

Article 15 – Health and Wellbeing Board

(References: Health and Social Care Act 2012 and
The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013)

15.01 Establishment of the Health and Wellbeing Board

The Council will establish a Health and Wellbeing Board for its area. The Board will be a committee of the local authority.

15.02 Purpose of the Torbay Health and Wellbeing Board

To agree the long-term strategy for improving the health and wellbeing of the people of Torbay.

To oversee the implementation of the Joint Health and Wellbeing Strategy.

To promote integration throughout the health and wellbeing system to ensure delivery against the Board's priorities.

15.03 Membership of the Health and Wellbeing Board

(As set out in the Health and Social Care Act 2012)

(a) The Health and Wellbeing Board must include:

- At least one member of Torbay Council (nominated by the Leader of the Council)
- Director of Adults and Community Services
- Director of Children's Services
- Director of Public Health
- A representative of Healthwatch Torbay
- A representative of South Devon and Torbay Clinical Commissioning Group

(b) The Leader of the Council may be a member of the Board.

(c) The National Health Service Commissioning Board must appoint a representative to join the Health and Wellbeing Board for the purpose of participating in its preparation of the Joint Strategic Needs Assessment and the Health and Wellbeing Strategy.

(d) In considering a matter that relates to the exercise (or proposed exercise) of the commissioning functions of the NHS Commissioning Board within Torbay and if the Health and Wellbeing Board so requests, the NHS Commissioning Board must appoint a representative to join the Health and Wellbeing Board for the purpose of participating in its consideration of the matter.

(e) The person appointed under sections (c) and (d) above may, with the agreement of the Health and Wellbeing Board, be a person who is not a member or employee of the NHS Commissioning Board.

(f) After consultation with the Health and Wellbeing Board, Torbay Council may appoint such additional persons to be members of the Board as it thinks appropriate.

(g) The Health and Wellbeing Board may appoint such additional persons to be members of the Board as it thinks appropriate.

15.04 Functions of the Health and Wellbeing Board

- (a) For the purpose of advancing the health and wellbeing of the people (especially vulnerable children and adults) in its area, to encourage those who arrange for the provision of any health or social care services in the area to work in an integrated manner.
- (b) In particular, to provide such advice, assistance and support as it thinks appropriate for the purpose of encouraging the making of arrangements under Section 75 (Arrangements between NHS bodies and local authorities) of the National Health Service Act 2006 in connection with the provision of such services.
- (c) To encourage those who arrange for the provision of health-related services in its area to work closely with the Health and Wellbeing Board.
- (d) To encourage those who arrange for the provision of any health or social care services in its area and those who arrange for the provision of any health-related services in its area to work closely together.
- (e) To exercise the functions of Torbay Council and South Devon and Torbay Clinical Commissioning Group under sections 116 (Health and social care: joint strategic needs assessments) and 116A (Health and social care: joint health and wellbeing strategy) of the Local Government and Public Involvement in Health Act 2007, namely:
 - Preparation of a Joint Strategic Needs Assessment; and
 - Preparation of a Joint Health and Wellbeing Strategy
- (f) In accordance with regulations, to assess needs for pharmaceutical services in Torbay and publish a statement of its first assessment and of any revised assessment.
- (g) To give the Council its opinion on whether the local authority is discharging its duty under section 116B (Duty to have regard to assessments and strategies) of the Local Government and Public Involvement in Health Act 2007.
- (h) In accordance with Section 10 of the Children Act 2004, to exercise the statutory duty to promote co-operation between Torbay Council, its relevant partners and other partners or bodies as the Council considers appropriate, to improve the well-being of children in the area
- (i) In accordance with the “Working Together” Guidance, to consider the annual report of the Torbay Safeguarding Children’s Board.

15.05 Proceedings at the Health and Wellbeing Board

Meetings of the Health and Wellbeing Board will be held in accordance with the appropriate Standing Orders set out in Part 4 of Torbay Council’s Constitution.