

MINUTES OF THE CONSTITUTION WORKING PARTY

Thursday, 14 March 2013 at 6.00 pm

PRESENT: Councillors Obajimi Adefiranye, Kevin Bonavia, David Britton, Damien Egan, Alan Hall, Stella Jeffrey and Philip Peake.

Apologies for absence were received from Councillor Jenni Clutten and Councillor Susan Wise

19. Declaration of interests

None made.

20. Minutes

RESOLVED that the Minutes of the meeting of the Constitution Working Party held on September 6 2012 be confirmed and signed.

21. Constitutional Update

This item was introduced by the Head of Law, who tabled an additional document adding a required paragraph to the membership of the Health and Well Being Board confirming the requirement to appoint a representative of the NHS Commissioning Board for the purpose of participating in the preparation of Joint Strategic Needs Assessments and the development of joint Health and Wellbeing Strategies and to join the Board for matters relating to the exercise of the NHS Commissioning Board's commissioning functions in relation to the area if it is requested to do so by the Board.

Director of Public Health

The Chair queried whether the Secretary of State still had a role in the appointment of a Director of Public Health and the Head of Law confirmed the shortlist for this post would be drawn up by the Department of Health.

Health Scrutiny

The Head of Law confirmed the status quo for Health Scrutiny would continue with the exception that referrals to the Secretary of State had to be agreed by the Council.

Public Services (Social Value) Act 2012

Councillor Jeffrey asked why the precise figure of £173,934 was chosen and was informed this was the sterling equivalent of 200,000 euros.

Health & Safety

The Head of Law confirmed her written advice that Health & Safety matters relating to the Council as an employer were not within the purview of the Council's Health & Safety Committee. Given that, Councillor Jeffrey questioned the need for quarterly meetings of that body. The Chair suggested there should be a review of all statutory and executive committees which looked at options available with a view to introducing a streamlined shape at the start of the 2014 administration.

Health and Well Being Board

Following detailed debate, the Working Party agreed to make the proposals shown in the first recommendation below to Council in respect of the Health & Wellbeing Board.

The Working Party agreed that it would not be appropriate for unelected Council officers to be voting members of the Health & Wellbeing Board. Similarly the Working Party also believed paid officials of other organisations should not be voting members of the Health & Wellbeing Board. However if organisations appointed their Chair or member of their governing body or equivalent, then they should be entitled to vote.

The Working Party agreed the Council should appoint two representatives of the voluntary sector who would have voting rights.

The Working Party further agreed the quorum for a meeting of the Health & Wellbeing Board should be three voting members to include one councillor or the Mayor and one representative of a health organisation.

The Working Party asked that all the suggested arrangements be reviewed within the next year. The Chair added that he would welcome feedback from the Health & Wellbeing Board on the governance arrangements which were being introduced.

RESOLVED that

(a) the membership of the Health & Wellbeing Board should be:

(i) The Mayor and such councillors as he appoints
(ii) The Executive Director of Community Services
(iii) The Executive Director of Children & Young People
(iv) The Director of Public Health
(v) The Representative of the Local Healthwatch
(vi) The Representative of the Local CCG
(vii) The representative of the NHS Commissioning Board
(viii) Such others as the Council may appoint.

(b) Council officers should not be voting members of the Health & Wellbeing Board.

(c) Paid officials of other organisations should not be voting members of the Health & Wellbeing Board;

(d) Two representatives of the voluntary sector with voting rights be appointed by the Council;

(e) The quorum for a meeting of the Health & Wellbeing Board should be three voting members to include one councillor or the Mayor and one representative of a health organisation;

(f) arrangements be reviewed within the next year and be the subject of consultation with the Health & Wellbeing Board;

(g) there be a review of all statutory and executive committees with a view to agreeing any amended arrangements prior to the start of the 2014 administration.