

# **Essex and Suffolk Joint Health Scrutiny Committee**

**10 March 2017**

## **Draft Terms of Reference**

### **Summary**

1. This report provides the reasons for the establishment of the Joint Committee, and sets out draft terms of reference for the operation of the Committee.

### **Objective**

2. The Committee is asked to consider and agree the Terms of Reference, attached at Appendix 1.

### **Contact details**

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### **Background**

3. Sustainability and transformation plans (STPs) were announced in NHS planning guidance published in December 2015. NHS organisations and local authorities were asked to come together to develop 'place-based plans' for the future of health and care services in their area, covering three headline issues: improving quality and developing new models of care; improving health and wellbeing; and improving efficiency of services.
4. STPs are long-term plans (2016-2021) covering all aspects of NHS spending, as well as focusing on better integration with social care and other local authority services.

5. STPs reflect a growing consensus within the NHS that more integrated models of care are required to meet the changing needs of the population and to bring the system back to a financially sustainable position. In practice, this means different parts of the NHS and the social care system working together to provide more co-ordinated services to patients and represents a significant change to the planning and delivery of health and care services.
6. The Suffolk and North East Essex STP Implementation Plan was published in November 2016. The information it provides reflects a high level shared vision and priorities for action over the next five years. The detailed proposals and timescales for changes to services resulting from the STP will take time to develop and implement.
7. Under the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, NHS bodies are required to consult local authority health scrutiny arrangements on any “substantial variations or developments to services”. The requirement is separate, and in addition, to the duty of the NHS to consult and engage with patients and the public.
8. What constitutes a “substantial variation or development” is not defined in Regulations, but guidance suggests it should be a matter for local discussion and agreement, taking into consideration factors such as the extent to which the proposed change may impact upon patients, for example in terms of access to services, whether the change represents a reduction or closure of a service, the numbers of patients affected, the extent to which the public and patients have been involved and consulted on the development of the proposals, the extent of the impact and local feeling.
9. Local authorities may appoint a discretionary joint health scrutiny committee to carry out health scrutiny of issues which cross local authority boundaries (Regulation 30). Regulation 30 also requires local authorities to appoint a mandatory joint committee where an NHS body or health service provider consults more than one local authority’s health scrutiny function about a substantial development proposal.
10. For the purpose of scrutiny of the Suffolk and North East Essex STP, Essex Health Overview and Scrutiny Committee and Suffolk Health Scrutiny Committee have agreed to establish a joint scrutiny committee, on a task and finish basis. The joint committee will focus on activities taking place under the banner of the STP which are likely to impact upon patients from both counties. There may be other aspects of the STP work for which scrutiny by the “home” local authority Committee would be more appropriate.
11. The joint committee will also act as the mandatory joint committee in the event that an NHS body is required to consult health scrutiny on a substantial variation or development in service as part of the implementation of the STP.
12. The joint committee will meet to scrutinise matters arising from the STP, or to receive formal consultation from the NHS as appropriate. The joint committee’s programme of work will need to be developed in light of further information about emerging proposals and detailed timescales for decision making. This will be particularly important where the joint committee is being formally consulted as the Regulations require timescales to be provided to health scrutiny and published. This includes the date by which the NHS body requires comments in response to consultation and the date by which it intends to make a decision as to whether to proceed with the proposal. This is so that local patients and communities are

aware of the timescales that are being followed. Ongoing constructive dialogue as the plans develop should help ensure that timescales are realistic and achievable.

## **Main Body of Information**

13. The following information has been provided for the Joint Committee's consideration and is attached to this report:

Appendix 1: Draft Terms of Reference for the Joint Committee

## **Glossary**

NHS – National Health Service

STP – Sustainability and Transformation Plan

## **Supporting Information**

[Local Authority \(Public Health, Health and Wellbeing Boards and Health Scrutiny\) Regulations 2013](#)

[Local Authority Health Scrutiny - Guidance to support Local Authorities and their partners to deliver effective health scrutiny](#)

