

# CHESHIRE EAST COUNCIL

## HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEE

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**Date of meeting:** 20 January 2009  
**Report of:** Governance Lead Officer  
**Title:** Joint Health Scrutiny Committees

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### **1.0 Purpose of Report**

- 1.1 To inform the Committee about Joint Health Scrutiny Committees and to recommend the establishment of a Joint Scrutiny Committee in relation to the Cheshire and Wirral Partnership Foundation NHS Trust.

### **2.0 Decision Required**

- 2.1 That the Committee:
- (a) note the position regarding Joint Health Scrutiny Committees; and
  - (b) recommend the Governance Committee to formally agree to the participation of the Authority in the joint arrangements with Wirral MBC to scrutinise the work of the Cheshire & Wirral Partnership NHS Trust and to appoint six representatives (with Deputies) to serve.

### **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 Where there are proposals for substantial variation or developments to NHS services affecting more than one overview and scrutiny committee, the consulting NHS body has a duty to consult all the OSCs affected. The Secretary of State has made Directions stating that in such circumstances, all local authorities within the area must establish a joint committee for the purposes of responding to the consultation,

using the method most appropriate to the areas and the issues being considered.

- 5.2 Such proposals will normally arise at a sub-regional, regional or even at a national level. On being notified of an individual proposal, the Committee will need to do is to come to a view on whether the proposal will have a significant impact on a substantial number of Cheshire East residents (for example, the Committee might feel that it should take a particular interest in changes to Maternity Services or Cancer Services; the same may not apply in relation to other more Specialised Services); and, if so, whether or not to participate in any Joint Scrutiny arrangements. In agreeing to be part of joint arrangements, the Committee will in effect be delegating to the Joint Committee the formal powers and responsibilities of a statutory consultee; however, if an decision is taken not to participate, the consulting Trust is entitled to take the view that the Authority has no comments to make on the proposal.
- 5.3 The only Standing Joint Committee in existence covers the work of the Cheshire & Wirral Partnership Foundation NHS Trust - the provider of mental health, learning disability and drug/alcohol services across Cheshire and Wirral. At its inaugural meeting, this Committee noted and endorsed a resolution of the main Scrutiny Committee to “support the principle of continuing Joint Scrutiny arrangements (with Cheshire West & Chester Council and Wirral MBC) of the Cheshire and Wirral Partnership NHS Trust”. It is understood that Wirral MBC are also keen to see the continuation of the current arrangements. No response has been received from Cheshire West & Chester. The existing Committee meets three times per year. The positions of Chair and Vice-Chair have alternated annually between Cheshire County Council and Wirral MBC (with Secretarial services being supplied by the Authority providing the Chair). The Chair of the Joint Committee for 2008/09 is Councillor Dorothy Flude.
- 5.4 Draft terms of reference for a continuing Joint Committee are attached. At present, the County Council and Wirral MBC each appoint six representatives (with Deputies) to serve on the Joint Committee. Should this Committee be content to proceed, and in order to ensure that there is little or no hiatus from 1 April, it is suggested that a recommendation be made to the Governance Committee that Cheshire East Council participates in the proposed joint arrangements and that representatives be appointed to serve.

***For further information:***

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**CHESHIRE EAST COUNCIL/CHESHIRE WEST & CHESTER  
COUNCIL/METROPOLITAN BOROUGH OF WIRRAL  
JOINT SCRUTINY COMMITTEE**

**TERMS OF REFERENCE**

- 1 to undertake the Scrutiny of, and report on, any matter relating to the planning, provision and operation of services provided by the Cheshire and Wirral Partnership NHS Foundation Trust (including commenting on the annual “health check” of the performance of the Trust) within the areas of Cheshire East Council, Cheshire West & Chester Council and Wirral Metropolitan Borough Council
- 2 to consider and comment upon any proposals submitted by the Trust for substantial development or variation in the provision of its services
- 3 to consider any matters referred to the Joint Committee by Cheshire East Council Health & Adult Social Care Scrutiny Committee, or Cheshire West & Chester Scrutiny Committee, or the Metropolitan Borough of Wirral’s Social Care, Health and Inclusion Overview and Scrutiny Committee
- 4 to consider any matters referred to the Joint Committee by the appropriate Local Involvement Network (LINK)