

Health Scrutiny Committee**Date: 15 October 2014****Health Scrutiny Committee and Healthwatch Suffolk –
Draft Protocol**

1. The Health and Social Care Act 2012 introduced local Healthwatch as the new organisation to provide a collective voice for patients and carers and advise the new Clinical Commissioning Groups on the shape of local services to ensure they are informed by the views of the local community. Local Healthwatch is commissioned by upper tier local authorities and replaces the former Local Involvement Networks.
2. Suffolk County Council respects the independence of Healthwatch Suffolk and recognises that there should be clear separation between the roles of the two organisations.
3. This document sets out a draft protocol for how Healthwatch Suffolk and Suffolk County Council's scrutiny function will work together in relation to:-
 - Exchange of information
 - Referrals of issues to scrutiny
 - Co-ordination of activities

Exchange of information

4. In order to provide opportunities for regular exchange of information between the two organisations, regular informal meetings will be held between the Chairman and Vice-Chairman of Health Scrutiny Committee and the Chairman and Chief Executive of Healthwatch Suffolk (or their nominated representatives).
5. The main objectives of these meetings will be:-
 - to enable any issues arising to be discussed at an early stage;
 - to discuss opportunities for co-ordination of work and avoid duplication;
 - to inform the development of the agenda with intelligence and evidence.
6. Copies of the Health Scrutiny Committee agenda and papers, and the forward work programme will be shared with Healthwatch and representatives of Healthwatch will be welcome to attend meetings of the Committee.

7. Copies of the Healthwatch Public Board Papers will be shared with the Chairman of Health Scrutiny Committee and Business Manager (Democratic Services).
8. Healthwatch may wish to nominate an individual to be the liaison person for scrutiny.
9. By invitation of the Healthwatch Board, the Business Manager (Democratic Services) may attend a Healthwatch Board meetings where an item on the agenda relates specifically to an issue on which scrutiny officer input is necessary and will help to inform debate or where the officer will glean information useful to scrutiny.

Referral of issues to scrutiny

10. Under The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, a local authority may review and scrutinise any matter relating to the planning, provision and operation of the health service in its area. In carrying out the review and scrutiny of a particular matter the local authority must:
 - a. invite interested parties to comment on the matter; and
 - b. take account of relevant information available to it, and, in particular, relevant information provided to it by a Local Healthwatch organisation.
11. Where Healthwatch refers a matter to Health Scrutiny Committee, the Committee must:
 - a. acknowledge receipt of the referral within 20 working days, beginning with the date on which the referral was made;
 - b. keep Healthwatch informed of any action taken in relation to the matter.
12. Healthwatch Suffolk referrals to Health Scrutiny Committee should:
 - a. only come through the Chief Executive Officer or Chair;
 - b. be directed to the Business Manager (Democratic Services);
 - c. be in writing but may be in electronic form;
 - d. raise matters of great concern to Healthwatch Suffolk and include details of attempts to achieve local resolution where appropriate;
 - e. raise matters which Healthwatch wishes to raise as good practice.
13. Health Scrutiny Committee will:
 - a. acknowledge receipt of the referral within 20 working days;
 - b. keep Healthwatch informed of the committee's actions in relation to the matter;
 - c. take into account any relevant information provided by Healthwatch;
 - d. decide whether or not the referral is within its terms of reference and it can add value through scrutiny.
14. The Health Scrutiny Committee may decide that:

- a. it does wish to scrutinise the issue and does so at the meeting, or
 - b. it does wish to scrutinise the issue, and adds it to the forward work programme and agrees a date for the scrutiny;
 - c. it does not wish to scrutinise the issue, in which case it will give reasons for its decision.
15. If the Committee does agree that scrutiny is appropriate and the issue is within its terms of reference, the Committee may wish to identify specific questions for the scrutiny to address.
16. The Health Scrutiny Committee Chairman will provide a response to the Chairman of Suffolk Healthwatch regarding the Committee's consideration of the referral, including the reasons for the decision/s.

Co-ordination of activities

17. The importance of co-ordination and co-operation between local Healthwatch and health scrutiny is a key recommendation resulting from the Francis Report.
18. It is understood that Healthwatch Suffolk is an independent organisation that will develop its own work programme and that the Health Scrutiny Committee is likewise free to pursue the issues that councillors consider to be of greatest concern. It is also acknowledged that there can be mutual benefit in co-ordination of activity between Healthwatch and scrutiny, to achieve the best outcomes for health and social care service users
19. Healthwatch Suffolk is encouraged to consider the Health Scrutiny Committee forward work programme and identify when it would wish to:
- a. gather and provide intelligence to the Committee;
 - b. highlight particular areas of concern;
 - c. assist with the scoping of scrutiny by providing patient and public views on how a policy or strategy is working, or what impact decisions are having;
 - d. identify items for which it would wish to provide evidence – either written representations for inclusion in the published reports and/or witness attendance at the meeting.
20. Health Scrutiny Committee may, if it feels it will be conducive to its work, invite a member of Healthwatch Suffolk to join a working group which it has instigated to investigate a specific issue. The Healthwatch member would be co-opted to the working group in a non-voting capacity.
21. Healthwatch Suffolk may likewise wish to invite a member of scrutiny to join a working group which it has instigated to investigate a specific issue.
22. Health Scrutiny Committee may wish to ask Healthwatch Suffolk to undertake specific pieces of research or other work relevant to scrutiny reviews to ensure that views of the public and patients are central to its work. It will be for Healthwatch to determine whether it can assist with such requests.