

# **CUMBRIA HEALTH AND WELLBEING BOARD**

**Meeting date: 10 March 2023**

**From: Executive Director – People (Cumbria County Council)**

## **HEALTH AND WELLBEING BOARD MEMBERS' REFLECTIONS**

### **1 PURPOSE**

- 1.1 Local Government Reform (LGR) in Cumbria has resulted in the dissolution of the two-tier local authority arrangements and the establishment of two new unitary authorities: Cumberland and Westmorland & Furness. This has further resulted in the need to dissolve the current Cumbria wide Health and Wellbeing Board (HWB) and to establish separate HWB arrangements for the new Councils.
- 1.2 This brief paper is to accompany a discussion item for the members of the Cumbria HWB at its final meeting prior to handing over to the new arrangements because of (LGR).

### **2 BACKGROUND**

#### ***Legislative Framework***

- 2.1 Under the Health and Social Care Act 2012, upper-tier and unitary councils in England must establish a health and wellbeing board (HWB). Its functions should include the statutory functions outlined below and any other functions that the council wishes to delegate to it.
- 2.2 Under section 194 of the Health and Social Care Act 2012, a health and wellbeing board is a committee of the council which established it and for the purposes of any enactment is to be treated as if appointed under section 102 of the Local Government Act 1972. It is therefore a 'section 102 committee', as it is sometimes called within local government. However, the regulations modify and disapply certain provisions of section 102 and other sections of the Local Government Act 1972 and also provisions of the Local Government and Housing Act 1989 in relation to health and wellbeing boards.
- 2.3 The Health and Social Care Act 2012 gives health and wellbeing boards specific functions:

- (a) To prepare Joint Strategic Needs Assessments (JSNAs) and Joint Health and Wellbeing Strategies (JHWSs), which is a duty of local authorities and clinical commissioning groups (CCGs).
- (b) Preparation of the Pharmaceutical Needs Assessment (PNA) for the Health and Wellbeing Board Area.
- (c) A duty to encourage integrated working between health and social care commissioners, including providing advice, assistance or other support to encourage arrangements under section 75 of the National Health Service Act 2006 (i.e. lead commissioning, pooled budgets and/or integrated provision) in connection with the provision of health and social care services.
- (d) A power to encourage close working between commissioners of health-related services and the board itself.
- (e) A power to encourage close working between commissioners of health-related services (such as housing and many other local government services) and commissioners of health and social care services.

### **3 DISCUSSION FOR THE BOARD**

- 3.1 The dissolution of the current arrangements offers members of the Board an opportunity to reflect on the current state of the Health and Social Care System in Cumbria as Cumbria HWB comes to an end, and any advice to the two new Boards which will replace it on 1 April 2023. It is hoped that members of the board will come to the meeting prepared to contribute to the discussion.
- 3.2 Following the meeting a brief will be developed to be shared with the Councils and their HWB.

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