

## **Agenda Item 3**

### **Brighton & Hove City Council**

**Meeting:** Joint Committee on NHS Consultation on Best care, best place

**Date:** 26 November 2004

**Report of:** Director of Cultural Services

**Subject:** Constitution and Terms of Reference

**Ward affected:** All

#### **1. Purpose of the report**

- 1.1 To inform Members of the Constitution and Terms Reference that has been agreed by the constituent authorities.

#### **2. Recommendations**

- 2.1 That the Constitution and Terms of Reference be noted.

#### **3. Establishment of a Joint Committee**

- 3.1 The Government issued directions in July 2003 to require health scrutiny authorities to establish a joint committee to provide a single response to a consultation by a NHS body in those cases where the proposals affected more than one health authority area.
- 3.2 Officers had informal discussions with the NHS about a proposed consultation on an overall case for change in health and health services across Brighton and Central Sussex and on how this case translates into options for hospital services. The period on consultation commenced on 2 November 2004 and will continue until 22 February 2005. The proposals will therefore affect Brighton and Hove and East and West Sussex County Councils.
- 3.3 The directions relate solely to the discharge of health scrutiny responsibilities and do not prevent the Councils from making a response through their executive members to a NHS body.

- 3.4 Through discussions at officer level and after consulting members, it was proposed that a joint committee should comprise three members from each of the three constituent authorities. As with other ad hoc committees it was felt that it would not be appropriate for the substitutes schemes to be applied due to the time limited nature of the consultation. Non-voting members would not normally be able to vote on a joint committee but it is very much hoped that in the spirit of scrutiny that a consensus will be sought and voting will not be necessary. It is anticipated that Patient and Public Involvement Forums will be consulted separately.
- 3.5 Membership of the joint committee has to be politically proportionate, unless each authority agrees otherwise. East Sussex County Council proposed that this requirement be waived. Both West Sussex County Council and Brighton and Hove City Council have agreed that the proportionality rules be waived.
- 3.6 It is anticipated that up to six meetings may be necessary. This may well include visits to the Royal Sussex County Hospital in Brighton and Princess Royal Hospital in Haywards Heath. This will be a matter for members to decide as the consultation process continues. Members will also need to decide how to formulate a response and this will include whether it is considered appropriate to answer the specific questions raised in the consultation document along with any other comments that members may wish to make or whether a response will be provided in a different format. It is suggested that as the consultation paper is usefully divided into 5 sections that this would help members to focus on the specific issues raised.
- 3.7 In addition members will also need to decide how they would wish to engage with the NHS in the process. In this respect it is suggested that members may feel that it is not appropriate to involve the NHS as advisors to the Committee but to invite the NHS to give presentations and to provide more information on the issues that concern members as the process develops.
- 3.8 It has been proposed that the meetings will be held in Brighton and Hove and the resourcing will be met from within existing resources; both East and West Sussex have agreed to provide administrative support where necessary.

#### **4. Constitution**



COMMITTEE REPORT APPENDIX



<b>Meeting/Date</b>	<b>Joint Committee on NHS Consultation 26 November 2004</b>	
<b>Report of</b>	<b>Director of Cultural Services</b>	
<b>Subject</b>	<b>Constitution and Terms of reference</b>	
<b>Wards affected</b>	<b>All</b>	
<p><b>Financial implications</b> Members of the Joint Committee will be eligible for travelling costs (most meeting would be at King's House or in Brighton/Hove Town Halls). The respective local authority will meet these costs. The travelling costs, together with sharing with the other two councils the costs of servicing the Joint Committee, would be funded from within existing city council budgets.  <i>Finance Officer consulted: Peter Wright Date : 8th October 2004</i></p>		
<p><b>Legal implications</b>                  The Government Directions referred to in this report provide a framework to enable the council to undertake the scrutiny of health services where there are cross boundary issues, but do not prescribe the procedure. The proposals in this report are consistent with the framework set out in the Directions.  <i>Lawyer consulted: Liz Culbert Date: 13th October 2004</i></p>		
<p><b>Corporate/Citywide implications</b>                  Health Scrutiny is intended to complement existing initiatives such as the local Community Strategy and the work of the Local Strategic Partnership. It therefore contributes to supporting the Council's commitment to leading and listening in the city"</p>	<p><b>Risk assessment</b>                  One of the challenges of the new power will be how to successfully combine scrutiny and partnership in relationship to local NHS bodies. A constructive approach, based on mutual understanding and co-operation between the Panel and NHS bodies, will be a pre-requisite for success.</p>	
<p><b>Sustainability implications</b>                  There are no direct sustainability issues arising from the report.</p>	<p><b>Equalities implications</b>                  The new power will help the council become more closely involved in work with health partners to examine causes of ill-health and health inequalities.</p>	
<p><b>Implications for the prevention of crime and disorder</b>                  There are no specific implications arising from this report.</p>		

## COMMITTEE REPORT APPENDIX



### **Background papers**

1. The Local Authority (Overview & Scrutiny Committees Health Scrutiny Functions) Regulations 2002

### **Contact Officer**

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