

Report of the Assistant Director, Governance and ICT

## **Change to Terms of Reference and Membership**

### **Summary**

1. This report asks the Health and Wellbeing Board to agree to amend its terms of reference to bring it fully into line with Government legislation and to reflect the change in recent Officer positions at City of York Council.
2. The Chair has agreed to accept this report onto the agenda for this meeting, as a matter of urgency under Section 100(B) (4) of the Local Government Act 1972, to enable key officers to be formally appointed to the Board as soon as possible.

### **Background**

3. Part 5, Chapter 2 of the Health and Social Care Act (2012) under the “Establishment of Health and Wellbeing Boards” states that membership of Boards must consist of;
  - b) The Director of Adult Social Services for the Local Authority.
  - c) The Director of Children’s Services for the Local Authority.
  - d) The Director of Public Health for the Local Authority.
4. Currently York’s Health and Wellbeing Board does not have the Director of Adult Social Services as a Board Member. This is due in part to the responsibilities covered by Dr Paul Edmondson-Jones, the previous Director of Public Health and Wellbeing. His portfolio of Health and Wellbeing included Adult Social Care.
5. The Directors of Children’s Services and Public Health are already appointed Board Members. However, the Director of Adult Social Services is not. The previous postholder has now left the Authority but held 2 combined roles which are statutory appointments for the Board; public health and adult social services.

His replacement on the Board needs addressing. In terms of current appointees, the Council has now separated out those roles once again. It would therefore be appropriate to update the Board's membership as follows:

- Director of Adult & Social Services – Guy van Dichele (currently 'Acting', pending formal appointment of Director);
- Director of Public Health - Julie Hotchkiss (currently 'Acting', pending formal appointment of Director), who has been confirmed with NHS England as the Acting DPH.

## 6. **Options**

There are no options available to the Board other than to update its membership in accordance with statutory requirements. Details will be reported to the Extraordinary Council Meeting on 23 October 2014.

## 7. **Council Plan 2011-15**

The changes to the terms of reference and membership of the Board will ensure statutory requirements are met. Whilst they relate primarily to the "Protect Vulnerable People" strand of the Council Plan, they will ensure the Board's work can continue smoothly.

### **Implications**

8. There are no known implications in relation to the following in terms of dealing with the specific matters before Members:
- Financial
  - Human Resources (HR)
  - Equalities
  - Crime and Disorder
  - Property
  - Other

### **Legal Implications**

9. The legal implications associated with statutory appointments to the Board are set out in paragraph 3 above and the proposals to update the Board's membership will ensure those statutory requirements are properly met.

## 10. Risk Management

In compliance with the Council's risk management strategy, there are no known risks associated with the recommendation in this report, other than the Council failing to make appointments to meet the statutory requirements referred to above.

### Recommendations

The Board is asked to note the statutory appointments required as set out in Paragraph 6 of this report, together with the consequential changes to its membership details, which will also be reported to Full Council on 23 October 2014.

Reason: To fulfil statutory requirements.

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**Report  
Approved**



**Date** 21 October  
2014

**Specialist Implications Officers**

Not applicable

**Wards Affected:** Not applicable

**All**



**For further information please contact the author of the report**

### Background Papers

Health and Social Care Act 2012- "Establishment of Health and Wellbeing Boards"

<http://www.legislation.gov.uk/ukpga/2012/7/section/194>

### Annexes

Annex 1- York Health and Wellbeing Board Terms of Reference