

Terms of Reference Analysis

Council	Intro	Aims Purpose	Role	Membership	Meeting Frequency	Conduct	Accountability/Governance	Review	Quorum/ Standing Orders	Voting	Expenses	Conflict	outcomes	Comms & Engagement
Cheshire East _ Conservative  Board draft ToR.doc	Yes	Yes	Yes	3 x portfolio holder, Labour Group Leader	Yes	Yes	Yes	No	Yes in A	Yes to be decided	No	No	Yes in	Yes in
Buckinghamshire - Conservative  HWB_ToR.PDF	No	Yes	Yes	2 by portfolio holder	Yes Meeting arrangements	No	Yes	Yes	No	No	No	Yes	No	No
Leicestershire- Conservative – Lib Dem main opp  leics_health_wellbeing_board_t...	Yes	Yes	Yes	3 x portfolio holders	No	No	No	No	Yes	Not established	No	No	Yes	yes
Warwickshire - Conservative  03b Draft Terms of Reference S...	No	Yes		Leader and relevant portfolio holders x2	No	Code of conduct attached	yes	No	No	No	No	Yes	No	No
Lincolnshire – Conservative http://www.lincolnshire.gov.uk/residents/community-and-	Yes	Yes	Yes	3 x portfolio holder	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes		

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living/health/healthier-														
<p>Croydon - Conservative</p>  <p>Croydon shadow health and well...</p>		Yes		1 x council member as chair										
<p>Coventry - Labour</p>  <p>Coventry HW Board ToR (2).pdf</p>	No	Yes	Yes	Yes Council Leader Portfolio member x 2 & Opposition Rep	Yes	Yes	Yes	Yes	No	No	No	No	No	No
<p>Oldham – Labour</p>  <p>Oldham Health and Wellbeing Board TOR.</p>	Yes	Yes	Yes	Yes LA elected members x 3	Yes	No	Yes	Yes	No	Yes (para)	No	No	No	No
<p>Stockport – Lib Dem</p> <p>TOR not available membership details gained from website</p>				Yes Portfolio members x 3										

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Analysis of TOR for HWB May 2012

Eight Terms of Reference from local authorities have been analysed to determine effectiveness and good practice and comparison with Cheshire East's first draft Terms of reference.

Number of Council Members

As shown on the table above, most authorities have 3 Council Member representatives, with Coventry having a member of the opposition on the Board; this is in line with CEC shadow HWB arrangements currently showing awareness of the pattern of emerging good practice. The role and responsibility of members is outlined in **all** Terms of Reference and these are similar in all cases.

Voting arrangements

The Health and Social Care Bill does not specify voting arrangements and leaves it down to local determination.

When the Board becomes statutory [April 2013] a local constitutional change will be required to account for the board being a formal subcommittee of the Council with both members and officers representation.

Lincolnshire is the one of two authorities to have a section stating voting arrangements, they state that:

- Each Core member and substitute member shall have one vote
- Where possible decisions will be reached by consensus. In exceptional circumstances and where decisions cannot be reached by consensus of opinion, voting will take place and decisions agreed by a simple majority. The Chairman will have a casting vote.
- Decisions of the Shadow Board will be as recommendations to the partners organisations

These arrangements could be considered by our shadow HWB, **but any consideration should not detract from the emphasis on collaborative whole system benefit to its decision making**. Focusing on accountability to 'Place' and 'Local Population', and to what works, with reference to the highest evidence based interventions.

General observations

- The majority of authorities included in this analysis have a section that looks at conflict of interest and conduct at meetings. Cheshire East's initial draft doesn't have either of these arrangements. We have also made no comments about reviewing those Terms of Reference which is important given that from April 2013 the board will assume its statutory responsibilities. Board membership may need to be further shaped to support the work of the board to address the priorities within the Joint Health and Wellbeing Strategy. The role of Core Membership and that of Associated Membership could be explored once the sub structure for the board has been fully determined.

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- A useful addition to many of the Terms of Reference is a sub structure. This work has commenced but has not been concluded as yet but will be following the consultation on the Joint Health and Wellbeing Strategy. Currently the board has agreed that the Joint Strategic Needs Assessment Steering Group and the Ageing Well Programme Board will be a part of this arrangement. However we would also anticipate that the Childrens Trust, the Local Safeguarding Children and Adults Boards would also be part of this structure.
- We have included outcomes expected as have a few others, however the majority of councils include these within their aims or objectives, therefore this is about getting our language right within the revised terms of reference.
- Communications is only featured in one authorities Terms of Reference. This could be included, and links to the boards communication strategy, when completed added.
- Another noted good practice was the inclusion of links to other things such as the Joint Strategic Needs Assessment in the introduction to the Terms of Reference.
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- Oldham state that the board will be independently scrutinised by the Health and Wellbeing Select Group of the Borough Council, our revised terms of reference will emphasis this role and note that it will be undertaken by the HWB Scrutiny committee.

Diane Taylor

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May 2012