
Health Scrutiny Committee – 16th July, 2013

Report of the Lead Officer and the Director of Corporate Resources

Terms of Reference, Annual Scrutiny Programme and Work Programme 2013/14

Purpose of Report

1. To note the terms of reference of the Committee and the items included in the Annual Scrutiny Programme and the Work Programme for consideration by this Scrutiny Committee during 2013/14.

Background

2. On 25th April, 2013, the Cabinet considered a report on a review of the Council's overview and scrutiny arrangements. The recommendations from Scrutiny Chairs were endorsed by the Cabinet and formally approved at the annual meeting of the Council on 16th May, 2013.
3. The principles of the new structure are to strengthen the Council's overview and scrutiny arrangements; to ensure proper democratic accountability and to promote confidence in the conduct of the Council's business. The new scrutiny arrangements are also set in the context of significant financial pressures faced by the Council and the need to focus limited resources in the most effective way.
4. The review was also based on the following principles, as agreed by Scrutiny Chairs:-
 - That the former informal "Chairs of Scrutiny Committees" meeting be formalised into an "Overview and Scrutiny Management Board".
 - That a revised structure of Overview and Scrutiny Committees be adopted, including Scrutiny Committees to carry out detailed scrutiny reviews and a separate Scrutiny Committee with a remit for Corporate Performance Management, Efficiency and Effectiveness.
 - That the role of Scrutiny Committees be developed further to comprise:-
 - The adoption of the "Parliamentary Select Committee" model by undertaking single item in-depth scrutiny investigations/inquiries with reports from the Scrutiny Chair being presented to the Cabinet/Council.

- Being more strategic and selective in selecting topics for scrutiny with Scrutiny Committees focussing on in-depth investigations. The Overview and Scrutiny Management Board will have a role in overseeing and co-ordinating the annual scrutiny programme.

- Enhancement of the role of Scrutiny Committees in policy development by carrying out the in-depth scrutiny reviews as referred to above.

- All scrutiny "Call-ins" to be determined by the Management Board (with provision for inviting statutory co-opted members in the case of Education matters).

- Cabinet Members/Chief Officers and others to attend scrutiny meetings to give evidence/reports if required by the Scrutiny Committee (given advance notice).

- The retention of statutory co-opted members on the Scrutiny Committee that considers "Education" matters (ie: Children's Services).

- The Chair of the Overview and Scrutiny Management Board to submit an annual report to the Council on corporate scrutiny activity.

- The Minutes of the Overview and Scrutiny Management Board and individual Scrutiny Committees to be submitted to Council.

5. The approved terms of reference of the Scrutiny Committee are set out in Appendix 1. The terms of reference of the Committee also gives a clear indication of the Cabinet portfolios and Directorate functions within the remit of the Scrutiny Committee.
6. Scrutiny Committees have discretion to set their own programme of meetings to carry out the reviews that are allocated to them. Meetings of this Scrutiny Committee have also been scheduled on the dates set out below to enable the Committee to carry out its functions during the year:-

Wednesday, 25th September, 2013 – 6PM

Thursday, 7th November, 2013 – 6PM (to include detailed scrutiny of the Council's revenue budget proposals)

Thursday, 23rd January, 2014 – 6PM

Tuesday, 25th February, 2014 – 6PM

Thursday, 27th March, 2014 – 6PM

Themes for In-depth Review

7. In April, 2013, Scrutiny Chairs considered the development of a draft Annual Scrutiny Programme for the 2013/14 municipal year taking account of the views of Cabinet Members and Directors as part of their business planning cycle. The Overview and Scrutiny Management Board formally endorsed the Annual Scrutiny Plan at its meeting on 29th May, 2013. The items for detailed consideration by the Health Scrutiny Committee during 2013/14 are:

- Tobacco Control Strategy -Update/Development
- Elements of Patient Experience in Acute Care

8. Appendix 2 gives more detailed information on the topics set out in the Annual Scrutiny Programme for 2013/14 as referred to in paragraph 7 above.
9. Immediately following this first formal meeting of the Scrutiny Committee, an informal development session will be held for members and officers to discuss the scope of the topics to be scrutinised; the process of gathering information (including the 'witnesses' to be invited to attend) and the timescales for carrying out the reviews (with timescales for both informal and formal meetings).

Broader Work Programme 2013/14

10. NHS agencies have a duty to consult the health scrutiny committee on service development with the aim of strengthening democratic accountability across the health sector.
11. Key stakeholders across the health, care and well-being sector including Dudley's new Clinical Commissioning Group, Dudley Group of Hospitals and Public Health have been engaged in the development of the 2013/14 work plan to ensure its effective development; helping lay the foundations for targeted, incisive and timely work on issues of local importance, where scrutiny can add value.
12. The work plan (attached at appendix 3) also reflects issues arising from previous meetings identified for closer scrutiny and regular review.

Public Forum and Co-opted Members

13. Under the Scrutiny Committee Procedure Rules, as contained in the Constitution, all Scrutiny Committees previously had the discretion to include a standard item entitled 'Public Forum' on the agenda to facilitate members of the public asking questions on any matter falling within the terms of reference of the Committee. This discretion remains under the revised Scrutiny arrangements and the Committee is invited to express views on whether such an item should be included on future agendas.
14. At the annual meeting of the Council on 16th May, 2013, reference was made to the potential appointment of a co-opted member to this Committee during the municipal year. The Committee is now recommended to make provision for the Chairperson of Dudley's local Healthwatch organisation - as the locally appointed consumer champion for health and social care - to be appointed as a non-voting co-opted member for the remainder of the municipal year; with the particular aim of attaining a deeper understanding of health, care and well-being issues impacting Dudley's communities.

Review and Improvement

15. The revised scrutiny arrangements will be subject to ongoing review and further consideration by the Overview and Scrutiny Management Board during the municipal year.

Finance

16. The costs of operating the revised scrutiny arrangements will be contained within existing budgetary allocations.

Law

17. Scrutiny Committees are established in accordance with the provisions of the Local Government Act 1972 and the requirements of the Council's Constitution, which was adopted under the Local Government Act 2000, subsequent legislation and associated Regulations and Guidance. Scrutiny powers relating to health are included in the Health and Social Care Acts 2001 and 2012 and associated Regulations and statutory guidance.

Equality Impact

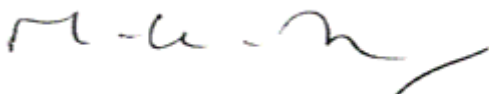
18. Provision exists within the recommended scrutiny arrangements for overview and scrutiny to be undertaken of the Council's policies on equality and diversity.

Recommendations

19. That the terms of reference of the Committee, as set out in Appendix 1, be noted.
20. That the issues contained in the Annual Scrutiny Programme for 2013/14, as referred to in paragraph 7 and Appendix 2, be noted.
21. The outline work plan at appendix 3 reflecting key developments across partners and stakeholders for 2013/14; and issues arising from previous scrutiny meetings, be approved.
22. That an informal development session be held for members and officers, at the conclusion of the formal business of this meeting, to discuss how they wish to progress the items for detailed consideration by the Committee during 2013/14.
23. That the Committee include a "Public Forum" session as a standing item of business on the agenda for future meetings.
24. That the Chairperson of Dudley Healthwatch be appointed as a co-opted member of this Committee for the remainder of the municipal year.



.....
Philip Tart
Director of Corporate Resources



.....
Mohammed Farooq
Lead Officer

Contact Officers:

Philip Tart
Telephone: 01384 815300
Email: philip.tart@dudley.gov.uk

Mohammed Farooq
Telephone: 01384 815301
Email: mohammed.farooq@dudley.gov.uk

Aaron Sangian
Telephone 01384 814757
E-mail: aaron.sangian@dudley.gov.uk

Steve Griffiths
Telephone: 01384 815235
Email: steve.griffiths@dudley.gov.uk

List of Background Papers

Reports and minutes of the Cabinet dated 25th April, 2013

Reports and minutes of the Council dated 16th May, 2013

Reports and minutes of the Overview and Scrutiny Management Board dated 29th May, 2013

Terms of Reference

Health Scrutiny Committee

To fulfil all of the overview and scrutiny functions of a Scrutiny Committee as they relate to the improvement of local health and associated services, as a contribution to the Council's community leadership role, in accordance with relevant legislation, regulations and associated guidance.

To make reports and recommendations to local National Health Service (NHS) bodies and to the Council on any matter reviewed or scrutinised which will explain the matter reviewed, summarise the evidence considered, provide a list of participants in the scrutiny exercise, and make any recommendations on the matter reviewed as appropriate.

To proactively receive information within given timescales, with some exceptions as per Government Guidance, requested from local NHS bodies.

To be consulted by and respond to (as appropriate) NHS bodies in connection with the rationale behind any proposal and options for change to local health services made by the NHS.

To ensure the involvement of local stakeholders in the work of the Committee.

To take referrals from local Patients' Forums.

To act in accordance with Government Guidance relating to Health and Scrutiny functions.

In accordance with any relevant statutory requirements and the Annual Scrutiny Programme approved by the Overview and Scrutiny Management Board:-

- (a) To undertake in-depth scrutiny investigations, inquiries and reviews in accordance with the Annual Scrutiny Programme;
- (b) To contribute to policy development by carrying out the scrutiny of all health related functions and matters falling within the portfolio of the Cabinet Member for Health and Wellbeing (including the Office of Public Health).

To submit reports and recommendations to the Cabinet and/or the Council on the outcomes of scrutiny investigations, inquiries and reviews.

To make recommendations to the Overview and Scrutiny Management Board on any proposed amendments to the Annual Scrutiny Programme.

| Health Scrutiny Committee | | |
|--|---------------|--|
| Portfolio | | Cabinet Member for Health & Wellbeing |
| Area for Scrutiny | | Tobacco Control Strategy Update/Development |
| Council Priorities | | |
| | Council Plan: | Health & Wellbeing- to strengthen the role and impact of ill health prevention |
| Context | | <ul style="list-style-type: none"> • Tobacco use remains one of our most significant public health challenges. Although overall smoking rates in Dudley have continued to decline over the past decade to 18.5% (based on the 2009 Dudley Health Survey) there remains higher smoking prevalence in our most deprived areas, Castle & Priory (24.5%) and Brierley Hill (26.4%). The national rate is 21%. Further action is needed to reduce rates further. • Tackling tobacco is seen by the Local Government Association as priority to improve the health and wellbeing of their communities and reduce inequalities in health. • Key to this is adopting a comprehensive approach to tobacco control locally that includes strategies and action in 6 key areas (known as the 6 strand approach) which are: <ul style="list-style-type: none"> -enforce the minimum price of tobacco -ensure non-price measures such as advertising restrictions,smokefree laws and health warnings are in place locally - provide information and advocacy - provide effective stop smoking programmes - restrict access to minors - control the illicit trade • Dudley’s Tobacco Control Programme is co-ordinated by the Office of Public Health and has an annual plan with key actions across the 6 strand approach. This requires longer term commitment and input from several partners to be effective. |
| Rationale | | <ul style="list-style-type: none"> • The Tobacco Control Strategy for Dudley – ‘Creating A Smokefree Generation ‘ was based on meeting Government 2010 targets and needs updating to bring this into line with new national data and local priorities. • Dudley has been identified by HMRC as ‘hot spot’ area for illicit tobacco being sold and a more structured approach needs to be developed and reflected in the strategy and action plan. • The continued importance of Tobacco Control is reflected in the Coalition government’s proposals to monitor tobacco control indicators as part of the Public Health Outcomes Framework. • This is an opportunity to review key stakeholders and partners to agree action and ensure delivery as some elements of Tobacco Control should be everyone’s business. |
| What are we asking from the Scrutiny Committee? | | To support and input into the development of a refreshed Dudley Borough Tobacco Control Strategy & Action Plan |

| Health Scrutiny Committee | | |
|--|---------------|--|
| Portfolio | | Cabinet Member for Health & Wellbeing |
| Area for Scrutiny | | Elements of Patient Experience in Acute Care |
| Council Priorities | | |
| | Council Plan: | Ensure local people receive the highest quality healthcare from their local health services. |
| Context | | <p>The independent inquiry into care provided by Mid-Staffordshire NHS Foundation Trust – January 2005 – March 2009, chaired by Robert Francis QC, highlighted serious failings in care at that Trust which were set out in the report published in 2013 and recommended changes at the Mid-Staffordshire acute hospital.</p> <p>The report also comments that in respect of Mid-Staffordshire, it received evidence of <i>'perceived ineffectiveness'</i> of the local authority Overview and Scrutiny Committee (OSC). Comments concerned <i>'lack of understanding and grip'</i> on the real local healthcare issues. Sir Robert Francis found <i>'little evidence that the OSC took a particularly aggressive proactive approach to their scrutiny of the NHS'</i>; though this view was countered by the Chair of the District Council OSC.</p> |
| Rationale | | <p>The Dudley MBC OSC has taken a proactive approach to the quality of care in the local acute trust. The Committee may now wish to take a more in-depth look at the area of patient experience – ensuring that it provides opportunity to hear from patients and their relatives on the standard of care received and seek assurance that the responsible commissioner is adequately monitoring standards of care. It is suggested that the Committee consider 1 of 2 potential areas:</p> <ul style="list-style-type: none"> - personal and oral hygiene - nutrition and hydration. |
| What are we asking from the Scrutiny Committee? | | That the Committee examines, in depth, the quality of the patient experience in 1 of 2 proposed areas of patient experience; and make recommendations for healthcare bodies based upon such a review. |