



Report Number: TDR/TSP/12/2011

Establishment of Shadow Health and Wellbeing Board and Changes to Commissioning Architecture

Report to Torbay Strategic Partnership circulated under the 10 day rule on 14 April 2011

1. What are we trying to achieve for our communities?

- 1.1 Improved health and wellbeing with the Health and Wellbeing Board performing the dual role of being part of the Torbay Strategic Partnership commissioning architecture as well as testing councillors' role in what will become a part of the executive structure of Torbay Council during 2011-12.
- 1.2 A streamlined architecture to support the outcomes of the refreshed Community Plan.

2. Relationship to Community Plan

- 2.1 The Torbay Strategic Partnership and its commissioning architecture delivers the various aims and objectives of the Community Plan.

3. Recommendation for decision

- 3.1 That the proposed establishment of a Shadow Health and Wellbeing Board by Torbay Council in May 2011 be noted.
- 3.2 That the number of meetings of the Torbay Strategic Partnership be reduced from six per year to three per year with the Shadow Health and Wellbeing Board meeting three times per year.
- 3.3 That the role of the TSP Executive be amended to mirror this separation with alternative meetings to support development of the public agenda and to cover the management and delivery of the Shadow Health and Wellbeing Board agenda.
- 3.4 That the commissioning architecture of the Torbay Strategic Partnership, for 2011/2012, be as shown in Appendix 1.
- 3.5 That further discussions take place over the course of 2011/2012 in relation to possible further refinements to the architecture, in particular:
 - Examining Children's Trust arrangements and potential overlap with the Health and Wellbeing Board's remit.
 - Regional developments of Community Safety Partnership/Police Commissioner/Police and Crime Panel.

- Sub-regional Local Economic Partnership and how local accountability for economic development is working.
- Adult and children's safeguarding groups continue to be a key part of delivering good outcomes for adults and children and further debate takes place on their role in the light of changing national policy.

4. Background

- 4.1 At the meeting of the Torbay Strategic Partnership on 27 January 2011, consideration was given to Report TSP/3/11 on the outcome of a review of the Strategic Commissioning Partnerships and the need to establish a Health and Wellbeing Board.
- 4.2 It was agreed that the TSP supported Torbay becoming an early adopter of the Health and Wellbeing Board and that a workshop session be held to consider the details of the structure of the Torbay Strategic Partnership, including the Health and Wellbeing Board and any sub-groups and their responsibilities taking account of emerging local and national policies.
- 4.3 A workshop was held on 1 March 2011 with representatives from a range of partner organisations attending sessions covering the membership and functions of the Health and Wellbeing Board, the Health and Wellbeing Strategy and accountability and user involvement.
- 4.4 Taking account of the views expressed at the workshop and the Council's subsequent acceptance as an "early implementer" for the Health and Wellbeing Board, it is proposed that a Shadow Health and Wellbeing Board be established by the Council from May 2011. At this stage it will have no formal decision making powers as it would be premature to establish it as a committee of the Council when the Bill is not yet law and the relevant Regulations have not been published. (It is proposed that the Shadow Board be appointed despite the Government's recent announcement that it has launched a "listening exercise" on NHS modernisation.)
- 4.5 The Shadow Health and Wellbeing Board will be comprised of:
 Four councillors (politically balanced) (including the Mayor if he/she wishes) plus a number of 'proper officer roles' i.e.:
- Director of Adult Social Services
 - Director of Children's Services
 - Director of Public Health
 - Chair (or representative) of LINK
 - Chair of Baywide GPCC
 - Representative of Devon Local Pharmaceutical Committee
 - Chief Executive (Torbay Council)
 - Deputy Chief Executive/Commissioner (Torbay Council) (for first year to support development)
- 4.6 In the interests of openness and transparency, meetings of the Shadow Health and Wellbeing Board will be held in public.

- 4.7 Acknowledging the current resource issues, it is proposed that the number of meetings of the Torbay Strategic Partnership be reduced from six per year to three per year. The Health and Wellbeing Board will meet three times per year. The proposed dates for these meetings are:

Torbay Strategic Partnership – 16 June, 15 September 2011 and 26 January 2012 (the meeting scheduled for 10 November has been cancelled)

Shadow Health and Wellbeing Board – 21 July, 20 October 2011 and 15 March 2012

- 4.8 The role of the TSP Executive will mirror this separation with alternative meetings to support development of the public agenda and to cover the management and delivery of the Health and Wellbeing Board agenda. There would probably need to be six meetings of the Executive per year (in May, July, August, November, December and February).
- 4.9 Possible agenda items for the Shadow Health and Wellbeing Board to support the outcomes as specified in the Community Plan and emerging health policy and statutory responsibilities are:

June: Visioning – What does each partner wish to achieve from the Health and Wellbeing Board?
Joint Strategic Needs Assessment – Challenge, critique, agree
Outline Health and Wellbeing Strategy – Agree next steps for development

October: Draft Health and Wellbeing Strategy
Pharmaceutical Needs Assessment – Possibly forming part of the Joint Strategic Needs Assessment

March: Statement on integration of health-related services and provision of health and social care services
Self-assessment (including feedback from LINK/Healthwatch)
Agreement of next steps

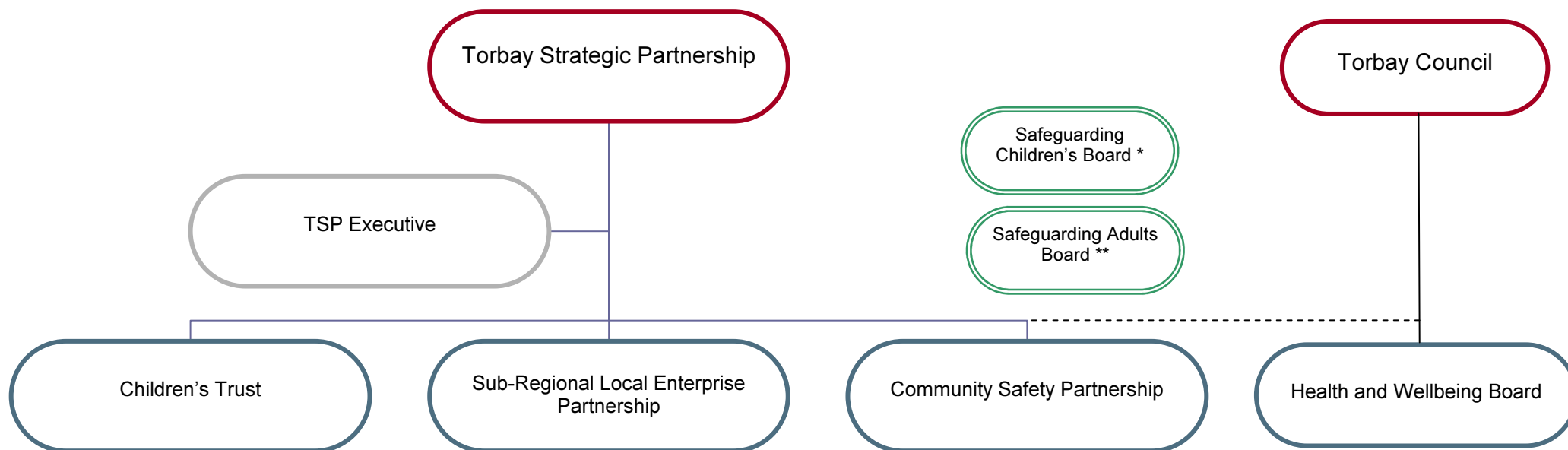
- 4.10 Reporting lines for the Shadow Health and Wellbeing Board will be flexible during its first year of operation ensuring that there is buy-in from both the Council and the Torbay Strategic Partnership. As a non-decision making body, these will not need to be formalised during this year which will enable the Council to take full account of emerging legislation, regulations and guidance.
- 4.11 In terms of accountability, the Overview and Scrutiny Board will continue to be able to hold the TSP and its partner organisations to account and this will be extended to the Shadow Health and Wellbeing Board. In practice, this will mean members of the Board having sight of agendas and minutes from both partnerships and being able to review or scrutinise any issues of concern.
- 4.12 Establishing a Shadow Health and Wellbeing Board to operate relatively informally over the course of 2011/2012 will enable ongoing discussions to be held between partner agencies about how other existing and emerging partnerships/bodies relate to the Health and Wellbeing Board, the TSP and each

other. As per previous TSP debates and decisions in principle the commissioning architecture for 2011-12 will include TSP Board; Health and Wellbeing Board; Children's Trust; Community Safety Partnership and Regional LEP (Local Enterprise Partnership) (as shown in Appendix 1). Strategic Commissioning Partnerships for Stronger Communities and Pride in the Bay will be stood down and outcomes in relation to these issues will be subsumed into the work of the Boards as outlined above.

4.13 In 2012-13 it may be that the architecture is further refined to support required outcomes in the Bay by:

- Examining Children's Trust arrangements and potential overlap with the Health and Wellbeing Board's remit.
- Regional developments of Community Safety Partnership/Police Commissioner/Police and Crime Panel.
- Sub-regional Local Economic Partnership and how local accountability for economic development is working.
- Adult and children's safeguarding groups continue to be a key part of delivering good outcomes for adults and children and further debate takes place on their role in the light of changing national policy.

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* The main functions of the Torbay Safeguarding Children's Board are to:

- develop policies and procedures for safeguarding and promoting the welfare of children
- communicate and raise awareness of the need to safeguard and promote the welfare of children
- monitor and evaluate the effectiveness of work done
- participate in planning and commissioning services of children
- collect and analyse information relating to child deaths
- undertake Serious Case Reviews (SCRs)
- scrutinise safeguarding activities undertaken by Children's Services and Board Members and partnership agencies.

** The terms of reference of the Torbay Safeguarding Adults Board are:

- The Board will determine multi agency policy for safeguarding adults from abuse. The Board will oversee a yearly review and update of the policy
- The Board will approve an annual report based on an audit of multi agency activity which will, in turn, be reported to Torbay Council Health and Wellbeing Scrutiny Board and Torbay NHS Care Trust Board.
- The Board shall ensure a multi agency training strategy is in place and commission an annual audit of training activity of all the statutory agencies.
- The Board shall determine an internal and public information strategy to be reported on in the annual report. The purpose of the strategy is to ensure that people working with Adults who maybe vulnerable to abuse and the public of Torbay are aware of the issues of Safeguarding Adults.
- The Board shall ensure appropriate service users and carer groups are involved in the development of the new policies and the service. Our work will champion the dignity of vulnerable people and will challenge discrimination.
- The Board shall determine and ensure appropriate resources are in place, (including; time, financial and workforce) for the delivery of the service in each statutory agency to ensure successful implementation of the policy. – continued overleaf

Appendix 1

- The Board shall commission and agree a format for an annual audit of Safeguarding Practice across all agencies represented on the Safeguarding Adults Board. This audit will include the patient/service user experience of safeguarding and a qualitative assessment of safeguarding outcomes.
- The Board will receive, scrutinise and disseminate learning from Serious Case Reviews. They will receive progress reports on the implementation of recommendations and receive a final report 12 months after the initial overview report has been published.
- The Board will agree a strategic business plan that is reviewed annually.