

REPORT TO HEALTH AND ADULT SOCIAL CARE SCRUTINY BOARD

17 June 2019

Subject:	Re-Establishment of Joint Health Scrutiny Arrangements with Birmingham City Council
Director:	Director Law and Governance and Monitoring Officer – Surjit Tour
Contribution towards Vision 2030:	 
Exempt Information Ref:	The information contained in this report is not exempt from publication.
Contact Officer(s):	Deborah Breedon Democratic Services Unit deborah_breedon@sandwell.gov.uk

DECISION RECOMMENDATIONS

That the Health and Adult Social Care Scrutiny Board:

1. re-establishes arrangements with Birmingham City Council for the joint scrutiny of matters affecting the Sandwell and West Birmingham area;
2. appoints five named members of the Health and Adult Social Care Scrutiny Board to the Joint Health Overview and Scrutiny Committee with Birmingham City Council.

1 PURPOSE OF THE REPORT

To re-establish joint working arrangements with Birmingham City Council for the purpose of scrutinising health matters across the Sandwell and West Birmingham area.

2 IMPLICATION FOR SANDWELL'S VISION

- 2.1 The focus of the Council's overview and scrutiny function is aligned to support Sandwell's Vision 2030 and the 10 ambitions it contains.
- 2.2 The work of the Joint Health Overview and Scrutiny Committee contributes to: -

Ambition 2 – Sandwell is a place where we live healthy lives and live them for longer, and where those of us who are vulnerable feel respected and cared for.

Ambition 10 – Sandwell now has a national reputation for getting things done, where all local partners are focused on what really matters in people's lives and communities.

3 BACKGROUND AND MAIN CONSIDERATIONS

- 3.1 NHS bodies have responsibilities to consult overview and scrutiny committees on about substantial reconfiguration proposals, this is in addition to the duty under S11 of the Health and Social Care Act 2001 to involve and consult patients and public. Experience has shown that there is a need for authorities to be ready to respond quickly to such consultations.
- 3.2 In accordance with the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 local authorities may appoint a discretionary joint health scrutiny committee to look at issues that cross local authority boundaries. The Regulations also mandate local authorities to appoint joint committees where a relevant NHS body or health service provider consults more than one local authority's health scrutiny function about substantial reconfiguration proposals.
- 3.3 Joint health scrutiny arrangements with Birmingham City Council have been established annually since 2004/05 (under previous and current legislation) and provide a mechanism for both informal and formal joint scrutiny of matters relating to the planning, provision and operation of health services in the area affecting both local authorities.
- 3.4 In accordance with the provisions of the Local Government Act 2000 and specific guidance from the Secretary of State, the political balance requirement must be applied in respect of each joint committee which may be established. However, it is possible for political proportionality to be waived subject to the agreement of all parties involved.

4 THE CURRENT POSITION

- 4.1 Joint health scrutiny arrangements with Birmingham City Council have been established annually since 2004/05 (under previous and current legislation) and provide a mechanism for both informal and formal joint scrutiny of matters relating to the planning, provision and operation of health services in the area affecting both local authorities.
- 4.2 Issues ongoing or still to be the subject of joint health scrutiny (either on an informal or potentially formal basis) with Birmingham City Council include:-
- the development of the Midland Metropolitan Hospital and any substantial variations arising from service reconfigurations;
 - the current review of oncology services (being led by NHS England);
 - the implementation of the Black Country Sustainability and Transformation Plan and any substantial variations arising.

5 CONSULTATION (CUSTOMERS AND OTHER STAKEHOLDERS)

No consultation is required on this matter.

6 ALTERNATIVE OPTIONS

- 6.1 The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 mandate local authorities to appoint joint committees where a relevant NHS body or health service provider consults more than one local authority's health scrutiny function about substantial reconfiguration proposals.

7 STRATEGIC RESOURCE IMPLICATIONS

There are none.

8 LEGAL AND GOVERNANCE CONSIDERATIONS

- 8.1 The National Health Service Act 2006, as amended by the Health and Social Care Act 2012, confers health scrutiny functions to local authorities.
- 8.2 The Joint Health Overview and Scrutiny Committee is established in accordance with the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013
- 8.3 In accordance with the provisions of the Local Government Act 2000 and specific guidance from the Secretary of State, the political balance

requirement must be applied in respect of each joint committee which may be established. However, it is possible for political proportionality to be waived subject to the agreement of all parties involved.

9. EQUALITY IMPACT ASSESSMENT

An equality impact assessment is not required.

10. DATA PROTECTION IMPACT ASSESSMENT

A data protection impact assessment is not required.

11. CRIME AND DISORDER AND RISK ASSESSMENT

A crime and disorder risk assessment is not required.

12. SUSTAINABILITY OF PROPOSALS

The Joint Health Overview and Scrutiny Committee will meet as required throughout the 2019-20 municipal year.

13. HEALTH AND WELLBEING IMPLICATIONS (INCLUDING SOCIAL VALUE)

The overall aim of the joint committee is to improve the health and wellbeing of the population of Sandwell and West Birmingham.

14. IMPACT ON ANY COUNCIL MANAGED PROPERTY OR LAND

There is no impact on any council owned property or land.

15. CONCLUSIONS AND SUMMARY OF REASONS FOR THE RECOMMENDATIONS

The Board is asked to re-establish the Joint Health Overview and Scrutiny Committee for 2020/20 so that scrutiny of important matters affecting the population of Sandwell and West Birmingham can continue at both the information (discretionary) level and a formal (mandatory) level.

16. **BACKGROUND PAPERS**

There are no background papers.

17. **APPENDICES:**

None.

Surjit Tour
Director – Monitoring Officer