

# York Health & Wellbeing Board Draft Terms of Reference

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## Vision

For York to be a community where all residents enjoy long, healthy and independent lives, by ensuring that everyone is able to make healthy choices and, when they need it, have easy access to responsive health and social care services which they have helped to shape.

Health and wellbeing is about more than illness and treatment. It is about being well physically, mentally and socially – feeling good and functioning well. This includes being able to do the things you need to do and being able to cope with change and what’s going on around you. It is something we use for everyday living, not the reason we’re alive.

## Purpose

Through its statutory duties (subject to the passing of the Health and Social Care Bill), the purpose of York’s Health and Wellbeing Board is:

- To advance the health and wellbeing of the patients and residents in York and to address health inequalities by fulfilling its public health duties.
- To oversee the production of the Joint Strategic Needs Assessment (JSNA), which is regularly updated, based on a thorough understanding of the population in York.
- To produce a Joint Health and Wellbeing Strategy, by drawing on the JSNA and other relevant sources, which clearly articulates the collective priorities and actions for all partners.
- To ensure that all commissioning decisions are informed by the Joint Health and Wellbeing Strategy and the JSNA and that the basis for decision making is clear.
- To encourage all our staff, whether they work for health or social care services or the voluntary sector, to work in an integrated manner in everyone’s best interests;
- To lead cultural and behavioural change to promote better health outcomes;
- To hold 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.

*(The Board’s functions and governance arrangements are outlined in the draft constitution, attached as Appendix 1)*

# Remit

## York Health and Wellbeing Board will:

- Provide joint leadership across the city to create a more effective and efficient health and wellbeing system through integrated working and joint commissioning;
- Take responsibility for the quality of all commissioning arrangements;
- Work effectively with and through partnership bodies, with clear lines of accountability and communication;
- Share expertise and intelligence and use this synergy to provide creative solutions to complex issues;
- Agree the strategic health and wellbeing priorities for the city, as a Board and with the Vale of York Clinical Commissioning Group, respecting the fact that this Group covers a wider geographic area;
- Collaborate as appropriate with the Health and Wellbeing Boards for North Yorkshire and the East Riding;
- Make a positive difference, improving the outcomes for all our communities and those who use our services.

## York Health and Wellbeing Board will not:

- Manage work programmes or oversee specific pieces of work – acknowledging that operational management needs to be given the freedom to manage.
- Be focussed on the delivery of specific health and wellbeing services – the Board will concentrate on the “big picture”.
- Scrutinise the detailed performance of services or working groups – respecting the distinct role of the Health Overview and Scrutiny Committee.
- Take responsibility for the outputs and outcomes of specific services – these are best monitored at the level of the specific organisations responsible for them.
- Be the main vehicle for patient voice – this will be the responsibility of Health Watch. The Board will however regularly listen to and respect the views of residents, both individuals and communities.

## Values and behaviours

All Partners within York Health and Wellbeing Board have equal status. As Board Members they represent their organisation's position, rather than their individual viewpoint. However, Board Members recognise that it is formally a Committee of the Council, and that as such the Local Authority has statutory responsibility for the Board and a direct line of accountability to the residents of the city.

Naturally, any statutory responsibilities and accountabilities held by partners will take precedence over partnership accountabilities. Nevertheless the Board will strive to ensure that by working together, outcomes for York residents, patients and service users are demonstrably improved.

Every Member of the York Health and Wellbeing Board undertakes to work in the following manner, based on a shared set of values.

### 1. Collaboration

Each partner will:

- Undertake to work collaboratively, whilst appreciating each other's independence;
- Be as open as possible about all the decisions and actions that they take;
- Understand and respect each other's priorities and work plans;
- Reach agreement wherever possible about shared priorities;
- Agree to a realistic approach - doing a small number of things well;
- Promote and support these principles by leadership and example.

### 2. Respect

Each partner will:

- Value and respect each other's positions, constituencies and priorities;
- Build trust across the partnership through mature and honest relationships;
- Ensure that any conflicts of interest are managed positively, in a spirit of mutual progress;
- Value and respect in particular the voice and experience of the patient/ service user;
- Observe and champion equalities, fairness and human rights;
- Recognise and uphold the principles and values of the "York Compact" which sets out how we will work with, support and engage with the Voluntary and Community Sector.

### 3. Transparency

Each partner will:

- Work transparently with one another;
- Provide access to each other's work plans and planned actions on a regular basis;
- Develop mechanisms for sharing information appropriately, respecting patient confidentiality but not letting this be a barrier to the design of better services;
- Share press releases relevant to the work of the Board before publishing as set out in the media protocol – a 'no surprises' approach;
- Take decisions objectively and solely in terms of the public interest;
- Declare interests.

### 4. Accountability and propriety

Each partner will:

- Not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their role within the Health and Wellbeing Board;
- Declare any private or organisational interests relating to their role within the Health and Wellbeing Board at the outset of any meetings, and leave the meeting if an item under discussion might lead to, or create the impression of, a conflict of interest;
- Hold meetings in public and be accountable for their decisions and actions. Papers and minutes will normally be public. In exceptional circumstances and at the discretion of the chair an individual item may be considered in private, with press and public being asked to leave;
- Be accountable to each other for the delivery of agreed priorities, especially those included in the Health and Wellbeing Strategy;
- Communicate positively within their own organisations or partnerships about the work of the Board;
- Note that Council Members, as democratically elected representatives, have an obligation to report back formally to the full Council.
- The Health and Wellbeing Board is accountable to the citizens of York through the local democratic process as a formal Committee of the Council.

## **Conflict resolution**

The remit of the Health and Wellbeing Board and the nature of its composition means that conflict may occur between Board members. In the event of such conflict the Chair shall act as arbiter and his/her decision will be final. Where a resolution cannot be agreed, the National Health Service Commissioning Board will act as an independent arbiter.

## **Secretariat**

Support to the Health and Wellbeing Board is provided through Council officers and is funded by the Council. No other funding is currently provided by partners. Contributions from other partners may be sought to fund specific events or commission work.

## **Associated documents**

Appendix 1 – Draft Constitution

Appendix 2 – Draft Media Protocol

# Appendix 1 – York Shadow Health and Wellbeing Board Draft Constitution

## 1. Name

- 1.1 The Board will be known as the York Shadow Health and Wellbeing Board (“the Board”) until such time as it fulfils its statutory duty to become the York Health and Wellbeing Board.

## 2. Membership

- 2.1 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:
  - a. The Leader of the City of York Council (“the Council”) or a Councillor nominated by him and 2 other elected representatives
  - b. The Chief Executive of NHS North Yorkshire and York or a nominated representative of the board until such time the organisation ceases to have accountability for delivery of health services
  - c. The Chief Executive of City of York Council
  - d. Two representatives of the Vale of York Clinical Commissioning Group
  - e. A representative of York Local Involvement Network until such time HealthWatch is established
  - f. The Director of Public Health
  - g. The Director of Adults, Children and Education
  - h. A representative of the Voluntary and Community Sector in York
  - i. A representative of the York Teaching Hospital NHS Foundation Trust
  - j. A representative of Leeds Partnerships NHS Foundation Trust
  - k. A representative for the Independent Care sector
  - l. A representative of the NHS Commissioning Board where the Board is preparing its joint strategic needs assessment or joint health and wellbeing strategy, or where the Board is considering a matter that relates to the

exercise or proposed exercise of the commissioning functions of the National Health Service Commissioning Board (*pending statutory status*)

m. 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 Constitution of the Council (*pending statutory status*).

### **4. Quorum**

4.1 The Quorum shall be 7 members including as a minimum a representative of the City of York Council and a representative of the Vale of York Clinical Commissioning Group.

### **5. Chair**

5.1 The Chair of the Board shall be the Leader of the Council or his or her nominated representative.

5.3 In the absence of the Chair the Board shall elect a Chair for that meeting from the members present.

5.4 The Chair of the Health and Wellbeing Board will be required to hold a named delegate list for board representatives including deputies.

### **6. Frequency of Meetings**

6.1 The Board shall meet no less often than four times a year.

### **7. Access to Meetings**

7.1 The public shall have the same right of access to meetings, agendas, reports and background papers as apply to any other meeting of a Committee of the Council.

7.2 The public shall have the same rights to address the meeting as apply at meetings of the Cabinet of the Council.

### **8. Sub Groups**

8.1 The Board may establish subgroups required to deliver the its agenda and agree their membership and terms of reference.

8.2 The Working Groups will report to the Board.

8.3 The board may also establish working arrangements with other working groups.

## 9. Functions of the Board

9.1 To advance the health and wellbeing of the patients and residents in York and to address health inequalities by fulfilling its public health duties.

9.2 To encourage persons who arrange for the provision of any health or social care services to work in an integrated manner.

9.3 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.

9.4 To exercise the functions of a local authority and its partner commissioning consortia under sections 116 and 116A of the Local Government and Public Involvement in Health Act 2007 relating to joint strategic needs assessments, and health and wellbeing strategy *(pending statutory status)*.

9.5 To exercise any other functions of the Council which the Council has determined should be exercised by the Board on its behalf *(pending statutory status)*.

9.6 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 well being strategy *(pending statutory status)*.

9.7 To oversee the development of local commissioning plans and, where necessary, to initiate discussions with the NHS Commissioning Board if an agreed concern exists.

9.8 To lead cultural and behavioural change to support a joint approach to meeting local need.

9.9 To hold 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.

9.10 To work alongside local strategic partnership arrangements to ensure the coordination of city wide ambitions, all of which impact on the health and wellbeing of patients and residents.

9.11 To periodically review the York Health and Wellbeing Board constitution.

## **10. Conduct**

10.1 The Board and its members will commit to respecting the principles of Standards in Public Life promulgated by the Nolan Committee.

10.2 The Board will declare interests at meetings in accordance with the rules applicable to Councillors declaring interests at meetings of the Council. No member will have a prejudicial interest in a matter as a result purely of the matter affecting the sector that they represent.

10.3 Board members will recognise their role as guardians of health and wellbeing and will act collectively in the best interests of the local population.

## Appendix 2 – Draft Media Protocol

### Organisation-specific Communications about Health & Wellbeing

- Organisation-specific information about health and wellbeing or within the remit of the Board will be overseen by individual press offices (see next page for contact details).
- However, the Board will operate a policy of ‘no surprises’; any information about health and wellbeing or within the remit of the board will be communicated to each organisation’s press contact in advance of public release to ensure a coordinated approach to communications.
- On occasions when an organisation’s position is mis-represented in the media, any corrective briefing that is prepared will be copied to other organisation’s press offices.
- Members of the Health and Wellbeing Board recognise that there will be occasions when it is necessary for them to take a different view over a particular issue. On such occasions it may be necessary to emphasise that the views expressed are organisation-specific or sector-specific, not on behalf of the Board. Advance notification to each other’s press offices will also apply in this situation, and Board members undertake to handle such occasions sensitively, and in a manner which does not harm the reputation of the Board itself.

### Joint Communications about Health & Wellbeing

- Where joint communications with the media ‘on behalf of York’s Health & Wellbeing Board’ are required (i.e. press releases, press statements, media briefings, press conferences and photo calls), this will be coordinated via City of York Council’s press office on 01904 551068 / 552005. Each Board Member will be given the opportunity to comment on press releases and statements in advance of public release.
- In these cases, the Chair of the Shadow Health & Wellbeing Board will have overall responsibility and will be quoted on behalf of the board.
- All Shadow Health & Wellbeing Board press releases and statements will be issued on the York Health & Wellbeing Board press release template.
- All Shadow Health & Wellbeing Board releases will be published on the council’s website by the Communications & Media team within one working day of issue. Key messages from releases will also be disseminated using social media channels, as appropriate.
- All board members should consider the media implications of the work of the Board. Ongoing communication with press officers regarding the work of the Board should be undertaken.

### Members of the Shadow Health & Wellbeing Board and press contacts

Member	Name	Email	Press office contact details
Chair of sHWB	Cllr. Tracey Simpson-Laing	<a href="mailto:cldr.tsimpson-laing@york.gov.uk">cldr.tsimpson-laing@york.gov.uk</a>	<a href="mailto:media@york.gov.uk">media@york.gov.uk</a> 01904 551068 / 552005 Out of hours emergency contact number: 07767318082 Contact Name: Debbie Manson
CYC Elected Member Portfolio Holder	Cllr. Janet Looker	<a href="mailto:cldr.jlooker@york.gov.uk">cldr.jlooker@york.gov.uk</a>	
CYC Elected Member	Cllr. Sian Wiseman	<a href="mailto:cldr.swiseman@york.gov.uk">cldr.swiseman@york.gov.uk</a>	
City of York Council Chief Executive	Kersten England	<a href="mailto:Kersten.england@york.gov.uk">Kersten.england@york.gov.uk</a>	
Director of Adults, Children and Education	Pete Dwyer	<a href="mailto:Pete.dwyer@york.gov.uk">Pete.dwyer@york.gov.uk</a>	
Chief Executive NHS North Yorkshire and York	<i>TBC</i>		Lee Squire
Associate Director of Public Health	Rachel Johns	<a href="mailto:Rachel.johns@nyypct.nhs.uk">Rachel.johns@nyypct.nhs.uk</a>	
Vale of York Clinical Commissioning Group	Dr. Mark Hayes	<a href="mailto:Mark.Hayes@gp-B82105.nhs.uk">Mark.Hayes@gp-B82105.nhs.uk</a>	<i>TBC</i>
Vale of York Clinical Commissioning Group	Rachel Potts	<a href="mailto:Rachel.Potts@nyypct.nhs.uk">Rachel.Potts@nyypct.nhs.uk</a>	
York Local Involvement Network until HealthWatch	Jane Perger	<a href="mailto:j.perger@live.co.uk">j.perger@live.co.uk</a>	Carol Pack
Representative of the voluntary and community sector in York	Angela Portz	<a href="mailto:Angela.portz@yorkcvs.org.uk">Angela.portz@yorkcvs.org.uk</a>	Angela Portz
York Teaching Hospital, NHS Foundation Trust	Patrick Crowley	<a href="mailto:patrick.crowley@york.nhs.uk">patrick.crowley@york.nhs.uk</a>	Lucy Brown
Leeds and York Partnership NHS Foundation Trust	Chris Butler	<a href="mailto:christopherbutler@nhs.net">christopherbutler@nhs.net</a>	Gary Bouch
Independent Care Group	Mike Padgham	<a href="mailto:m.padgham@24x7careservices.co.uk">m.padgham@24x7careservices.co.uk</a>	<i>TBC</i>

