

PROPOSAL TO ESTABLISH JOINT WORKING ACROSS CAMBRIDGESHIRE AND PETERBOROUGH HEALTH AND WELLBEING BOARDS

To: Constitution and Ethics Committee

Meeting Date: 29th November 2018

From: Director of Governance and Legal Services and Monitoring Officer

Purpose: To consider the preferred model recommended by the Cambridgeshire Health and Wellbeing Board to establish a formal joint working relationship between the Cambridgeshire and Peterborough Health and Wellbeing Boards.

Recommendation: The Constitution and Ethics Committee is asked to:

agree the required changes recommended by the Cambridgeshire Health and Wellbeing Board to its terms of reference and recommend the changes to Council for approval.

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1. BACKGROUND

- 1.1 The Cambridgeshire Health and Wellbeing Board (HWB) is scheduled to meet on 22nd November 2018 to agree the preferred model from options presented, for establishing a formal joint working relationship between the Cambridgeshire and Peterborough Health and Wellbeing Boards. A copy of the report is attached at **Appendix 1**.
- 1.2 The meeting of the Cambridgeshire HWB will take place after the publication of the agenda for Constitution and Ethics Committee. An officer from Public Health will therefore be attending the meeting to inform the Committee of the outcome of the Cambridgeshire HWB meeting.

2. OPTIONS FOR JOINT WORKING

- 2.1 The Cambridgeshire HWB is being asked to consider two options around how joint working between the two HWBs could work.
- 2.2 **Option 1 – Parent Board with joint sub-committee**
Both Cambridgeshire & Peterborough HWBs maintain their “Parent Board” but hold meetings of the “Joint Cambridgeshire and Peterborough Health & Wellbeing Board (a sub-committee comprising of both boards)” where items that are relevant to both committees will be discussed e.g. wider system integration issues. Legally the status of these joint meetings means they are referred to as a sub-committee however they will be able to discharge agreed functions of both Cambridgeshire and Peterborough HWBs and will have delegated decision making authority. Membership would comprise of the full membership of both the Cambridgeshire and Peterborough HWBs.
- 2.3 Option 1 will require a change to the Council’s Constitution in order to delegate powers and functions currently within the remit of the Cambridgeshire HWB to a “Joint Cambridgeshire and Peterborough Health & Wellbeing Board (a sub-committee comprising of both boards)”. The proposed changes to the Council’s Constitution are set out in **Appendix 2**.
- 2.4 **Option 2 – Maintain the two separate Boards which periodically meet at the same time and with the same agenda – Meeting in public together**
Maintain the independence of the two HWBs as two separate boards periodically holding a meeting at the same time and venue, with a shared agenda. This approach has been tested at the meetings held on 31st May and 20th September. The meeting would need to be jointly chaired and any recommendations or decisions recorded separately for each Board. Operationally this is quite a cumbersome approach as it requires duplication of officer time with the production of two sets of minutes and having two chairs.
- 2.5 Option 2 does not require any changes to the Council’s Constitution.

3. OTHER CONSTITUTIONAL CHANGES

- 3.1 The Cambridgeshire HWB will be giving consideration to its existing membership if it agrees to establish a “Joint Cambridgeshire and Peterborough Health and Wellbeing Board (a sub-committee comprising of both Boards)”. Currently the voluntary sector has a co-opted membership of the HWB, which may be formalised to a permanent membership.

Source Documents	Location
<p>Council's Constitution</p> <p>Cambridgeshire Health and Wellbeing Board – 22 November 2018</p>	<p>http://tinyurl.com/Constitution-CCC</p> <p>https://cmis.cambridgeshire.gov.uk/ccclive/Meetings/t/abid/70/ctl/ViewMeetingPublic/mid/397/Meeting/823/Committee/12/Default.aspx</p>

**PROPOSAL TO ESTABLISH JOINT WORKING ACROSS CAMBRIDGESHIRE AND
PETERBOROUGH HEALTH AND WELLBEING BOARDS**

To: **Health and Wellbeing Board**

Meeting Date: **22 November 2018**

From: **Kate Parker
Head of Public Health Business Programmes**

Recommendations: **The Health and Wellbeing Board is asked to:**

- a) agree the preferred model from options presented, for establishing a formal joint working relationship between the Cambridgeshire and Peterborough Health and Wellbeing Boards (HWB)**
- b) agree, if required, any changes to the membership of a joint sub-committee if it differs from the membership outlined in section 4.4 i.e. full membership of both HWBs; and**
- c) ask the Constitution and Ethics Committee to consider the required changes to the terms of reference of the Cambridgeshire Health and Wellbeing Board (HWB) and to recommend these changes to Council for approval.**

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1. PURPOSE

- 1.1 Health and Wellbeing Boards (HWB) bring into one forum representatives from health, social care and the local community to decide what the main public health needs of the local population are and to determine how best to meet these needs in an integrated and holistic manner. They have a statutory duty to encourage the integrated delivery of health and social care to advance the health and wellbeing of people in their area and reduce inequalities. A significant number of HWBs are now beginning to play a genuine leadership role across local health and care systems.
- 1.2 The purpose of this report is to provide options for Cambridgeshire Health and Wellbeing Board members to consider and agree in regards to formalising the joint working arrangements of both boards.

2 BACKGROUND

- 2.1 This discussion originates from a joint development session facilitated by the Local Government Association (LGA) for both HWBs on 23rd January 2018. Key areas of commonality for both Cambridgeshire and Peterborough HWBs were identified as follows:
 - Growing Populations
 - New Housing Development Sites
 - Ageing Populations
 - Health Inequalities
 - Rising demand including mental health.
- 2.2 A report was presented to the Cambridgeshire HWB on 24th April 2018 outlining the constitutional processes to establish joint working relationships between the Cambridgeshire and Peterborough Boards from a Cambridgeshire County Council perspective. Further details were requested by board members on the membership of a joint committee. Agreement was given in principle for both HWBs to meet at the same time to discuss items on a shared agenda. Meetings of both HWBs were held on 31st May and 20th September 2018.

3. NATIONAL OVERVIEW

- 3.1 HWBs are a statutory requirement for upper tier and unitary local authorities. The Health and Social Care Act 2012 ("the 2012 Act") makes it a requirement of the both Councils to establish a HWB. The Section 195 of the 2012 Act also requires HWBs to encourage those who arrange for the provision of any health and social care services in their area to work in an integrated manner.

3.2 Working together more closely for the Cambridgeshire and Peterborough HWBs will assist in discharging the functions of: encouraging integrated working between commissioners and providers of health and care in the two councils, in so far as it relates to areas of common interest and for the purposes of advancing the health and wellbeing of their populations and preparing a Joint Strategic Needs Assessment. Currently both HWBs have separate HWB Strategies but there is synergy within these strategies.

3.3 Section 198 of the Health and Social Care Act 2012 provides that

Two or more Health and Wellbeing Boards may make arrangements for: -

- (a) any of their functions to be exercisable jointly
- (b) any of their functions to be exercisable by a joint sub-committee of the Boards
- (c) a joint sub-committee of the Boards to advise them on any matter related to the exercise of their functions.

3.4 The Statutory Guidance on Joint Strategic Needs Assessments and Joint Health and Wellbeing Strategies provides that “Two or more health and wellbeing boards could choose to work together to produce JSNAs and JHWSs covering their combined geographical area. Some health and wellbeing boards may find it helpful to collaborate with neighbouring areas where they share common problems as this can prove to be more cost effective than working in isolation” (Paragraph 3.1)

3.5 The Statutory Guidance provides the option for both HWBs to be maintained as a parent board but establish a Joint Sub-Committee to discharge agreed functions for both Cambridgeshire and Peterborough HWBs. Items pertaining specifically to Cambridgeshire or Peterborough can be considered by the parent board and those wider integrated issues could be considered through the establishment of the joint sub-committee.

4. LOCAL ARRANGEMENTS

4.1 In order for these functions to be devolved to a Joint sub-committee, Cambridgeshire County Council’s constitution requires Full Council to agree changes to the Cambridgeshire Health and Wellbeing Boards terms of reference. Recommendations need to be made to the Constitution and Ethics Committee who will then decide whether to recommend the amendments to Council. Table 1 outlines the associated timescales to allow for this change in the constitution.

Cambridgeshire Health & Wellbeing Board	Constitution & Ethics	Full Council	Implement new arrangements
22nd November 2018	29th November 2019	11th December 2018	21st March Joint HWB sub-committee to be confirmed
31st January 2019	28th February 2019	19th March 2019	14th May 2019 – Annual meeting of Full Council

4.2 Section 3.5 explains that the Statutory Guidance allows HWBs to be maintained via a “Parent Board”. Following the meeting of the Cambridgeshire HWB on 24th April a number of discussion points were raised:-

- Concern was raised over the number of meetings increasing if a parent board was required along with joint sub-committee.
- Issues over sub-committee membership were raised with concerns expressed that participation in parent board meetings only, would not allow for a meaningful contribution.
- Difficulty over aligning membership across both Cambridgeshire and Peterborough Boards e.g. Peterborough Board had neither voluntary sector nor provider members.
- District Council participation was part of the Cambridgeshire HWB but as Peterborough City Council was a unitary authority the question of District Council representation did not arise there.

It was resolved at this meeting “to agree in principle to the approach of establishing a Health and Wellbeing Board (HWB) joint sub-committee of the Cambridgeshire and Peterborough HWBs, subject to further detail on membership being presented to and approved by the Cambridgeshire Board”. Peterborough HWB has changed its terms of reference to include the following listed under its functions:

“To establish a joint Cambridgeshire and Peterborough sub-committee in relation to issues that cross local authority boundaries”

- 4.3 There are a number of options around how joint working between the two HWBs could work as outlined in the options below:

Option 1 – Parent Board with joint sub-committee

Both Cambridgeshire & Peterborough HWBs maintain their “Parent Board” but hold meetings of the “Joint Cambridgeshire and Peterborough Health & Wellbeing Board (a sub-committee comprising of both boards)” where items that are relevant to both committees will be discussed e.g. wider system integration issues. Legally the status of these joint meetings means they are referred to as a sub-committee however they will be able to discharge agreed functions of both Cambridgeshire and Peterborough HWBs and will have delegated decision making authority. Membership would comprise of the full membership of both the Cambridgeshire and Peterborough HWBs and would address some of the concerns raised in section 4.2.

Items pertaining specifically to Cambridgeshire or Peterborough can be considered by the parent board. Cambridgeshire HWB currently meets six times a year so, for example, it could be proposed that there could be three meetings of the Parent Board with two to three meetings of the sub-committee. Peterborough HWB have less meetings over a year and would need to determine their preferred meeting pattern. Terms of reference and chairmanship of the sub-committee would need to be agreed by both Cambridgeshire and Peterborough HWBs.

Option 2 – Maintain two the separate Boards which periodically meet at the same time and with the same agenda – Meeting in public together

Maintain the independence of the two HWBs as two separate boards periodically holding a meeting at the same time and venue, with a shared agenda. This approach has been tested during the May 31st and Sept 20th meetings. The meeting would need to be jointly chaired and any recommendations or decisions recorded separately for each Board. Operationally this approach would require duplication of officer time with the production of two sets of minutes and having two chairs. Whilst this approach would allow for debate and perspectives from both HWBs it would mean that decisions from each HWB would be taken separately and could differ. If the purpose of establishing joint working relationships between the two HWBs is for better integration of services, this approach may present some risks to this.

- 4.4 As part of the establishment of new working arrangements outline in Option 1 Cambridgeshire County Council requires its Constitution and Ethics Committee to review the proposal and consider changes to the HWB's terms of reference.

It is recommended that if these are being reviewed in the context of establishing a "Joint Cambridgeshire and Peterborough Health and Wellbeing Board (a sub-committee comprising of both Boards)", consideration should be given to the existing membership of the Cambridgeshire HWB. Currently the voluntary sector has a co-opted membership of the HWB and this presents an opportunity to formalise this arrangement to a permanent membership.

5. ALIGNMENT WITH THE CAMBRIDGESHIRE HEALTH AND WELLBEING STRATEGY

- 5.1 This report is relevant to priorities (1, 2, 3, 4, 5, and 6) of the Health and Wellbeing Strategy but has a particular emphasis on priority 6: Working Together.

- Priority 1: Ensure a positive start to life for children, young people and their families.
- Priority 2: Support older people to be independent, safe and well.
- Priority 3: Encourage healthy lifestyles and behaviours in all actions and activities while respecting people's personal choices.
- Priority 4: Create a safe environment and help to build strong communities, wellbeing and mental health.
- Priority 5: Create a sustainable environment in which communities can flourish.
- Priority 6: Work together effectively.

Source Documents	Location
Paper to HWB Board 24th April 2018: Proposal to establish joint working across Cambridgeshire and Peterborough Health and Wellbeing Boards	https://cmis.cambridgeshire.gov.uk/ccclive/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/950/Committee/12/Default.aspx



Appendix 2

12. CAMBRIDGESHIRE HEALTH AND WELLBEING BOARD

Introduction

The Cambridgeshire Health and Wellbeing Board (HWB) is established as a committee of the County Council under section 102 of the Local Government Act 1972. Its remit is to work to promote the health and wellbeing of Cambridgeshire's communities and its focus is on securing the best possible health outcomes for all residents.

Membership

- Five County Councillors (to include the Chairman/woman, or Vice-Chairman/woman or any member of the following: Adults, the Health, and the Children and Young People Policy and Service Committees)
- Five nominated District Council representatives (supported by Senior District Council officer with Observer Status)
- Three representatives of the Clinical Commissioning Group (CCG) (nominated by the CCG Governing Body)
- Five representatives for NHS providers (a mix of non-executive directors and executives, one each from Cambridge University Hospitals NHS Foundation Trust; Cambridgeshire and Peterborough NHS Foundation Trust; Cambridgeshire Community Services NHS Trust; Hinchingsbrooke Health Care NHS Trust; Papworth Hospital NHS Foundation Trust)
- One representative of the local HealthWatch*
- Director of Public Health*
- Executive Director: People and Communities*
- Chief Finance Officer (Section 151 Officer)
- Representative of NHS Commissioning Board*

* Statutory members of the HWB. There is also a statutory requirement for at least one Local Authority Councillor, and at least one representative of the CCG, to be a member of the HWB.

Powers and functions

Delegated Authority	Statutory Reference/ Condition
Authority to respond to consultations about commissioning plans issued by clinical commissioning groups in connection with Section 26 of the Health and Social Care Act 2012	Section 26, Health and Social Care Act 2012
Authority to encourage persons who arrange for the provision of any health or social care services in the Council's area to work in an integrated manner	Section 195, Health and Social Care Act 2012



Delegated Authority	Statutory Reference/ Condition
Authority to provide any advice, assistance and support it thinks appropriate for the purpose of encouraging the making of arrangements under Section 75 of the National Health Service Act 2006 [Cambridgeshire only]	Section 195, Health and Social Care Act 2012 Section 75, NHS Act 2006
Authority to prepare the Joint Strategic Needs Assessment (JSNA)	Section 116, Local Government and Public Involvement in Health Act 2007 Section 196, Health and Social Care Act 2012
Authority to prepare the Joint Health and Wellbeing Strategy based on the need identified in the Joint Strategic Needs Assessment and overseeing the implementation of the Strategy [Cambridgeshire only]	Section 116A, Local Government and Public Involvement in Health Act 2007. Section 196, Health and Social Care Act 2012
Authority to discharge any other functions specifically reserved to be undertaken by the Health and Wellbeing Boards as set out in legislation, guidance, circulars and directives received from national government. [Cambridgeshire only]	



12.1 JOINT CAMBRIDGESHIRE AND PETERBOROUGH HEALTH & WELLBEING BOARD (A SUB-COMMITTEE COMPRISING OF BOTH BOARDS)

The Health and Wellbeing Board shall establish a Joint Cambridgeshire and Peterborough Health & Wellbeing Board (a sub-committee comprising of both boards) with the following membership and powers.

Membership

Membership will comprise the full membership of both the Cambridgeshire and Peterborough Health and Wellbeing Boards. The Chairman/woman of the Sub-Committee shall alternate annually between the Chairman/woman of the Cambridgeshire and Peterborough Health and Wellbeing Boards. The Vice-Chairman/woman of the Sub-Committee shall be selected and appointed by the membership of the Sub-Committee.

Overview of Functions

The Sub-Committee has delegated authority to exercise all the Health and Wellbeing Board's functions relating jointly to Cambridgeshire and Peterborough, with the exception of functions relating to Cambridgeshire only which will remain with the Cambridgeshire Health and Wellbeing Board.

Delegated Authority	Statutory Reference/ Condition
Authority to respond to consultations about commissioning plans issued by clinical commissioning groups in connection with Section 26 of the Health and Social Care Act 2012 [Cambridgeshire & Peterborough jointly]	Section 26, Health and Social Care Act 2012
Authority to encourage persons who arrange for the provision of any health or social care services in the Council's area to work in an integrated manner [Cambridgeshire & Peterborough jointly]	Section 195, Health and Social Care Act 2012
Authority to provide any advice, assistance and support it thinks appropriate for the purpose of encouraging the making of arrangements under Section 75 of the National Health Service Act 2006 [Cambridgeshire & Peterborough jointly]	Section 195, Health and Social Care Act 2012 Section 75, NHS Act 2006
Authority to prepare the Joint Strategic Needs Assessment (JSNA) [Cambridgeshire & Peterborough jointly]	Section 116, Local Government and Public Involvement in Health Act 2007 Section 196, Health and Social Care Act 2012



Delegated Authority	Statutory Reference/ Condition
Authority to prepare the Joint Health and Wellbeing Strategy based on the need identified in the Joint Strategic Needs Assessment and overseeing the implementation of the Strategy [Cambridgeshire & Peterborough jointly]	Section 116A, Local Government and Public Involvement in Health Act 2007. Section 196, Health and Social Care Act 2012
Authority to discharge any other functions specifically reserved to be undertaken by the Health and Wellbeing Boards as set out in legislation, guidance, circulars and directives received from national government. [Cambridgeshire & Peterborough jointly]	