

## Report of Head of Scrutiny and Member Development

### Report to General Purposes Committee

**Date: 19<sup>th</sup> October 2015**

### **Subject: West Yorkshire Joint Health Overview and Scrutiny Committee**

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|--|------------------------------|--|
| Are specific electoral Wards affected?<br>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?<br>If relevant, Access to Information Procedure Rule number:<br>Appendix number: | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

### Summary of main issues

- 1 A number of West Yorkshire authorities have appointed a Joint Health Overview and Scrutiny Committee to consider arrangements for commissioning and configuration of health services where those arrangements are made across the West Yorkshire area.
- 2 It is now proposed that Leeds City Council joins those authorities in making joint arrangements; approving the terms of reference; delegating the relevant functions to the West Yorkshire Joint Health Overview and Scrutiny Committee; and asking the Scrutiny Board (Adult Social Services, Public Health, NHS) to nominate Members to the Joint Committee.

### Recommendations

- 3 General Purposes Committee is asked to:
  - 3.1 Note the content and details presented in this report.
  - 3.2 Make the following recommendations to full Council:
    - That Council resolves to appoint a West Yorkshire Joint Health Overview and Scrutiny Committee together with the authorities listed at paragraph 6.1
    - That Council approves the terms of reference for the West Yorkshire Joint Health Overview and Scrutiny Committee set out at Appendix 1

- That Council delegates relevant functions, as set out in Appendix 1, that shall be exercisable by the West Yorkshire Joint Health Overview and Scrutiny Committee, subject to the terms and conditions specified.
- That Council agrees to appoint such members to the West Yorkshire Joint Health Overview and Scrutiny Committee, as nominated by the Scrutiny Board (Adult Social Services, Public Health, NHS).

## **4 Purpose of this report**

- 4.1 To ask the General Purposes Committee to consider and make recommendations to Full Council to appoint a Joint Health Overview and Scrutiny Committee, to delegate relevant functions (in accordance with the Committee's terms of reference), and to appoint members to the new committee following nomination by the Scrutiny Board (Adult Social Care, Public Health, NHS).

## **5 Background information**

- 5.1 The Local Authority (Public health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 provide for local NHS bodies to consult with the appropriate health scrutiny committee where there are any proposed substantial developments or variations in the provisions of the health service in the area(s) of a local authority. Local authorities can form joint health overview and scrutiny committees where deemed appropriate and where proposals to change health services cross local authority boundaries, local authorities may be required to establish a joint health committee by direction of the Secretary of State for Health.
- 5.2 In Yorkshire and the Humber, a protocol has been established between the 15 upper tier local authorities for establishing joint health overview and scrutiny committees, where required. Members will be aware that a Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) – the JHOSC – was previously established in March 2011, and reconfirmed in March 2014: The purpose of the JHOSC being to consider and respond to proposals associated with the Safe and Sustainable Review of Children's Congenital Cardiac Services in England and the subsequent new review of Congenital Heart Disease services across England. This work included considering the potential impact of proposals on children and families across Yorkshire and the Humber. The JHOSC also acted as the appropriate scrutiny body across Yorkshire and the Humber, providing a formal response to the proposals and reconfiguration options presented for public consultation.
- 5.3 The work of the JHOSC (formed to consider issues associated with the review of Congenital Heart Disease services across England) continues and will operate separately to the proposed Joint Health Overview and Scrutiny Committee (West Yorkshire) set out in this report.

## **6 Main issues**

- 6.1 The changing landscape of health service delivery within West Yorkshire, particularly in the way in which services are commissioned, has identified the need for a West Yorkshire Joint Health Overview and Scrutiny Committee. This would consist of Leeds, Bradford, Calderdale, Kirklees and Wakefield Councils.
- 6.2 The purpose of the proposed West Yorkshire Joint Health Overview and Scrutiny Committee would be to:
- Maintain an overview of health service developments likely to have implications across West Yorkshire;

- Consider any proposals from the NHS for substantial variation or development of services that have West Yorkshire wide implications;
- To meet with appropriate NHS bodies to discuss any health service related matters likely to have implications across West Yorkshire..

6.3 The terms of reference for the proposed West Yorkshire Joint Health Overview and Scrutiny Committee is shown in Appendix 1. It should be noted that a number of West Yorkshire authorities (Calderdale, Kirklees and Wakefield) have already appointed to the proposed joint committee in line with the terms of reference presented at Appendix 1.

6.4 It is now proposed that Leeds City Council joins those authorities in making such joint arrangements, approving the terms of reference and delegating the relevant functions to the West Yorkshire Joint Health Overview and Scrutiny Committee.

#### Appointment of members to the West Yorkshire Joint Health Overview and Scrutiny Committee

6.5 The proposed terms of reference presented at Appendix 1 stipulate the nomination / appointment of two members per authority.

6.6 The terms of reference of the Scrutiny Board (Adult Social Services, Public Health, NHS) outline that Board should make nominations for membership of any joint health overview and scrutiny committee appointed by the authority. As such, and subject to the outcome of General Purposes Committee, nominations will be sought from the Scrutiny Board (Adult Social Services, Public Health, NHS), with the intention that appointments can be confirmed at full Council in November 2015.

## **7 Corporate Considerations**

### **7.1 Consultation and Engagement**

7.1.1 This matter has been discussed by the chairs of the five West Yorkshire Council health overview and scrutiny committees, all of whom support the establishment of the joint committee. The Leader of Council has also been consulted, along with the Executive Member (Health Wellbeing and Adults) and the Director of Public Health.

### **7.2 Equality and Diversity / Cohesion and Integration**

7.2.1 There are no specific equality and diversity or cohesion and integration specifically associated with this report. However, although not a decision-making body, as a local authority joint committee the JHOSC will have to have a general regard of public sector equality duties.

7.2.2 In particular, the JHOSC will consider the impact of any future reconfiguration and future service model proposals on specific populations and communities across West Yorkshire. This will be alongside the general health and equality impacts arising from any proposals.

### **7.3 Council policies and Best Council Plan**

- 7.3.1 The establishment of a West Yorkshire Joint Health Overview and Scrutiny Committee will support the Council's role in improving health and reducing health inequalities as set out in the Leeds Joint Health & Well Being Strategy and the Best Council Plan.

### **7.4 Resources and value for money**

- 7.4.1 It is proposed that the administration of the Joint Committee be shared equally amongst the five West Yorkshire authorities and this will be met within existing resources.

### **7.5 Legal Implications, Access to Information and Call In**

- 7.5.1 Regulation 30 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013/218 provides for two or more local authorities to appoint a joint committee to discharge relevant functions in relation to health scrutiny.
- 7.5.2 Regulation 30(5) provides that where two or more authorities are included in any consultation carried out by a relevant NHS body or health service provider those local authorities must appoint a joint overview and scrutiny committee to act in relation to that consultation.
- 7.5.3 In appointing a joint overview and scrutiny committee the participating authorities may apply such terms and conditions as they agree are appropriate to the exercise of functions delegated.

### **7.6 Risk Management**

- 7.6.1 Not to appoint to the West Yorkshire Joint Health Overview and Scrutiny Committee would leave the authority at risk of delay in being able to comment on and influence NHS service reconfiguration proposals.

## **8 Conclusions**

- 8.1 The changing landscape of health service delivery within West Yorkshire, particularly in the way in which services are commissioned has identified the need for a West Yorkshire Joint Health Overview and Scrutiny Committee. This would consist of Leeds, Bradford, Calderdale, Kirklees and Wakefield Councils.
- 8.2 The purpose of the proposed West Yorkshire Joint Health Overview and Scrutiny Committee would be to:
- Maintain an overview of health service developments likely to have implications across West Yorkshire;
  - Consider any proposals from the NHS for substantial variation or development of services that have West Yorkshire wide implications;

- To meet with appropriate NHS bodies to discuss any health service related matters likely to have implications across West Yorkshire..

8.3 It is now proposed that Leeds City Council joins those authorities in making such joint arrangements, approving the terms of reference and delegating the relevant functions to the West Yorkshire Joint Health Overview and Scrutiny Committee.

## **9 Recommendations**

9.1 General Purposes Committee is asked to:

9.1.1 Note the content and detail presented in this report.

9.1.2 Make the following recommendations to full Council:

- (a) That Council resolves to appoint a West Yorkshire joint health overview and scrutiny committee together with the authorities listed at paragraph 6.1.
- (b) That Council approves the terms of reference for the West Yorkshire joint health overview and scrutiny committee set out at Appendix 1.
- (c) That Council delegates relevant functions, as set out in Appendix 1, that shall be exercisable by the West Yorkshire West Yorkshire joint health overview and scrutiny committee, subject to the terms and conditions specified.
- (d) That Council agrees to appoint such members to the West Yorkshire Joint Health Overview and Scrutiny Committee, as nominated by the Scrutiny Board (Adult Social Services, Public Health, NHS).

## **10 Background documents<sup>1</sup>**

10.1 None

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<sup>1</sup> 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.