Health and Wellbeing Board: governance arrangements and terms of reference

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1. Background

1.1 As part of the Government restructuring of health and care functions in England, under the Health and Social Care Act 2012, all upper tier authorities are required to establish a Health and Wellbeing Board (HWB) for their area with effect from April 2013, and authorities were encouraged to establish a shadow board in the meantime. Lambeth’s Cabinet established the council’s shadow HWB (including functions, membership, chairing, citizen involvement, operation, accountability and relationships) on 16 April 2012.

1.2 In line with its cooperative approach, Lambeth council worked up with its partners throughout 2010 and 2011 an agreed and defined partnership approach to the operation of its HWB.

1.3 The ambition behind the introduction of Health and Wellbeing Boards is to build strong and effective partnerships, which improve the commissioning and delivery of services across the NHS and local government, leading to improved health and wellbeing for local people. In Lambeth, an outline vision for involving citizens has been developed (see Annex 1).

1.4 The successful shadow arrangements are to be applied for the operation of the statutory Board, amended as necessary in the light of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

1.5 The HWB is formally a section 102 committee established by Lambeth Council and the normal rules of governance apply. The HWB will however carry out executive functions.

2. Governance

2.1 This document sets out the operational rules for the Health and Wellbeing Board, and are incorporated in the Council’s Constitution.

3. Terms of reference

3.1 To establish a shared understanding of health and wellbeing outcomes for Lambeth’s population, including the variations in outcome for different groups within the borough. Including by ensuring Lambeth has in place an effective outcomes focused joint strategic needs assessment process that is actively informing decision making by all partners.

3.2 To set the strategic direction for action to improve and protect health and wellbeing and reduce inequalities. Including by agreeing a joint health and wellbeing strategy that clearly sets out the outcomes that the board and its partners will focus on improving and the intended beneficiaries of those improvements - to provide a strategic framework for local commissioning and delivery.

3.3 To ensure citizens, communities and other stakeholders in Lambeth are fully involved in understanding health and wellbeing outcomes, identifying priorities and taking action to deliver improvement, through the active and comprehensive adoption of co-production and co-design approaches.

3.4 To maximise the health and wellbeing outcomes achieved from the resources and assets available within the borough.
3.5 To provide leadership for the transformation of local services through culture change based in principles of coproduction, prevention, personalisation and integrated care.

3.6 To enhance the accountability of public services to the people of Lambeth for their contribution to improving health and wellbeing outcomes in the borough.

3.7 To engage, challenge and hold to account partners agencies in all of the above processes (but not to perform a formal scrutiny role which will remain the responsibility of the Council’s Overview and Scrutiny Committees).

3.8 To provide a united voice to take forward the health and wellbeing interest of Lambeth with outside agencies

4. Membership

4.1 The constitution of the Board is as follows:

Lambeth Council:
Cabinet Member for Health and Wellbeing (Chair of Board)
Cabinet Member for Children and Families (Vice-Chair of Board)
Majority Opposition member (Liberal Democrat Party Group)
Minority Opposition member (Conservative Party Group)
Executive Director of Adults’ and Community Services (i.e. the director of adult social services)
Executive Director of Children and Young People’s Service (i.e. the director of children’s services)
Director of Public Health

Lambeth Clinical Commissioning Group (Chair): (Vice-Chair of Board)
One additional clinical or lay member
An Executive Officer

A National Commissioning Board Representative

A King’s Health Partners CEO Representative

A Lambeth Healthwatch representative

Note: by law, membership must include:
• At least one councillor
• The director of adult social services
• The director of children’s services
• The director of public health
• A representative of Healthwatch
• A representative of CCG

4.2 Each constituent organisation will notify the Head of Democratic Services and Scrutiny in writing of its nominated representative and one substitute member. The names of members and substitute members will be published on the Council’s website. In order to ensure continuity, it is expected that the nominated representative will serve for at least year, with no maximum length of
service. In-year changes may however be made; no membership change may be made after noon on the day of a Board meeting.

4.3 The appointed substitute member will have all the powers and duties of the substituted member (including voting – see para. 13.12 below).

4.4 Members of the Board shall be expected to participate fully in the business of Board to achieve the Board’s terms of reference as set out in paragraph 3 above. As such the constituent members’ appointed representatives should:

(a) Be of sufficient seniority and authority within their organisation to enable them to contribute to the Board in a significant way.

(b) Understand they are accountable to their own host organisation, and need to operate under an appropriate mandate to act for them, i.e. to represent the policies or view of their organisation where relevant, rather than any personal view.

(c) Provide information, data and consultation material to the Board as appropriate to inform discussions and decisions.

(d) Ensure they read all agenda papers prior to the meeting so they can make an informed contribution to discussions and decisions.

(e) Ensure that the policies and decisions of the Board are widely disseminated within their organisation and cascaded to staff/councillors as appropriate.

(f) Sign up to the highest standards of conduct in their HWB activity to maintain the credibility and integrity of the Board.

4.5 In particular, it is the Board’s expectation that all Board members will:

(a) Promote the activity of the Board.

(b) Help identify resources to implement and realise the functions of the Board.

(c) Pledge themselves to take decisions reflecting their best assessment of the option(s) which maximises overall benefits to the Board, rather than merely seeking to assess benefits or disbenefits to their own particular employing/nominating organisation alone.

(d) Add value to, contribute to and advise the Board.

(e) Act in a business-like manner.

(f) Recognise and respect the intellectual property rights of individual constituent organisations and those organisations represented on the Board.

(g) Give up their time free of charge (see para. 9 below); no allowances or expenses are paid.

5. Key relationships

5.1 HWB to Lambeth’s Children’s Trust Board (CTB):
The CTB is accountable to the HWB for the actions it takes forward to improve the health and wellbeing of children, young people and families.

To ensure full coordination between these two groups the Chair of the CTB (the Cabinet Member for Children and Families) is a Vice-Chair of the HWB.

The primary focus of the CTB is early intervention to improve outcomes for children, young people and families - it leads this work on behalf of the HWB.

The CTB also provides leadership to fully engage those organisations that primarily focus on children and young people in shaping and delivering Lambeth’s joint health and wellbeing strategy, including schools.

The CTB includes Clinical Commissioning Group membership to ensure the full involvement of the NHS in its work.

5.2 HWB to the Lambeth Council’s Health & Adult Services Scrutiny Sub-Committee:

5.2.1 The local authority scrutiny function has the specific and crucial role of acting as a ‘critical friend’, providing constructive challenge to decision makers and holding them to account for the decisions they make, the basis on which they make them and the outcomes that result. How health overview and scrutiny might interface with the HWB, and how scrutiny of the HWB in its final form will work in practice, will be developed over the course of the shadow year but key areas for scrutiny activity are likely to include:

- Contributing to and providing challenge to the HWB strategy, priorities and action plans.
- Contributing to and commenting on future iterations of the Joint Strategic Needs Assessment.
- Scrutinising the extent to which agencies are working together to ensure that implementation of action plans are delivering on outcomes.
- Ensuring that the HWB decisions are informed by the views and experiences of local residents and users of services.
- Providing the challenge to test the co-ordination of health and social care.
- Taking an objective overview of service re-configurations.

5.3 HWB to the Lambeth Clinical Commissioning Group (LCCG):

5.3.1 The Lambeth Clinical Commissioning Group (LCCG) has taken over from the Lambeth Primary Care Trust as the main local commissioner of NHS care, and the Lambeth Clinical Commissioning Collaborative Board manages the LCCG.

- The LCCG is a statutory partner on the HWB (see para 4.1 above for its representation on the board). The LCCG has an equal duty with the local authority to undertake a Joint Strategic Needs Assessment (JSNA) and produce a Joint Health and Wellbeing Strategy (JHWS) through the HWB, and to have regard to both in the planning and delivery of all of its functions.
- Whilst the LCCG is not be directly accountable to the HWB it does have a duty to involve the HWB in the development of its annual commissioning plan; with the HWB being required to provide an annual statement to the Head of Democratic Services and Scrutiny of State as to whether the LCCG’s plan has due regard to the local JSNA and JHWS.

6. Making the Board accessible
6.1 The aim of the Board is to make its business accessible to all members of the community and partners with special needs. Accessibility will be achieved in the following ways:

(a) Ensuring adequate physical access to Board meetings.
(b) Providing signers, interpreters or other specialist support within existing resources, on request to the Head of Democratic Services and Scrutiny.
(c) Ensuring that all agenda papers are available five clear days before the meeting (see also para. 12 below). Documents may be translated or produced in Braille etc. as far as possible within existing resources, on request to the Head of Democratic Services and Scrutiny.
(d) Including a work programme of planned future work on each ordinary meeting agenda.
(e) Reports and presentations are in a style that is accessible to the wider community, and of a suitable length, so that their content can be easily understood (see also para. 12 below).
(f) Enabling the recording of meetings (see para. 13.7-13.9 below).

6.2 All meetings will be open to the press and public, unless the voting members decide by resolution to exclude the press and public from part of the meeting – see Council Constitution, Part 3, Section 2. See para. 12 below on the publication arrangements for agendas and minutes.

6.3 HWB will welcome public involvement through the submission of public notice questions on the work of the HWB (see para. 6.4 below on detailed arrangements). The Head of Democratic Services and Scrutiny will refer deputation requests and petitions to the Council. The HWB will respond to petitions and deputations on request from the Council.

6.4 Public notice questions (PNQs)

6.4.1 PNQs may be submitted to each ordinary Board meeting by persons living, working, studying or using health services in the borough.

6.4.2 PNQs must be concise to enable as many as possible to be considered in the time available at the meeting.

6.4.3 Each PNQ must include the name, address, email address and telephone number(s) (the name of the questioner will be published on the agenda (this may be withheld from publication in reasonable circumstances).

6.4.4 Each question may be addressed to a particular Board Member or will otherwise be referred to the relevant Board Member by the Head of Democratic Services and Scrutiny.

6.4.5 PNQs must be submitted by the published deadline (seven clear days before the meeting).

6.4.6 A submitted PNQ may be rejected by the Head of Democratic Services and Scrutiny (in consultation with the Chair) if it:

- Is not about a matter for which the Board has a responsibility.
- Is defamatory, frivolous or offensive.
- Would incur a disproportionate cost (i.e. usually in excess of £500).
• Raises essentially the same issues as a question which has been considered at a previous meeting in the past six months unless circumstances have changed substantially.
• Requires the disclosure of confidential or exempt information.
• Is currently being considered under a constituent organisation’s formal complaints procedure.
• Is currently the subject of a complaint to the Parliamentary and Health Service Ombudsman or Local Government Ombudsman.
• Is currently the subject of legal proceedings in whatever form.

6.4.7 Accepted PNQs will be published on the agenda (in the order received) and referred to the Board Member for them to prepare an answer. However, where a questioner has submitted more than one question, all “first” questions will be taken first, “second” questions will be taken next and so on.

6.4.8 The draft answer prepared by the Board Member concerned will be sent to the Chair and Secretary by close of play the day before the meeting.

6.4.9 At the meeting, the Board member will give an oral answer to the question. The questioner may ask one supplementary question, which must be relevant to the original question or answer given.

6.4.10 After the meeting, the Head of Democratic Services and Scrutiny will write to the questioner with the answer(s) given.

Principles

6.5 The principles for involving citizens in the work of the Board are set out in Annex 1. These were coproduced through a working group with representatives of Lambeth residents and partner agencies. The principles are set out in detail in the annex but focus on five areas of:

• Working together for change (co-production)
• Leadership by all partners to foster a local innovation culture that places an emphasis on strong relationships with citizens
• All Involvement will be Purposeful
• Accessible
• Well planned, appropriately resourced and accountable
• Transparency

Public engagement

6.6 In addition, the Board will undertake the following public engagement operations in order to extend accessibility to its work outside of formal meetings:

• An annual Health and Wellbeing Summit coproduced with Lambeth communities and partner organisations.
• A public Annual Report setting out progress achieved.
• Regular round table discussions between board members and organisations in the public, voluntary, community, private, independent and NHS sectors.
• A small number of formal workstreams, taken forward by time limited working groups focussed on addressing key issues and engaging expertise from all sectors as appropriate.
• An annual review of progress.
7. **Code of conduct of members**

7.1 Voting Board members are required to abide by the Council’s Code of Conduct (annex 2 - Constitution, Part 4, Section 1), including the publication on the Council’s website of their register of interests.

7.2 In addition, Board members are bound by:

- Lambeth Council employees: [Lambeth Officer Code of Conduct](Lambeth Constitution, Part 4, Section 7):
- National health service employees: [Code of Conduct and Code of Accountability in the NHS](National health service employees)
- Healthwatch members: [Code of Conduct](Healthwatch members)

7.3 Any concerns over the conduct of Board members may be referred to the Council’s Director of Governance and Democracy for resolution.

8. **Declarations of interests**

8.1 The declaration of members’ Disclosable Pecuniary Interests will be the first item of business on each agenda.

9. **Secretarial, co-ordination, policy and administrative support**

9.1 Lambeth Council shall provide the lead role in facilitating the functioning of the Board but consulting and receiving information, advice and assistance from other constituent organisations wherever practicable. The necessary policy support (including legal advice, financial advice, risk management, equal opportunities assessment and performance management) shall be supplied by Lambeth Council via the Executive Directors of Adults’ & Community Services and Children & Young People’s Service and their staff (and in particular the Head of Health & Wellbeing), and staff of the Clinical Commissioning Groups.

9.2 Lambeth Council officers and staff of the Clinical Commissioning Groups and other national health service bodies will regularly be in attendance at meetings of the Board to give advice and information as necessary. Other persons shall attend for this purpose at the discretion of the Chair.

10. **Frequency of Board meetings**

10.1 Meetings of the Board shall normally be held four times a year (quarterly), although special meetings may be held if decided by the Board, or Chair on request by three or more Board members (in writing, submitted to Head of Democratic Services and Scrutiny).

11. **Time and venue of Board meetings**

11.1 Board meetings will be held at Lambeth Town Hall, Brixton Hill, London, SW2 1RW or elsewhere and normally at 6pm, or as agreed by the Board or Chair between formal Board meetings. The Board wants to ascertain if meeting at other local venues will improve public accessibility.
11.2 The formal meeting will normally be preceded by an informal round table type meeting commencing at 5pm, on a subject and with an invited audience – as decided by the Chair.

12. Agenda and minutes: preparation and publication

12.1 Items for the agenda are the responsibility of the Chair of the Board, as supported by officers of Lambeth Council and staff of the Clinical Commissioning Groups. The Chair shall establish necessary agenda planning arrangements. Any Board member wishing to submit an item for the agenda must do so in writing to Head of Democratic Services and Scrutiny not less than three weeks before the meeting date. Acceptance of any items requested after this date will be subject to the Chair’s agreement. The deadline for the submission of final reports will be as advertised on the Lambeth website (seven clear days before the meeting).

12.2 Business to be considered by the Board that constitutes a key decision, must be included in the Council’s Forward Plan in accordance with the arrangement set out in the Council’s Constitution (part 3, Section 2, para. 14). Briefly, proposed key decisions must be included with as much notice as possible, and at least 28 clear days notice. Key decisions are defined as:

**EITHER**
- **Financial**: "result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates". The Council has decided that any decision involving expenditure or a saving in excess of £500,000 is a key decision.

**AND/OR**
- **Community Impact**: "be significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority".

12.3 Reports will be produced by the member bodies in accordance with their own internal arrangements, using the agreed report template. Reports should include all relevant information, including professional advice from officers including legal and financial advice. The results of consultation will be included. Reports will also set out suggested reasons for the proposed decision or options.

12.4 The agenda for each ordinary meeting will normally include the following:

- Declaration of interests (see para. 8)
- Approval of minutes of previous meeting (for suggested amendments by Board members, see para. 12.7)
- Public notice questions (see para. 6.4 above for procedure) ( up to 15 minutes)
- Reports from the constituent organisations
- An update report from the CTB.
- The work programme of planned future work.
- An action log of previous decisions.

12.5 The agenda will be divided into two sections, one covering formal and decision-making business and one informal non-decision-making business.
12.6 Reports will cover the six main priorities of the Board:

A: Citizen Involvement  
B: Health and Wellbeing Strategy  
C: Joint Strategic Needs Assessment  
D: Public Health  
E: Early Intervention  
F: Integrated Care  

12.7 The Council’s Access to Information rules will apply (Constitution, Part 3, Section 1): copies of the agenda and reports will be made available to the press and public at Lambeth Town Hall and on the council’s website five clear days before the meeting. Agendas will be despatched electronically wherever possible in order to save paper, printing and postage costs.

12.8 There is an expectation that the agenda, reports and minutes will be open to the press and public (see para. 6.2 above). Where, on rare occasion, the Chair agrees a particular issue should not be published, a report setting out as much information in the public domain as possible must also be produced; the confidential information will be set out in a separate short confidential paper.

12.9 Draft minutes will be published within five clear days of the meeting on the Lambeth Council website and despatched electronically wherever possible in order to save paper, printing and postage costs. If a confidential discussion is held, this will be recorded in a separate confidential minute.

12.10 Any suggested amendments by Board members to draft minutes should be notified as soon as possible and no later than the day before the meeting when they will be considered for approval as a correct record (i.e. the following ordinary meeting).

13. Meeting arrangements

Chair

13.1 Meetings will be chaired by the Cabinet Member for Health and Wellbeing (Lambeth Council) or in his/her absence, one of the Vice-Chairs (to be decided by the members present at the beginning of the meeting). In the absence of both Vice-Chairs, the members present shall elect one of their number to chair the meeting. If the Cabinet Member for Health and Wellbeing is absent for part of the meeting, he/she will take the Chair on arrival.

13.2 It is the role of the Chair to ensure that:

(a) The core business of the meeting is dealt with efficiently and thoroughly.

(b) All members observe high standards of conduct including respect and tolerance of the views of others.

(c) Open and constructive discussion is facilitated.

(d) All Board members are encouraged to contribute.

(e) Decisions are reached by consensus wherever possible.
13.3 In addition, in consultation with the Director of Governance & Democracy of Lambeth Council (the officer designated by Lambeth Council to coordinate the work of and secretarial support to the Board), the Chair is responsible for ensuring that:

(a) The agenda for the meeting reflects the core business of the Board.

(b) Agenda papers are despatched in a timely manner as specified in para. 12 above.

(c) Board members are properly informed in order for them to address the business of the meeting either through written reports, presentations or by the attendance of the relevant professionals to advise the meeting.

(d) Actions and outcomes are properly recorded and circulated.

13.4 The Chair will decide all matters of order, competence, relevancy and interpretation of these governance arrangements. The Chair’s ruling with respect to the conduct of discussion and business at meetings of the Board shall be final.

Quorum

13.5 The quorum will be five members, with at least one Lambeth Council representative and one member not from Lambeth Council. No business shall be transacted unless a quorum is achieved.

Photography and audio/visual recordings of meetings

13.6 Anyone is welcome to record Board meetings through any audio, visual or written methods they find appropriate providing they do not disturb the conduct of the meeting. The Chair of the meeting will have the power to rescind this permission should it prove necessary due to the nature of the meeting or if the conduct of the meeting is disturbed, for example through flash photography or intrusive camera equipment.

13.7 All those visually recording a meeting are requested to only focus on recording members, officers and the public who are directly involved in the conduct of the meeting. Persons making recordings are requested not to put undue restrictions on the material produced so that it can be reused and edited by all local people and organisations on a non-commercial basis.

13.8 If a meeting passes a motion to exclude the press and public then, in conjunction with this, all rights to record the meeting are removed.

Exclusion of public and press

13.9 Members of the public and press may only be excluded either in accordance with the Council’s Access to Information Procedure Rules (Constitution, Part 3, Section 2) or disturbance.

Duration of meeting

13.10 Meetings will last for up to two hours from the time the meeting was due to commence (including any period of adjournment). At the expiry of this period, the
Chair shall put all outstanding business to the meeting without further debate, unless the Board agrees by majority to continue the meeting for a further period of up to an hour. The remaining business shall then be put to the vote by a show of hands without further debate.

**Procedure rules**

13.11 Where issues arise that are not covered by these governance arrangements, the Chair and Head of Democratic Services and Scrutiny will have regard to the council’s arrangements as set out in the Council’s Constitution.

**Decision-making**

13.12 All matters coming before the Health & Wellbeing Board must be decided by a majority of all Board members present and voting on the matter. Each Board Member has one vote.

13.13 The Health and Wellbeing Board may delegate some of its functions to a sub-committee of the Board or an officer of the Council.
Annex 1

Principles for Involving Citizens

Shared Principles

For Citizen Involvement to be effective, the following agreed shared principles across the HWB have been agreed for further testing with citizens during the operation of the shadow HWB.

a. Working together for change [co-production]

The concept of co-production is that people’s needs are better met when they are involved in an equal and reciprocal relationship with professionals, working together to get things done. It is a radically different approach to public services that is built around six characteristics:

- Recognising people as assets and using the skills and strengths they have to design and run services
- Building on people’s capabilities
- Promoting mutuality and reciprocity
- Developing peer support networks
- Breaking down barriers between professionals and users
- Facilitating rather than delivering

b. Leadership: in HWB partner organisations will provide an explicit commitment to fostering a local innovation culture that places an emphasis on strong relationships with citizens, local voluntary and social enterprise organisations. This ambition needs to be explicit with clear objectives and measurable impact. Collaboration will be promoted at every level by all partners in HWB:

- Individual: Involving individuals in the management of their own health and wellbeing
- Collective: Involving the whole community in different ways e.g. patient cohorts, special interest groups, age groups, BME populations or the wider public
- Representative: Involving organisations and individuals that are enabled to act as representative of others (e.g. Third sector organisations and Lambeth Healthwatch)
- Co-operative: Involving Health and Wellbeing agencies from all sectors in joint engagement activities

c. All Involvement will be Purposeful: The Purpose of all Involvement activities will be clearly defined.

d. Accessible and Fun!

- Increasing citizen participation in decision making should be both engaging and enjoyable
- Ensuring Equalities issues are addressed
- Working with existing forums and structures to reach people as well as creating new methods of engagement
- Taking place in a variety of locations and using many different methods – working with people in their communities, using different tools and approaches for different audiences
- Ensuring access needs are met to enable participation (e.g. around money, health needs, childcare, language, disability)
e. Well planned, appropriately resourced and accountable

- Allowing adequate time for the planning of activities and the building of relationships
- Ensuring full and correct information is available to people to respond to
- Providing appropriate training and support to enable effective participation
- Ensuring there is no costs for individuals involved – contributions are recognised and rewarded
- Establishing processes and accountability lines that are clear, concise and productive
- Developing effective support and project planning mechanisms (e.g. monitoring, establishment of criteria and use of qualitative feedback from citizens)

f. Transparent

- Part of a published plan that sets out the planned activities, targets, and hoped for outcomes
- Ensuring feedback to participants
- Monitored and evaluated – showing the difference the engagement has made
- Testing new ways of involving communities in managing health and wellbeing and transferring this knowledge to other neighbourhoods, through the HWB.

Source:

- Cabinet report (16.04.12-report 348/11-12)
Section 1 – Code of Conduct for Members and for Co-opted Members of Council Committees, Sub-Committees and Scrutiny Commissions

When acting in my official capacity as a member or co-opted member of Lambeth Council I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act (the Act) provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority.

**SELFLESSNESS:** Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

**INTEGRITY:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**OBJECTIVITY:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**ACCOUNTABILITY:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**OPENNESS:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**HONESTY:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**LEADERSHIP:** Holders of public office should promote and support these principles by leadership and example.

The Act further provides for registration and disclosure of interests and in Lambeth Council this will be done in accordance with Part 2 of this Code of Conduct. Members are required to register these interests within 28 days of their election and keep the register up to date by notifying any changes with 28 days to the Monitoring Officer.

As a Member of Lambeth Council, my conduct will in particular address the statutory principles of the code of conduct by:

- Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me - and putting their interests first.
• Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.

• Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents’ casework, the interests of Lambeth Council or the good governance of the authority in a proper manner.

• Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member/co-opted member of this authority.

• Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.

• Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.

• Contributing to making this authority’s decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other members to account but restricting access to information when the wider public interest or the law requires it.

• Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority’s policies, protocols and procedures, including on the use of the authority’s resources.

• Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.

• Treating people with due respect, including the organisations and public I engage with and those I work alongside.

• Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.

Part 2

Interests

This part explains the requirements of the Act and of The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 in relation to disclosable pecuniary interests. These are enforced by criminal sanction.

1 Notification of disclosable pecuniary interests

Within 28 days of becoming a member or co-opted member, you must notify the Monitoring Officer of any ‘disclosable pecuniary interests’.
A ‘disclosable pecuniary interest’ is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) within the following descriptions:

<table>
<thead>
<tr>
<th>Subject</th>
<th>Prescribed description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment, office, trade, profession or vocation</td>
<td>Any employment, office, trade, profession or vocation carried on for profit or gain.</td>
</tr>
<tr>
<td>Sponsorship</td>
<td>Any payment or provision of any other financial benefit (other than from the Council) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</td>
</tr>
<tr>
<td>Contracts</td>
<td>Any contract which is made between you or your partner (or a body in which you or your partner has a beneficial interest) and the Council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.</td>
</tr>
<tr>
<td>Land</td>
<td>Any beneficial interest in land which is within the Council’s area.</td>
</tr>
<tr>
<td>Licences</td>
<td>Any licence (alone or jointly with others) to occupy land in the Council’s area for a month or longer.</td>
</tr>
<tr>
<td>Corporate tenancies</td>
<td>Any tenancy where (to your knowledge)— (a) the Council is the landlord; and (b) the tenant is a body in which you or your partner has a beneficial interest.</td>
</tr>
</tbody>
</table>
| Securities                                   | Any beneficial interest in securities of a body where— (a) that body (to your knowledge) has a place of business or land in the Council’s area; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share
capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

In the above schedule:

“body in which you or your partner has a beneficial interest” means a firm in which you or your partner is a partner or a body corporate of which you or your partner is a director, or in the securities of which you or your partner has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for you or your partner (alone or jointly with another) to occupy the land or to receive income;

“relevant period” means the period of 12 months ending with the day on which you notify the Monitoring Officer of any disclosable pecuniary interest;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

2 Register of interests

Any interests notified to the Monitoring Officer will be included in the register of interests. A copy of the register will be available for public inspection and will be published on the Council’s website.

3 Sensitive interests

Where you consider that disclosure of the details of a disclosable pecuniary interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have a disclosable pecuniary interest, the details of which are withheld under Section 32(2) of the Act.

4 Non-participation in case of disclosable pecuniary interest

(a) If you are present at a meeting of the Council, or any committee, sub-committee, joint committee or joint sub-committee of the Council, or any meeting of the Cabinet or a committee of the Cabinet, and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting,

• You may not participate in any discussion of the matter at the meeting
• You may not participate in any vote taken on the matter at the meeting
• If the interest is not registered, you must disclose the interest to the meeting
• If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days

**Note:** In addition, Standing Order 4.4 requires you to leave the room where the meeting is held while any discussion or voting takes place.

(b) Where a Cabinet Member may discharge a function alone and becomes aware of a disclosable pecuniary interest in a matter being dealt with or to be dealt with by her/him, the Cabinet Member must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter.

5 **Dispensations**

The Monitoring Officer may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

6 **Offences**

It is a criminal offence to:

• Fail to notify the Monitoring Officer of any disclosable pecuniary interest within 28 days of election
• Fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register
• Fail to notify the Monitoring Officer within 28 days of a disclosable pecuniary interest that is not on the register that you have disclosed to a meeting
• Participate in any discussion or vote on a matter in which you have a disclosable pecuniary interest
• As a Cabinet Member discharging a function acting alone, and having a disclosable pecuniary interest in such a matter, failing to notify the Monitoring Officer within 28 days of the interest.
• Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such interest to a meeting

The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.

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Council Constitution, Part 3, Section 1)