

## **Terms of Reference for the Southampton Health & Wellbeing Board (as shown in Southampton City Council Constitution)**

### **Terms Of Reference For Health & Wellbeing Board**

#### General

- a. The Health & Wellbeing Board is a committee of the Council under S102 (1) of the Local Government Act 1972.
- b. The Council has arranged under S101 of that Act for the discharge by the Board of such functions as are set out in the terms of reference set out below.
- c. Certain functions under S196 (2) of the Health and Social Care Act 2012 may be delegated by the Board to officers. Full details may be found in the Officer's Scheme of Delegation which may be obtained from the Scrutiny Manager. Other matters falling within these Terms of Reference may be delegated to a Sub Committee of the Board.
- d. Where a function or matter within the Board's competence has been delegated to an officer or a sub-committee, the Board may exercise that function/matter concurrently with the officer to whom it has been delegated.
- e. The exercise of any function or matter within the Council's competencies always subject to any relevant requirement of the Council's Constitution including any Special Procedure and Protocol drawn up and approved by the Director of Legal and Governance in pursuance of Council Procedure Rule 26.2. A Special Procedure giving effect to The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 has been approved in accordance with Council Procedure Rule 26.2. The Special Procedure disapplies the provisions of the Local Government and Housing Act 1989 relating to the political proportionality on committees and sub-committees and providing that a person who is a member of the Board shall not be treated as a non-voting member unless the full Council directs otherwise, together with other voting and ancillary matters

has been approved in accordance with Council Procedure Rule 26.2.

## Terms Of Reference

The Board shall:

1. Meet Section 194 (2) (a) of the Health and Social Care Act 2012 which requires that the minimum membership of the Health and Wellbeing Board shall be:
  - Elected member lead for Health & Social Care (Chair);
  - Clinical Director for Southampton (representative of Hampshire, Southampton and Isle of Wight Clinical Commissioning Group), or nominated deputy;
  - Opposition member lead for Health & Social care;
  - Three additional Councillors appointed by Council under the rule of proportionality;
  - Executive Director Children & Learning;
  - Executive Director Community Wellbeing;
  - Director of Public Health;
  - Healthwatch representative, or nominated deputy;
  - Local mental health clinician;
  - Local Paediatrician with knowledge of the Community;
  - Chief Medical Officer at University Hospital Southampton NHS Foundation Trust;
  - SCC Clinical Director for Quality and Integration.

The actual membership and composition of the Board will be determined by Council and reviewed on an annual basis.

2. Appoint such sub-committees, working groups or time limited groups as it considers appropriate to fulfil the Health and Wellbeing functions on behalf of the Council.
3. For the purpose of advancing the health and wellbeing of the people in its area; encourage persons who arrange for the

provision of any health or social care services in that area to work in an integrated manner.

4. Provide such advice, assistance or other support as it thinks appropriate for the purpose of encouraging the making of arrangements under S75 of the National Health Service Act 2006 in connection with the provision of such services.
5. Encourage persons who arrange for the provision of any health related services in its areas to work closely with the Health and Wellbeing Board.
6. Encourage persons who arrange for the provision of any health or social care services in its areas and persons who arrange for the provision of any health related services in its area to work closely together.
7. 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.
8. Exercise any functions that are exercisable by the Authority to promote or advance health and wellbeing not otherwise reserved to Council or the Executive.
9. Provide opinion on whether the Local Authority is discharging its duty under section 116B of the 2007 Act.
10. The functions referred to at 8 above do not apply to the functions of the Authority by virtue of Section 244 of the National Health Service Act 2006.