

## **Informal Shadow Oxfordshire Health & Wellbeing Board 22 March 2012**

### **Overview of the new and emerging powers and duties of the Health & Wellbeing Board.**

#### **Summary**

This paper sets out the latest information from guidance and policy documents published in the last 2 months. This covers the expanding remit of Health and Wellbeing Boards, the Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy. This information will have relevance to developing role of the Health and Wellbeing Board in Oxfordshire.

#### **The expanding remit of the Health and Wellbeing Board (H&WB)**

The remit of the health and well-being Board is increasing with each successive document emanating from central government. A summary of powers and duties of Local Authorities and NHS organisations is included at annex 1.

The main points are:

- Local authority led H&WBs are increasingly seen as the overseer of health in counties across England - rather like a local 'Ministry of Health and Wellbeing' with the chair acting as Minister.
- The basic function of the H&WB is to set a strategic direction for health, well-being and social care across a patch, pulling together the efforts of local government the NHS and the new Healthwatch organisations.
- H&WBs are also increasingly seen as a means to hold Clinical Commissioning Groups to account for delivery of a strategic plan and to take a view on the fitness of the local Clinical Commissioning Group to carry out its functions.
- The H&WB is also accountable for delivering the JSNA. The JSNA will pull together a very wide range of local information on health and the factors underpinning health and will use it to formulate strategic priorities for action in the County. The JSNA is now the joint responsibility of the Local Authority and the Clinical Commissioning Group
- The JSNA will become a driving force in health and social care planning. It needs to be refreshed by March 2012 and completely overhauled by March 2013.
- The H&WB is also accountable for producing a health and well-being strategy. This is again a joint effort between local government and Clinical Commissioning Groups. Priority setting for a first health and well-being strategy for Oxfordshire is currently underway and the first strategy will be prepared to influence strategic priority setting in the County Council and the Clinical Commissioning Group later in 2012.

## HWB7

- Local Authorities are being encouraged to delegate functions and budgets to H&WBs where they feel this is appropriate so as to drive forward the integration of health and social care and tackle the broader determinants of health such as housing issues.

In summary, the H&WB is becoming an increasingly powerful body in overseeing the health of this population. We are confident that our local H&WB arrangements are fit for purpose and the 4 supporting Partnership Boards give a depth and a practicality to this work that is lacking in other counties.

## **Annex 1 - roles and responsibilities for local government, clinical commissioning groups and other agencies in delivering health and well-being boards, JSNAs and health and well-being strategies**

Taken from 'JSNAs and joint Health and Wellbeing Strategies – draft guidance' (published January 2012)

### **Summary of responsibilities**

#### **1. Health and Wellbeing Boards**

##### **a. Establishment of the H&WB Board**

- Power to appoint additional Board members
- Power to exercise functions jointly with other H&WB Board(s)

##### **b. Functions of Board**

- Power to request information to enable or assist its functions, from the Local Authority or any H&WB Board members or representatives
- Duty to prepare JSNA
- Duty to involve third parties in preparation of JSNA and JHWS – Healthwatch, people living or working in the area, District councils
- Power to consult anyone appropriate in producing JSNA
- Duty to prepare JHWS
- Duty to go consider NHS Commissioning Board mandate and statutory guidance in developing JSNA and JHWS
- Duty to consider Health Act flexibilities in producing JHWS
- Power to state views on how commissioning of Health and Social Care services, and wider health related services could be more closely integrated (within JHWS)

##### **c. Associated functions**

- Duty to promote integrated working between commissioners and using health act flexibilities (like pooled budgets and lead commissioning)
- Power to encourage integrated working across wider determinants of health

##### **d. Ensuring alignment of commissioning plans**

- Duty to be involved in preparing or revising CCG commissioning plan
- Duty to provide an opinion on whether it has taken account of the JHWS.
- Power to write to NHS Commissioning Board (NHSCB) with that opinion on CCG commissioning plan (copy to CCG).
- Power to give an opinion to NHS CB on final published plan
- Duty to review how well the CCG commissioning plan has contributed to the delivery of the JHWS

- Duty to give a view on how well the CCG has contributed to the delivery of the JHWS as part of annual performance assessment of CCG

## **2. Clinical Commissioning Group**

### **a. Establishment of H&WB Board**

- Duty to send representative to H&WB Board

### **b. Functions of H&WB Board**

- Duty to cooperate with H&WB Board in exercise of its functions
- Duty to provide information when requested by H&WB Board to enable or assist its functions
- Duty to prepare JSNA for local authority area (equal duty of all partners)
- Duty to prepare JHWS for local authority area

### **c. Other associated functions**

- Duty to have regard for JSNA and JHWS in exercise of relevant commissioning functions

### **d. Ensuring alignment of commissioning plans**

- Duty to involve H&WB Board in preparing or revising the commissioning plan, including consulting on whether it has taken proper account of JHWS
- Duty to include statement of the final opinion of the H&WB Board in the published commissioning plan
- Duty to review how well the commissioning plan has contributed to the delivery of the JHWS and to seek opinion of H&WB Board on this.

### **e. Other duties, contributed through JSNA and JHWS**

- Duty to exercise functions with a view to scrutinising continuous improvement in quality of services
- Duty to act with a view to secure continuous improvement in outcomes achieved
- Duty to exercise functions with regard to need to reduce inequalities between patients in outcomes and access to services
- Duty to promote the involvement of patients, their carers and reps in decisions about provision of health services
- Duty to promote innovation in the provision of health services
- Duty to exercise functions with a view to securing integration in the provision of health services, H&SC services, to improve quality of patient services or reduce inequalities between patients in outcomes or access to services

## **3. Local Authorities**

### **a. Establishment of H&WB Board**

- Duty to send representative to H&WB Board

- Power to appoint additional members to the Board as appropriate (in initial set up only)

**b. Functions of H&WB Board**

- Duty to provide information when requested by H&WB Board to enable or assist its functions
- Duty to prepare JSNA for local authority area (equal duty of all partners)
- Duty to prepare JHWS for local authority area
- Duty to publish JSNA
- Duty to publish JHWS

**c. Other associated functions**

- Duty to have regard for JSNA and JHWS in exercise of relevant commissioning functions
- Power to delegate any local authority function (except scrutiny) to the H&WB Board

**4. NHS Commissioning Board**

**a. Establishment of H&WB Board**

- Duty to send representative to H&WB Board when requested (not a permanent member)

**b. Functions of H&WB Board**

- Duty to provide information when requested by H&WB Board to enable or assist its functions
- Duty to participate in preparation of JSNA for local authority area (equal duty of all partners)
- Duty to participate in preparation of JHWS for local authority area

**c. Other associated functions**

- Duty to have regard for JSNA and JHWS in exercise of relevant commissioning functions

**5. Local Healthwatch**

**a. Establishment of H&WB Board**

- Duty to send representative to H&WB Board

**b. Functions of H&WB Board**

- Duty to provide information when requested by H&WB Board to enable or assist its functions

**c. Ensuring alignment of commissioning plans**

- Duty to get a view on how well the CCG has contributed to the delivery of the JHWS as part of annual performance assessment of CCG.