

BARNSELY METROPOLITAN BOROUGH COUNCIL

This matter is not a Key Decision within the Council's definition and has not been included in the relevant Forward Plan.

Report of the Director of Legal and Governance

JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE (JHOSC)

1. Purpose

1.1 To seek approval to Barnsley MBC's continued participation in the JHOSC.

2. Recommendations

2.1 That the Council confirm its commitment to the JHOSC and approves the Terms of Reference at Appendix 1, insofar as this Council is concerned;

2.2 That the appointment of an appropriate member representative to serve on the JHOSC in 2014/15 be considered at Annual Council.

3. Background

3.1 In March 2011, Leeds City Council convened a JHOSC on behalf of local authorities in Yorkshire and Humber specifically to consider the emerging proposals from the Safe and Sustainable Review of Children's Congenital Cardiac Services in England. Barnsley MBC, together with the 14 other local authorities in the region, was invited to participate. Barnsley has engaged with these arrangements mainly at officer level.

3.2 The Council has not been actively involved in the work of the JHOSC since the summer of 2012, when the then Personal and Family Wellbeing Scrutiny Commission took evidence about the potential impact on the borough of the cessation of children's heart surgery at Leeds General infirmary. The commission used its powers to endorse the concerns raised by the JHOSC and to call on the Secretary of State for Health to delay the implementation of the changes until further research on the impact of the proposed changes had been carried out.

3.3 In the period from March 2011 to September 2013, the JHOSC has met as a formal committee on 14 separate occasions, together with a number of informal/private discussions. It has produced two comprehensive reports on the Review and made two formal referrals to the Secretary of State for Health, as well as being actively involved in the review conducted by the Independent Reconfiguration Panel. In general, its reports and conclusions have been well received.

4. Current Position

4.1 The original expectation was that the JHOSC would meet on a fairly ad hoc basis to consider the Review. However, it can be seen that it has generated a significant workload. The JHOSC has recently agreed new Terms of Reference, specifically to consider a new Review of Children's Congenital Cardiac Services. These are set out at Appendix 1. Leeds City Council has suggested that each Council should confirm its commitment to the JHOSC, specifically by approving the new Terms of Reference for the JHOSC at a full Council meeting.

5. Proposal

- 5.1 The proposal from Leeds City Council will put the JHOSC on a more formal footing. Whilst Barnsley MBC will have limited capacity to contribute to this work, there is merit in the Council taking part in the JHOSC. Within this arrangement, Barnsley's Overview and Scrutiny Committee would still be able to consider issues about health services in the Borough if that was seen as a priority.
- 5.2 It is therefore proposed that Barnsley MBC supports the proposed Terms of Reference at Appendix 1 and seeks to nominate a member to represent the Council at JHOSC in the new Municipal Year.

6. Appendices

Appendix 1 – Proposed new terms of reference of the Joint Health Overview and Scrutiny Committee

7. Background Papers

File on the JHOSC - Held in the Legal and Governance Directorate, Town Hall Barnsley. Tel No: (01226) 773421

Director of Legal and Governance

14th March 2014

**THE JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE
(YORKSHIRE AND THE HUMBER)**

**INQUIRY INTO THE NEW REVIEW OF CONGENITAL HEART
DISEASE (CHD) SERVICES IN ENGLAND**

TERMS OF REFERENCE

1.0 Introduction

- 1.1 In March 2011, a Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) – 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).
- 1.2 The membership for the JHOSC shall be made in accordance with the Joint Health Scrutiny Protocol (Yorkshire and the Humber) and drawn from the following constituent local authorities:
- Barnsley MBC
 - Calderdale Council
 - City of Bradford MDC
 - City of York Council
 - Doncaster MBC
 - East Riding of Yorkshire Council
 - Hull City Council
 - Kirklees Council
 - Leeds City Council (Chair)
 - North East Lincolnshire Council
 - North Lincolnshire Council
 - North Yorkshire County Council
 - Rotherham MBC
 - Sheffield City Council
 - Wakefield Council
- 1.3 The JHOSC submitted a formal response to the options presented for public consultation in October 2011.
- 1.4 Following the JCPCT’s decision on the proposed future model of care and designation of surgical centres on 4 July 2012, the JHOSC referred the JCPCT’s decision to the Secretary of State for Health in November 2012. This was subsequently passed to the Independent Reconfiguration Panel (IRP) for consideration and advice.
- 1.5 The IRP’s findings and recommendations were set out in its report to the Secretary of State for Health at the end of April 2013. A summary of the IRP’s recommendations is attached at Appendix 1 (available on request).

- 1.6 On 12 June 2013, an announcement from the Secretary of State for Health accepted the IRP's report and recommendations in full and called a halt to the Safe and Sustainable Review of Children's Congenital Cardiac Services in England and asked NHS England – as the new body responsible for commissioning specialised services following the restructuring arrangements across the NHS that came into force from 1 April 2013, to report how it proposed to proceed by the end of July 2013.
- 1.7 NHS England's response to the Secretary of State for Health, which included a report presented to the NHS England Board on 18 July 2013, is attached at Appendix 2 (available on request).

2.0 Scope of the inquiry

- 2.1 The overall purpose of this inquiry is to consider the arrangements and outcomes associated with the new review of congenital heart disease (CHD) services in England.
- 2.2 As such, specifically in relation (but not limited) to the population of the constituent authorities' areas, the JHOSC may:

Part 1

- Consider the findings and recommendations of the Independent Reconfiguration Panel (IRP) associated with its assessment of the previous Safe and Sustainable review of Children's Congenital Heart Services in England, and make an assessment of the extent to which they have been acted upon as part of the new CHD review;
- Consider and make an assessment of the new CHD review processes and any associated formulation of proposed options for reconfiguration and future service models, presented for public consultation;
- Consider the views and involvement of local service users, patient groups and/or charity organisation as part of the new CHD review;

Part 2

- Examine the projected service improvements arising from the new CHD review and any proposed reconfiguration and future service model including, but not limited to, the basis of projected improvements to patient outcomes and experience;
- Consider the likely impact arising from the new CHD review on patients and their families accessing services in the short, medium and longer- term, particularly in terms of access to services and travel times;
- Consider the health and equality impacts arising from the new CHD review and any associated reconfiguration and future service model proposals and, in particular, the comparison with existing provision and service configuration;

- Consider other potential implications of any reconfiguration options arising from the new CHD review and presented for consultation, including the impact on the local and regional health and general economy.

Part 3

- Formally respond to the findings of the new CHD review and any reconfiguration options or proposed future service models arising from the new CHD review and presented for public consultation.

Part 4

- Consider and maintain an overview of any plans for implementation associated with the agreed future service model and reconfiguration of services arising from the new CHD review.

2.3 In addition, the JHOSC may generally:

- Consider any other pertinent matters that may arise as part of the Committee's inquiry (as agreed by the JHOSC).
- Make any recommendations deemed appropriate in relation to any or all of the above matters.
- Review and scrutinise the effects of the new CHD review on the planning, provision and operation of the health service in the constituent authorities' areas pursuant to Regulation 21 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, and make reports and recommendations on such matters pursuant to Regulation 22.
- Act as consultee and discharge the constituent authorities' functions under Regulation 26 in relation to the new CHD review.
- Discharge the constituent authorities' functions under Regulation 26 and Regulation 27.

2.4 As the administering authority, arrangements for the JHOSC shall be in accordance with Leeds City Council's Scrutiny Procedural Rules.

3.0 Desired Outcomes and Measures of Success

3.1 The decision to undertake this inquiry has been based on the JHOSC's previous consideration and reports relating to the Safe and Sustainable Review of Children's Congenital Cardiac Services in England.

3.2 In conducting this inquiry and responding to any future proposals presented for public consultation, the JHOSC wishes to secure high quality, accessible services for patients suffering congenital heart disease (CHD) and their families across Yorkshire and the Humber in the immediate and longer-term.

- 3.3 It is also important to consider how the JHOSC will deem if its inquiry has been successful in making a difference to local people across Yorkshire and the Humber.
- 3.4 Some measures of success may be obvious at the initial stages of an inquiry and can be included in these terms of reference. Other measures of success may become apparent as the inquiry progresses and discussions take place.
- 3.5 Some initial measures of success are:
- Ensuring the recommendations identified by the Independent Reconfiguration Panel (IRP) have been appropriately acted upon as part of the new CHD review.
 - Ensuring the new CHD review processes are rigorous and fit for purpose.
 - Ensuring the involvement, engagement and consultation arrangements associated with the new CHD review are appropriate and fit for purpose.
 - Ensuring any proposed future service model will deliver improved or enhanced services for patients and families across Yorkshire and the Humber.
 - Ensuring any projected service improvements arising from the new CHD review are realistic and have a high prospect for success.

4.0 Comments of the relevant Director and Executive Member

- 4.1 In line with Leeds City Council's Scrutiny Board Procedure Rule 12.1, the relevant Director(s) and Executive Member(s) shall be consulted on these terms of reference.

5.0 Timetable for the inquiry

- 5.1 NHS England is currently working toward securing 'an implementable solution' by the end on June 2014. As such, the timetable of this inquiry will broadly reflect NHS England's review timetable.
- 5.2 The length of the inquiry may be subject to change.

6.0 Submission of evidence

- 6.1 NHS England is currently working toward securing 'an implementable solution' by the end on June 2014. The timetable of this inquiry and the submission of evidence will broadly reflect NHS England's review timetable.
- 6.2 The JHOSC will determine the evidence it 'reasonably requires' to discharge its statutory functions and advise those bodies responsible accordingly.

7.0 Witnesses

- 7.1 The JHOSC will determine those witnesses it may 'reasonably require' and/or may wish to invite to attend its meetings, in order that it may discharge its statutory functions.
- 7.2 The JHOSC will advise any identified witnesses accordingly.

8.0 Equality and Diversity / Cohesion and Integration

- 8.1 The Equality Improvement Priorities 2011 to 2015 have been developed to ensure Leeds City Council's legal duties are met under the Equality Act 2010. The priorities will help ensure work takes place to reduce disadvantage, discrimination and inequalities of opportunity.
- 8.2 Equality and diversity will be a consideration throughout the inquiry and due regard will be given to equality through the use of evidence, written and verbal, outcomes from consultation and engagement activities.
- 8.3 The JHOSC may engage and involve interested groups and individuals to inform any recommendations.
- 8.4 Where an impact has been identified this will be reflected in any inquiry report and associated recommendations and the body responsible for implementation or delivery should give due regard to equality and diversity, conducting impact assessments where it is deemed appropriate.

9.0 Post inquiry report monitoring arrangements

- 9.1 Following the completion of this inquiry and the publication of any inquiry report and recommendations, the initial response and subsequent progress against such recommendations will be monitored.
- 9.2 Any inquiry report will include information on the arrangements for monitoring the implementation of any recommendations.

