

AFW/01/10

Forum WEST ESSEX AREA

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DRAFT HEALTH SCRUTINY PROTOCOLS

Report by; David Moses, Head of Member Support and Governance

Contact: Tel. 01245 432138 **Email.** david.moses@essex.gov.uk

1. Purpose of the Item

To receive the attached draft protocols developed following consideration of a report by the Health Overview and Scrutiny Committee at its meeting on 2 December 2009, setting out proposals for the Committee to devolve its responsibilities for scrutinising local health issues to each of the Area Forums.

The draft protocols have also been sent to the Primary Care Trusts for their comments.

Health Overview & Scrutiny Protocols

Objectives

These protocols have been established to enable the Health Overview & Scrutiny bestowed on the County Council by the Health & Social Care Act 2001 to be exercised at the most appropriate level:

- Strategic issues by the county-wide Health Overview & Scrutiny Committee (HOSC)
- Sub-county issues affecting more than one district council area by the appropriate Area Forum
- Locality issues confined to a single district council area by the district/borough council or a sub-group of the Area Forum

HOSC as a Gateway

To ensure effective co-ordination and management of the health scrutiny function, HOSC will provide an initial point of contact between local authority scrutiny and the Essex health services.

Recommendations from local authority health scrutiny reviews will also be submitted to health services through the HOSC.'Gateway'.

Graham Redgwell, HOSC Governance Officer, will act as the initial point of contact between HOSC, Essex Health Services, Area Forums and District/Borough Councils.

Parameters for local reviews

The role of HOSC is to hold the health service to local democratic account but to do so by taking into account what is beneficial in respect of the delivery of all health services across the county. It is therefore possible that a decision which may be unpopular locally is actually beneficial when taking all health needs and inequalities into account.

Local scrutiny reviews should also take into account the outcomes of any HOSC scrutiny of long term strategies of the PCTs or other health services,

To help demonstrate the consideration of the county-wide implications of any forum or borough/district council based scrutiny review, a HOSC Member from a different part of the county should be co-opted onto any scrutiny review group to act as a liaison between that review group and HOSC. Local reviews

should include membership from the three tiers of local government, including the co-option of representatives from other appropriate organisations serving the locality.

Engaging with local communities

Local scrutiny reviews should provide for consultation with local organisations and residents.

Use of HOSC powers

In undertaking locality based scrutiny reviews on behalf of HOSC both the Area Forums and District/Borough Council scrutiny Committees are able to use the provisions within the Health & Social Care Act to request information and attendance at meetings.

Whilst there is a role for locality based scrutiny in respect of -some 'local' service variations any decision to refer a matter to the Secretary of State.

Developing Health Scrutiny Work Programmes

Suggestions for scrutiny reviews may emanate from:

- HOSC which may deal with the matter itself or refer it to an Area Forum or Borough/District Council in accordance with the principles outlined above
- A Health Service Trust
- An Area Forum
- A Borough/District Council

and be submitted through the HOSC 'Gateway' as detailed above.

There should also be liaison with the appropriate locality group from the Essex & Southend LINK to establish whether there is any potential duplication with their reviews or ways in which various activities can complement each other.