

REPORT OF THE
Cabinet
PART I

1. HEALTH AND SOCIAL CARE ACT 2012: ESTABLISHMENT OF A HEALTH AND WELLBEING BOARD FOR HAMPSHIRE AND AMENDMENTS TO THE TERMS OF REFERENCE OF THE HEALTH (OVERVIEW AND SCRUTINY) COMMITTEE

1. By virtue of the Health and Social Care Act 2012 ('the Health and Social Care Act'), the County Council is required to establish a Health and Wellbeing Board ('HWBB'). A HWBB is a usual Committee of the County Council, but with more flexibility in terms of formal governance than is normally the case with a County Council Committee in respect of proportionality, membership and voting rights.

2. Changes are also introduced regarding the operation of the County Council's Health Scrutiny function as a consequence of the Health and Social Care Act and the Local Authority (Public Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 ('the Health Regulations'). By virtue of the legislative changes there is no longer a requirement for the County Council to have a dedicated Health (Overview and Scrutiny) Committee. The County Council's Health Scrutiny function can now be reserved to full Council, delegated to another Committee of the County Council, or can continued to be exercised by a dedicated Health (Overview and Scrutiny) Committee.

3. In addition changes are introduced by the Health Regulations around consultation and reporting to the Secretary of State, where the County Council is not in agreement with a proposal for significant change or variation of the health arrangements in Hampshire being required.

4. A report on the legislative changes introduced by the Health and Social Care Act and the Health Regulations was considered by Cabinet on 24 June 2012. A copy of the report presented to Cabinet including the recommendations of Cabinet is attached as an Annex to this report.

5. The purpose of this report is to present the Cabinet report to the County Council, and to seek the approval of the County Council to the recommendations of Cabinet set out in the report, and consequential changes to the Constitution.

RECOMMENDATION

That the County Council:

- (a) Approves the establishment of the HWBB and terms of reference of the HWBB, as set out at Appendix 1 of the Cabinet report.
- (b) Agrees the delegation of the County Council's Health Scrutiny function to the Health (Overview and Scrutiny) Committee (subject to review within twelve months), and the revised terms of reference of the Health (Overview and Scrutiny) Committee, as set out at Appendix 2 of the Cabinet Report.
- (c) Delegates authority to the Head of Governance to amend the Constitution to give effect to the Recommendations at (a) and (b).