

Schedule 10

Health and Wellbeing Executive Steering Group

DRAFT Terms of Reference

Constitution: The Council Cabinet and NHS B&D Board resolves to establish a group to be known as the **Health and Wellbeing Executive Steering Group (ESG)**.

Membership: The Membership of the ESG will consist of five senior officers from LBBDD and three from NHS BD plus two representatives of the borough's GP Consortia (also representing the health sector) plus the Joint Director of Health Improvement (DPH).

The initial postholders to take up membership of the ESG have been agreed as follows:

Post Title	Organisation
Corporate Director of Adult & Community Services	LBBDD
Corporate Director of Children's Services	LBBDD
Borough Director ¹	NHS B&D
Director of Performance ¹	NHS B&D
Director of Finance and Estates ¹	NHS B&D
Joint Director of Health Improvement	NHS BD/LBBDD
Corporate Financial Controller	LBBDD
Head of Adult Commissioning	LBBDD
Head of Children's Policy & Trust Commissioning	LBBDD
GP Consortia Reps (one per Consortia)	'Health sector'
Board Support: Programme Manager, Health & Wellbeing	LBBDD

With the agreement of the Health and Wellbeing Board either party may vary their membership within the overall balance represented above.

Quorum: A quorum shall be at least 2 members each from the Council and NHS B&D, at least one of which must be at (Executive) Director (NHS BD) or Corporate Director (LBBDD) level.

Deputies: Members shall normally attend meetings or send a nominated deputy who can represent them with full authority

¹ Job title at time of drafting, may be subject to change

- Frequency:** Meetings shall be held at the same frequency as, and approximately 3 weeks before, the Health and Wellbeing Board, unless otherwise agreed.
- Authority:** The **Health and Wellbeing Executive Steering Group** is authorised to undertake any activity within its terms of reference.
- Aim/Purpose:** The aim/purpose of the **Health and Wellbeing Executive Steering Group** is to carry out the functions prescribed to it in the overarching partnership agreement [dated 28 January 2011] between NHS BD and LBBB in accordance with its terms and these terms of reference.
- Principles:** The principles of the Steering Group are:
1. To operate in an open, honest and accountable manner at all times.
 2. To listen respectfully and challenge constructively.
 3. To escalate key issues/concerns to the Health and Wellbeing Board and provide regular and ad-hoc performance and finance reports to that Board as required.
 4. To ensure active participation of key stakeholders when and where appropriate
 5. To ensure clear, regular and consistent communications are in place across LBBB and NHS BD and other interested parties as appropriate
- Functions** The functions of the **Health and Wellbeing Executive Steering Group** are as follows [numbers refer to Clauses in the Overarching Agreement²]:
1. Provide guidance to the Commissioning Scheme Manager [19.3]
 2. Provide guidance and directions to the Commissioning Scheme Manager with regard to the professional accountability of all professional staff [23.2]
 3. Develop and maintain an effective performance management regime, built around the KPI Spreadsheet, to ensure effective delivery, clear accountability and regular review of the Commissioning Scheme Services [20.1 and 20.2]
 4. Carry out Annual Reviews of the Services and to submit an Annual Report to the Health and Wellbeing Board summarizing the performance and delivery of the Services [21.1 and 21.2]

² Version 2 of the Overarching Section 75 Agreement circulated 12 January 2011

5. Consider and agree whether any changes shall be required to the KPI spreadsheet in the event that an additional Commissioning Scheme or Section 256 is added during a financial year or a Commissioning Scheme or Section 256 is varied or terminated [20.3]
6. Monitor the commissioning and provision of the Services and provide regular and ad-hoc reports, as agreed in the Performance Framework, to the Health and Wellbeing Board [19.4]
7. Monitor:
 - the performance of the Commissioning Scheme Manager and the Local Authority Provider in accordance with the Performance Management Framework
 - whether the Local Authority is providing or procuring the Section 256 Scheme in accordance with the agreed Service Levels including the Performance Indicators [52.1]
8. On the occurrence of an Emergency Event, convene a meeting on a date and at a place agreed by the Parties and advise ways in which disruption of the affected Commissioning Scheme Service can be mitigated [26.5.2 and 26.5.3]
9. In relation to Aligned Budgets, recommend to the Health and Wellbeing Board how any projected underspend greater than 10% of the Scheme or £45,000 (whichever is the lower) shall be utilised [29.19]
10. In relation to Aligned Budgets, recommend to the Health and Wellbeing Board how any projected overspend greater than 10% of the Scheme or £45,000 (whichever is the lower) shall be managed [29.26]
11. In relation to Pooled Funds, recommend to the Health and Wellbeing Board how any projected underspend greater than 10% of the Scheme or £45,000 (whichever is the lower) shall be utilised [30.19]
12. In relation to Pooled Budgets, recommend to the Health and Wellbeing Board how any projected overspend greater than 10% of the Scheme or £45,000 (whichever is the lower) shall be managed [30.25]
13. In the event of an overspend relating to Pooled Budgets, meet to discuss it [30.23]
14. Decide whether an application for a grant should be approved under clause 49.1 [49.2]
15. To take responsibility for ensuring effective and appropriate clinical and professional governance arrangements are in place for each of the Commissioning Schemes [Clauses 22.2 and 22.4]
16. Decide:
 - whether, if received, the grant will be treated as additional funds for the relevant Budget and/or as a replacing part of the contribution of one or both Parties for the financial year in which any payment is received;

- if the grant is to replace part of the contribution of both Parties the proportion of the grant that shall be allocated to the credit of each Party
 - how any repayment of the grant would be made if required.[49.3]
17. Where the grant relates to a Section 256 Scheme, decide:
 - whether, if received, the grant will be treated as reducing the Section 256 Payment by the PCT or will replace the funds that the Local Authority would otherwise have expended on the Service or be additional funds for the Local Authority to expend on the Services in the Financial Year(s) in which any payment under the grant is received
 - how any repayment of the grant would be made if required [49.4]
 18. Issue Deficiency Notices where applicable, and discuss and agree Remedial Action Plans [52.3 and 52.4]
 19. Endeavour to resolve any disputes referred to it [72.3]
 20. To identify and manage risks related to the delivery of the agreement
 21. To ensure that all relevant stakeholders are informed of, and where appropriate involved, in the performance of the Health and Wellbeing function

Reporting:

The minutes of all the **Health and Wellbeing Executive Steering Group** meetings (including an attendance record) shall be formally recorded and submitted to the Health and Wellbeing Board

V4.2

Monitoring and accountability to delivery of S75/S256 agreements

NOTE: This is solely focused on governance of these agreements; it is NOT the full structure of Health & Wellbeing Board and does NOT attempt to describe its full remit.

Public Service Board

Health & Wellbeing Board

Community Safety Partnership

Children's Trust

EXECUTIVE STEERING GROUP

Oversight of the effective delivery of integrated services and of the joint aims of the Health & Wellbeing Strategy

Formally independent of the Health & Wellbeing Board, but accountable to it for S256 Drugs & Alcohol

Other client group partnership boards, e.g. Mental health, older people...

S75 Adults & Carers and S256 Adults monitored here

Adults' Steering Group

Section 75 Public Health co-ordinated here

Public Health Joint Steering Group

Learning Disability Partnership Board

Lead accountability for delivery of S75 LD sits with Adults' Steering Group, with contribution from LDPB - their role growing over course of the agreement

Children's Health Group

Section 75 Children's managed through this group, accountable to HWB ESG for this, but to Children's Trust for broader delivery against ECM Be Healthy

Smoking & Tobacco Alliance

Healthy Eating Taskforce

Domestic Violence Strategy Group

Well-being at Work Steering Group

Com Sport Physical Activity Network

Alcohol Alliance

District Immunisation Cttee

Sexual & Reprod've Health Board

These groups accountable to CSP, but to HWB ESG on matters of delivery against S256/S75

End of Life Steering Group

Emotional Health & Wellbeing Group

Public health deliverables of Environmental Health & Trading Standards reviewed through the Public Health Joint Steering Group

District Screening Committee