

LUTON HEALTH AND WELLBEING BOARD

BOARD ARRANGEMENTS AND PROCEDURE RULES

PART ONE – BOARD ARRANGEMENTS

Operating Arrangements

1. Administrative clerking support for meetings of the Health and Wellbeing Board shall be provided by the Democracy Team.
2. Administrative support for Sub-Committees (if any) appointed by the Board shall be provided by the relevant host organisation or Department.

Political Proportionality

3. Regulation 7 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 modifies Sections 15 and 16 and Schedule 1 of the Local Government and Housing Act 1989 to dis-apply the political proportionality requirements for Section 102 Committees in respect of Health and Wellbeing Boards.

Membership of the Board

4. The membership of the Board shall be:
 - the Leader of the Council
 - three local authority elected Members with Executive portfolio responsibility for Adult Social Care, Children’s Services, Public Health
 - one local authority representative of the larger minority group represented on the Council
 - the Corporate Director of Children and Learning, Luton Borough Council, in their role as Director of Children’s Services
 - the Corporate Director of Housing and Community Living, Luton Borough Council, in their role as Director of Adult Social Services
 - the Director of Public Health, Luton Borough Council
 - one representative of the Luton Clinical Commissioning Group

- one representative of Healthwatch Luton
- one representative of the NHS Commissioning Board and
- one representative of the Community Safety Executive

The Chair of the Health and Social Care Review Group will be invited to attend meetings of the Health and Wellbeing Board as a non-voting observer.

Term of Appointment of Elected Members:

5. The Term of Office of a member of the Health and Wellbeing Board shall be for one year, appointed annually in May each year.

Casual Vacancies

6. Should a vacancy in the membership of the Board arise as a result of an elected member resigning or ceasing to be a member of the authority, a replacement elected member will be appointed by the Full Council.
7. If the member being replaced is an Executive member with a portfolio responsibility, the replacement Member will be nominated by the Executive Leader.

Resignation and Disqualification of Board Members

8. A Member may resign from the Board at any time by giving notice to the Democracy Manager.
9. A participating organisation may decide in accordance with its own procedures, to remove any of its appointees to the Board at any time and upon doing so shall give notice to the Democracy Manager of the change in representation.
10. In the event that any local authority elected member resigns from the Board or is removed from the Board, steps shall immediately be taken to nominate and appoint a replacement member to the Board.

Notice of Meetings, Publication of Agenda Papers and Public Access

11. Agenda papers for Board meetings will be made publicly available by publication on the Council's website at least 5 clear working days before each meeting.
12. Exclusion of the public from meetings will only apply where reports containing exempt information as defined in Schedule 12A to the Local Government Act 1972 are to be considered.

Application of Code of Conduct and Disclosures of Interest

13. All Board members must observe the Code of Conduct and disclosure of pecuniary interest provisions, required by Part 1 of Chapter 7 of the Localism Act 2011.
14. The Code to apply to members of the Health and Wellbeing Board is the Code of Conduct for Members of Luton Borough Council. This sets out the rules by which members should register and disclose pecuniary interest and to observe the seven 'Nolan' principles of standards in public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Rules of Procedure

15. The Council shall determine the rules of procedure to apply to the Board as set out at Part Two below.

Validity of Proceedings

16. The validity of proceedings of the Board shall not be affected by a vacancy in the membership of the Board or any defect in a Board member's appointment.

PART TWO – PROCEDURE RULES

General

1. These procedure rules ('the rules') are made by the Council to apply to the Luton Health and Wellbeing Board ('the Board') pursuant to Section 194 of the Health and Social Care Act 2012 ('the Act').
2. The Board will operate in accordance with the rules. The rules should be read in conjunction with the Board Arrangements.
3. The rules may only be amended at the annual meeting of the Council. Written notice of any proposed amendment will require written notice to the Chair of the Board and the Democracy team not less than 20 working days prior to the Annual Council meeting agenda despatch. No amendment may be considered that does not comply with the Act, relevant Regulations or other relevant local authority law or statutory guidance.
4. In the event of any conflict or interpretation between the rules and any legal requirements, the legal requirements will prevail.

Chair and Vice-Chair of the Board

5. The Chair of the Board shall be the Executive Leader of the Council.
6. The Vice-Chair will be appointed at the first meeting of the Board in each municipal year and will be drawn from amongst the local authority members on the Board.
7. The Vice-Chair will preside in the absence of the Chair of the Board. If neither are present, the Board will elect a Chair from amongst the remaining local authority members represented on the Board, for that meeting only.

Meetings of the Board

8. All meetings of the Health and Wellbeing Board shall be convened by the Democracy Manager.
9. There shall be a minimum of four ordinary meetings of the Board held in public in each municipal year to carry out the functions of the Board. In addition extraordinary meetings may be called from time to time if business requires it.
10. The Board shall meet on such dates and at such times as may be determined by the Council at the annual meeting but the Board, or in the case of urgency the Chair of the Board, may vary the dates and times of those meetings if required.
11. The Chair of the Board may cancel a meeting on the grounds that there is insufficient business to justify a meeting, unless there is business that by law must be transacted at the meeting.
12. An extraordinary meeting may be called by:

- the Board Chair giving notice to the Democracy Manager , or
 - Four members of the board giving notice in writing to the Board Chair and the Democracy Manager
13. Such notice to be given not later than 15 working days before the date on which the meeting is required to be held.

Substitute Members

14. A Member of the Health and Wellbeing Board who is unable to attend a meeting of the Board may nominate another person ('the substitute member') to attend in his/her stead provided that:
- (a) the Member notifies the Democracy Manager of the name of their substitute member no later than the start of the meeting and
 - (b) the substitute member is eligible to be a member of the Board.
15. The substitute member will be deemed to be eligible to be a member of the Board if they are listed in the pool of named substitutes for the member(s) they are substituting for.
16. No more than five substitute members may attend any meeting, to ensure that a quorum is present.
17. Where a Member of the Health and Wellbeing Board nominates a substitute member under Rule 14 above, then for the duration of the meeting concerned the substitute member will be deemed to be a member of the Health and Wellbeing Board with full voting rights as if appointed to the Board and the original member shall be deemed to cease to be a member for the same period.
18. In order to maintain continuity of business, all named substitutes will be sent papers for every meeting of the Board and invited to attend meetings in an observer capacity.

Quorum

19. A meeting of the Health and Wellbeing Board cannot take place unless at least seven properly appointed voting members are present in person.

Voting

20. Every member of the Board shall have equal voting rights and all Board members may vote in proceedings of the Board.
21. Voting will be by a show of hands and by simple majority unless the law requires otherwise.
22. The Chair will have a casting vote.

Work programme

23. The Board will be responsible for setting its own work programme taking into account the requirement to properly undertake its functions and responsibilities as set out in the Act and Regulations made thereunder.
24. In setting the work programme the Board will take into account the wishes of its members.
25. The work programme must include the functions described in the Terms of Reference of the Board.

Board Agenda Items

26. Any member of the Board shall be entitled to give notice to the Democracy Manager that (s)he wishes an item relevant to the functions of the Board to be included on the agenda for the next available meeting of the Board, provided such notice is received by the Democracy Manager no later than 10 clear working days before the date of the Board meeting.

Attendance by Others

27. The Board may invite people to address it, to discuss issues pertinent to the work of the Board. This may, for example, include local authority officers, other public sector officers, residents, stakeholders or Councillors who are not members of the Board.

Sub-Committees

28. Subject to the provisions of the relevant legislation and Regulations, the Board may establish a Sub-Committee to discharge any of its functions delegated to it.
29. The arrangements and procedure rules to apply to the Health and Wellbeing Board will apply to any Sub-Committees established by it.

PART THREE – TERMS OF REFERENCE

Purpose

The Health and Wellbeing Board will:

1. provide local accountability for improved health and wellbeing and health equality outcomes for the population of Luton and
2. promote integration and partnership working between the NHS and local government, as well as promoting joint working with commissioners and providers of services that impact on wider health determinants.

Functions

The Health and Wellbeing Board will:

1. assess the needs of the local population and lead the Statutory Joint Strategic Needs Assessment
2. promote integration and partnership across areas including through promoting joined up commissioning plans across the NHS, Social Care and Public Health by ensuring a co-ordinated approach
3. support strategic planning and joint commissioning and publish a Joint Health and Wellbeing Strategy
4. contribute to the developments of Health and Wellbeing services in Luton which may arise as a result of changes in Government policy and relevant legislation
5. respond and contribute to developments in wider partnership arrangements through the Luton Forum in addition to the groups that contribute to health and wellbeing and
6. work with the Scrutiny Health and Social Care Review Group to ensure that appropriate issues are considered by Scrutiny and reported to the Health and Wellbeing Board.