference for the Health and Wellbeing Board will evolve over time, and will require regular review.

9.2 The Dorset Health and Wellbeing Board will meet the obligations for Health and Wellbeing Boards set out in the Health and Social Care Act 2012 and modified under the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

Standards and Governance Committee – 30 March 2016

Recommendations from the Dorset Health and Wellbeing Board – 2 March 2016

Proposed Amendment to the Dorset Health and Wellbeing Board Membership and Associated Terms of Reference and Constitution

- 9 The Board considered a report by the Director for Adult and Community Services, Dorset County Council, which proposed the appointment of three additional members to ensure the Board continued to be 'fit for purpose' and to enhance its focus on early intervention, prevention and inequalities.

Members welcomed the suggestion, but asked that consistency in attendees be maintained.

Recommended

1. That the County Council, following consideration by the Standards and Governance Committee on 30 March 2016, be recommended to appoint three new Health and Wellbeing Board Members; namely The Director for Environment and the Economy, Dorset County Council; The Chief Constable for Dorset, Dorset Police; and The Chief Fire Officer for the Dorset and Wiltshire Fire and Rescue Service.
2. That the County Council, following consideration by the Standards and Governance Committee on 30 March 2016, be recommended to amend the Dorset Health and Wellbeing Board's Terms of Reference and Constitution to reflect the revised membership, as set out under Appendix 1 and Appendix 2 to the report, subject to approval of the appointments.

Reason for Recommendations

The appointment of the three additional members to the Dorset Health and Wellbeing Board would better enable the Board to meet their aims to improve health and wellbeing, reduce health inequalities and promote closer integration.