

ASSEMBLY

5 October 2016

Title: Health and Wellbeing Board Membership	
Report of the Strategic Director for Service Development and Integration	
Open Report	For Decision
Wards Affected: None	Key Decision: No
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Accountable Strategic Director: Anne Bristow, Strategic Director for Service Development and Integration	
Summary This report advises on a proposed change to the membership of the Health and Wellbeing Board (HWBB) to include an additional Cabinet Member appointment, following the deletion of the post of Corporate Director of Children's Services and the transfer of the statutory functions attached to that post to an existing Board Member, which reduced the Council's representation on the HWBB. The report also proposes a further change to the Articles of the HWBB (Chapter 7, Part 2 of the Council Constitution) to reflect the role of the independent Chairs of the Local Safeguarding Adults and Safeguarding Children Boards.	
Recommendation(s) The Assembly is recommended to: (i) Agree that the membership of the Health and Wellbeing Board be amended to include a further Cabinet Member position while the statutory Director of Children's Services position on the Board is being fulfilled by an existing statutory Board member; (ii) Note the Leader's appointment of Councillor Bill Turner, Cabinet Member for Corporate Performance and Delivery, to fill the new position; (iii) Note that the Leader had appointed Councillor Sade Bright, Cabinet Member for Equalities and Cohesion, to the Board following a review of Cabinet portfolio responsibilities in April 2016; and (iv) Agree that the Articles of the Health and Wellbeing Board (Chapter 7, Part 2 of the Council Constitution) be amended to reflect the above arrangements and also the standing invited guest status of the independent Chairs of the Local Safeguarding Children and Adults Board on the Board, as detailed in paragraph 2.2 of the report.	

Reason(s)

To meet the requirements of the Health and Social Care Act 2012 and Section 37 of the Local Government Act 2000.

1. Introduction and Background

- 1.1 At its meeting on 26 July 2016, the HWBB considered a report on changes to its membership (minute 20 refers).
- 1.2 Certain membership of the Board is prescribed in the Health and Social Care Act 2012 and these Board members are appointed by virtue of the position they hold (the London Borough of Barking and Dagenham representation is shown in brackets):
 - Cabinet Member for Health, who shall be the Chair (Cabinet Member for Social Care and Health Integration)
 - Director of Adult Services (Strategic Director of Service Development and Integration)
 - Director of Children's Services (Strategic Director of Service Development and Integration)
 - The Director of Public Health
 - A member appointed by local Healthwatch
 - Chair of the Clinical Commissioning Group
- 1.3 Under the current provisions of the Constitution additional members were appointed by Assembly at the establishment of the HWBB:
 - Three other Cabinet Members (to be appointed by the Leader)
 - Further Board-level GP appointment from the Clinical Commissioning Group
 - Accountable Officer for the Clinical Commissioning Group
 - Executive Director level appointment from Barking, Havering & Redbridge University Hospitals NHS Trust
 - Executive Director level appointment from North East London Foundation NHS Trust
 - Borough Commander, Metropolitan Police Service
- 1.4 The Health and Social Care Act 2012 provides the power to the HWBB to amend its membership, allowing it to "appoint such additional persons to be members of the Board as it thinks appropriate". This is reflected in the Council's Constitution, which states that "Upon establishment, the Act provides the power to the Health and Wellbeing Board to amend its membership. Such amendments will be reported to the next meeting of the Assembly."
- 1.5 The constitution also sets out that "where the Council, through resolution of Assembly, seeks to amend the membership of the Health and Wellbeing Board, a discussion of the proposal will be scheduled at the Health and Wellbeing Board, with the views of the Board recorded in its minutes and reported to Assembly".

2. Proposal and Issues

2.1 Changes to Membership

- 2.1.1 The former Corporate Director of Children's Services, Helen Jenner, retired in July and the statutory responsibilities attached to her post have transferred to the Strategic Director for Service Development and Integration, Anne Bristow. This creates a vacancy among the Council's current seven places on the HWBB.
- 2.1.2 The proposal was therefore made that an additional Cabinet Member be appointed to the HWBB and that, in line with current provisions for the appointment of Cabinet Members, the vacancy would be appointed to by the Leader. The additional Cabinet Member position would maintain the current partner representation balance as well as enhance the democratic representation on the HWBB. The Leader indicated that he wished to nominate the Cabinet Member for Corporate Performance and Delivery (Cllr Bill Turner) as the additional Cabinet Member.
- 2.1.3 At its meeting on 26 July 2016, the HWBB supported the change in membership.
- 2.1.4 The Assembly is also asked to note that following the Leader's review of portfolio responsibilities earlier this year, Cllr Sade Bright, Cabinet Member for Equalities and Cohesion, was appointed to the HWBB by the Leader.
- 2.1.5 If the proposed changes are made, the Cabinet representation on the HWBB will be:
- Cabinet Member for Social Care and Health Integration and Chair of the Board (Cllr Maureen Worby, statutory appointment)
 - Cabinet Member for Equalities and Cohesion (Cllr Sade Bright, appointed by the Leader)
 - Cabinet Member for Enforcement and Community Safety (Cllr Laila Butt, appointed by the Leader)
 - Cabinet Member for Educational Attainment and School Improvement (Cllr Evelyn Carpenter, appointed by the Leader)
 - Cabinet Member for Corporate Performance and Delivery (Cllr Bill Turner, appointed by the Leader)

2.2 Protocol outlining Barking and Dagenham's Safeguarding Partnership Arrangements

- 2.2.1 At the meeting on 26 July 2016, the HWBB also discussed the protocol that has been in place since October 2014 regarding its relationships with the Local Safeguarding Adults Board (LSAB) and Local Safeguarding Children Board (LSCB).
- 2.2.2 The protocol came about following an OFSTED inspection in 2014 which recommended that the LSCB should strengthen the 'coordination, focus and impact' of its work with the HWBB. In response to the OFSTED report, a protocol was drawn up that established closer working relationships between the LSAB, the LSCB and the HWBB, including how appropriate items would be reported and raised at the HWBB. The protocol also allowed the Chairs of the LSAB and LSCB

to interact with the HWBB through a standing invited guest status. That arrangement was preferred over becoming formal members of the HWBB in order to maintain the independence of the LSAB and LSCB Chairs.

- 2.2.3 The HWBB has recommended that the status of the independent Chairs should be formally recognised in its Articles and has proposed the inclusion of the following wording in Chapter 7, Part 2 of the Council Constitution:

“In accordance with the ‘Protocol Outlining Barking and Dagenham Safeguarding Partnership Arrangements’ adopted by the Health and Wellbeing Board (Minute 58, October 2014), the Chair of the Barking and Dagenham Safeguarding Adults Board and the Chair of the Barking and Dagenham Safeguarding Children Board shall have a standing invited guest status on the Board. In order to maintain the Safeguarding Chairs’ independence, they shall not be Members of the Board.”

3. Legal Implications

Implications completed by: Dr Paul Feild, Senior Governance Lawyer

- 3.1 As set out in the main body of this report, the core membership of the HWBB is prescribed in the Health and Social Care Act 2012 (the ‘Act’) and under the current provisions of the Council’s Constitution. As the statutory post of Director of Children’s Services has transferred to the current holder of the Director of Adult Social Services statutory role to create a multi-role of responsibility for children and adults, the proposal to widen membership in terms of an additional elected Member of the Council is a reasonable response compliant with the legislation.
- 3.2 Section 194(3) of the Act enables the Leader of the Council to make the nomination.

4. Financial Implications

Implications completed by: Kathy Freeman, Finance Director

- 4.1 There are no direct financial implications arising from this report.

Public Background Papers Used in the Preparation of the Report: None

List of appendices: None