

# **Standing Orders – Health and Wellbeing Board**

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## **Interpretation**

In applying these Standing Orders to meetings of the Health and Wellbeing Board and its sub-committees references to “members” refers to all members of the Health and Wellbeing Board irrespective whether they are elected councillors or not.

## **H1. Introduction**

H1.1 The Council will appoint a Health and Wellbeing Board in accordance with Article 16.

H1.2 The Board may appoint sub-committees. The Board and its sub-committees may appoint working groups.

## **H2. Membership**

H2.1 The composition of the Health and Wellbeing Board is set out in Part 3 of this Constitution.

H2.2 The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 disapply Sections 15 and 16 of the Local Government and Housing Act 1989. Therefore, the membership of the Health and Wellbeing Board does not need to reflect the political balance of the local authority.

## **H3. Chairman/Woman**

H3.1 The Annual Council meeting will elect/appoint a Chairman/woman and Vice-Chairman of the Health and Wellbeing Board for each Municipal Year from its members and voting co-opted members.

H3.2 In the absence of the Chairman/woman (and Vice-Chairman/woman, if appointed) at any meeting, a Chairman/woman for that meeting shall be elected.

H3.3 The person presiding at any meeting of the Board may exercise any power or duty of the Chairman/woman.

## **H4. Order of Business**

H4.1 The order of business at meetings of the Health and Wellbeing Board will be:

- (i) To elect a person to preside at the meeting, if the Chairman/woman and Vice-Chairman/woman is absent.
- (ii) To deal with any business required by statute to be dealt with before any other business.

- (iii) To approve as a correct record the minutes of the last meeting of the Board.
- (iv) To receive any declarations of interest from the members of the Board.
- (v) To deal with any business from the last meeting.

H4.2 Business falling under items (i), (ii) or (iii) in Standing Order 4.1 shall not be displaced although the remaining order of business may be varied by the Chairman/woman.  
**(This Standing Order may not be suspended)**

## **H5. Voting**

H5.1 Decisions at the Health and Wellbeing Board will be reached by consensus where possible.

H5.2 However, in the event that consensus cannot be reached, each member of the Board will have a single vote.

H5.3 If there are equal numbers of votes for and against, the Chairman/woman (if he/she is a member of the Board and whether or not he/she has voted) will have a casting vote. There will be no restriction on how the Chairman/woman chooses to exercise a casting vote.

If the Chairman/woman of the Board is a co-opted member, the Vice-chairman/woman (whether or not he/she has voted) will have the casting vote. There will be no restriction on how the Vice-chairman/woman chooses to exercise a casting vote.

(Standing Order H5.3 may not be suspended – Schedule 12 and Section 4 of the Local Government Act 1972)

H5.4 Standing Orders A18.1 and A18.3 – A18.6 in relation to Council Meetings also applies to meetings of the Health and Wellbeing Board.

## **H6. Substitutions and Permanent Changes in Membership**

H6.1 All members of the Board are asked to make every effort to attend meetings of the Board. This will provide consistency and thus effectiveness. However, it is acknowledged that in some circumstances members may not be able to attend and therefore the following standing orders apply in making substitutions.

H6.2 Substitutions of elected members are permitted subject to the requirement of Standing Order B2 in relation to Committee and Sub-committee Meetings.

H6.3 Substitutions of other members of the Board is permitted provided notice of the variation has been delivered to the Head of Governance Support before the commencement of the meeting or adjourned meeting. Substitutes should be of a sufficiently senior level to act on behalf of the permanent member.

H6.4 Substitutes shall be counted when determining whether a meeting is quorate.

H6.5 The Leader of the Council, the Clinical Commissioning Group, Healthwatch Torbay and the NHS Commissioning Board may change their representatives on the Board at any stage providing that written notification is supplied to the Head of Governance Support.

**H7. Quorum**

(The quorum is the minimum number of members necessary to conduct the business of the Board)

H7.1 A meeting of the Health and Wellbeing Board will be not be quorate unless at least four members of the Board are present.

**H8. Attendance at Board meetings**

H8.1 Any councillor may attend and speak at any meeting of the Health and Wellbeing Board, its sub-committees or working groups where they are not a member, unless those bodies resolve to suspend Standing Order H8.1 in whole or in part.

H8.2 The Health and Wellbeing Board (and its sub-committees or working groups) may invite any person(s) to attend and speak at its meetings (but the Health and Wellbeing Board (or its sub-committees) cannot require them to attend). In undertaking its work, the Health and Wellbeing Board, its sub-committees or working groups may seek the views of as many communities and interested parties as the body considers necessary to gain a balanced view

H8.3 For the avoidance of doubt Standing Order H8.1, shall not entitle any councillor (even if they are a member of that committee or sub-committee) to remain in the room during the consideration of any matter in relation to which he/she has a disclosable pecuniary interest as defined in the Code of Conduct for Members.

H8.4 Under no circumstances shall a councillor attending a meeting under this Standing Order H8.1 be entitled to propose or second motions (or amendments) or vote at the meeting.

H8.5 Standing Order A25 (Members' conduct) shall apply to councillors attending meetings under this Standing Order H8.

H8.6 A member's attendance under Standing Order H8 shall be recorded by the Clerk at the meeting. The official attendance record will be held in the minutes of the meeting.

**H9. Application of Standing Orders in relation to Council Meetings to meetings of the Health and Wellbeing Board**

H9.1 The following Standing Orders in relation to Council Meetings will apply to meetings of the Health and Wellbeing Board:

A3.....	Extraordinary Meetings
A4.....	Time, place and arrangement of meeting
A11.....	Duration of meeting
A14.....	Motions without notice
A18.....	Voting
A19 (except A19.2).....	Minutes
A20.....	Record of attendance
A21.....	Exclusion of public
A25.2-A25.6.....	Members' conduct
A26.....	Disturbance by members of the public
A27.....	Use of cameras and tape and video recorders
A28.....	Prohibition of smoking, alcohol and drugs at meetings
A29.....	Suspension and amendment of Standing Orders
A30.....	Interpretation

H9.2 In applying these Standing Orders to meetings of the Health and Wellbeing Board and its sub-committees references to “the Council” shall be deemed to be references to “the Board” (or “the sub-committee”, as appropriate) and references to the Chairman/woman of the Council and/or Vice-chairman/woman of the Council shall be deemed to be references to the “Chairman/woman of the Board/sub-committee” and/or “Vice-chairman/woman of the Board/sub-committee.

**H10. Application of Standing Orders in relation to Access to Information to meetings of the Health and Wellbeing Board**

H10.1 The following Standing Orders in relation to Access to Information will apply to meetings of the Health and Wellbeing Board:

E1.....	Scope
E2.....	Additional rights to information
E3.....	Rights to attend meetings
E4.....	Notices of meeting
E5.....	Access to agenda and reports before and during a meeting
E6.....	Supply of copies
E7.....	Access to information after a decision has been made
E8.....	Background papers
E9.....	Summary of public's rights
E10.....	Exclusion of access by the public to meetings
E11.....	Exclusion of access by the public to reports
E21.....	Access to information – members

**H11. Application of the Code of Conduct for Members to the Health and Wellbeing Board**

H11.1 The Code of Conduct for Members applies to all members of the Health and Wellbeing Board.