



SANDWELL HEALTH AND WELLBEING BOARD CONSTITUTION

DRAFT

Introduction

The Health and Wellbeing Board is a formal statutory committee of the local authority, established under Section 194 of the Health and Social Care Act 2012 as a forum where political, clinical, professional and community leaders from across the health and care system come together to improve the health and wellbeing of our local population and reduce health inequalities.

The Board is treated as if it were a committee appointed by the local authority under section 102 of the Local Government Act 1972. (Section 194(11) However, to facilitate the membership of the specified officers the Local Authority (Public Health, Health and Well-being Boards and Health Scrutiny) Regulations 2013 disapply Section 104(1) of the LGA 1972 (which prohibits officers from being members of local authority committees).

Whilst the Board has limited formal powers; it plays an important role in encouraging integrated working between health and social care commissioners, including partnership arrangements such as pooled budgets, lead commissioning and integrated provision. It also has a statutory responsibility to produce:-

- Joint Strategic Needs Assessment (JSNA) which provides a wide source of information and data for health, care and wellbeing planning and commissioning, customised to the needs of the area and developing over time, and inform the development of a Joint Health and Wellbeing Strategy;
- Joint Health and Wellbeing Strategy (JHWS) sets out the vision, priorities and actions agreed at the Board to improve the health, care and wellbeing of local communities and reduce inequalities for all ages;
- a pharmaceutical needs assessment (PNA) for the area.

1 Membership and Voting Rights

1.1 The Health and Social Care Act (Section 194(2)) sets out the Board's core membership as follows:-

- the Director of Adult Social Services;
- the Director of Children's Services;
- the Director of Public Health;
- a representative of the Local Healthwatch organisation;
- a representative of the local Integrated Care Board (formally known as Clinical Commissioning Group);

beyond this, membership is at the discretion of the local authority.

1.2 Councillor representatives are nominated by the Leader and appointed by the Council. (Section 194(3)(a) The political balance arrangements do not apply to Councillor representation on the Board.

1.3 The Chair of the Board shall be appointed by the Council from amongst the Councillor representatives.

1.4 The Vice-Chair of the Board shall be appointed by the Board from amongst its membership.

1.5 Healthwatch shall appoint one representative, and two named substitutes. (Section 194(5))

1.6 The Black Country Integrated Care Board (ICB) shall appoint two members, and one named substitute. (Section 194(6)).

1.7 The Board may appoint such additional persons to be members of the Board as it thinks appropriate. (Section 194(8))

1.8 The local authority must consult the Board before making any appointments to the Board after its establishment. (Section 194(9))

Membership of Sandwell's Board can be found at Appendix 1.

2. Quoracy

2.1 The Board shall be quorate when the following individuals are present:-

- 1 Councillor representative (with voting rights)
- 1 Director representative
- 1 Healthwatch representative
- 1 ICB representative

2.2 Healthwatch Sandwell may nominate two named substitutes at the start of each Municipal Year to attend in the event that the substantive member is unable to attend.

2.3 Where a meeting is inquorate, the meeting may go ahead, to discuss information items only, and the minutes of the meeting shall be qualified with a statement that the meeting was inquorate.

3. Meetings and Public Attendance

3.1 The Board will meet at least quarterly. Extraordinary meetings may be called by the Chair as and when appropriate.

3.2 Meetings of the Board will be open to the public and subject to the Access to Information Procedure Rules at Part 4 of the Council's Constitution.

3.3 The agenda, reports and previous meeting minutes will be available on the Council's modern.gov website at least five working days in advance of each meeting.

3.4 Members of the public may submit questions in relation to items on the published agenda in writing, no later than three working days before the day of the meeting. A response will be tabled at the meeting, and provided to the questioner in writing. Where it is not possible to table a response at the meeting, the written response will be provided to the questioner as soon as possible after.

4. Sub-Committees

The Board may establish sub-committees to advise the Board with respect to any matter relating to the discharge of its functions.

5. Decision Making

- 5.1 All decisions of the Board shall be taken in accordance with the Council's Procedure Rules set out in Part 4 of the Council's Constitution.
- 5.2 Six members may request that the names of those voting for and against any decision and those abstaining shall be recorded.
- 5.3 Any member may request that their vote (for or against) or their abstention shall be recorded.

6 Disorderly Conduct

If any member of the Board, or member of the public, persistently disregards the ruling of the person chairing the meeting, by behaving improperly or offensively or deliberately obstructs the business of the meeting, the person chairing the meeting may direct that person or those persons leave the meeting or that the meeting be adjourned for a specified period.