

TITLE	Health Scrutiny Arrangements
FOR CONSIDERATION BY	Health Overview and Scrutiny Committee on 11 September 2013
WARD	None Specific



Health Scrutiny Arrangements

Health Overview and Scrutiny Committee
11 September 2013



WOKINGHAM
BOROUGH COUNCIL

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)



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):

- NHS 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 can....

- 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

