



Overview & Scrutiny Committee 10th October 2007

Report from the Director of Policy & Regeneration

Healthcare for London- Establishment of Joint Health Overview & Scrutiny Committee (London Wide)

1.0 Summary

- 1.1 This paper provides members with an outline of the proposed consultation process by NHS London on the findings of the recent "*Healthcare for London: A framework for action*" Report.
- 1.2 The formal consultation requests that a London wide Joint Health Overview & Scrutiny Committee (JHOSC) is established and that participating boroughs nominate members accordingly.
- 1.3 Appendices (A), (B), & (C) provide members with further detail and the context of the JHOSC.

2.0 Recommendations

- 2.1 That this committee note the process of consultation proposed by NHS London and agree to actively engage in the JHOSC.
- 2.2 That it is recommended to full Council that a Joint Health Overview and Scrutiny Committee be established with such other authorities as are consulted.
- 2.3 That it is recommended to full Council that the Chair and Vice Chair of the Council's Health Select Committee (O&S) are nominated as the representative and alternate member of the Joint Health Overview & Scrutiny Committee.
- 2.4 That the recommendations of this committee are included within the Chair of Overview & Scrutiny's report presented to Council on the 29th October for assent.
- 2.5 That this Committee receive updates from the Chair of the Health Select Committee on this matter, as appropriate.

3.0 Background

- 3.1 “*Healthcare for London: A framework for action*” was published in July 2007 and sets out possible models of care and service delivery across the capital.
- 3.2 The Darzi report, published in July 2007, sets out how London's healthcare needs to change over the next ten years. It sets out a strategic vision and those key factors necessary to make it a reality.
- 3.3 However, the report contains no formal proposals or decisions and is designed to stimulate discussion and debate.
- 3.4 The Darzi report's recommendations are based on five key principles:
- Services focused on individual needs and choices.
 - Localise where possible, centralise where necessary.
 - Truly integrated care and partnership working, maximising the contribution of the entire workforce.
 - Prevention is better than cure.
 - A focus on health inequalities and diversity.
- 3.5 This first stage consultation will examine the broad models of care outlined by Professor Lord Darzi in his report. Once this initial consultation is completed, the NHS will launch further consultations on specific proposals to implement the framework. This second stage is likely to be tailored to sub-regions or localities.
- 3.6 Following communications from the London Commissioning Group (PCTs across London) in August 2007, local authority Chief Executives received notification of the intended consultation process and the perceived role of overview & scrutiny. The Chair of the Health Select Committee (Cllr Leaman) was advised and responded positively to the need for Brent's involvement and a pan London approach. On this basis officers began to explore the logistical, practical, and legal aspects of involvement.
- 3.7 A meeting of health scrutiny officers was held on 10th September 2007 (facilitated by the London Councils' London Scrutiny Network) to consider the approach across London and the potential position of individual authorities. A copy of the letter sent to NHS London following the outcomes of that meeting constitutes **Appendix (A)**.
- 3.8 A meeting of the London Councils Scrutiny Network will be held on the 11th October 2007 to achieve a consensus view from Health Scrutiny Chairs. Whilst the constitutional procedures for individual London Boroughs vary, Brent's process demands that appointments to newly established committees (external) are given assent by its Full Council. This committee is, therefore, asked to make recommendations in relation to these appointments, rather than the appointments themselves.
- 3.9 It is proposed that the Chair of the Health Select Committee (O&S) is appointed as the member of the JHOSC and the Vice Chair appointed as alternate. The JHOSC requires one member from each London Borough and that the serving members reflect the political composition of the Council

unless members of all participating local authorities agree to waive the requirement,

- 3.10 The draft terms of reference for the JHOSC will be put to its initial meeting in October and reported back to full council in due course.
- 3.11 The logistics of co-ordinating activities across 32 London Boroughs (and the City of London) are challenging, particularly in relation to the 14 week timescale envisaged by NHS London (see **Appendix (B)**).
- 3.12 Hillingdon, Hounslow, and Lambeth Councils are leading on the facilitation of the London Scrutiny network (currently chaired by Cllr Mary O'Connor of Hillingdon Council). A copy of the recent invitation letter sent to the chairs of local health scrutiny committees constitutes **Appendix (C)**.
- 3.13 Whilst the cost of hosting meetings should be low, some costs may be incurred through the employment of a temporary secretariat to ensure the continuity of meeting minutes. Where possible the JHOSC will be supported through the use of existing facilities and officer capacity across the participating boroughs.
- 3.14 The JHOSC should produce only one report reflecting the full range of views of those involved in the joint committee. The Guidance produced by the Department of Health in 2003 recognises that there may be a diversity of opinion but, even so, the aim should be a consensual report. The NHS bodies receiving the report must respond in writing to any requests for responses to the report within 28 days.

4.0 Legal Implications

4.1 Under the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 NHS bodies have a duty to consult an overview and scrutiny committee on:

- Any proposals it may have under consideration for any substantial development of the health service in its area; or
- Any proposal to make a substantial variation in the provision of such services

4.2 The Secretary of State's direction issued on 17th July 2003 provides:

"where a local NHS body consults more than one overview and scrutiny committee pursuant to regulation 4 of the Regulations on any proposal it has under consideration for a substantial development of the health service or a substantial variation in the provision of such service, the local authorities of those overview and scrutiny committees shall appoint a joint overview and scrutiny committee for the purposes of the consultation and only that joint overview and scrutiny committee may:-

(a) make comments of the proposal consulted on to the local NHS body under regulation 4(4) of the Regulations;

- (b) require the local NHS body to provide information about the proposal under Regulation 5 of the Regulations; or
- (c) require an officer or the local NHS body to attend before it under Regulation 6 of the Regulations to answer such questions as appear to it to be necessary for the discharge of its functions under the consultation.”

4.3 Under the Local Government Act 1972 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2002 Council has the responsibility for setting up the Joint Committee and appointing members to it.

5.0 Further information

5.1 A summary and a copy of the full report are available at: http://www.healthcareforlondon.nhs.uk/framework_for_action.asp

5.2 A hard copy of the “*Healthcare for London: A framework for action*” is available on request.

6.0 Appendices

(A) “Preliminary view of the London Scrutiny Network”, Letter to NHS London, 14.9.07.

(B) “Healthcare for London consultation- Governance Timetable”, NHS London, 10.8.07

(C) “Joint Overview & Scrutiny (JOSC) to scrutinise the Darzi review”, letter from Cllr Mary O’Connor, 19.9.07.

7.0 Background Papers

- Local Government Act 2000
- Health and Social Care Act 2001
- The Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002
- Overview and Scrutiny of Health - Guidance
- Directions to Local Authorities (Overview and Scrutiny Committees, Health Scrutiny Functions)
- “*Healthcare for London: A framework for action*”

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