

Corporate Policy Committee

11th July 2023

Cheshire East Health and Wellbeing Board Terms of Reference Update

**Report of: Helen Charlesworth-May, Executive Director of Adults,
Health and Integration**

Report Reference No: CP/49/23-24

Ward(s) Affected: All

Purpose of Report

- 1 Improving the health and wellbeing of the residents of Cheshire East is a priority for the Council and its partners. The Health and Wellbeing Board was set up because of the requirements of the Health and Social Care Act 2012 and has a key role to play in setting the priorities for Cheshire East and providing system leadership for health and wellbeing.
- 2 The Health and Care Act 2022 and a Local Government Association facilitated review of the Health and Wellbeing Board have led to the need to update the Board's Terms of Reference. This report and Appendix One highlight those changes and seeks the Committee's approval of them. Appendix Two is a clean copy (without tracked changes) for ease of reading.

Executive Summary

- 3 The Terms of Reference of the Health and Wellbeing Board are reviewed every two years. The current version was agreed in 2021. As a result of the legislative changes last year (in particular the demise of the Cheshire Clinical Commissioning Group), an update was required; in addition, the review of the Health and Wellbeing Board (facilitated by the Local Government Association) has led to some further changes in relation to the membership section.
- 4 The most significant proposed change is to make all members of the Board, voting members. This was proposed on the basis that if we expect people to give up their time to join the Board, then their contribution ought to be equally

valued to that of the statutory members; giving them a vote was a means of doing that.

RECOMMENDATIONS

That Corporate Policy Committee:

1. Recommend that full Council adopt the revised terms of reference for the Cheshire East Health and Wellbeing Board.

Background

- 5 The current Terms of Reference of the Health and Wellbeing Board were approved by Council in April 2021. Within the Terms of Reference there is a requirement to review them every two years. If any changes are proposed, they are taken to the Corporate Policy Committee and then Council for approval (because they are a part of the Council's Constitution).
- 6 On 1st July 2022 the Health and Care Act 2022 came into force. This disestablished the Clinical Commissioning Groups (CCG) and replaced them with Integrated Care Systems across wider geographical footprints (ICS) We are now part of the Cheshire and Merseyside Integrated Care System, which comprises nine local authorities, health service providers and the newly established NHS Cheshire and Merseyside Integrated Care Board. A slide illustrating the governance of the ICS is set out at Appendix Three. As can be seen, our Health and Wellbeing Board forms an important part of the overall ICS governance across the Cheshire and Merseyside footprint, and importantly at 'Place' level as well.
- 7 The CCG is referenced within the existing Terms of Reference for the Health and Wellbeing Board and was represented on the Board. The necessary changes have been made within the revised version to delete references to the CCG and replace with the Integrated Care Board (ICB) and it is now ICB colleagues who attend meetings. Other minor changes have been made to take into account the NHS reorganisation of last year.
- 8 During 2022 a Local Government Association facilitated review of the Health and Wellbeing Board took place. This was initiated to ensure that the Board was fit for purpose in the light of the ICS. A number of workshops with Board members and a wider group of senior leaders took place. At the conclusion of the review there were recommendations for the Board to take forward and where required these have been incorporated into the revised Terms of Reference.
- 9 The most significant change is to remove the distinction between the voting Statutory Members and non-voting members. It was felt that having a two-tier voting/non-voting membership could be interpreted as not valuing the time,

knowledge and expertise of the Associate Members. It is therefore proposed that the Statutory Members have a vote and that all additional Members are appointed as voting Members.

Consultation and Engagement

- 10 The proposed changes have been extensively debated by the Health and Wellbeing Members through three workshops and the informal meetings of the Board. No formal public engagement or consultation has been undertaken.

Reasons for Recommendations

- 11 To ensure that the Health and Wellbeing Board Terms of Reference facilitate the work of the Board in meeting its statutory duties and responsibilities.

Other Options Considered

- 12 No other options have been considered.

Option	Impact	Risk
Do nothing	Terms of Reference would not reflect current legislative requirements and organisational arrangements	This would hamper the effectiveness of the Board

Implications and Comments

Monitoring Officer/Legal

- 13 Health and Wellbeing Boards were established by S194 of the Health and Social Care Act 2012 as committees of local authorities. The legislation provides that the Board must consist of at least one councillor, the Directors of Adults, Childrens and Public Health, a representative of Healthwatch and the CCG (now the ICB), and such others as the local authority thinks appropriate.
- 14 Full Council has the authority to determine the membership and terms of reference of the Health and Wellbeing Board, following consultation with the Board.

- 15 Section 194 (8) of the Health and Care Act 2012 also allows the Board to appoint such additional persons to be members of the Board as it thinks appropriate.

Section 151 Officer/Finance

- 16 No changes are required to the Council's existing Medium Term Financial Strategy (MTFS) as a result of this report. Relevant areas of expenditure are covered by existing resources, for example, those contained within the Better Care Fund (BCF) administered as a Pooled budget between the Council and Local Health partners.

Policy

- 17 The revisions to the Terms of Reference of the Health and Wellbeing Board will help to ensure that the Board is able to provide the necessary leadership to achieve its role of leading on integration, reducing health inequalities and supporting the delivery of the Joint Local Health and Wellbeing Strategy.

An open and enabling organisation	A council which empowers and cares about people Reduce inequalities across the borough	A thriving and sustainable place A great place for people to live, work and visit.
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Equality, Diversity and Inclusion

- 18 There are no equality implications in relation to this report and its recommendations/decisions.

Human Resources

- 19 There are no HR implications of this report.

Risk Management

- 20 There are no significant risk management implications of this report.

Rural Communities

- 21 There are no specific implications to rural communities of this report.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 22 There are no specific implications to children and young people, and cared for children, of this report.

Public Health

- 23 There are no specific implications in relation to Public Health. However, having Terms of Reference that are fit for purpose will allow the Board to work effectively in leading work to improve Public Health and reduce inequalities. The Board has a strategic leadership role in relation to the implementation of the Joint Local Health and Wellbeing Strategy (approved March 2023), and addressing the wider determinants of health (education, skills, employment status, housing, home environment, access to culture and leisure, green spaces etc); all of which have an impact on health and wellbeing.

Climate Change

- 24 There are no impacts upon climate change from this report.

Access to Information	
Contact Officer:	Guy Kilminster, Corporate Manager Health Improvement Guy.kilminster@cheshireeast.gov.uk
Appendices:	Appendix One - Draft revised Terms of Reference for the Cheshire East Health and Wellbeing Board (V4 - showing tracked changes) Appendix Two - Draft revised Terms of Reference for the Cheshire East Health and Wellbeing Board (V4 – clean copy) Appendix Three - Integrated Health and Care System Governance diagram
Background Papers:	N/A