

Report to: Health Overview and Scrutiny Panel
9 September 2009

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Engagement

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HEALTH OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME 2009/10

1. Purpose

The purpose of this report is to set out proposals for a forward work programme for the Panel for 2009/10.

2. Recommendations

That the Panel

- 1. Agrees that they should help to fulfil their role in improving health and reducing health inequalities by completing focused scrutiny reviews of issues relevant to the health of local residents, and therefore forward two topics to the Scrutiny Management Panel for consideration as 09/10 scrutiny reviews (paragraph 4.1).**
- 2. Agrees that the work programme should remain flexible to enable the Panel to respond to proposals to change or vary NHS provision, and to consider information items by exception. (paragraph 4.2).**
- 3. Agrees that the Panel should have a regular 'Information Exchange' with Health and Social Care partners (paragraph 4.3).**
- 4. Agrees to scrutinise the decisions made by the Cabinet Portfolio holder for Health and Social Care (paragraph 4.4).**
- 5. Notes that the new Portsmouth LINK can formally refer issues of relevance to the HOSP, and ask for responses from elected members (paragraph 4.5).**
- 6. Agrees that the Panel should continue to receive information updates from Health and Social Care partners on matters previously scrutinised (paragraph 4.6).**

3. Background

Statutory Requirements

- 3.1 The Local Government Act 2000 (and later the Local Government and Public Involvement in Health Act 2007) gave local authorities a wider role in health improvement within their local communities. The Health and Social Care Act of 2001 provided a more explicit power for local authorities that have a responsibility for social services to scrutinise health services within the

authority's area. These Acts have now been consolidated into the National Health Service Act 2006. Health Overview and Scrutiny committees (HOSCs) with responsibility for health are now able to make recommendations and report on matters relating to the planning, provision and operation of local health services and can require local NHS representatives to attend meetings and answer questions. This power allows for HOSCs to focus on particular services or facilities or on broader issues such as health inequalities when determining a review programme.

- 3.2 The National Health Service Act 2006 places a duty on strategic health authorities, primary care trusts and NHS trusts to make arrangements to consult patients and the public about on-going service planning, on proposals for service development and change and on decisions that may affect how services operate.

4 Building effective Health Overview and Scrutiny Work Programmes

Focused Scrutiny Reviews

- 4.1 The Guidance issued by the Department of Health on health scrutiny suggests that HOSCs can help to fulfill their role in improving the health and wellbeing of residents by carrying out scrutiny reviews. The 'Further Developing Scrutiny in Portsmouth City Council' report approved by Council in 2008 suggests that short and sharp reviews, as opposed to previous in-depth reviews, would be the preferred way forward for the Council. The main focal point of the Portsmouth HOSPs' focused scrutiny reviews would be to suggest recommendations that help to improve health and reduce health inequalities in the local area. It is suggested that the Panel forward two topic suggestions to the Scrutiny Management Panel for the HOSP to review in the municipal year 09/10.

Possible Substantial Changes to Services, Quarterly Letters and Annual Reports.

- 4.2 Any work programme must take account of the statutory responsibility given to HOSCs to consider proposals from the NHS and Adult Social Care to vary or develop services. The Panel is reminded that this duty has resulted in previous joint scrutiny of both maternity services and elderly medicine. It is important, however, that any forward work programme agreed by the Panel remains flexible in order to allow the consideration of these sorts of proposals to be a priority. This Agenda item will also allow information updates from quarterly letters and annual reports (such as those from the newly founded Care Quality Commission) to appear before the Panel.

Information Exchanges

- 4.3 Due to the nature of the work undertaken by Health and Social Care partners, it is sometimes necessary to gain a wider understanding of topics involved before examining them. In order to ensure that members of the Panel have the best possible chance of scrutinising effectively and being advocates for change, it is suggested that the 'Information Exchange' remains on the Agenda. This would allow for associates from both Health and Social Care to present to the Panel on a given topic, and would then allow for feedback, experience and questions from members. Within the previous year, this has included information on Public Health – Deprivation and the Health Improvement & Development Service.

Scrutiny of Health & Social Care Cabinet Decisions

- 4.4 Although the HOSP Terms of Reference suggest that the Panel should scrutinise the impact of the Council's decisions on the health of its residents and encourage the Cabinet to take into account implications of their decisions on health and health inequalities, the Panel has not recently scrutinised decisions made by the Cabinet Member for Health and Social Care. It is therefore suggested that the Panel have a regular item on the Agenda whereby decisions made in this Portfolio area are held to account.

LINKs

- 4.5 Following the disbandment of the Patient & Public Involvement Forums (PPIFs) in March 2008, Portsmouth City now has a Local Involvement Network (LINK), which is a new way for local people to have a say on how services from local social care and health trusts are provided. The Panel are asked to note that although the LINK can formally refer relevant issues to the Panel and ask for responses from elected members, it is hoped that in order to carry on the helpful work completed by the PPIFs that the Panel and LINK will have a collaborative working arrangement.

Information Updates from Health & Social Care Partners

- 4.6 In order to keep the Panel informed of important issues and developments in the City, it is suggested that Health and Social Care partners continue to inform the Panel of topics they feel to be relevant, as and when required. Currently, the Panel has requested that updates are presented in 2009/10 on subjects such as palliative care, joint commissioning and dentistry (see Appendix 'B' for a timetable of upcoming issues).

Best Practice

- 4.7 The Panel is reminded that good practice in health scrutiny from local authorities around the country indicates that the inclusion of topics on the overview and scrutiny committee review programme should be, wherever possible, as a result of joint working between local authorities, the NHS, patients' groups and community representatives. This represents a shift in emphasis from reactive to pro-active with a view to the Panel being key ambassadors with Health partners for the further improvement of health

services and reduction of health inequalities in the City. However, the Panel must continue to ensure that its independence as a scrutinising body is not compromised, and that it persists in its role as a critical friend in accordance with the HOSPs statutory responsibilities.

Suggested way forward

It is therefore proposed that the Panel's forward work programme for 2009/10 comprises the following:

- Completion of focused scrutiny reviews on key topics important to the health of Portsmouth residents;
- Consideration of any proposals to substantially change or vary Health or Social Care services, in line with statutory requirements;
- Holding regular information exchanges;
- Scrutinising decisions made by the Cabinet Member holding the Health and Social Care portfolio;
- Maintaining a collaborative working arrangement with the Portsmouth LINK;
- Receiving regular information updates by exception from Health and Social Care partners, on topics previously scrutinised.

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Head of Democratic & Community Engagement

Background Papers:

Health and Social Care Act 2000
Overview and Scrutiny of Health – Guidance, Department of Health, July 2003
Health and Social Care Act 2001, Directions to Local Authorities (Overview and Scrutiny Committee, Health Scrutiny Functions)
National Health Service Act 2006
Local Government and Public Involvement in Health Act 2007

July 2003

Portsmouth Health Overview & Scrutiny Panel – Current Terms of Reference

- 1 To scrutinise matters relating to the health of Portsmouth's residents and contribute to the development of policy to improve health and reduce health inequalities.
- 2 To undertake all the statutory functions in accordance with the Act and regulations issued under the Health and Social Care Act 2001, relating to reviewing and scrutinising health service matters.
- 3 To review and scrutinise the impact of the City Council's own services and of key partnerships on the health of its residents.
- 4 To encourage the City Council as a whole, the Executive and other policy and review panels to take into account the implications of their policies and activities on health, and health inequalities.
- 5 To make reports and recommendations to the NHS, patients' representatives, the City Council, the Executive and other policy and review panels, and to other relevant bodies and individuals.
- 6 To evaluate and review the effectiveness of its recommendations
- 7 In undertaking its functions the Panel's role and purpose should be to –
 - focus on opportunities for improvement;
 - the promotion of healthy lifestyles and the reduction of health inequalities;
 - provide a process for partnership between the local authorities and the relevant health bodies;
 - not to duplicate the work of other health inspection bodies or scrutiny committees;
 - not to cover individual cases, clinical issues or NHS staffing.
 - to seek and take account of the views of Portsmouth's residents.

Upcoming Issues – Under new Agenda titles

	Health/Social Care Partner	Scheduled HOSP Date
Information exchange		
Health Need Assessment	PCC/PCT	26/01/08
Commissioning	PCT	TBC
Health Inequalities	PCC/PCT	22/10/08
Scrutiny Reviews		
To be discussed, possible topics:		
1) St Mary's Community Campus	PHT	09/09/09
2) Hyperbaric Chamber	PHT	10/06/09
3) Fluoridation	SHA	TBC
Scrutiny of Health & Social Care Cabinet decisions		
Last decision meeting: 02/09/08		
Update on Items previously considered by the Panel		
Commissioning of Wheelchair Services	PCtPCT	09/09/09
Maternity	PCtPCT	16/09/08
Car Parking	PHT	22/10/08
Joint Commissioning	Adult Social Care	09/09/09
GP-Led Health Centre	PCtPCT	26/01/09
Dentistry & Public Health	PCtPCT/UoP	26/01/09
Healthcare Commission	PHT	Early 2009
Palliative Care	PCtPCT	04/03/09
18-week Target	PCtPCT	04/03/09
Joint Commissioning	PCtPCT/ASC	09/09/09
Possible Substantial Changes to Services		
Thomas Parr House	PCtPCT	16/09/08
Rembrandt Unit	PCtPCT	22/10/08
LINKs		
Host organisation update	PCC	16/09/08