



Title of report: Board membership and arrangements for the appointment of the vice-chairperson

Meeting: Health and Wellbeing Board

Meeting date: Monday 15 September 2025

Report by: Democratic Services

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards)

Purpose

For the Health and Wellbeing Board to confirm the number of seats on the board allocated to NHS Herefordshire and Worcestershire Integrated Care Board and to confirm arrangements for the appointment of the vice-chairperson, for recommendation to full Council.

Recommendation(s)

That the following changes to Herefordshire Council's constitution be recommended to full Council:

- a) Paragraph 2.8.9, bullet point 8 be amended to read 'Two nominated representatives from the Integrated Care Board'; and**
- b) Paragraph 2.8.10 be amended to read 'The vice-chairperson of the board shall be the chairperson of the One Herefordshire Partnership. Should this person be from an organisation that has the right to nominate to the Board, then that person shall also represent their respective organisation.'**

Alternative options

- 1. The current composition of the Health and Wellbeing Board could remain unchanged but this would not address the incongruity in terms of the seat(s) allocated to the Integrated Care Board**

or the board's intention in terms of the arrangements for the appointment of the vice-chairperson.

Key considerations

2. The board considered a report by the Director of Public Health on 'Health and Wellbeing Board Terms of Reference' on 25 September 2023. It resolved that 'The Health and Wellbeing Board considers the revised terms of reference at appendix 1 and provides comments before being ratified by Full Council'; [link to minute 34 of 25 September 2023 and associated papers](#).
3. The terms of reference document included changes to the membership of the board, principally the addition of a nominated representative from the Voluntary and Community Sector and updates to organisation titles.

NHS Herefordshire and Worcestershire Integrated Care Board nominations

4. The terms of reference document resulted in an incongruity by identifying that membership of the board includes:

'A nominated representatives from the Integrated Care Board'
5. This is reflected in the council's constitution (paragraph 2.8.9, bullet point 8), as shown in Appendix 1.
6. It is uncertain whether the board intended this to read 'Two nominated representatives' or 'A nominated representative' from the Integrated Care Board. However, it is noted in paragraph 2.8.10 that a vice chairperson was to be appointed from '...one of the board members representing NHS Herefordshire and Worcestershire Integrated Care Board...'
7. Up to and including the meeting on 25 September 2023, NHS Herefordshire and Worcestershire Integrated Care Board appointed two representatives; prior to July 2021, two representatives (the chair and the managing director) were appointed by its predecessor, NHS Herefordshire and Worcestershire Clinical Commissioning Group.
8. No change in the number of seats for the Integrated Care Board was highlighted within the covering report or discussed during the meeting.
9. The board is requested to confirm that the membership should provide for 'Two nominated representatives from the Integrated Care Board'.

Appointment of vice-chairperson

10. The terms of reference document identified arrangements for the appointment of the vice-chairperson as follows:

'The Vice-Chairman of the Board shall be the chair of the One Herefordshire Partnership. Should this be an already identified member of the board, that person shall also represent their respective organisation.'
11. However, the council's constitution (paragraph 2.8.10) was not updated to reflect this and it currently reads:

'...one of the board members representing NHS Herefordshire and Worcestershire Integrated Care Board will be appointed vice chairperson annually by the board.'
12. However, the revised Terms of Reference in paragraph 10 does not appear to reflect the original intention. For example, if the chairperson of One Herefordshire Partnership is from an organisation with existing nomination rights, but is not that organisation's actual nominee, then the wording above would allow a further appointee by that organisation. It is considered that the

original intention was to avoid this and to ensure that the chair of One Herefordshire Partnership was appointed as the representative of the relevant nominating organisation. As such the recommendation is that paragraph 2.8.10 is modified to:

‘....The vice-chairperson of the board shall be the chairperson of the One Herefordshire Partnership. Should this person be from an organisation that has the right to nominate to the Board, then that person shall also represent their respective organisation.’

13. The board is requested to confirm that it wishes the change identified in paragraph 10 above to be considered for inclusion in the council’s constitution.

Community impact

14. The Code of Corporate Governance encourages better informed longer-term decision making using resources efficiently and being open to scrutiny with a view to improving performance and managing risk. The principles which underpin governance include ensuring openness and comprehensive stakeholder engagement, and implementing good practices in transparency, reporting and audit to deliver effective accountability. Ensuring that the Health and Wellbeing Board membership includes appropriate representation from partners across the health and care system supports the council in meeting these principles.

Environmental impact

15. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire’s outstanding natural environment.
16. Whilst this is a report on constitutional arrangements and will have minimal environmental impacts, consideration has been made to minimise waste and resource use in line with the council’s Environmental Policy (e.g. agenda documents are made available to board members electronically, minimising the use of paper and other consumables).

Equality duty

17. The Public Sector Equality Duty requires the council to consider how it can positively contribute to the advancement of equality and good relations, and demonstrate that it is paying ‘due regard’ in our decision making in the design of policies and in the delivery of services.
18. As this report concerns the technical composition of the board, it is not considered that it will have an impact on the equality duty.

Resource implications

19. The constitution is regularly reviewed and updated, so there are no additional resource implications for the council arising from this report.

Legal implications

20. The Health and Social Care Act 2012 (as amended by the Health and Care Act 2022), paragraph 194 (2) identifies that:

‘The Health and Wellbeing Board is to consist of—

- (a) ... at least one councillor of the local authority...
- (b) the director of adult social services for the local authority,

- (c) the director of children's services for the local authority,
- (d) the director of public health for the local authority,
- (e) a representative of the Local Healthwatch organisation for the area of the local authority,
- (f) a representative of each relevant integrated care board, and
- (g) such other persons, or representatives of such other persons, as the local authority thinks appropriate.'

- 21. Paragraph 194 (8) states that 'The Health and Wellbeing Board may appoint such additional persons to be members of the Board as it thinks appropriate.'
- 22. The Health and Wellbeing Board considered its membership on 25 September 2023 and this report seeks further clarifications to ensure that the wishes of the board are reflected fully in the council's constitution.
- 23. The Health and Wellbeing Board is a committee of Council under s102 of the Local Government Act 1972. Although it has been granted the right to make additional appointments itself, its procedural requirements are subject to Council approval.

Risk management

- 24. There is a reputational risk to the council and health and care system partners if the Health and Wellbeing Board does operate effectively and transparently. The clarifications being sought through this report should help to mitigate this risk.

Consultees

- 25. None.

Appendices

Appendix 1 – Extract from Herefordshire Council's constitution, Article 8, relating to Health and Wellbeing Board composition

Background papers

None identified.