

Report of the Head of Scrutiny and Member Development

Report to the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber)

Date: 24 July 2012

Subject: Review of Children’s Congenital Heart Services in England: Revised Terms of Reference

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Not applicable Appendix number: Not applicable	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. The Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) (Joint HOSC) forms the statutory overview and scrutiny body to consider the proposed reconfiguration of Children’s Congenital Heart Services in England. This includes consideration of any potential impact on children and families across the Yorkshire and Humber region. As such, it is necessary for the Joint HOSC to keep its agreed terms of reference under review and, where necessary, make amendments to reflect any changing circumstances.
2. This report highlights the need to amend the previously agreed Terms of Reference to reflect the outcome of local elections held in May 2012 and the subsequent changes in appointments within Council’s across the region.
3. In addition, at the time of agreeing the original terms of reference, the focus was very much towards considering the proposed changes to Children’s Congenital Heart Services in England (including the reconfiguration options and future location of surgical centres) and responding to the formal consultation. However, as the review and consultation processes have progressed, it has become increasingly apparent that there are significant implementation issues that the Joint HOSC may wish to consider on an ongoing basis.
4. As such, the proposed revised Terms of Reference for the Joint HOSC, which reflects the changes in membership and includes consideration of issues associated with implementation, is attached at Appendix 1.

Recommendations

5. Members are asked to amend (if necessary) and agree the updated Terms of Reference attached at Appendix 1 to this report.

1.0 Purpose of this report

- 1.1 The purpose of this report is to present Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) with draft Terms of Reference for amendment and/or agreement, in relation to the national Review of Children's Congenital Heart Services in England.

2.0 Background information

- 2.1 The Health and Social Care Act (2001), subsequently reinforced and amended by the NHS Act (2006) and the Local Government and Public Involvement in Health Act (2007), places a duty on local NHS bodies to make arrangements to involve and consult patients and the public in:
- Planning service provision;
 - The development of proposals for changes; and,
 - Decisions about changes to the operation of services.
- 2.2 The requirement to consult on changes and/or developments of NHS services also includes a duty to consult with relevant Health Overview and Scrutiny Committees where the NHS Body has under consideration any proposal for a substantial development or variation in the provision of health services within a specific local authority area.
- 2.3 In this regard, and where matters under consideration are likely to affect two or more local authority areas, local authorities across Yorkshire and the Humber have developed and agreed a protocol as a guide and reference point for such circumstances.
- 2.4 In March 2011, a Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) (Joint HOSC) was formed to consider the proposed changes to Children's Congenital Heart Services in England (including the reconfiguration options and future location of surgical centres) and responding to the formal consultation.
- 2.5 The Joint HOSC submitted its formal response to the consultation on 5 October 2011 and subsequently issued a formal report to the Joint Committee of Primary Care Trusts (JCPCT) – as the appropriate decision-making body – on 10 October 2011. A formal response to the Joint HOSC's report has not yet been provided.
- 2.6 On 4 July 2012, the JCPCT took a final decision on the reconfiguration options and future location of surgical centres. Consideration of the decision and associated business case is presented elsewhere on the agenda.

3.0 Main issues

- 3.1 At its initial meeting on 14 March 2011, the regional Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) (Joint HOSC) agreed its terms of reference for considering the proposed reconfiguration of Children's Congenital Heart Surgery Services in England. Changes to the membership of the Joint HOSC were subsequently agreed on 2 September 2011 and 19 December 2011, respectively.

3.2 Following the local elections held in May 2012 and the subsequent changes in appointments within Council's across the region, it is now necessary to agree further membership changes for the Joint HOSC, as follows:

- Leeds City Council – Cllr. John Illingworth replacing Cllr. Lisa Mulherin (as Chair)
- North East Lincolnshire Council – Cllr. Peggy Elliott replacing Cllr. Karl Wilson
- Sheffield City Council – Cllr. Mick Rooney replacing Cllr. Ian Saunders

3.3 In addition, when first established the Joint HOSC's Terms of Reference was focused towards considering the proposed changes to Children's Congenital Heart Services in England (including the reconfiguration options and future location of surgical centres) and responding to the formal consultation. However, as the review and consultation processes have progressed, it has become increasingly apparent that there are significant implementation issues that the Joint HOSC may wish to consider on an ongoing basis.

3.4 Revised Terms of Reference for the Joint HOSC, which reflects the changes in membership and includes consideration of issues associated with implementation, is attached at Appendix 1 for members' amendment and/or approval, as necessary.

4.0 Corporate Considerations

4.1 Consultation and Engagement

4.1.1 There are no specific considerations relevant to this report.

4.2 Equality and Diversity / Cohesion and Integration

4.2.1 There are no specific considerations relevant to this particular report, however specific consideration of such matters may become necessary as part of the Joint HOSC's consideration of the Decision-Making Business Case (detailed elsewhere on the agenda) and issues associated with implementation.

4.3 Council Policies and City Priorities

4.3.1 There are no specific considerations relevant to this report.

4.4 Resources and Value for Money

4.4.1 There are no specific considerations relevant to this report.

4.5 Legal Implications, Access to Information and Call In

4.5.1 This report does not contain any exempt or confidential information.

4.6 Risk Management

4.6.1 There are no specific considerations relevant to this report.

5.0 Conclusions

5.1 The Joint HOSC (Yorkshire and the Humber) forms the statutory overview and scrutiny body that has and continues to consider the proposed reconfiguration of

Children's Congenital Heart Services in England. This includes the potential impact on children and families across the Yorkshire and Humber region. As such, it is necessary for the Joint HOSC to keep its agreed terms of reference under review and, where necessary, make amendments to reflect any changing circumstances.

- 5.2 Revised Terms of Reference for the Joint HOSC, which reflects the changes in membership and includes consideration of issues associated with implementation, is attached at Appendix 1 for members' amendment and/or approval, as necessary.

6.0 Recommendations

- 6.1 Members are asked to note the changed membership of the Joint HOSC and amend and/or agree the revised Terms of Reference (attached at Appendix 1), as necessary.

7.0 Background documents¹

- Health and Social Care Act (2001) – Directions to Local Authorities (Overview and Scrutiny Committees, Health Scrutiny Functions)
- Protocol for Yorkshire and the Humber Councils – Joint Health Overview And Scrutiny Committee
- Leeds City Council's Constitution – Overview and Scrutiny Procedural Rules
- Reports to the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber):
 - Proposed Reconfiguration of Children's Congenital Heart Services in England – Draft Terms of Reference (14 March 2011)
 - Proposed Reconfiguration of Children's Congenital Heart Services in England – Revised Terms of Reference (2 September 2011)
 - Proposed Reconfiguration of Children's Congenital Heart Services in England – Revised Terms of Reference (19 December 2011)

¹ The background documents listed in this section are available for inspection on request for a period of four years following the date of the relevant meeting. Accordingly this list does not include documents containing exempt or confidential information, or any published works. Requests to inspect any background documents should be submitted to the report author.