

HEALTH & WELLBEING OVERVIEW & SCRUTINY COMMITTEE

Agenda Item 18

Brighton & Hove City Council

Subject: Work Programme Report
Date of Meeting: 24 July 2012
Report of: Strategic Director, Resources
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Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report provides Members with information on the suggested work plan for the Health and Wellbeing Overview and Scrutiny Committee (HWOSC). It is presented to Members for information and to help with the future work-planning for this committee.
- 1.2 The Committee needs to engage with co-opted members of the HWOSC separately to ensure that they can contribute to the work plan.
- 1.2 Appended to this report is the Committee's draft work programme (**Appendix 1**) and the work programme items suggested for each meeting (**Appendix 2**).

2. RECOMMENDATIONS:

- 2.1 That members:
 - (1) Agree the work programme for the next committee, as set out in **Appendix 1** to this report.
 - (2) Agree to engage with co-opted members of the HWOSC separately to ensure that they can contribute to the work plan.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 The HWOSC has four distinct areas of work:

- (a) Statutory scrutiny of NHS-funded healthcare commissioning and provision
- (b) Scrutiny of the local Health & Wellbeing Board
- (c) Scrutiny of local Adult Social Services (in partnership with the Adult Care & Health Policy Committee)
- (d) Scrutiny of local Children's Services (in partnership with the Children & Young People Policy Committee)

3.2 (a) Statutory scrutiny of NHS-funded healthcare commissioning and provision

3.2.1 Local Authority Health Scrutiny committees (HOSCs) have statutory powers (under the 2006 NHS Act) to scrutinise the commissioners and providers of NHS-funded healthcare services for local residents. Local (and regional/national) NHS bodies are required to consult with the relevant HOSC(s) when planning to make 'substantial variations or improvements' to their services. The HOSC work programme will therefore need to reflect:

- (1) local NHS commissioner plans to make significant service changes
- (2) local NHS provider plans to make significant service changes
- (3) other areas of local NHS commissioning/provision that HWOSC members consider of importance
- (4) areas of regional/national NHS commissioning/provision which in the opinion of HWOSC members may have an impact on local people (e.g. commissioning of specialist services)
- (5) Very major regional/national developments in NHS policy or planning – e.g. that will impact significantly upon local services.

3.2.2 In order to reflect the above areas in its work planning, the HWOSC will need to consult with local NHS commissioners and providers, including: the Brighton & Hove Clinical Commissioning Group (CCG), NHS Sussex, the NHS Commissioning Board (NCB), Brighton & Sussex University Hospitals Trust (BSUH), Sussex Partnership NHS Foundation Trust (SPFT), Sussex Community Trust (SCT), and the South East Coast Ambulance Service (SECamb). Whilst a good deal of NHS planning is done in advance, some is unavoidably reactive or in response to in-year initiatives etc. The HWOSC work programme will therefore need to be flexible enough to respond to NHS requests for issues to be tabled at relatively short notice.

3.2.3 Statutory NHS consultation with HOSCs may only be undertaken with individual HOSCs (or with a formally constituted joint HOSC: JHOSC). However, members should be aware that there is an existing network of South East Coast HOSC Chairs and lead officers (Brighton & Hove, West Sussex, East Sussex, Surrey, Kent and Medway) which informally considers and responds to regional/national NHS initiatives (e.g. around specialist commissioning) where it is felt that there is unlikely to be strong interest at an individual HOSC level.

3.3 (b) Scrutiny of the local Health & Wellbeing Board

3.3.1 The 2012 Health & Social Care Act requires local authorities to establish local Health & Wellbeing Boards (HWBs) by April 2013. HWBs will be responsible for: the local Joint Strategic Needs Assessment (JSNA); a local Joint Health & Wellbeing Strategy (JHWS); promoting better co-working/integration between health and social care services; and facilitating local resident and stakeholder engagement in decision-making in health and social care. The HWB must be held to account for its decisions, particularly in relation to its ownership of the city Joint health & Wellbeing Strategy (JHWS). Since there is an overlap between Shadow HWB membership and that of the Council's Adults and Health and Children & Young People policy committees, these committees cannot effectively hold the HWB to account, and this duty falls naturally to the HWOSC.

3.3.2 The Shadow HWB will agree a JHWS for the city which will identify some key health, public health and social care priorities and set outcomes targets for service improvements in these areas. Council (and NHS) commissioners will be expected to reflect these JHWS priorities in their commissioning plans. The shadow HWB is not itself directly responsible for individual commissioning plans, and, as a 'high-level' board, will not be directly engaged in scrutinising commissioning plans. There is an obvious role here for the HWOSC in ensuring that key city commissioning plans do in fact pay due regard to the JHWS priorities.

3.3.3 In order to reflect the above area in its work planning, the HWOSC will need to bear the JHWS priorities in mind when developing its work programme, and may wish to scrutinise any commissioning plans that relate directly to achieving JHWS goals. The HWOSC may also wish to liaise with the shadow HWB to ensure that the committee's respective work programmes are effectively integrated.

3.4 (c) Scrutiny of local Adult Social Services and (d) Scrutiny of local Children's Services

- 3.4.1 Under the new system of governance for the city council, the HWOSC has subsumed the adult social care and children's services functions of the former Adult Social Care & Housing and Children & Young People Overview & Scrutiny Committees. However, under the new system, there will also be cross-party policy committees looking at these areas (e.g. the Adult Care & Health and Children & Young People committees). In order not to duplicate the work of the Council's policy committees, it has therefore been agreed that, in areas where both policy and O&S committees have overlapping remits, O&S committees should concentrate on 'commissioning' member-led scrutiny panels to conduct in-depth investigations of specific issues, leaving the day-to-day discussion of matters to the members of the relevant decision-making committee.
- 3.4.2 In the areas of ASC and children's services therefore, the intention is for HWOSC to be a commissioning body, meaning that, with the exceptions of considering whether to establish scrutiny panels, receiving panel reports etc, the HWOSC work programme will not routinely feature these issues.
- 3.4.3 In some instances it may not be entirely clear whether a matter should come to a decision-making committee, the HWOSC, or to both. For example, for some jointly commissioned services, the Council's decision-making processes may require the matter to be considered by Adult Care & Health or the Joint Commissioning Board, while NHS processes require consultation with the local statutory health scrutiny committee: HWOSC. When planning the HWOSC work programme, the HWOSC Chair will meet with his counterparts on decision-making committees to manage these cross-cutting issues.
- 3.4.4 In planning its work programme the HWOSC will need to be aware of the work programmes for relevant decision-making committees – e.g. Adult Care & Health, Children & Young People, Joint Commissioning Board and may need to agree a pathway for cross-cutting issues with the Chairs of those committees and/or NHS commissioners. The HWOSC work programme will need to be flexible enough to accommodate in-year requests for scrutiny panels on any relevant topic, but particularly in respect of the HWOSC's adult social care and children's services responsibilities.

3.5 Other Stakeholders

3.5.1 In addition to co-ordinating the HWOSC work programme with those of the committees and organisations detailed above, it is our intention to ask for work programme ideas from:

- (a) HWOSC members
- (b) HWOSC co-optees – e.g. the LINK, the Youth Council, the Older People’s Council and the CoE/Catholic diocesan representatives (and by extension the organisations they represent)
- (c) Other elected members of the city council
- (d) The local Community & Voluntary Sector Forum.

3.5.2 There is no intention to canvass members of the public directly. However, there is an annual appeal to city residents/organisations for ideas to inform scrutiny panels, and ideas submitted to this could influence the work programme. In addition, there are opportunities at every committee meeting for members of the public to table issues via Public Questions, Petitions etc.

4. THE FORMAT OF WORK PROGRAMMES

4.1 O&S work programmes should:

- (a) List all items for scrutiny in the current council year;
- (b) Indicate the date when an item is to be considered;
- (c) In instances where an item has not been requested by committee members, indicate where the item originated (e.g. referral from Cabinet, public question etc);
- (d) Indicate a mode of enquiry (e.g. review panel, workshop, report for information etc);
- (e) Indicate why the O&S committee is looking at a particular item – e.g. pre-decision policy development, performance monitoring, scrutiny of area of concern.

4.2 An updated copy of the work programme should be included in each committee agenda for information. (There should generally no need for members to agree the work programme at each meeting.) Items which have already been dealt with should remain on the work programme, with an indication of the date they were addressed and any action agreed. Therefore, anyone consulting an O&S committee work programme should be able to tell at a glance what work the committee

has already undertaken in the current year and what work it is planning to undertake.

- 4.3 There is an obvious utility in committees agreeing and keeping to an annual work programme. However, it may well be necessary to add items to the work programme throughout the year (e.g. in response to unanticipated events etc). In general it should be possible to add individual items at the Chairman's discretion. However, if very significant changes to the work schedule are required, it may be necessary to ask committee members to agree a revised work programme.

5. CONSULTATION

- 5.1 None to date, but intentions to consult on the work programme are detailed in points 3.1 to 3.6 to this report.

6. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 6.1 All HWOSC activity for 201-13 will be funded via current Scrutiny team budgets.

Legal Implications:

- 6.2 Agreeing a work plan is provided for in the council's overview & scrutiny committees' terms of reference. HWOSC is therefore acting within its authority to agree the recommendation at 2.1 above.

Lawyer Consulted: Oliver Dixon

Date: 01/06/2012

Equalities Implications:

- 6.3 O&S committee work programmes should be formulated with equalities issues in mind.

Sustainability Implications:

- 6.4 Members should consider whether the draft committee work programme adequately reflects the importance of sustainability issues to the committee's Terms of Reference.

Crime & Disorder Implications:

6.5 None identified.

Risk and Opportunity Management Implications:

6.6 None identified.

Corporate / Citywide Implications:

6.7 O&S committee work programmes should reflect corporate and citywide priorities.

7. EVALUATION OF ANY ALTERNATIVE OPTION(S):

7.1 Other options would include a less inclusive process – e.g. one where a work programme was agreed by committee members with no external consultation. Although easier to manage, such a process would fail to engage with the broader community and would risk being un-integrated with the work plans of other committees and bodies.

8. REASONS FOR REPORT RECOMMENDATIONS

8.1 Agreeing the report recommendations will allow the HWOSC to plan its work. A robust work programme is key to engaging effectively with partners, particularly external partners, and ensuring that resources are used efficiently.

SUPPORTING DOCUMENTATION

Appendices:

- 1) Committee draft work programme
- 2) Suggested work programme items meeting by meeting

Documents in Members' Rooms:

None

Background Documents:

None

