

COUNCIL

21 JULY 2022

HEALTH AND WELLBEING BOARD – REVIEW OF TERMS OF REFERENCE

Report from: Bhupinder Gill, Assistant Director, Legal and Governance

Author: Wayne Hemingway, Head of Democratic Services

Summary

This report recommends proposed changes to the Health and Wellbeing Board's terms of reference following the establishment of NHS Kent and Medway Integrated Care Board on 1 July 2022.

1. Budget and Policy Framework

- 1.1. The Health and Social Care Act 2012 places a duty on local authorities to establish a Health and Wellbeing Board for their area.
- 1.2. On 25 April 2013, the Council established the Board for Medway and agreed its terms of reference. It is necessary to review the terms of reference to ensure they remain fit for purpose.

2. Background

- 2.1. The Health and Care Act 2022 has established Integrated Care Systems (ICS) in all areas of the Country. Integrated Care Systems are partnerships of organisations that come together to plan and deliver joined-up health and care services, and to improve the lives of people who live and work in their area. The implementation of the ICS arrangements took place on 1 July 2022.
- 2.2. The purpose of an ICS is to bring partner organisations together to:
 - improve outcomes in population health and healthcare
 - tackle inequalities in outcomes, experience and access
 - enhance productivity and value for money
 - help the NHS support broader social and economic development.
- 2.3. The ICS includes, amongst others:
 - *Integrated Care Board* – a statutory organisation which oversees the running of the NHS locally with a strategic approach to planning and monitoring services.
 - *Integrated Care Partnership Joint Committee* – this will bring together a broad alliance of partners concerned with improving the care, health and wellbeing of

the population, with membership determined locally. The ICP is responsible for producing an integrated care strategy on how to meet the health and wellbeing needs of the population in the ICS area.

- 2.4. At the meeting on 10 February 2022, the Health and Wellbeing Board agreed to disestablish the Kent and Medway Joint Health and Wellbeing Board on 31 March 2022. This formed part of the new arrangements which have now seen the NHS Kent and Medway Integrated Care Board replace the Kent and Medway Clinical Commissioning Group (CCG) with effect from 1 July 2022. In addition, the following organisations are required to establish an Integrated Care Partnership Joint Committee:
 - NHS Kent and Medway Integrated Care Board (ICB)
 - Kent County Council (KCC) and Medway Council
 - 2.5. The Integrated Care Partnership has been established as a Joint Committee of the above parties, to whom they are accountable. The Joint Committee will be authorised to act within the terms of reference, which sets out the membership, remit, responsibilities, authority and reporting arrangements of the Joint Committee.
 - 2.6. Medway Council approved the Joint Committee's terms of reference at the Annual Meeting on 18 May 2022 whilst KCC's Annual meeting agreed them on 26 May 2022. The ICB agreed the Joint Committee's terms of on 1 July 2022 at the inaugural ICB meeting.
 - 2.7. Under the new Kent and Medway ICS, there will also be four Health and Care Partnerships: a. East Kent, b. West Kent, c. Dartford, Gravesham and Swanley and d. Medway and Swale which will lead the detailed design and delivery of integrated services across their localities and neighbourhoods, together with 42 Primary Care Networks which will provide community, social care and primary care services and are based around groups of neighbouring GP practices.
 - 2.8. A Member briefing on these new arrangements took place on 26 May 2022, attended by the ICB Chair (Cedi Frederick), Chief Executive (Paul Bentley) and Chief Medical Officer (Kate Langford), plus the Director of Corporate Governance (Mike Gilbert). The representatives stressed that the ICB is different to the CCG, with a different focus and membership and that they see the new arrangements as an opportunity for real change and genuine partnership working.
- ### 3. Review of Health and Wellbeing Board's terms of reference
- 3.1. One of the consequences of the establishment of the Kent and Medway Integrated Care Board is the impact on the Health and Wellbeing Board's terms of reference.
 - 3.2. With regards to the Board's membership, Members are advised that the Health and Social Care Act 2012 will be amended which replaces the requirement for a CCG representative to be on the Board with a representative from the ICB.
 - 3.3. In addition, the quorum for Board meetings is a quarter of the membership and meetings may only proceed if at least one local authority member and one CCG representative are present. It is proposed that the requirement is maintained, i.e. an ICB representative is present as part of the quorum rules.

- 3.4. In terms of the Board's key functions, it is proposed that references to the CCG are replaced with the ICB.
 - 3.5. Revised terms of reference and membership are attached at Appendix 1 to the report. These were considered by the Health and Wellbeing Board on 16 June 2022 under the Work Programme report. Unfortunately, the meeting was no longer quorate when this item was considered, therefore the Board informally noted the revisions to the terms of reference and membership, (as set out in Appendix 3 to the report), which would be reported to Full Council for approval.
 - 3.6. The name of the ICB representative set out in Appendix 1 to the report is subject to change and the ICB is also not yet able to confirm its named substitute. Once membership is confirmed, these amendments to the Health and Wellbeing Board's membership will be made by the Chief Executive under the Employee Delegation Scheme, as set out at paragraph 6.2, Chapter 3, Part 4 of the Council's Constitution:
4. Risk management implications
 - 4.1. There are no specific risk implications connected with this report.
 5. Financial and legal implications
 - 5.1. There are no specific financial and legal implications arising from this report, other than to state that should the revised terms of reference and membership be approved, the Constitution will be updated accordingly.
 6. Recommendation
 - 6.1. The Council is asked to agree to the revisions to the Health and Wellbeing Board's terms of reference and membership, as set out in Appendix 1 to the report.

Lead officer contact

Wayne Hemingway, Head of Democratic Services, T: 01634 332509 and
E: wayne.hemingway@medway.gov.uk

Appendices

Appendix 1: Health and Wellbeing Board – proposed revisions to terms of reference and membership

Background papers

None