

## **ARTICLE 18 - YORK HEALTH AND WELLBEING BOARD**

### **Terms of Reference**

The York Health and Wellbeing Board has a key strategic role in carrying out assessments of the health and wellbeing needs of the people of York and in developing strategies to meet those needs. It also has a role in encouraging health and social care providers to work together to meet those needs.

#### **1. Name**

- 1.1 The Board will be known as the York Health and Wellbeing Board ('the Board')

#### **2. Membership**

- 2.1 The Council has appointed a Health and Wellbeing Board. Although it operates as a form of Committee the Health and Wellbeing Board is unusual in that some of the membership is set out in law (including, uniquely, certain Officers), the Leader has the power to nominate to some positions and some positions are reserved to post holders who are not councillors.
- 2.2 Board members will be required to represent their organisation with sufficient seniority and influence for decision making. The membership of the Board will consist of:
- i. The Leader of City of York Council ("the Council) or their nominee. The Leader's nominee is the Elected Member Portfolio Holder for Health, Wellbeing and Adult Social Care (Chair)
  - ii. Elected Member Portfolio Holder for Children, Young People and Education)
  - iii. Elected Member – Leader of the Main Opposition Political Group, City of York Council or their nominee (nominee to be identified at Annual Council)
  - iv. Elected Member – Opposition Political Group Representative, City of York Council
  - v. York Place representative from the Humber and North Yorkshire Health and Care Partnership

- vi. The Manager of Healthwatch York
- vii. The Director of Public Health
- viii. The Corporate Director of Children and Education, City of York Council
- ix. The Corporate Director of Adult Social Care and Integration, City of York Council
- x. The Chief Executive of York CVS
- xi. The Chief Executive of York Teaching Hospital NHS Foundation Trust
- xii. Director of Operations of Tees, Esk and Wear Valleys NHS Foundation Trust
- xiii. The Chair of the Independent Care Group
- xiv. The Deputy Locality Director (North) NHS England
- xv. The Chief Constable of North Yorkshire Police
- xvi. Other members appointed by the Board or the Leader of the Council after consultation with the Board.

### **3. Legal Status**

- 3.1 The Health and Wellbeing Board is a committee of the Council and will adhere to the Constitutional requirements of the Council affecting committees unless alternative provision is made within these terms of reference or the law.

### **4. Disqualification from Membership**

- 4.1 The following are disqualified from being a Board Member
- a. Any person who is the subject of a bankruptcy restrictions order or interim order.
  - b. Any person who has within five years before the day of being appointed or since their appointment been convicted in the United Kingdom, the Channel Islands or the Isle of Man of any offence and has had passed on them a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine.

## **5. Quorum**

- 5.1 The quorum shall be 7 members including as a minimum a representative of the City of York Council and a representative of the Humber and North Yorkshire Health and Care Partnership.

## **6. Chair and Vice-Chair**

- 6.1 The Chair of the Board shall be the Leader of the Council or his or her nominated representative. The Vice-Chair of the Board shall be the Chair of NHS Vale of York Clinical Commissioning Group. In the absence of both, a Chair will be nominated from amongst those present for that particular meeting.
- 6.2 The Chair of the Health and Wellbeing Board will be required to hold a named delegate list for board representatives, including deputies for officer members on the Board.

## **7. Frequency of Meetings**

- 7.1 The Board shall schedule meetings at least four times a year.

## **8. Delegation of Powers**

- 8.1 The Board may establish sub-committees to discharge any function of the Board or to advise the Board in respect of its functions.
- 8.2 If the Council delegates any of its public health functions to the Board in accordance with section 196(2) of the Health and Social Care Act 2012 then the Board may arrange for those functions to be discharged by an officer. Other functions of the Board may not be delegated to officers.

## **9. Functions of the Board**

- 9.1 In order to advance the health and wellbeing of the patients and residents in York, encourage persons who arrange for the provision of any health or social care services to work in an integrated manner.

- 9.2 To provide such assistance or other support as it thinks appropriate for the purpose of encouraging the making of arrangements under section 75 of the National Health Service Act 2006 between the Council and NHS bodies in relation to the exercise of NHS functions or health related functions of the Council.
- 9.3 To approve and make recommendations to the Executive and the Clinical Commissioning Group in respect of use of Better Care funding based upon jointly agreed plans
- 9.4 To exercise the functions of a local authority and its partner clinical commissioning groups under sections 116 and 116A of the Local Government and Public Involvement in Health Act 2007 relating to joint strategic needs assessments, and the joint health and wellbeing strategy.
- 9.5 To exercise the statutory functions of a Health and Wellbeing Board in relation to the carrying out and publication of pharmaceutical needs assessments.
- 9.6 To exercise any other functions of the Council which the Council has determined should be exercised by the Board on its behalf in accordance with section 196(2) of the Health and Social Care Act 2012 including:
- Overseeing the development of local commissioning plans and, where necessary, initiating discussions with the NHS Commissioning Board (NHS England) if an agreed concern exists
  - Leading cultural and behavioural change to support a joint approach to meeting local need
  - Holding all partners to account for their role in the delivery of joint commissioning and overall stewardship of the health and wellbeing outcomes for patients and residents
  - Working alongside local and regional strategic partnership arrangements to ensure the coordination of city wide ambitions,

all of which impact on the health and wellbeing of patients and residents.

- 9.7 Where it considers it appropriate to do so, or when so requested by the Council, to give the Council its opinion on whether the Council is discharging its duty under section 116B of the 2007 Act to have regard to the joint strategic needs assessment and joint health and wellbeing strategy.
- 9.8 To periodically review the York Health and Wellbeing Board constitution.
- 9.9 When acting as a member of the Board members will be bound by the same codes of conduct as Councillors.

## **10. ICS Transition during 2022**

- 10.1 During 2022, the Integrated Care System is being set up in the Humber Coast and Vale area, and NHS members of the Board and functions within the health system are being amended.
- 10.2 Functions of the Health and Wellbeing Board, as well as membership and other matters, may be subject to change or to addition during this transitional year, with the Board remaining flexible to adapt to national changes which our health partners are implementing locally.