

CHESHIRE EAST COUNCIL

HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEE

Date of meeting: 20 January 2009
Report of: Governance Lead Officer
Title: Annual Work Programme

1.0 Purpose of Report

- 1.1 To advise Members of the requirement for the preparation of an Annual Work Programme and to give consideration as to how to facilitate this.

2.0 Decision Required

- 2.1 The Committee is invited to agree its approach to the preparation of its Annual Work Programme.

3.0 Financial Implications for Transition Costs

- 3.1 There are no implications for transition costs, except the funding of appropriate Member development in view of the new roles and responsibilities involved.

4.0 Financial Implications 2009/10 and beyond

- 4.1 To be considered as part of the overall support to be provided to the Scrutiny function.

5.0 Information

- 5.1 This Committee, along with the main Scrutiny Committee, is expected to prepare an annual work Programme and to account for progress on that Programme at year-end. Set out below are some of the issues which the Committee will need to consider in drawing up its initial Work Programme.

- 5.2 Members have already noted that, as the statutory Health (& Adult Social Care) Scrutiny Committee it will be faced with a number of "must do's":

- Substantial Variations or Developments (SVDs) to local NHS Services
- Referrals – eg from LINKs, Petitions etc
- Annual Health Check of NHS Trusts

- Inspection Reports relating to Adult Social Care
- Annual Report on Complaints (Social Care)
- Call-Ins
- Annual Public Health Report

5.3 In dealing with each of the above, the Committee will generally be in reactive mode, responding to the proposals or concerns of others. Arguably, the Committee can have as much – if not more – influence when it is identifying/scrutinising the big cross-cutting strategic issues impacting on the health and well-being of the population in East Cheshire. For example, the Schedule of Scrutiny Reviews previously undertaken by the County Council which was reported to the last meeting of the Scrutiny Committee includes details on the following Reviews likely to be of interest to this Committee:

- Tackling Obesity
- Diabetes
- Support for Older People
- Community Support Centre
- Community First Responders

In addition there are other important strategic issues locally:

- Joint Strategic Needs Assessment
- Joint Commissioning
- Community Healthcare Project
- Social Care Redesign
- Financial Scenarios

5.4 Identifying the balance to be struck in drafting the Work Programme will need to take account of the resources likely to be available – financial, Officer-time and Member-time. As noted at the last meeting, tools available to the Committee include Mid-Point meetings to enable the Chairman, Vice Chairman and Group Spokespersons to meet with Health and Social Care colleagues to identify and prioritise - well in advance - the anticipated business for the Committee; a criteria check-list for identifying which proposals brought forward by the Trusts in the area are likely to be regarded as substantial developments/or variations in service requiring formal consultation (copy of existing check-list attached for information); the use of Task/Finish Panels etc.

5.5 Before it is agreed, the Committee ought to consult on its draft Work Programme – internally with the Cabinet and Management Team; externally, with local NHS Trusts and the LINK. At what stage will the Committee wish to do this?

5.6 The Committee has within its membership a mix of those who are experienced in the work of the Committee and those who are not. In order to enable as many Members as possible to achieve a

shared understanding of role, and bearing in mind the extent of change currently taking place, one option might be for the Committee in its initial year to confine its Work Programme to the “must do’s” and to use that experience to shape the Programme for subsequent years.

For further information:

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PROTOCOL ON CONSULTATION ON SUBSTANTIAL DEVELOPMENTS OR VARIATIONS IN SERVICE (SDVs) IN CHESHIRE

1. This Protocol is designed to help NHS Trusts, the County Health & Adult Social Care Scrutiny Select Committee and Partner Organisations to be clear on the route for notifications/consultations on proposals for substantial developments or variations in NHS services in Cheshire.
2. Detailed changes to services can and do take place on a regular basis within individual Trusts. It would be totally unreasonable for Health Scrutiny to be involved in each one of these both for practical reasons and also in acknowledgement that engagement/consultation needs to be proportionate. The role of Health Scrutiny in the consultation process does have a statutory basis however, and the County Health & Adult Social Care Scrutiny Select Committee will need to be assured that it is being given a proper opportunity to exercise that role on behalf of the community.
3. Health Trusts have a duty under Section 7 of the Health & Social Care Act 2001 to consult Health Overview & Scrutiny Committees (OSCs) on any proposals for substantial developments or variations of health services. Nowhere is the phrase “substantial developments or variations” defined; rather this is left to local agreement.
4. Experience in Cheshire suggests that there are three levels of change to NHS services that would require notification/consultation:-

Level One

Where the proposed change is minor in nature – eg. Change of a Clinic time

In this case, the Health & Adult Social Care Scrutiny Select Committee would not wish to get involved direct, but would assume that the PPIF would be consulted.

Level Two

Where the proposed change -eg a Draft Local Delivery Plan, proposal to rationalise Community Health Teams etc. - will involve consultation with patients/carers/staff, but will not involve

- reduction in service
- change to local access to service
- large numbers of patients being affected

The Health & Adult Social Care Scrutiny Select Committee would wish to be notified at as early a stage as possible but unlikely to require it to be

dealt with formally as an SDV. A formal briefing may be required for Members. The local County Councillor will be informed by the County Council. The Health & Adult Social Care Scrutiny Select Committee will wish to ensure that all other appropriate organisations have been notified by the Trust.

Level Three

Where the proposal –eg a major Review of Service Delivery, Reconfiguration of GP Practices, Closure of a Unit - is likely to lead to

- reduction/cessation of service
- re-location of service
- changes in accessibility criteria
- local debate and concern

The Health & Adult Social Care Scrutiny Select Committee would regard this as a substantial change and would expect to be notified at as early a stage as possible to advise on the process of consultation and to be formally consulted by the NHS body in accordance with the Cabinet Office Guidelines of a 12 week consultation period.

5. Notifications under Levels 2 and 3 to be submitted to the Scrutiny Policy Manager, Cheshire County Council who will report these in the most appropriate format to Members of the County Health & Adult Social Care Scrutiny Select Committee. A decision as to whether a matter is to be regarded as a Level 2 or a Level 3 will be taken initially by the Chair and Spokespersons of the Scrutiny Select Committee (consulting as necessary) and the decision taken notified as soon as possible to the appropriate Trust. In submitting the notification, the Trust should indicate its own view as to the most appropriate Level for the proposal, although the final decision on this will rest with the Scrutiny Select Committee.

6. In relation to Level 3 matters, the Scrutiny Select Committee will consider and determine how its response to the formal consultation is to be prepared – eg by the Committee itself, by a Task/Finish Panel, by another Local Authority or representative Group. The Scrutiny Select Committee will wish to ensure that the membership of any Task/Finish Panel wherever possible reflects the interests of the County Committee, District Council(s) and appropriate locally based organisations, having regard at the same time to the need to have effective and efficient scrutiny arrangements in place. The consulting Trust will respond positively to all reasonable requests from Health Scrutiny for information or for the attendance of a representative(s) to enable a considered view to be formulated. The Trust will identify separately the Health Scrutiny response when considering the results of consultation and will thereafter formally respond to the Health Scrutiny comments.