

Report to: Health Overview and Scrutiny Panel
10 June 2009

Report from: Anthony Quinn, Senior Local Democracy Officer

Report by: Katie Benton, Democratic Support Officer

**PORTSMOUTH LOCAL INVOLVEMENT NETWORK / HEALTH OVERVIEW
& SCRUTINY PANEL PROTOCOL 2009/10**

1. Purpose

The purpose of this report is to set out proposals for a protocol between the Portsmouth Local Involvement Network (LINK) and the Health Overview & Scrutiny Panel (HOSP), which will be reviewed annually by the Chairmen of the two respective bodies.

2. Recommendations

That the Panel

1. Agrees the 2009/10 Portsmouth LINK / HOSP Protocol.

3. Background

3.1 The Local Government & Public Involvement in Health Act 2007 (LGiPH Act) made a requirement for all Local Authorities to put in place contractual arrangements for a Local Involvement Network, so local people can have a say on local care services.

3.2 Following the disbandment of the Patient & Public Involvement Forums (PPIFs) in March 2008, and the statutory obligation in the LGiPH Act to form a LINK, the City now has the Portsmouth Local Involvement Network (LINK), hosted by HAP UK.

3.3 The LGiPH Act also sets out the statutory powers the LINK has in relation to referral of matters to Local Authority Overview & Scrutiny Committees. These state:

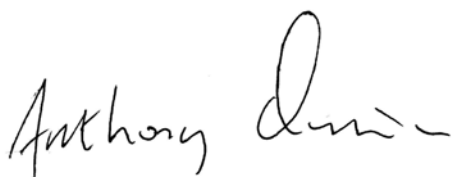
3.3.1 That a LINK can refer 'a matter relating to social care services to an overview and scrutiny committee of a local authority'

3.3.2 That this committee must 'acknowledge receipt of the referral' and;

3.3.3 'keep the referrer informed of the committee's actions in relation to the matter.'

3.4 As the Health Overview & Scrutiny Panel has statutory powers relating to the NHS and Adult Social Care, it has been agreed that all referrals forwarded by the Portsmouth LINK shall be received by this Panel.

- 3.5 The LINK Chairman and HOSP Chairman/Vice Chairman met on 2 April 2009 in order to discuss possible protocols for the receipt and informing of actions relating to referrals. The following 'Portsmouth LINK / HOSP Protocol', attached as Appendix A, sets out what has been agreed.
- 3.6 This protocol is agreed guidance between the LINK and HOSP bodies, but does not act as a legally binding document.
- 3.7 This protocol will be refreshed at the beginning of each municipal year.

A handwritten signature in black ink, appearing to read 'Anthony Quinn', with a long horizontal flourish extending to the right.

Senior Local Democracy Officer, Portsmouth City Council

Background Papers:

Local Government and Public Involvement in Health Act 2007

June 2009

Portsmouth LINK / HOSP Protocol 2009/10

General

1. Both bodies shall seek to work together in the interest of improving health and social care services in Portsmouth, whilst respecting each other's independence, objectives and role.

Points of Contact

2. The principal points of contact between the LINK and HOSP shall be:
 - a. For all health and social care referrals - the respective Chairmen or Vice-Chairmen, in conjunction with the appropriate scrutiny support officer.
 - b. For admin issues and routine information exchange - the relevant Scrutiny Support Officer and LINK Officer.

Exchange of Information

3. The Scrutiny Support Officer and LINK Officer shall exchange or provide links to publicly-available agendas, minutes and papers.
4. A standing item shall be placed on the agenda of the HOSP in relation to information or referrals that the Portsmouth LINK may wish to make to the Panel.
5. The Chairman / Vice-Chairs of the LINK have an open invitation to attend the HOSP in order to present items under their standing item on the Agenda. However, due to the size of the HOSP as it stands (six Portsmouth members, six co-opted members from the local health economy), the LINK will not have co-opted places on the Panel.

Activities and Work Plans

6. The LINK and HOSP Chairmen and Vice-Chairmen will exchange information about each other's work-programmes at the beginning of each municipal year, after annual council in May, and will consult each other about how they may work together on any topics of agreed interest

Joint Working Arrangements

7. If it appears to the HOSP and LINK Chairs & Vice Chairs that it is in both bodies mutual interest to work together in relation to any particular issue, review or investigation, either formally or informally, they may make a common recommendation to their respective bodies to this effect, in order to agree the joint working.
8. No joint working arrangements will commence until both bodies have agreed a Joint Review Protocol. This will decide who will lead on the joint review. Any report written as a result of the Joint Review will be agreed and signed off by the Chairmen of the two bodies before being published.

LINK Referrals to HOSP

9. If the LINK undertakes to exercise its right to refer health and social care issues, it must ensure that any referral to the Panel is made on the basis of good evidence, which indicates an issue of significant or serious concern, which in turn merits attention by the HOSP.
10. If the LINK exercises its statutory right to refer any matter to the HOSP, the HOSP will undertake to give serious consideration to the issues raised by the referral, and to make a full formal response to the LINK in due course.

Revision of Protocol

11. This Protocol shall be reviewed at least annually by the HOSP and LINK.

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Chairman – HOSP

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Chairman - LINK

Protocol - Handling referrals from Local Involvement Network to HOSP

