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## GENERAL PURPOSES COMMITTEE

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Meeting to be held in Civic Hall, Leeds, LS1 1UR on  
Monday, 11th July, 2022 at 11.00 am

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### MEMBERSHIP

#### Councillors

S Arif	-	Gipton and Harehills;
D Blackburn	-	Farnley and Wortley;
Amanda Carter	-	Calverley and Farsley;
D Cohen	-	Alwoodley;
D Coupar	-	Temple Newsam;
S Golton	-	Rothwell;
H Hayden	-	Temple Newsam;
A Khan	-	Burmantofts and Richmond Hill;
W Kidger	-	Morley South;
J Lennox	-	Cross Gates and Whinmoor;
J Lewis (Chair)	-	Kippax and Methley;
J Pryor	-	Headingley and Hyde Park;
F Venner	-	Kirkstall;

Please do not attend the meeting in person if you have symptoms of Covid-19 and please follow current public health advice to avoid passing the virus onto other people.

**Note to observers of the meeting:** To remotely observe this meeting, please click on the 'View the Meeting Recording' link which will feature on the meeting's webpage (linked below) ahead of the meeting. The webcast will become available at the commencement of the meeting.

[Council and democracy \(leeds.gov.uk\)](https://leeds.gov.uk)

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**Agenda compiled by:**  
**Governance Services**  
**Civic Hall**  
**LEEDS LS1 1UR**  
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# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Procedure Rules (in the event of an appeal the press and public will be excluded).</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p><b>LATE ITEMS</b></p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p><b>DECLARATION OF INTERESTS</b></p> <p>To disclose or draw attention to any interests in accordance with Leeds City Council's 'Councillor Code of Conduct'.</p>	
5			<p><b>APOLOGIES FOR ABSENCE</b></p> <p>To receive any apologies for absence from the meeting.</p>	
6			<p><b>MINUTES OF THE LAST MEETING</b></p> <p>To receive and approve the minutes of the meeting held on 16 May 2022</p>	5 - 8
7			<p><b>AMENDMENTS TO ARTICLE 17 OF THE CONSTITUTION, HEALTH AND WELLBEING BOARD TERMS OF REFERENCE AND COUNCIL PROCEDURE RULES</b></p> <p>To receive and consider the attached report of the Director of Adults and Health</p>	9 - 18
8			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>Thursday, 19 October 2022 at 11.00 a.m.</p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
			<p><b>THIRD PARTY RECORDING</b></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.</p> <p>Use of Recordings by Third Parties– code of practice</p> <p>a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.</p> <p>b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.</p>	

## GENERAL PURPOSES COMMITTEE

**MONDAY, 16TH MAY, 2022**

**PRESENT:** Councillor J Lewis in the Chair

Councillors S Arif, D Blackburn,  
Amanda Carter, D Cohen, D Coupar,  
P Harrand, H Hayden, J Lennox, J Pryor  
and F Venner

**28 Appeals against refusal of inspection of documents**

There were no appeals against the refusal of inspection of documents.

**29 Exempt Information - possible exclusion of the press and public**

There were no resolutions to exclude the public.

**30 Late items**

There were no late items.

**31 Declaration of Interests**

There were no declarations of interest.

**32 Apologies for absence**

Apologies for absence were submitted on behalf of Councillor D Jenkins.

**33 Minutes of the last meeting**

**RESOLVED** – That the minutes of the meeting held on the 11 February 2022 be approved as a correct record.

**34 Amendments to Councillor Code of Conduct**

The report of the City Solicitor presented further amendments which had been made to the Local Government Association's Model Councillor Code of Conduct (LGA Model Code) for local councillors with a view to considering recommendations for adoption by the authority together with additional proposed amendments in response to unintended consequences that have arisen as a result of the adopted code.

The LGA Model Code was adopted by Full Council in March 2021. The new Councillor Code of Conduct took effect on 20 May 2021.

The Council became aware of amendments to the LGA Model Code after the Full Council decision in March 2021. The amendments add further clarification to the LGA Model Code.

In addition, at the request of the Leader, the adopted Councillors Code of Conduct has been further reviewed to consider any unintended consequences that have arisen as a result of it.

On 14 March 2022, the Standards and Conduct Committee resolved to recommend that General Purposes Committee recommend to Full Council that it adopts the proposed amendments to the Councillor Code of Conduct as set out in red in Appendix 1 to the report.

Following the resolution of the Standards and Conduct Committee, further unintended effects, relating to Members' Other Registerable Interests were identified and further amendments, set out in blue in Appendix 1 to the report are proposed to address these.

Group Leaders had been consulted on the proposals and had been unanimous in support. Training would be given to new Members and existing Members would be issued with a briefing note with regard to the impact of the changes.

#### **RESOLVED –**

- (1) That the resolution of the Standards and Conduct Committee dated 14 March 2022 be noted.
- (2) That the proposed further LGA amendments to the adopted Councillor Code of Conduct as set out in Appendix 1 of the report be noted.
- (3) That the proposed additional amendments to the adopted Councillor Code of Conduct as set out in Appendix 1 be noted.
- (4) That it be recommended to Full Council that it adopts all of the amendments to the Councillor Code of Conduct with effect from 26 May 2022.

#### **35 Amendments to Article 15 of the Constitution - Monitoring Officer authorisation**

The report of the City Solicitor recommends an amendment to Article 15.2.3 of the Constitution following a review of the operation of the Constitution to ensure that the aims and principles of it are given full effect.

The recommendations propose to grant the Monitoring Officer further authority to make changes to any Part of the Constitution to those already set out in Article 15.2.3.

The recommendations are proposed having regard to the Leeds Best Council ambition to being an efficient, enterprising and healthy organisation and will reduce the resources and costs required to hold meetings to consider amendments to the Constitution where the Monitoring Officer is of the opinion such changes are de minimus and required for administrative or updating

purposes only and for which there is unanimous agreement between the Leader of each political group.

**RESOLVED –**

- (1) That the reasons for proposed amendments to Article 15.2.3 of the Constitution as set out in Appendix A of this report be noted.
- (2) That it be recommended to Full Council that it approves the amendments.
- (3) That any amendments be reported to a future meeting of the General Purposes Committee.

**36 Independent Person**

The report of the City Solicitor sought agreement to an extension to the term of office of the existing Independent Person and a proposal to recruit a new Independent Person.

The term of office for Mr Gordon Tollefson, the existing Independent Person was due to expire in July 2022. It was proposed that his term of office be extended by a further two years with an option to extend by a further two subject to agreement.

**RESOLVED –**

- (1) That Mr Tollefson's term of office be extended by two years to July 2024 with an option to extend by a further two years, subject to agreement between the Council and Mr Tollefson.
- (2) That a recruitment process be progressed to appoint a new (additional) Independent Person via a cross party Member Panel (chaired by the Executive Member for Resources and with representation drawn from the Standards and Conduct Committee) with that Working Group making recommendations to the General Purposes Committee for appointment of a new Independent Person by full Council.
- (3) That during his extended term Mr Tollefson supports the induction of the new Independent Person.

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## Amendments to Article 17 of the Constitution, Health and Wellbeing Board Terms of Reference and Council Procedure Rules

Date: 11 July 2022

Report of: Director of Adults and Health

Report to: General Purposes Committee

Will the decision be open for call in?  Yes  No

Does the report contain confidential or exempt information?  Yes  No

### Brief summary

This report recommends amendments to Article 17 of the Constitution, The Health and Wellbeing Board Terms of Reference and Council Procedure Rules to reflect the changes in the health and care system of England as set out in The Health and Care Act 2022 legislation (which came in to effect from the 1 July 2022).

### Recommendations

- a) Note the proposed amendments to Article 17 of the Constitution, The Health and Wellbeing Board Terms of Reference and Council Procedure Rules as set out in the Appendices of this report;
- b) Recommend to Full Council that it approves the proposed amendments outlined in this report.

## **What is this report about?**

- 1 This report recommends amendments to Article 17 of the Constitution, The Health and Wellbeing Board Terms of Reference and Council Procedure Rules to reflect the changes in the health and care system of England as set out in The Health and Care Act 2022 (which came in to effect from the 1 July 2022).
- 2 As set out in legislation, from the 1 July 2022, The Health and Care Act 2022 establishes Integrated Care Boards (ICBs) and Integrated Care Partnerships (ICPs) across England. The ICBs will now take on key responsibilities including the NHS commissioning functions of Clinical Commissioning Groups (CCGs) as well as some of NHS England's commissioning functions. The changes confirm the abolishment of CCGs.
- 3 At the local level, these changes mean that the NHS West Yorkshire ICB which is made up of the five districts of Bradford & Craven, Calderdale, Kirklees, Leeds and Wakefield, has taken on the commissioning responsibilities of the former Leeds CCG.
- 4 In line with the ICB's principles of subsidiarity, the WY ICB functions are discharged at local level to a place-based partnership which is the new formal Leeds Committee of the West Yorkshire ICB. This structure will enable the ICB to discharge its responsibilities at place (Leeds) and enable partners to make decisions about how to best allocate resources across the city to have the biggest impact on improving outcomes, people's experiences and reducing inequalities.
- 5 Following a nomination from the place based partnerships, the ICB has also appointed a 'Place Lead' who has responsibility for strategic leadership of the Partnership. This role provides a formal link between the West Yorkshire ICB and Leeds as a place.
- 6 The ICBs and ICPs will also work closely with local Health and Wellbeing Boards as they remain central to the new architecture for health and care integration and maintain a statutory responsibility for bringing together key health and care partners to jointly assess population health needs and agreeing a health and wellbeing strategy.

## **What impact will this proposal have?**

- 7 The proposals will ensure that the Council constitution and Procedure Rules are consistent with the changes introduced by the Health and Care Act 2022. These changes will also enable efficient and transparent governance.
- 8 The recommended amendments are presented with track changes to the following documents:
  - Article 17 of the constitution (Appendix 1),
  - The Health and Wellbeing Board Terms of Reference (Appendix 2) and;
  - the Council Procedure Rules (Appendix 3) is attached to this report.
- 9 The proposed changes to the Health and Wellbeing Board membership include the following:
  - Representative nominated by the Leeds Committee of the West Yorkshire ICB Board.
10. There is also a provision in the council's constitution that the Health and Wellbeing Board can also include representatives that the local authority or the Health and Wellbeing Board deem appropriate. These additional appointments are not mandatory and therefore do not require approval from the General Purposes Committee and Full Council. However, the Board will also

seek to consider further additional membership which takes account of the new context of health and care integration.

### How does this proposal impact the three pillars of the Best City Ambition?

Health and Wellbeing       Inclusive Growth       Zero Carbon

11. Leeds benefits from strong partnership working and these proposals enable this work to continue as health and care partners work together on behalf of the people of Leeds supporting the city in achieving the new City Ambition in relation to Health and Wellbeing: “In 2030 Leeds will be a healthy and caring city for everyone: where those who are most likely to experience poverty improve their mental and physical health the fastest, people are living healthy lives for longer, and are supported to thrive from early years to later life”.

12. The Leeds Health and Wellbeing Board as a statutory body is also a key forum of partnership working developing and supporting the delivery of the strategic ambitions set out in the Leeds Health and Wellbeing Strategy (HWS) and put into action through the Healthy Leeds Plan. These proposed amendments enable the Board to reflect the changes introduced in the Health and Care Act 2022, and to continue its work focussing on the strategic priorities as set out in the Health and Wellbeing Strategy to tackle inequalities, aligning more closely to Inclusive Growth and the Climate Emergency – an approach which will be reflected in the HWS refresh.

### What consultation and engagement has taken place?

Wards affected:

Have ward members been consulted?       Yes       No

13. The Executive Member for Adult and Children Social Care and Health Partnerships and NHS Leeds CCG representatives have been consulted as part of the development of the proposed amendments.

### What are the resource implications?

14. There are no specific resource implications as a result of the changes recommended in this report.

### What are the key risks and how are they being managed?

15. The Health and Wellbeing Board is based around a partnership approach involving several organisations, with the CCG at the heart of that partnership. In order for the HWB to continue functioning effectively it must reflect the key role of the integrated care system, specifically the Leeds Committee of the ICB, which will absorb the current responsibilities of the CCG. If not implemented the Board will struggle to carry out its core functions.

### What are the legal implications?

16. If changes are not made to the Constitution to reflect the developments set out above the HWB may be unable to meet its statutory obligations.

## **Options, timescales and measuring success**

### **What other options were considered?**

17. Retaining the current Article 17 of the Constitution, Health and Wellbeing Terms of Reference and Council Procedures rules. However, this would not be consistent with the changes to the health and care system in England introduced by the Health and Care Act 2022 and result in the risks and legal implications set out above.

### **How will success be measured?**

18. Approval of the recommendations will enable amendments to the Constitution, Health and Wellbeing Board Terms of Reference and Council Procedure Rules to be implemented in a swift and efficient manner, subject to approval of the General Purposes Committee and Full Council.

### **What is the timetable and who will be responsible for implementation?**

19. Subject to General Purposes Committee approval, Full Council will be asked to approve the changes at its meeting on 20 July 2022. The Constitution will be immediately amended thereafter.

20. Subject to the above approval process, The Leeds Health and Wellbeing Board will also note the changes to its membership and Terms of Reference at the next Board public meeting on 27 September 2022.

## **Appendices**

- Appendix 1– Proposed amendments to Article 17 of the Constitution – as shown by tracked changes.
- Appendix 2 - Proposed amendments to the Health and Wellbeing Board Terms of Reference as shown by tracked changes.
- Appendix 3 – Proposed amendments to Council Procedure Rules regarding Quorum and Substitution Arrangements – as shown by tracked changes.
- Appendix 4 – current membership of the Leeds Health and Wellbeing Board

## **Background papers**

- None

## Appendix 1

### Article 17 Constitution

#### 17.2 HEALTH AND WELLBEING BOARD

The Council will appoint a Health and Wellbeing Board as set out in Part 3 Section 2B of this Constitution to discharge the functions described.

By law, the minimum membership of the Health and Wellbeing Board must include:

- At least one councillor nominated by the Leader;
- A representative from ~~each local Clinical Commissioning Group~~ **the Leeds Committee of the West Yorkshire Integrated Care Board**;
- The Director of Public Health;
- The Director of Children's Services;
- The Director of Adult Social Services; and
- A representative of the local healthwatch organisation.

Membership may also include such other persons or representatives of such other persons as the local authority or the Health and Wellbeing Board thinks appropriate.

The current membership of the Leeds Health and Wellbeing Board is set out in Part 3 Section 2B of the constitution. All members on the Health and Wellbeing Board shall be able to vote unless full Council direct otherwise.

## Appendix 2

### Health & Wellbeing Board Terms of Reference

#### Health and Wellbeing Board

The Health and Wellbeing Board is authorised to carry out the following functions:

1. to encourage integrated working in relation to arrangements for providing health, health-related or social care services;
2. to prepare and publish a joint strategic needs assessment (JSNA);
3. to prepare and publish a joint health and wellbeing strategy (JHWS);
4. to provide an opinion to the authority on whether the authority is discharging its duty to have regard to the JSNA, and the JHWS, in the exercise of its functions;
5. to review the extent to which ~~each Clinical Commissioning Group (CCG)~~ **the Leeds Committee of the West Yorkshire Integrated Care Board** has contributed to the delivery of the JHWS;
6. to provide an opinion to ~~each CCG~~ **the Leeds Committee of the West Yorkshire Integrated Care Board** on whether their draft commissioning plan takes proper account of the JHWS;
7. to provide an opinion to NHS England on whether a commissioning plan published by a ~~CCG~~ **the West Yorkshire Integrated Care Board** takes proper account of the JHWS;
8. to prepare a local pharmaceutical needs assessment; and
9. to exercise any other functions of the authority which are referred to the Board by the authority.

## Appendix 3

### Council Procedure Rules

#### 26.0 SUBSTITUTE MEMBERS

##### a.1 Allocation

##### (h) In relation to the Health and Wellbeing Board

- the Council shall appoint substitute Members via nominations from group Whips. Each Whip shall nominate one substitute for each Member that sits on the Board; and
- any non-voting representative of ~~each Clinical Commissioning Group~~ **the Leeds Committee of the West Yorkshire Integrated Care Board** and of Healthwatch Leeds appointed by the Health and Wellbeing Board, may substitute for a relevant voting representative.
- the named substitute from the Third Sector can attend and participate in meetings and vote in the absence of the Third Sector member appointed to the Board.

#### 28.0 QUORUM OF COMMITTEES AND SUB-COMMITTEES

28.6 The quorum of the Health and Wellbeing Board shall be four, including one councillor and a ~~CCG~~ representative **of the Leeds Committee of the West Yorkshire Integrated Care Board**

**LEEDS CITY COUNCIL  
ANNUAL MEETING  
26<sup>TH</sup> MAY 2022**

**MEMBERSHIP OF COMMITTEES/BOARDS/PANELS**

**Health and Wellbeing Board<sup>1</sup>**

**1. \* Council to approve the following appointments:**

**Councillors** (nominated by the Leader)

<b>LABOUR</b>	<b>CONS</b>	<b>LIB DEM</b>	<b>MBI</b>	<b>G&amp;SI</b>	<b>GREEN</b>
F Venner	N Harrington	S Golton			
S Arif					
J Dowson					

**Substitute Members**

<b>LABOUR</b>	<b>CONS</b>	<b>LIB DEM</b>	<b>MBI</b>	<b>G &amp; SI</b>	<b>GREEN</b>
Whips Nominee	Whips Nominee	Whips Nominee			
Whips Nominee					
Whips Nominee					

**Directors** (mandatory appointments by the Council)

Cath Roff	Director of Adults and Health
Sal Tariq	Director of Children and Families
Victoria Eaton	Director of Public Health

**Representative of Third Sector** (appointment by the Council as additional appropriate person)

Pat McGeever, Health for All

**Representative of NHS (England)** (appointment by the Council as additional appropriate person)

Anthony Kealy, NHS England North

**2. Council to note the following appointments:**

**Representative of NHS Leeds Clinical Commissioning Group** (mandatory appointment by the CCG)

Jason Broch                      NHS Leeds Clinical Commissioning Group

**Representative of Local Healthwatch Organisation** (mandatory appointment by the Local Healthwatch organisation)

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<sup>1</sup> Exempt from proportionality under Statutory Instrument 2013/218 regulation 7



\* In relation to the Health and Wellbeing Board

- the Council shall appoint substitute Members via nominations from group Whips. Each Whip shall nominate one substitute for each Member that sits on the Board; and
- any non-voting representative of each Clinical Commissioning Group and of Healthwatch Leeds appointed by the Health and Wellbeing Board, may substitute for a relevant voting representative.
- the named substitute from the Third Sector can attend and participate in meetings and vote in the absence of the Third Sector member appointed to the Board.

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