

North Tyneside Council

Health & Wellbeing Board Report

Date: 30 November 2023

Title: Health and Wellbeing
Board Constitution and
Terms of Reference

Report from: North Tyneside Council

Report Author: Sonia Stewart, Democratic Services
Officer

Responsible Officers: Wendy Burke, Director of Public Health,
Allison Mitchell, Head of Governance

1. Purpose:

To update the Board on the current position with regards to the Constitution and Terms of Reference.

2. Recommendation(s):

The Board is asked to provide its views on any changes it may wish to propose to the current constitution and Terms of Reference, ahead of the formal-review of the Constitution which will take place in advance of the next annual Council meeting in May 2024.

3. Information

3.1 All local authorities are required to have a Constitution which sets out important principles and processes regarding formal decision making. The Constitution is therefore a fundamental part of the Authority's governance processes. The Constitution is agreed by full Council, and any changes to the Constitution must similarly be proposed to and agreed by full Council.

3.2 In North Tyneside Council, amendments to the Constitution are proposed to the annual meeting of Council which takes place each May. The next full review of the Constitution will therefore be considered by Annual Council in May 2024.

- 3.3 The process for gathering and compiling potential changes to the Constitution is as follows:
- (a) In the last quarter of the year (February / March 2024), the Authority's Democratic Services Team begin to canvass and compile information on changes which may be required to the Constitution. These potential changes are captured on the proforma template attached as **Appendix A** to this report. The template allows for the current provisions to any part of the current Constitution, and proposed changes to those areas together with the rationale explaining why the change is considered to be necessary, to be clearly set out. Any elected member, officer or relevant party is able to propose changes by completing a template and submitting this to Democratic Services
 - (b) In April 2024, a Constitution Task Group comprising of elected members appointed on a politically balanced basis will then meets to consider the changes proposed. Following that consideration, a report is prepared on behalf of the Constitution Task Group, setting out the changes which Constitution Task Group propose should go forward to full Council for approval
 - (c) That report of Constitution Task Group will then be considered by Annual Council in May 2024. Any changes agreed by Council will then be reflected in an updated Constitution to be published in May 2024.
- 3.4 Ahead of that formal process commencing in the new year, Health and Wellbeing Board may wish to consider the current provisions in the Constitution (Version 27, May 2023) as these relate to the Health and Wellbeing Board, to determine whether any changes should be proposed once the formal review process outlined above commences in February 2024. An extract from the current Constitution is attached as **Appendix B**.
- 3.5 A draft Terms of Reference reflecting the Constitution is also attached for comments of the Board.
- 3.6 As outlined above, it is a decision of full Council (in May 2024) as to whether changes to the Constitution will be made. However it would be helpful to Council's consideration of this matter to know any views or suggestions which lead Directors, or Health and Wellbeing Board members, may wish to propose to the current provisions on the Health and Wellbeing Board set out in the Constitution. Any such views can be captured ready to feed into the formal review process outlined above.

3.7 Following the last meeting of the Board and a reminder email circulated any comments received have been incorporated into the attached Terms of Reference and Constitution.

4. Appendices:

Appendix A: Constitution Review Template

Appendix B: Draft Terms of Reference

5. Contact officers:

Sonia Stewart, Democratic Services, North Tyneside Council

Wendy Burke, Director of Public Health, North Tyneside Council

Allison Mitchell, Head of Governance, North Tyneside Council

COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

1 Finance and other resources

There are no financial implications arising from this report.

2 Legal

It is a legal requirement to have a Constitution and there is a need to follow the Council processes which are outlined in the main body of this report.

3 Consultation/community engagement

There are no consultation or community engagement matters that are relevant to this report.

4 Human rights

There are no human rights implications arising from this report.

5 Equalities and diversity

There are no equalities and diversity issues arising from this report.

6 Risk management

There are no risk management issues arising from this report.

7 Crime and disorder

There are no crime and disorder issues arising from this report.

8 Environment and sustainability

There are no environment or sustainability issues arising from this report.