

Report of the Assistant Director, Governance & ICT

Joint Health Overview & Scrutiny Committee (Yorkshire and Humber)

Summary

1. This report provides the Health Overview & Scrutiny Committee with the new Joint Arrangements (Annex A) for the Joint Health Overview and Scrutiny Committee (Yorkshire and Humber) (JHOSC) in relation to the new review of Congenital Heart Disease Services and a request to reconfirm support for JHOSC.

Background

2. In January 2011 Members of City of York Health Overview and Scrutiny Committee confirmed their wish to take part in any regional joint scrutiny into Children's Cardiac Surgery Services. As this was provided in a centre of excellence in Leeds it was agreed that any substantial changes in service would have an impact in York.
3. In March 2011 the JHOSC was established to consider the emerging proposals from the Safe and Sustainable Review of Children's Congenital Cardiac Services in England and the options for public consultation agreed by the Joint Committee of Primary Care Trusts (JCPCT).
4. The membership for the JHOSC was made up of a single representative from each of the following 15 top-tier local authorities (i.e. those with specific health scrutiny powers) across Yorkshire and the Humber:

- Barnsley MBC
- Calderdale Council
- City of Bradford MDC
- City of York Council
- Kirklees Council
- Leeds City Council
- North East Lincolnshire Council
- North Lincolnshire Council

- Doncaster MBC
- East Riding of Yorkshire Council
- Hull City Council
- North Yorkshire County Council
- Rotherham MBC
- Sheffield City Council
- Wakefield Council

5. The JHOSC acted as the appropriate scrutiny body across Yorkshire and Humber and played an integral role in reviewing the proposed future model of care and designation of surgical centres which resulted in a referral to the Secretary of State in November 2012.
6. The referral was passed to the Independent Reconfiguration Panel (IRP) for consideration and in April 2013 the IRP published a report that set out its advice and recommendations.
7. In June 2013 the Secretary of State for Health accepted in full the recommendations of the Independent Reconfiguration Panel and called a halt to the Safe and Sustainable Review process.

New Review of Congenital Heart Disease Services

8. NHS England subsequently set out its intentions for a new review to consider the whole lifetime pathway of care for people with congenital heart disease (CHD), covering services for both children and adults.
9. Following the decision of the Secretary of State for Health to halt the previous review, the joint committee has continued to meet to maintain the momentum of its previous work.
10. However, as it is likely that the JHOSC will make recommendations to NHS England and other interested parties, which may include the Secretary of State for Health, it is advisable to reconfirm the mandate previously given by the Council.
11. At a meeting in September 2013 JHOSC members considered a report regarding the future role of the committee and members expressed clear support to continue the work of the JHOSC insofar as it relates to the new CHD review.
12. JHOSC members were informed that legal advice provided by Leeds City Council had stated that although the Terms of Reference (TOR) for the JHOSC would need to be revised to reflect the changed approach to reviewing services it would not be necessary to formally dissolve the

committee. It was also confirmed that any revised Terms of Reference may also need approval from each local authority member.

13. Accordingly Members are asked to support the adoption of the Terms of Reference (annexed at Annex A) which have already been approved by Leeds City Council.
14. As the administering authority, Leeds City Council (LCC) – through its Scrutiny Support Unit – is committed to continuing to provide day-to-day support for JHOSC and York and other constituent authorities are being invited to make a financial contribution of £1,000 for the financial year 2014/15. The financial contribution is to help cover administrative costs, printing, postage, room hire and other materials and an element of officer time.
15. LCC has been supporting the work of the JHOSC since it was formally established at its first meeting in March 2011. Since that time, the JHOSC has:
 - Met as a formal committee on 14 separate occasions;
 - Held a number of informal/ private discussions;
 - Produced two comprehensive reports in relation to the Safe and Sustainable review (and its associated proposals);
 - Made two formal referrals to the Secretary of State for Health;
 - Been actively involved in the review conducted by the Independent Reconfiguration Panel (IRP);
 - Considered the findings of the IRP's review and how a refocused review will be taken forward.

Conclusions

16. Having regard to the information provided above the Committee is requested to note that:
 - The previous work of the JHOSC, insofar as it relates to the Safe and Sustainable Review of Children's Congenital Cardiac Services in England, is well known and has been well documented to date.
 - There is clear support from constituent authorities for the work of the JHOSC to continue and for the new review of CHD services to benefit from similar robust scrutiny arrangements as those established for the Safe and Sustainable Review.

- As the administering authority, Leeds City Council is committed to continuing to provide day-to-day support for the JHOSC and constituent authorities have been invited to make a financial contribution for the financial year 2014/15.
- At this relatively early stage in the new CHD review, it is appropriate to provide an opportunity to reconfirm support for the JHOSC and its refocused terms of reference.

Options

17. Members can chose to:

- Reconfirm support for the establishment of a Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) in relation to NHS England's new review of Congenital Heart Disease services;
- Nominate a Member of Health OSC to sit on the JHOSC in relation to NHS England's new review of Congenital Heart Disease services and, upon nomination, agree to appoint such Member to JHOSC.

Council Plan

18. The work of the Joint Health Overview and Scrutiny Committee is directly linked to the Protect the Vulnerable element of the Council Plan 2001-2015.

Implications

19. **Financial:** Leeds City Council, as the Administering authority, through its Scrutiny Support Unit, is seeking a financial contribution of £1,000 for the financial year 2014/15. There will also be cost incurred through expenses for nominated Members attending JHOSC meetings in Leeds.

Legal: Under Regulation 30 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, two or more local authorities may appoint a joint overview and scrutiny committee of those authorities and arrange for relevant functions to be exercisable by the joint committee, subject to such terms and conditions as the authorities may consider appropriate. As the proposed terms of reference the JHOSC include discharging the authorities' functions under Regulation 23, this means that the authorities cannot report to the Secretary of State themselves if they are dissatisfied with the

consultation on the new review of CHD services or if they consider the proposals are not in the interests of the health service in their areas.

Other: There are no specific Equalities, HR, Crime and Disorder, IT or Property implications associated with this report.

Risk Management

20. There is a risk that if Members choose not to reconfirm support for the establishment of a Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) in relation to NHS England's new review of Congenital Heart Disease services their views will not be considered.

Recommendations

21. The Committee is recommended to:

- i. Make the following recommendations to full Council:
 - a) That Council reconfirms its support for the establishment of a Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) in relation to NHS England's new review of Congenital Heart Disease services.
 - b) That Council delegates relevant functions, as set out in Annex A, that shall be exercisable by the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber), subject to such terms and conditions therein.
 - c) Appoint a Member of Health OSC nominated by the Committee to serve on the JHOSC in relation to the new review of Congenital Heart Disease services
- ii. Confirm its support for the financial contribution of £1,000 to Leeds City Council for the financial year 2014/15 to help cover administrative costs, printing, postage, room hire and other materials and an element of officer time in relation to the work of the JHOSC

Reason: In order that the Council's voice is heard in relation to NHS England's new review of Congenital Heart Disease services.

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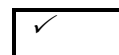
Report
Approved



Date 8 April 2014

Wards Affected: *List wards or tick box to indicate all*

All



Annexes

Annex A – New Joint Arrangements