

The following report is submitted with the agreement of the Chairman as an urgent matter pursuant to Section 100B (4) of the Local Government Act 1972.

REPORT OF THE GOVERNANCE COMMITTEE

ESTABLISHING A HEALTH AND WELLBEING BOARD

The Health and Social Care Act 2012 requires each local authority to establish a Health and Wellbeing Board (“Board”) by April 2013. The Act defines the Board as a committee of the local authority which establishes it and is to be treated as if it were appointed by the authority under section 102 of the Local Government Act 1972.

The Act specifies the following core members:

- At least one councillor of the local authority, nominated by the Leader of the Council
- The director of adult social services for the local authority
- The director of children’s services for the local authority
- The director of public health for the local authority
- A representative of the Local HealthWatch organisation for the area of the local authority
- A representative of each relevant clinical commissioning group
- S 197 of the Act states ‘the National Health Service Commissioning Board (NHS CB) must appoint a representative to join the Health and Wellbeing Board for the purpose of participating in the preparation of the assessment or strategy’ (JSNA and JHWS).

Unusually for a Council Committee, the Board itself has the power to appoint additional members if it so wishes

The membership of the shadow Health and Wellbeing Board has been reviewed in preparation for it becoming a fully fledged Board and the future recommended membership is now presented for formal approval.

The proposed membership of the Board is 12 members, comprising:

- Four councillors (to be appointed by the Leader)
- The director of adult social services
- The director of children’s services

Note: the above two posts are separate at present but membership should reflect statutory role rather than people

- The chief executive
- The director of public health
- A representative of the Local HealthWatch organisation
- A representative of Havering Clinical Commissioning Group, preferably the Chair
- The Clinical Director/Lead for the Havering Clinical Commissioning Group
- The Accountable Officer (Designate), Havering Clinical Commissioning Group

It is also recommended that the Chief Operating Officer, Havering Clinical Commissioning Group, should be an ex officio member without voting rights. The National Health Service Commissioning Board (NHS CB) representative would be invited in accordance with S197 of the Act.

While the appointments will be made formally by the Leader of the Council in exercise of statutory powers, it is anticipated that the initial Councillors will be the Deputy Leader (who will also be the Chairman of the Board) and the Cabinet Members for Culture, Towns & Communities, Housing and Children & Learning.

The proposals outlined reflect the Act as enacted. The Secretary of State has power, and is expected, to make consequential amendments to other legislation (in particular the Local Government Act and associated law) in order to facilitate the operation of the Board; such amendments have yet to be made and may require some adjustment in the arrangements now proposed.

The Governance Committee accordingly RECOMMENDS that the membership of the Health and Wellbeing Board, to be established on and from 1 April 2013, be agreed as set out above, subject to any revisions necessary in the light of consequential legislation.