



HEALTH AND WELLBEING BOARD

8th September 2022

ITEM 08

Report sponsor: Robyn Dewis, Director of Public Health & Andy Smith, Strategic Director of People Services

Report author: Alison Wynn, Assistant Director of Public Health

Update to Health and Wellbeing Board Terms of Reference

Purpose

- 1.1 The purpose of this report is to share for review and approval updated Terms of Reference of the Health and Wellbeing Board (HWB).
- 1.2 The report highlights proposed amendments to the currently agreed Terms of Reference for consideration of HWB members.

Recommendation

- 2.1 To recommend to Council the approval of revised terms of reference for the Health and Wellbeing Board, as detailed at Appendix 1.
- 2.2 Subject to Council approval, to request that the Director of Legal, Procurement and Democratic Services make consequential amendments to the Council Constitution to reflect the revisions to the Health and Wellbeing Board's Terms of Reference

Reason

- 3.1 To ensure the Terms of Reference of the HWB remain fit for purpose following establishment of the Integrated Care System and publication of draft guidance - [Health and wellbeing boards: draft guidance for engagement](#) - for HWBs.
- 3.2 Agreeing and amending the terms of reference for boards and committees is a matter reserved to the Full Council under the Council's Scheme of Delegations, contained within the Council Constitution.

Supporting information

- 4.1 The current Terms of Reference of the HWB were last updated in April to support implementation of changed way of working to the Health and Wellbeing Board agreed through development work.
- 4.2 In July 2022, the Department of Health and Social Care (DHSC) published an engagement document for Health and Wellbeing Boards - Health and wellbeing boards: draft guidance for engagement (<https://www.gov.uk/government/publications/health-and-wellbeing-boards-draft-guidance-for-engagement/health-and-wellbeing-boards-draft-guidance-for-engagement#fn:2>). The engagement document provides draft guidance and a series of engagement questions.

- 4.3 The purpose of the guidance is to align with the Health and Care Act 2022 and Health and social care integration: joining up care for people, places and populations white paper (published February 2022).
- 4.4 The role and responsibilities of HWBs are proposed to remain largely unchanged. HWBs will continue to be a committee of the local authority providing a forum where political, clinical, professional and community leaders from across the care and health system come together to improve the health and wellbeing of the local population and reduce health inequalities. Along with partners, the HWB will continue to lead action to improve people's lives at place level and remains responsible for promoting greater integration and partnership between the NHS, public health and local government.

HWBs will also continue to be responsible for:

- assessing the health and wellbeing needs of the area and publishing a joint strategic needs assessment (JSNA)
 - publishing a Joint Local Health and Wellbeing Strategy (JLHWS) that:
 - sets out the priorities for improving the health and wellbeing of its local population, and how the assessed needs will be addressed – including addressing health inequalities
 - reflects the evidence of the JSNA.
- 4.5 The HWB, Integrated Care Boards (ICB) and Integrated Care Partnership (ICP) are expected to adopt a set of principles in developing relationships, including:
- building from the bottom up
 - following the principles of subsidiarity
 - having clear governance
 - ensuring that leadership is collaborative
 - avoiding duplication of existing governance mechanisms.
- 4.6 ICB and ICP leaders within local systems are expected to build on the work of HWBs and ensure that action at system-wide level adds value to the action at place level, so they are all aligned in understanding what is best for their population. Work, however, is also required at scale – across Derby and Derbyshire - to address system-wide issues.
- 4.7 The Terms of Reference have been updated to account of recently published draft guidance and local establishment of the ICB and ICP.

Public/stakeholder engagement

- 5.1 The guidance referenced is currently draft. DHSC would like to engage with all sectors in the development of the guidance. Feedback is requested on the following:
- what examples can you provide of how HWBs are reacting to the introduction of ICBs or ICPs brought about by the Health and Care Act 2022?
 - are there any issues you are encountering with the introduction of ICBs or ICPs that are affecting HWBs?
 - are there new ways of working emerging that you would be happy to share as best practice?

- how are HWBs working to join up to ensure that they are part of discussions around implementation of the proposals in the integration white paper?
- we acknowledge the great work the LGA do in supporting HWBs and the resources they provide. In the final guidance we would like to provide examples in the form of diagrams and so on outlining the different structures and scenarios HWBs operate within, and would welcome examples or case studies
- does this guidance provide the information you need? Are there any gaps?

Feedback is requested to be emailed to integrationplacepartnerships@dhsc.gov.uk by 16 September 2022.

Other options

6.1 None considered.

Financial and value for money issues

7.1 None.

Legal implications

8.1 The Health and Social Care Act 2012 formally established Health and Wellbeing Boards as committees of the council. It sets out the statutory responsibilities and membership of the Board. Under the Localism Act 2011, all councillors and co-opted members of council committees are required to comply with a Code of Conduct.

Draft guidance on HWBs has been updated to align with the Health and Care Act 2022 and Health and social care integration: joining up care for people, places and populations white paper (published February 2022).

Climate implications

9.1 None.

Other significant implications

10.1 None.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal		
Finance		
Service Director(s)		
Report sponsor	Andy Smith, Strategic Director of People Services	22/08/2022
	Robyn Dewis, Director of Public Health	30/08/2022
Other(s)	Alex Hough, Head of Democratic Services	30/08/2022

Background papers:	Health and wellbeing boards: draft guidance for engagement - https://www.gov.uk/government/publications/health-and-wellbeing-boards-draft-guidance-for-engagement/health-and-wellbeing-boards-draft-guidance-for-engagement#fn:2
List of appendices:	Appendix 1 – Revised Terms of Reference