
Changes to the Constitution: Fire & Rescue Service BPG, voting rights of co-opted members, name of the Pensions Panel and terms of reference of the Health and Wellbeing Board

Fire & Rescue Service Business Planning Group

- 1** Scrutiny committees have business planning groups (BPGs) to enable a smaller group of committee members to undertake planning working to ensure that committee meetings can conduct scrutiny in the most effective manner.
- 2** The new Fire and Rescue Services Scrutiny Committee has seven members and an expectation that it will meet four times a year. Setting up a BPG with five of the seven members to meet three times a year seems disproportionate. As the Committee's remit is very specific to a single service area it is suggested that work planning can be done at meetings of the committee. It is therefore proposed that the requirement for the Fire and Rescue Service Scrutiny Committee to have a BPG should be removed from the Scheme of Delegation and a minor amendment be made to Standing Orders, as **set out at Appendix A**.

Recommended

- (1)** That the removal of the requirement for the Fire & Rescue Service Scrutiny Committee to have a BPG, as set out in Appendix A, be approved.

Voting rights of co-opted members

- 3** The second proposal is to clarify the voting rights of co-opted members on the Health and Adult Social Care Scrutiny Committee and Children and Young People's Services Scrutiny Committee. This is in line with the provisions for them to vote on health and education matters respectively as set out in the Health Scrutiny Regulations 2013 in respect of Health and the Local Government Act 2000 in respect of education. This is reflected in the quorum for the committees but would be clearer if shown explicitly. A proposed change to the constitution of the committees is **set out at Appendix A**.

Recommended

- (2)** That the changes to the constitutions of the Health and Adult Social Care and Children and Young People's Services Scrutiny Committees, as set out at Appendix A, be approved.

Pensions Panel

- 4** It is proposed that the name of the Pensions Panel should be changed to the 'Pensions Committee'. This is in response to member comments that the current name implies that it is advisory rather than decision-making. No change is proposed to the terms of reference or to its status as a sub-committee of the Governance Committee.

Recommended

- (3)** That the name of the Pensions Panel be changed to the 'Pensions Committee'.

Health and Well Being Board terms of reference

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- 5 The new Joint Health and Wellbeing Strategy (JHWS) strategy for 2019-24, sets out the Board's vision and was adopted at its meeting on 25 April 2019.
 - 6 The terms of reference were last updated on 9 September 2019. This allowed the Board to review its content, when required, to ensure the Board remains able to respond to changes affecting partners and partnership arrangements.
 - 7 Currently NHS members are the Clinical Commissioning Groups (CCGs) as commissioners and the Sussex Community NHS Foundation Trust (SCFT) and Sussex Partnership NHS Foundation Trust (SPFT) as providers. The Board is keen to revise the current terms of reference to add representation from the two acute trusts serving the residents of West Sussex: Western Hospitals NHS Foundation Trust (WSHFT) and Surrey and Sussex Healthcare NHS Trust (SaSH) and to recognise the reconfigured CCGs.
 - 8 The Board agreed that a representative from WSHFT and SaSH be added to the proposed terms of reference at its meeting on 30 January 2020.
 - 9 The changes to note are:
 - The addition of a representatives from each of Western Hospitals NHS Foundation Trust (WSHFT) and Surrey and Sussex Healthcare NHS Trust (SaSH); and
 - following CCG reconstitution, to replace the three existing CCGs with the newly formed West Sussex CCG, with effect from 1 April 2020.
 - 10 It is therefore proposed that the Health and Wellbeing Board's revised terms of reference, as set out at Appendix B, be approved for inclusion in the County Council's Constitution.

Recommended

- (4) That the revised terms of reference for the West Sussex Health and Wellbeing Board, as set out in the Appendix B, be approved.

Janet Duncton

Chairman of Governance Committee

Contact Officer: Charles Gauntlett 033 022 22524

Appendices

- Appendix A – Changes to the Constitution
- Appendix B – terms of reference of the Health and Wellbeing Board

Background papers: None

Agreed:

Name: Cllr Janet Duncton

Title: Chairman of the County Council

Date: 22 May 2020



Action authorised:

Name: Tony Kershaw

Title: Director of Law and Assurance

Date: 22 May 2020



Changes to the Constitution

(additions shown in bold, italic text, deletions struck through)

Extracts from Part 3 – Responsibility for Functions

Appendix 8 – Scrutiny Committees

Business Planning Groups

Each Scrutiny Committee, ***except for the Fire and Rescue Service Scrutiny Committee***, shall have a Business Planning Group comprising the Chairman and Vice-Chairman of that Committee and three other members. Two of the five members shall be minority group members. The Chairman of the Scrutiny Committee shall be the chairman of the Business Planning Group and the Vice-Chairman of the Scrutiny Committee shall be the vice-chairman of the Group.

The Business Planning Group shall oversee the planning of the Committee's business and may identify issues of common interest to other Scrutiny Committees. It may do this by acting jointly with the Business Planning Group of another Scrutiny Committee. In doing this, the Business Planning Group will use the '[Scrutiny Business Planning Guide and Checklist](#)'.

The Business Planning Group(s) shall discuss with the relevant Cabinet Member(s) the need for any referral by the Cabinet Member to the Committee for the undertaking of work relating to the planning of services or their commissioning. In such circumstances, the Business Planning Group shall decide its terms of reference in discussion with the Cabinet Member(s).

The Business Planning Group shall have responsibility for deciding whether an area of work is considered by a Task and Finish Group. The Business Planning Group is responsible for deciding to establish a Task and Finish Group and for defining its outline terms of reference. ***The Fire and Rescue Service Scrutiny Committee will carry out the establishment of Task and Finish Groups itself.***

Appendix 8B – Health and Adult Social Care Scrutiny Committee

Constitution

12 members of the County Council and seven members comprising one from each of the borough and district councils (voting ***on health matters only***) and one Local HealthWatch representative (non-voting). Quorum on health matters is five members. Quorum on adult social care matters is three members of the County Council.

Appendix 8C – Children and Young People's Services Scrutiny Committee

Constitution

12 members of the County Council and four nominated members (voting ***on education matters only***). Quorum on education matters is four. Quorum on social care matters is three members of the County Council.

Extract from Part 4, Section 1 – Standing Orders

8.15 Other items of work can be received in the following ways during the year and, in deciding to accept an item for scrutiny or preview, the ***Committee or its***

Business Planning Group (BPG) will consider whether it has been covered sufficiently in another forum and what added value the Scrutiny Committee could bring:

- 8.16 Where work relates to the remit of more than one scrutiny committee (i.e. cross-cutting work) a task and finish group will be established to undertake the work. The outline terms of reference and reporting lines of the Task and Finish Group will be agreed by the relevant scrutiny committee **or its** BPGs co-ordinated by the relevant scrutiny committee chairmen.
- 8.23 On completion of a major piece of work, such as by a scrutiny task and finish group, a report will be submitted to the Committee or direct to the Cabinet Member as agreed by the **Committee or its** BPG.

West Sussex Health and Wellbeing Board

(changes shown in bold, italic text with deletions struck through)

Purpose of the West Sussex Health and Wellbeing Board

Health and Wellbeing Boards are central to the objective of an integrated approach to health and social care.

Established and hosted by local authorities, health and wellbeing boards bring together the NHS, Public Health, Adult Social Care and Children's Services, other partners, including elected representatives and Local Healthwatch to plan how best to meet the health and wellbeing needs of their local population and tackle local inequalities in health.

The West Sussex Health and Wellbeing Board (HWB) established under the Health and Social Care Act 2012 is a strategic board which brings together elected members, leaders from the NHS, local authorities, Voluntary Sector and other partners to work together to:

- Improve the health and wellbeing of the residents of West Sussex
- Reduce health inequalities of the residents of West Sussex
- Promote the integration of services in West Sussex

Members:

West Sussex County Council

- Cabinet Members whose portfolio responsibilities include:
 - Community Development
 - Health and Adults' Services
 - Children and Families

Note: the relevant Senior Adviser may attend in place of the Cabinet Member

- Directors with commissioning responsibility for:
 - Public Health
 - Adults' Services
 - Children's Services
 - Communities and Public Protection

West Sussex District and Borough Councils:

Three representatives, elected members or council officers, from different district and borough councils from the north and south of the county (representing both urban and rural areas) nominated by the districts and boroughs.

West Sussex Clinical Commissioning Groups (CCGs):

Two ~~One~~ senior clinical and one non-clinical representative. ~~from each of:~~

- ~~• NHS Coastal West Sussex CCG~~
- ~~• NHS Crawley CCG~~
- NHS Horsham and Mid-Sussex CCG

Voluntary Sector:

- Three representatives from the Voluntary Sector nominated by the Voluntary Sector through arrangements made by relevant organisations across the county, consisting of two voting representatives plus a non-voting 'open seat' to give expert/subject specialist advice to the two core members, as and when required.

Healthwatch

- One representative

NHS Providers one representative from each of:

- NHS Sussex Partnership Foundation Trust
- NHS Sussex Community Trust
- **Western Sussex Hospitals NHS Foundation Trust**
- **Surrey and Sussex Healthcare NHS Trust**

Observers with speaking rights (Non-Voting) one from each of:

- West Sussex Health and Adult Social Care Scrutiny Committee
- Sussex Police and Crime Commissioner or nominated representative
- Chairman of Safeguarding Adults Board (SAB)
- Chairman of Local Safeguarding Children's Partnership (LSCP)