

Report for:
ACTION

Item Number:

Contains Confidential or Exempt Information	NO
Title	Proposed changes to the council's constitution, in relation to the Health and Wellbeing Board
Responsible Officer(s)	Director of Legal and Democratic Services
Author(s)	Helen Harris
Portfolio(s)	Leader
For Consideration By	Full council
Date to be Considered	20 th July 2021
Implementation Date if Not Called In	Not applicable
Affected Wards	All
Keywords/Index	Constitution changes

Purpose of Report:

A report recommending changes to the council's constitution, relating to the Health and Wellbeing Board

1. Recommendations

That full council:

- 1.1 Considers the contents of this report,
- 1.2 Approves the changes to the constitution set out in the appendix,

2. Reason for Decision and Options Considered

The Director of Legal & Democratic Services (DLDS) is responsible for keeping the constitution under review and making recommendations for change as and when appropriate. The changes proposed in this report are an outcome of that ongoing review.

3. Key Implications

Health and Wellbeing Board (“HWB”)

Following a review of how the council operates, it is considered that cabinet portfolio holder membership and chair should be more flexible. The constitution currently specifies who should chair the HWB and which portfolio holders should be members of the HWB. Specifically, although the intention is that the HWB will be chaired by the portfolio holder for Healthy Lives, that does not need to be specified within the constitution. These changes will enable greater specialist focus to be applied to the Board.

Cabinet portfolio holder membership of the HWB will be fixed each year, at annual council.

4. Financial

The changes will not have any financial implications.

5. Legal

5.1 The Local Government Act 2000 (section 9P) requires that every council has a constitution. That constitution must contain:

- A copy of the council’s council and committee procedure rules (standing orders)
- A copy of the code of conduct for councillors
- Any information directed by the Secretary of State
- Any other information considered appropriate by the council

5.2 The constitution must be made available to the public. It is best practice to keep the constitution under review and therefore up to date; at Ealing that task is undertaken by the Director of Legal and Democratic Services, reporting to the Constitution Review Group and subsequently to full council.

5.3 The Health and Wellbeing Board was set up in accordance with the provisions of [section 194 of the Health and Social Care Act 2012](#).

5.4 Other legal implications are set out within the body of the report.

6. Value for Money

The proposals are designed to make the council operate more effectively and efficiently.

7. Sustainability Impact Appraisal

It is not envisaged that the proposals will have any sustainability impact. Accordingly, no formal appraisal has been carried out.

8. Risk Management

No issues.

9. Community Safety

No issues.

10. Links to the 3 Key Priorities for the Borough

The council's administration has three key priorities for Ealing. They are:

- Good, genuinely affordable homes
- Opportunities and living incomes
- A healthy and great place

11. Equalities, Human Rights and Community Cohesion

No issues.

12. Staffing/Workforce and Accommodation implications:

No implications.

13. Property and Assets

No implications.

14. Consultation

Any changes to the constitution must be advertised in advance and account taken of responses received.

15. Timetable for Implementation

The proposed changes will come into effect immediately following this meeting.

16. Appendix

Appendix: details of the constitution changes proposed

17. Background Information

[Ealing Council constitution](#)

Consultation

	Consultee	Date sent	Date response received	Paragraph in which comments appear
Internal	Constitution Review Group	Not consulted.		
	Chief Finance Officer	12.07.2021	12.07.2021	

External	All change proposals will be advertised on the council's internet site prior to consideration by full council			
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Report History

Decision type:	Urgency item?
Non-key decision	No
Report no.:	Report author and contact for queries: Helen Harris

APPENDIX

Changes proposed to the constitution

	Constitution reference	Existing wording	Proposed wording
3	Part 2 (articles of the constitution) , amend article 8.03	The council will appoint a committee known as the Health and Wellbeing Board. The membership will be as follows: <ul style="list-style-type: none"> • The Leader of the Council who will act as Chair of the Board • The Portfolio Holder for Healthy Lives • The Portfolio Holder for A Fairer Start • The Portfolio Holder for Genuinely Affordable Homes • The Shadow Member for Healthy Lives (non-voting) • The Executive Director, Children, Adults and Public Health (in his or her capacity as the council's statutory director of adult social services and director of children's services) • The Director of Public Health • a representative of the Local Health watch organisation • Chair, Vice Chair, Managing Director and Accountable Officer of the Ealing Clinical Commissioning Group • a representative of the NHS Commissioning Board (as required) 	The council will appoint a committee known as the Health and Wellbeing Board. The membership will be as follows: <ul style="list-style-type: none"> • Up to four cabinet portfolio holders, one of whom will chair the Board • The opposition spokesperson for Healthy Lives (non-voting) • The Executive Director, Children, Adults and Public Health (in his or her capacity as the council's statutory director of director of children's services) • The Director of Adults Services • The Director of Public Health • a representative of the Local Health watch organisation • Chair, Vice Chair, Managing Director and Accountable Officer of the Ealing Clinical Commissioning Group • a representative of the NHS Commissioning Board (as required) • Chief Executive of London NW Healthcare Hospitals Trust (non-voting) • Chief Officer, BEHH Clinical Commissioning Groups • Chief Executive of West London Mental Health Trust (non-voting)

	<ul style="list-style-type: none"> • Chief Executive of London NW Healthcare Hospitals Trust (non-voting) • Chief Officer, BEHH Clinical Commissioning Groups • Chief Executive of West London Mental Health Trust (non-voting) • Representative of Ealing Community Network • (subject to their agreement) a representative from each of the following : Ealing GP Federation, Imperial College Healthcare Trust, and Hillingdon Hospitals Foundation (all non-voting) 	<ul style="list-style-type: none"> • Representative of Ealing Community Network • (subject to their agreement) a representative from each of the following : • Ealing GP Federation, • Imperial College Healthcare Trust, and • Hillingdon Hospitals Foundation (all non-voting)
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