

Scrutiny Committee

Date of Meeting:	1 September 2022
Report Title:	Appointments to the Cheshire and Merseyside Integrated Care System Joint Health Scrutiny Committee
Report of:	David Brown, Director of Governance and Compliance
Report Reference No:	
Ward(s) Affected:	No specific wards

1. Purpose of Report

- 1.1** This report seeks approval from the Scrutiny Committee to appoint members to the Cheshire and Merseyside Integrated Care System Joint Health Scrutiny Committee.

2. Executive Summary

- 2.1** The Council, at its meeting on 20 June 2022, approved the establishment of a Cheshire and Merseyside Integrated Care System Joint Health Scrutiny Committee as set out in the Joint Committee Arrangements document at Appendix A.
- 2.2** The Corporate Policy Committee, at its meeting on 4 November 2021 delegated the appointment of Members to external scrutiny functions to the Scrutiny Committee, which may invite any Member with the appropriate knowledge of health and social care, having regard to political proportionality.
- 2.3** The Scrutiny Committee procedure rules at Chapter 3 part 1 section 2 page 23 of the constitution at paragraph 3.13 makes provision for the Chair of the Scrutiny Committee to make nominations.

3. Recommendation

- 3.1** That the Committee appoints one Labour Group member and one Independent Group member with the appropriate knowledge of health and adult social care to the Cheshire and Merseyside Integrated Care System Joint Health Scrutiny Committee referred to in this report.

4. Reasons for Recommendations

- 4.1** The Scrutiny Committee is responsible for the appointment of the Cheshire East Members to the Cheshire and Merseyside Integrated Care System Joint Health Scrutiny Committee.
- 4.2** Appointment of members to the Cheshire and Merseyside Integrated Care System Joint Health Scrutiny Committee will ensure Cheshire East Council representation on that committee and Cheshire East Council influence upon the decisions made under the joint health scrutiny arrangements in Cheshire and Merseyside, in response to the challenge of the new statutory Integrated Care System (ICS).

5. Other Options Considered

- 5.1** Whilst the Council could choose not to appoint Members to Cheshire and Merseyside Integrated Care System Joint Health Scrutiny Committee, this would result in Cheshire East Council not having influence upon joint health scrutiny arrangements and decisions at a regional level.

6. Background

- 6.1** In response to the proposed establishment of Integrated Care Systems, several actions were agreed to ensure that joint health scrutiny arrangements in Cheshire and Merseyside are fit to meet the challenge of the new statutory arrangements.
- 6.2** Full Council at its meeting held on 20 July 2022, agreed the establishment of a standing joint health Scrutiny Committee, which will have the opportunity to take on the Authorities' collective statutory responsibility to oversee and scrutinise the operation of the ICS at Cheshire and Merseyside level.
- 6.3** The overarching role of the Joint Committee is to scrutinise the work of the ICS in the discharge of its statutory responsibilities and functions at Cheshire and Merseyside level in order to support their effective exercise and, where appropriate, to make reports or recommendations to the ICS. Appendix A sets out the proposed standing joint committee arrangements.
- 6.4** The main features of the document are as follows:
- Membership – each authority should nominate 2 representatives to serve on Committee.
 - Political balance –membership must reflect the aggregate political balance across the nine authorities, and this would be subject to annual calculation.

- Joint Committee remit – this would cover the ICS responsibilities exercised at Cheshire and Merseyside level, plus any proposals for changes in health services that not only impact all nine local authority areas but are also considered to be a substantial change by each of the nine.

6.5 In line with Political Proportionality across the nine Authorities, the Committee is asked to appoint one Labour Group member and one Independent Group member with the appropriate knowledge of health and adult social care to the Cheshire and Merseyside Integrated Care System Joint Health Scrutiny Committee. The Committee will be informed at the meeting, of the nominees.

7.0 Implications

7.1 Legal

7.1.1 Many areas already have long established arrangements that enable decisions on key priorities to be made together in an agreed local collaborative forum. Decisions undertaken at these collaborative forums are possible due to the authority delegated to the relevant representative at that forum by their respective organisation and not by the forum itself. There are limited circumstances in which joint decision-making arrangements can be used, and this is recognised as a weakness of the current system. The Health & Care Act 2022 provides that joint committees can be set up between the ICB and other partners for the future.

7.1.2 For the purposes of the proposed arrangements, the relevant joint committee powers are under Section 75 of the National Health Service Act 2006 and NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000. There is only power for a local authority to form a joint committee with the NHS where there is an agreement under Section 75 of the National Health Service Act 2006.

7.1.3 Post-July 2022 and the establishment of the ICS, local authorities will still have a statutory obligation to undertake health scrutiny at a “place” level. Individual local authority Health Scrutiny Committees will need to continue to meet to consider matters directly relating to their areas and to consider any potential substantial variations in health service provision that only impact on their respective local authority area. Each local authority will be responsible for determining these work plans and managing their relationships with NHS colleagues to ensure Health Scrutiny at this level (i.e. Place) meets its obligations and provides the necessary political oversight, transparency and challenge.

7.1.4 Joint committees must be politically balanced under the proportionality rules set out in the Local Government and Housing Act 1985. This means the joint scrutiny committee as a whole must be politically balanced across all nine local authorities.

7.2. Finance

7.2.1 Temporary funding (£90k across all nine Local Authorities affected) has been requested to support the Joint Health Scrutiny Committee for an initial period of 18 months. Each authority will be asked to contribute a total of £10,000 over the initial 18 months. This will be met from existing budgets.

7.3. Policy

7.3.1 This report and its recommendations are within the Council's existing policy framework, and it supports the priorities set out in the Cheshire East Place Partnership Plan 2019-2024.

7.4 Equality

7.4.1 There are no direct equality implications arising from the recommendations of this report, but the work of the joint committee will undoubtedly have such implications.

7.5 Human Resources

7.5.1 There are no direct human resource implications for Cheshire East Council, since the proposal is for each authority to contribute towards the cost of shared support.

7.6 Risk Management

7.6.1 Failure to appoint Cheshire East Council members to the Cheshire and Merseyside Integrated Care System Joint Health Scrutiny Committee would deprive the Council of having a voice in respect of joint health scrutiny matters at a regional level.

7.7 Rural Communities

7.7.1 There are no direct implications for rural communities which arise from the recommendations of this report.

7.8 Children and Young People/Cared for Children

7.8.1 There are no direct implications for children and young people/cared for children which arise from the recommendations of this report.

7.9 Public Health

7.9.1 Whilst the work of the joint health scrutiny committee is directly focussed upon public health matters, there are no direct public health implications arising from the recommendations of this report.

7.10 Climate Change

7.10.1 There are no direct climate change implications.

Access to Information	
Contact Officer:	Brian Reed, Head of Democratic Services and Governance brian.reed@cheshireeast.gov.uk
Appendices:	Appendix A: Terms of Reference for the Cheshire and Merseyside Integrated Care System Joint Health Scrutiny Committee
Background Papers:	The background papers relating to this report can be inspected by contacting the report writer.