
Select Committee on Health and Adult Social Care (HASC) – 20th November, 2008

Report of the Lead Officer to the Committee

Government review of health overview and scrutiny

Purpose of Report

1. To inform Members of the Governments review to improve the effectiveness of the Health Scrutiny function.

Background

2. The Department of Health (DH) will be launching a review to establish how local authority overview and scrutiny committees and the NHS can work more effectively together to achieve better, safer, modernised health services. A number of regional events, including one in Dudley, are being held to find out people's thoughts and ideas about how this can be achieved.

Current Health Scrutiny policy

3. Almost six years ago, local authority overview and scrutiny committees (OSCs) i.e HASC were given the power to scrutinise local health services. DH have indicated that there is strong evidence that these powers have helped to improve both the quality of services, as well as the experience of people who use them. However, since the powers were implemented, NHS organisations, health services and local authorities have changed substantially. This means that the policy and the related guidance for OSCs and the NHS needs to be updated, e.g. to recognise the advent of Foundation Trusts, reflect the new roles of Strategic Health Authorities and PCTs and to take into account policies such as World Class Commissioning (WCC) (the Committee considered a report by PCT setting out the principles of WCC at it's meeting in July 2008).

The review

4. In November, the Department of Health will start the process of asking people and organisations for their ideas in order to build on the achievements of health overview and scrutiny and address any challenges that exist. The discussion will also look at the growing challenges around joint scrutiny and the need for a number of OSCs and NHS organisations to work together in different ways. **The**

information collected will be used to help develop amendments to the current policy and guidance and a consultation will be held on these in the Spring of 2009.

Issues that the review may cover

5. Changes that have been made in the role of NHS organisations. Scrutiny Policy needs to be updated to take into account the introduction of Foundation Trusts such as Dudley Group of Hospitals which was awarded such status in October. There have also been changes to the remit of Strategic Health Authorities, as well as Primary Care Trusts.
6. Increased collaboration by Health Scrutiny Committees i.e. HASC. The increased commissioning of services that cross local authority boundaries means that overview and scrutiny committees are working more in partnership. HASC formed a joint health scrutiny committee with Walsall in December 2007 to consider proposals to merge Mental Health Services in both boroughs to form a single Trust. Although this was a positive exercise it was a complex and drawn out process due in light of ambiguous guidance. It is hoped the review address this issue in recommending the current guidance on Joint Committees is made more clear in order to reduce the amount of time that it takes to arrive at a joint decision.
7. Recommendations from the NHS Next Stage Review: The next stage review makes a number of recommendations about how the process of health overview and scrutiny can be improved. Commitments were made to raise the standard of evidence for change; to ensure local decision making is more transparent and clinically led; to streamline the process of change; and, to improve the evidence base for change. Reference was also made to the inclusion of a 'mediation' process for joint committees that are unable to reach consensus.

Having your say

8. Department of Health are holding a number of regional events so local councillors and other interested parties can share their experience and have their say. HASC will be represented at the West Midlands Event in Dudley referred to in paragraph 2 by the Chair and Scrutiny Officer to the Committee. It will be an opportunity share and consider best practice and ideas that have been suggested to improve the health scrutiny process, and further shape scrutiny policy.

Finance

9. The Department of Health events referred to paragraphs 2 and 6 are free of charge to delegates.

Law

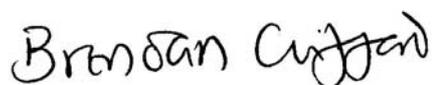
10. The National Health Service Act 2006 gives statutory provision to local authorities with social services responsibilities to review and scrutinise health services provided or commissioned by NHS trusts.
11. The relevant statutory provisions regarding the Council's Constitution are contained in Part 11 of the Local Government Act 2000, together with Regulations, Orders and Statutory Guidance issued by the Secretary of State.
13. Section 111 of the Local Government Act, 1972, enables the Council to do anything, which is calculated to facilitate or is conducive or incidental to the discharge of its functions.

Equality Impact

11. The aims and principles of the review commissioned by Department of Health can be seen as contributing to the equality agenda in its pursuit of improving care for all.

Recommendation

12. It is recommended that :
 - the Committee note the contents of the report
 - a report detailing the planned consultation referred to in paragraph 4 be submitted to a future meeting of this Committee.



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List of Background Papers