**ITEM NO: 27.00** 

TITLE

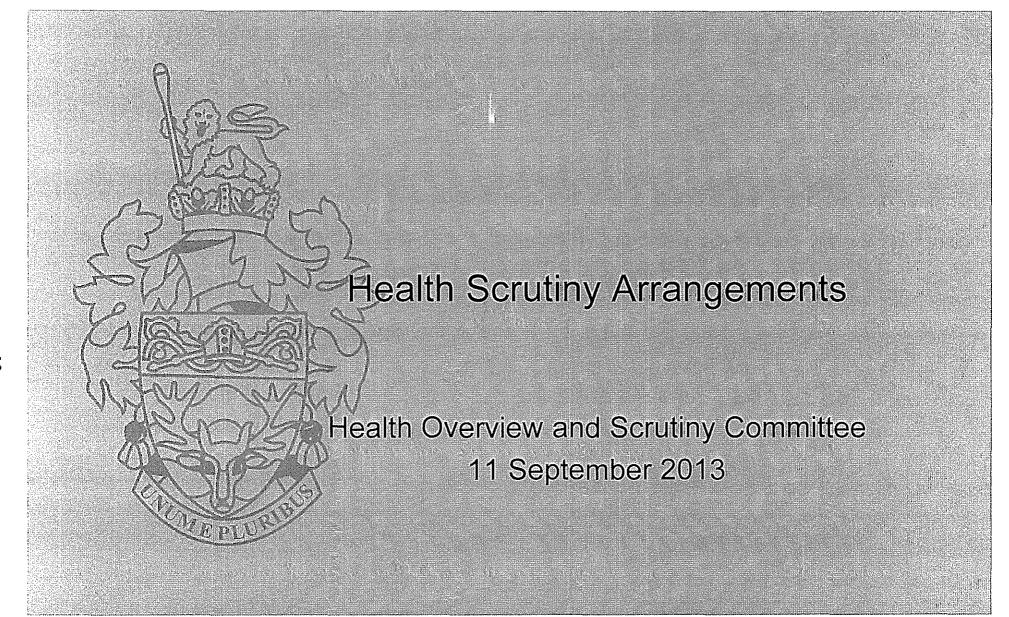
**Health Scrutiny Arrangements** 

FOR CONSIDERATION BY

Health Overview and Scrutiny Committee on 11 September 2013

WARD

None Specific





## Introduction

- July 2012- Department of Health consultation paper on changes to local authority health scrutiny
- Consultation response published December 2012

- Health and Social Care Act 2012
- The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (came into force 1 April 2013) Production



### Health:scrutiny function

- Conferred directly onto local authority (Health and Social Care Act (2012)
- Can choose to delegate to a scrutiny committee
- Council delegated health scrutiny function to Health Overview & Scrutiny Committee (HOSC) March 2013



### Scope of health scrutiny

 Has been extended to include 'relevant health service providers' and ('relevant NHS bodies' (responsible persons):

CNHS England

Clinical Commissioning Group (CCG)

- NHS Trust/NHS/Foundation Trust providing services to residents
- Providers of any NHS health services commissioned by NHS England,
  CCGs or councils (includes independent, third sector and private providers of certain NHS and public health services)



#### HOSC;<u>can.</u>...

- Review and scrutinise any matter re planning, provision and operation of health services in Borough
- Require responsible persons to provide information, answer questions and attend meetings
- Make reports or recommendations on what it has reviewed/scrutinised
- Require responsible persons to respond to reports/recommendations - 28 days



## Substantial variation

- Responsible person proposing a 'substantial development' of or ('substantial variation' to the local health service must consult on proposal')
  - Clear timescales for decision making required
- 'Substantial' not defined local agreement
- Further guidance on health scrutiny anticipated



#### Substantial variation continued...

- Power of referral of contested proposals to the Secretary of State (SoS) with Full Council but....
- If Council has retained a health scrutiny committee this function may be delegated...HOSC has the power of referral
- Referral of proposals by an NHS Foundation Trust now to SoS not Monitor (sector regulator for health services in England)
- Formation of joint scrutiny arrangements where a proposed change involves consultation with more than one council



# Healthwatch

- Can refer matters of concern re planning, provision and operation of local health-service to HOSC
- · /HOSC must:
- Having received referral acknowledge within 20 working days
- 'Keep Healthwatch informed of any action it is proposing to take



## Health and Wellbeing Board

- Established under Health and Social Care Act 2012
- HOSC (and other scrutiny committees) can scrutinise priorities and programmes of the Health and Wellbeing Board
- Health and Wellbeing Board can refer matters to HOSC (and other scrutiny committees) for review

