

Report of the Head of Democratic Services

Report to West Yorkshire Joint Health Overview and Scrutiny Committee

Date: 10 September 2019

Subject: Proposed changes to specialised commissioned vascular services across West Yorkshire - update

Are specific electoral wards affected? If yes, name(s) of ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has consultation been carried out?	<input checked="" type="checkbox"/> Yes <input 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: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

1. Purpose of this report

- 1.1 The purpose of this report is to update the West Yorkshire Joint Health Overview and Scrutiny Committee (the JHOSC) regarding NHS England's proposed changes to specialist vascular services across West Yorkshire.

2. Background information

- 2.1 The Local Authority (Public health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (the Regulations) provide for NHS bodies to consult with the appropriate local authorities where there are any proposed substantial developments or variations in the provisions of health services in the area(s) of a local authority under consideration.
- 2.2 In consulting with the appropriate local authorities, NHS bodies must provide the:
- (a) Proposed date by which a decision as to whether or not to proceed with the proposal is intended to be taken; and,
 - (b) Date by which the appropriate local authority must provide any comments on the proposed development or variation in the provision of health services.

- 2.3 In addition, NHS bodies must:
- (a) Inform the local authority of any changes to the proposed dates (set out in paragraph 2.2 (above)); and,
 - (b) Publish the proposed dates and any subsequent changes to those dates.

Joint overview and scrutiny committees

- 2.4 The Regulations also make provision for two or more local authorities to appoint a (discretionary) joint committee to discharge relevant health scrutiny functions from those local authorities, subject to any terms and conditions considered appropriate.
- 2.5 Where NHS bodies consult more than one local authority in relation to a specific proposed substantial development or variation in the provision of health services, those local authorities must appoint a (mandatory) joint overview and scrutiny committee for the purposes of the consultation.
- 2.6 In those circumstances, it is only the established joint overview and scrutiny committee that may:
- (a) Make comments on the proposal under consideration.
 - (b) Require the provision of information about the proposal under consideration; or
 - (c) Require a member or employee of the relevant NHS body to attend before it to answer questions in connection with the consultation and the proposal under consideration.

3. Main issues

- 3.1 During the course of the previous municipal year (2018/19), NHS England (Specialised Commissioning) advised the JHOSC that it had proposed changes to regional vascular services under consideration; and was likely to propose a service change that will see the development of a single regional service for specialised vascular care across West Yorkshire.
- 3.2 NHS England (Specialised Commissioning) also requested the establishment of a mandatory JHOSC to consider the proposals and formally respond to the consultation.
- 3.3 The JHOSC has been engaged in a number of discussions with NHS England (Specialised Commissioning) regarding its proposed changes to specialised vascular services. Following the most recent consideration of the proposals in April 2019, the JHOSC raised a number of queries and concerns, which were expressed through a letter from the Chair to NHS England (Appendix 1).

Response from NHS England (Specialised Commissioning)

- 3.4 A NHS England (Specialised Commissioning) response to the JHOSC's queries and concerns was received in late August 2019 – alongside a revised consultation and business case on proposals for the future of vascular services across West Yorkshire.
- 3.5 A further letter from NHS England was received in early September 2019, clarifying the requirement for North Yorkshire County Council to form part of the mandatory JHOSC arrangements in relation to vascular services.
- 3.6 The details provided by NHS England (Specialised Commissioning) are appended to this report.

Establishment of a mandatory North Yorkshire and West Yorkshire Joint Health Overview and Scrutiny Committee (Vascular Services)

- 3.7 Work to establish a mandatory JHOSC has progressed and proposed terms of reference for a North Yorkshire and West Yorkshire Joint Health Overview and Scrutiny Committee (Vascular Services) have been developed in conjunction with each of the following constituent authorities.
- Bradford Council
 - Calderdale Council
 - Kirklees Council
 - Leeds City Council
 - North Yorkshire County Council
 - Wakefield Council
- 3.8 The proposed terms of reference is presented at Appendix 5. It is proposed that each of the constituent authorities appoints two members to the mandatory JHOSC.
- 3.9 Agreement of the terms of reference and the associated appointments are being actively progressed within each of the constituent authorities.

Support arrangements

- 3.10 There are a number examples of a collaborative approach being taken across West Yorkshire and across Yorkshire and the Humber in relation to proposed health service developments or changes in provision.
- 3.11 Where other joint health overview and scrutiny arrangements have been established, a lead authority has been identified to Chair those joint committees and to provide the necessary support arrangements on behalf of all the participating authorities. The lead authority has tended to be identified by agreement between the participating authorities as the authority most affected by the proposals – in terms of the physical location of services and/or where local populations are most likely to be impacted by the proposals.
- 3.12 In establishing the mandatory North Yorkshire and West Yorkshire Joint Health Overview and Scrutiny Committee (Vascular Services), it is proposed to adopt a similar approach to identifying the lead authority through collective discussion with all the participating local authorities.

Rules of Procedure

- 3.13 The proposed terms of reference do not cover matters of procedure. However, for transparency, it is possible that one of the first items for the mandatory JHOSC to consider could be the procedure rules to be adopted. These would likely be those of the authority taking the lead in terms of chairing and supporting the JHOSC.

4. Corporate considerations

4.1 Consultation and engagement

- 4.1.1 Constituent authorities have been consulted on the proposed arrangements and terms of reference for the mandatory North Yorkshire and West Yorkshire Joint Health Overview and Scrutiny Committee.

4.2 Equality and diversity / cohesion and integration

- 4.2.1 There are no specific equality and diversity implications arising from this report and the proposed establishment of a mandatory North Yorkshire and West Yorkshire Joint Health Overview and Scrutiny Committee.
- 4.2.2 Any specific equality and diversity implications associated with the proposed service changes will be considered by the JHOSC – once established.

4.3 Council policies and best council plan

- 4.3.1 There are no specific implications arising from this report and the proposed establishment of a mandatory North Yorkshire and West Yorkshire Joint Health Overview and Scrutiny Committee.
- 4.3.2 Any specific implications associated with the proposed service changes will be considered by the JHOSC – once established.

Climate emergency

- 4.3.3 Establishing a mandatory North Yorkshire and West Yorkshire Joint Health Overview and Scrutiny Committee (Vascular Services) will reduce the need to attend meetings across each of the constituent local authorities – thus reducing the potential number of meetings and associated use of natural resources.
- 4.3.4 Any specific climate emergency implications associated with the proposed service changes will be considered by the JHOSC – once established

4.4 Resources and value for money

- 4.4.1 Resources to support the work of the mandatory JHOSC will be provided from within the existing establishment and support arrangements across the constituent local authorities – set out at Paragraph 3.7 (above).

4.5 Legal implications, access to information, and call-in

- 4.5.1 The legal framework and regulations associated with the establishment of a mandatory North Yorkshire and West Yorkshire Joint Health Overview and Scrutiny Committee are set out in the Local Authority (Public health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.
- 4.5.2 There are no specific access to information implications arising from the report and, as a council function, any decisions of the Joint Committee are not eligible for Call In.

4.6 Risk management

- 4.6.1 The main risks associated with establishing the mandatory North Yorkshire and West Yorkshire Joint Health Overview and Scrutiny Committee (Vascular Services) arise from any of the constituent authorities failing to agree the proposed terms of reference and making the necessary appointments to the JHOSC.
- 4.6.2 Mitigation of these risks has taken place by developing the proposed terms of reference in conjunction with each of the constituent authorities.

5. Recommendations

5.1 The West Yorkshire Joint Health Overview and Scrutiny Committee is asked to note the content and details presented in this report and associated appendices.

6. Background documents¹

6.1 None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.