

## Health and Wellbeing Board 6<sup>th</sup> June 2014

### Memorandum of Understanding – Overview and Scrutiny, Healthwatch, Health and Wellbeing Board

#### Responsible Officer

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#### 1. Summary

- 1.1 During 2013 Healthwatch, Overview and Scrutiny and the Shropshire Health and Wellbeing Board have made significant effort to understand each other's roles post implementation of the Health and Social Care Act 2012. Two stakeholder events have given rise to an action plan (link below), which was approved by the Health and Wellbeing Board and a Memorandum of Understanding between the HWBB, OSC and Healthwatch Shropshire (please see **Appendix A for the DRAFT MoU**).
- 1.2 Additionally a paper by the LGA – Roles, relationships and adding value, sets out how the three groups can work together, avoid duplication and support our local health economy in the way that its services are planned and delivered to improve the health and wellbeing of our population (see below in **Additional Information** for a link to this paper).
- 1.3 The Memorandum of Understanding has been reviewed by Health Overview and Scrutiny Committee and comments have been incorporated into the MoU below.
- 1.4 The Memorandum of Understanding is awaiting comments and consideration from the Shropshire Healthwatch Board.

#### 2. Recommendations

- 2.1 That the Health and Wellbeing Board consider and discuss the MoU making any relevant recommendations to change or update the MoU.
- 2.2 That the Health and Wellbeing Board approve the MoU pending any updates.

### REPORT

#### 3. Risk Assessment and Opportunities Appraisal

(NB This will include the following: Risk Management, Human Rights, Equalities, Community, Environmental consequences and other Consultation)

- 3.1 The Shropshire Health and Wellbeing Board considers inequalities and health inequalities in all of its decision making.

#### 4. Financial Implications

4.1 There are no financial considerations directly related to this report.

#### 5. Background

See below.

#### 6. Additional Information

6.1 Please use the following link for the agenda, papers and minutes for the March Health and Adult Social Care Scrutiny Committee where the MoU was discussed:

[HOSC](#)

6.2 Please see the following link for the Centre for Public Scrutiny publication regarding Local Healthwatch, health and wellbeing boards and health scrutiny:

<http://cfps.org.uk/publications?item=7195>

6.3 Please see the following link for the Shropshire Health and Wellbeing Board report including the Healthwatch/ HWBB Action Plan:

[Action Plan](#)

#### 7. Conclusions

n/a

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| <b>List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)</b> |
| <b>Cabinet Member (Portfolio Holder)</b>  |
| Cllr Karen Calder   |
| <b>Local Member</b>   |
| <b>Appendices</b>   |
| Appendix A: Draft MoU   |

# APPENDIX A

## 2014 DRAFT Memorandum of Understanding between:

- **Shropshire Health and Wellbeing Board,**
- **HealthWatch Shropshire,**
- **Shropshire's Overview and Scrutiny Committees (in particular Health & Adult Social Care Scrutiny Committee and Young Peoples Scrutiny Committee)**

## 1. Introduction

- 1.1 The aim of the Memorandum of Understanding [MoU] is to set out a simple framework for the constructive working relationship between Shropshire Health and Wellbeing Board [HWBB], Healthwatch Shropshire [HWS], and Shropshire's Overview and Scrutiny Committees [OSC], in particular Health & Adult Social Care Scrutiny Committee [HASCSC] and Young Peoples Scrutiny Committee [YPSC].
- 1.2 All organisations recognise that there are distinct and unique relationships and each has a distinctive role to play in improving health, social care and wellbeing for communities within Shropshire. Accordingly, the framework takes account of these relationships and specifies the ways in which all bodies will work together in delivering their respective statutory function (see Annex 1).
- 1.3 The MoU cannot override the statutory duties and powers of any of the organisations, and is not enforceable by law. However, all organisations agree to adhere to the principles set out in the MoU and will show regard for each other's activities.
- 1.4 The MoU sets out the collective responsibilities as agreed together and principles that the organisations will follow in the course of day-to-day working relationships. The MoU may need to be supported by protocols and other documents not included in this framework which set out in more detail operational considerations of how the organisations will work together.

## 2. Collective Responsibilities

- 2.1. The HWBB, OSC's and HWS recognise collective responsibility in improving the health and wellbeing of people in Shropshire. As such the groups will work together to both support each other and to provide appropriate challenge to ensure that the potential to improve the health and wellbeing of the population is maximised.
- 2.2 The HWBB, OSCs and HWS understand the importance of engaging with our population, and the requirement to incorporate patient/public feedback and/or engagement in all our planning and commissioning cycles. While understanding patient experience and acting as 'consumer champion' is a key function of Healthwatch Shropshire, there is a collective responsibility to ensure that all mechanisms for consultation and engagement are effective and efficient.
- 2.3 Decisions taken by the HWBB, OSC's and HWS must work to promote the sustainability and efficiency of services and work to promote the implementation of the prevention agenda and to reduce inequalities in Shropshire.
- 2.4 HWBB, OSC and HWS must ensure the smooth transition of appropriate information across organisations. This may require the development or enhancement of information sharing agreements.
- 2.5 The need to help create an environment where commissioners and services can make large scale changes. In this process we will need to take and manage risks appropriately and continue to work together to promote health and wellbeing of the Shropshire population

### **3. Principles of Cooperation**

3.1 HWBB, HWS and OSC agree that their working relationship will be guided by the following principles:

- To promote the safety health and wellbeing of the Shropshire population;
- To hold each other to account for decisions and delivery;
- To respect each other and each organisation's independence;
- To maintain public confidence by engaging and communicating with the communities we serve;
- To consistently promote openness and transparency;
- To use resources efficiently and effectively.

### **4. Relationships**

#### **4.1 Shropshire Health & Wellbeing Board and Healthwatch Shropshire**

4.1.1 As per legislation (Health and Social Care Act 2012), a representative of HWS will sit on the HWBB and have a full voting power.

4.1.2 HWBB and HWS will maintain dialogue with each other, as relevant, about the issues, risks and challenges involving health and wellbeing of the local population.

4.1.3 HWS will produce regular reports and advise the HWBB on the issues and needs of the local population in order to better inform the Board's decisions and support their engagement with the population of Shropshire.

4.1.4 The HWBB will ensure that HWS is able to input into the development of evidence for decision making at the Board and the development of the HWBB Annual Report.

4.1.5 The HWBB will endorse the annual work plan of HWS.

#### **4.2 Shropshire Health & Wellbeing Board and Shropshire Overview and Scrutiny Committees**

4.2.1 HWBB and OSC will maintain dialogue with each other, as relevant, about the issues, risks and challenges involving health and wellbeing of the local population. Particular focus will be given to issues relating to:

- Children and young people in Shropshire
- Local health and social care services

4.2.2 OSC will share with the HWBB relevant recommendations and/or information following scrutiny of services impacting on the health and wellbeing of Shropshire residents, which the HWBB will use to support partners and to inform future priorities.

4.2.3 OSC will share/ recommend/ report items to the HWBB that are identified as risks to the Health and Social Care economy.

4.2.4 The HWBB will routinely update OSC on matters of concern regarding health and wellbeing for the Board and for the population.

4.2.5 The HWBB will share its annual report with OSC who may wish to comment on it and provide constructive feedback on the Board's priorities and performance.

4.2.6 HASCSC will receive an annual report on the performance of HWBB and will act as a critical friend to the Board's activity and hold the Board to account on the delivery of its statutory obligations.

4.2.7 HWBB will consult OSC on both the Joint Strategic needs Assessment and the Health and Wellbeing Strategy, before these are finalised.

### **4.3 Healthwatch Shropshire and OSC**

4.3.1 HWS and OSC will regularly communicate and contribute to each other's work programmes.

4.3.2 OSC chairs will be invited to participate on HWS working groups, as appropriate.

4.3.3 OSC may commission HWS to undertake specific investigations or research.

4.3.4 Shropshire Council Commissioner of HWS will take into consideration the needs of OSC and the HWBB when developing performance monitoring of HWS.

### **5 Other Areas of Cooperation**

5.1. The working relationship between all organisations will also include:

- i. Cross-referral of concerns
- ii. Information sharing, including relevant contacts
- iii. Seeking local resolutions to common issues

### **6 Resolution of Disagreement**

6.1 Any disagreement between the HWBB, HWS and OSC will, wherever possible, be resolved at working level. If this is not possible, it will be brought to the attention of the MoU Managers and/or signatories who will then be jointly responsible for ensuring a mutually satisfactory resolution.

### **SIGNATORIES**

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Carole Hall  
Chair of Healthwatch Shropshire

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Karen Calder  
Chair of Health & Wellbeing Board Shropshire

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Gerald Dakin  
Chair of Shropshire Chair of Shropshire  
Performance Management Scrutiny Health & Adult Social Care Scrutiny

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Joyce Barrow  
Chair of Shropshire  
Young Peoples Scrutiny