

HEALTH AND WELLBEING BOARD

13TH JUNE 2012

Briefing note: Changes to Scrutiny from the Health & Social Care Act.

The purpose of this briefing note is to inform members of the Health & Wellbeing Board about changes to scrutiny from the Health & Social Care Act.

Broadly, the function and powers of health overview and scrutiny committees are set out in the Health & Social Care Act 2012 and the National Health Service Act 2006 as follows:

- To review and scrutinise health services in the local authority area and make reports and recommendations to NHS bodies
- To require a response from NHS bodies to a scrutiny report or recommendations within 28 days
- To require officers of a trust to attend meetings to provide information needed by the Committee to discharge its functions
- To require information, other than information exempt under legislation, to be provided to the Committee
- To refer matters to the Secretary of State where the Committee feels that consultation by an NHS body, or the reasons given for an exception to the consultation, are inadequate, or where they consider the proposals not to be in the interests of local health services.
- Where there is a substantial development or variation to health services, NHS bodies are required to consult with the relevant overview and scrutiny committee
- To establish a joint committee to scrutinise substantial variations affecting more than one local authority area.

Under the Council's Constitution, the scrutiny function is currently exercised by the authority's overview and scrutiny committees – the Health & Adult Care Scrutiny Committee, and the Shropshire and Telford & Wrekin Joint Health Scrutiny Committee.

The Health & Social Care Act made the following changes to the scrutiny function:

- A key change is that the Act confers the health overview and scrutiny function directly to the local authority itself, rather than to the health scrutiny committee. Authorities have the ability to discharge their health scrutiny powers in the way they deem most suitable, either by retaining a health scrutiny committee or by a suitable alternative arrangement.
- The Act extends local authority health scrutiny powers from "local NHS bodies" to "relevant NHS bodies or relevant health service providers" which has been interpreted as meaning all commissioners and providers of NHS services including voluntary and private sector providers which are commissioned and funded by the NHS. The powers will also include scrutiny of local public health services following the transfer of the public health function to local government.

- Scrutiny powers will also extend to the Health & Wellbeing Board as a committee of the local authority.

Regulations and guidance relating to scrutiny are due to be published for consultation in June.

Following the issue of the regulations there will need to be:

- A discussion within the Council about the arrangements for the discharge of the authority's health scrutiny duties. Anecdotally, other authorities are discussing the delegation of the function and powers to Health Scrutiny Committees.
- A report brought to Full Council about any proposed arrangements.
- Discussions with the Health & Wellbeing Board and Healthwatch to define the roles, responsibilities and interrelationships of each function.
- Further reports brought to the Health & Wellbeing Board once the scrutiny arrangements have been discussed and the regulations and guidance issued.

The scrutiny committee's 2012/13 work programme is currently being reviewed and members of the Board are welcome to put forward issues they feel would be useful for scrutiny to look at.

The items carried over from the previous work programme are set out below, and these should not duplicate work planned by the Health & Wellbeing Board.

Topic	Timing if known	Scrutiny Committee
Community Trust – FT application	July 2012	Health & Adult Care
Healthwatch specification		Health & Adult Care
Priorities for Health & Wellbeing Strategy		Health & Adult Care
Consultation on visioning for Public Health		Health & Adult Care
Vulnerable Adult Safeguarding Board report, plus report from SSSFT on safeguarding thematic review (adults & children).	Sept 2012	Health & Adult Care
Discharge of patients – findings of Senior Citizens' Forum/LINK survey		Health & Adult Care
Meals on Wheels – review of options for service change		Health & Adult Care
Alcohol Strategy		Health & Adult Care
Mental Health modernisation programme		Health & Adult Care
CCG authorisation/development		Health & Adult Care
SaTH Foundation Trust application	June 2012	Joint Health Overview & Scrutiny Committee (Joint HOSC)
Ophthalmology services	June 2012	Joint HOSC
Implementation of reconfiguration: – Travel & Transport Plan (WMAS) – Work force development plans	On-going July 2012 Summer	Joint HOSC

<ul style="list-style-type: none"> - Training and support for GPs and midwives - Risk register - Surgical moves 	<p>Summer On-going On-going</p>	
<p>West Midlands Ambulance Service</p> <ul style="list-style-type: none"> - Engagement with development of clinical pathways and Travel & Transport Plan - Update on implementation of 'Make Ready' - Workforce development needs - recruitment and training of paramedics, advanced paramedics, coverage and training of community first responders. 	<p>July 2012 and on-going</p>	<p>Joint HOSC</p>
<p>Hospital at Home</p>		<p>Joint HOSC</p>
<p>111 service</p>		<p>Joint HOSC</p>

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