

Annual Council – Thursday, 24 May 2018

Proposed Changes to the Constitution – Healthy Staffordshire Select Committee

Recommendation:

1. That approval be given to amendments to the Terms of Reference of the Healthy Staffordshire Select Committee to:
 - (i) permit substitute member level representation for the District and Borough Councils.
 - (ii) include provision for participation in Joint Committees by the inclusion of the wording detailed at paragraph 11 below
- 2 That approval be given to the Membership and Terms of Reference of the Joint Committee Re Future of Local Health Services in Northern Staffordshire as set out in Appendix 2

Report of the Director for Strategy, Governance and Change

A. Provision for Substitute Member Representation for District and Borough Councils

Background

Healthy Staffordshire Select Committee – Current Membership/Attendance

2. The statutorily required Select Committee has the role of reviewing and scrutinising any matter relating to the planning, provision and operation of health services in Staffordshire. It has the power to make reports and recommendations to NHS Bodies, including the Secretary of State for Health.
3. The membership of the Select Committee comprises 13 County Council members and one member representative from each of the eight District and Borough Councils in Staffordshire. All have full voting rights.
4. A protocol exists between the County and District and Borough Councils whereby health scrutiny workload is divided into three levels:
 - Those of a County wide/Strategic nature – led by the County Council’s Select Committee
 - Those which the County requests a District or Borough Council to lead on
 - Those of a local/community interest – led by a specified District/Borough Council
5. To promote liaison and co-ordination, each District and Borough Council Committee with Health responsibilities includes in its membership a County Council member representative with full voting rights.

6. Historically the joint working arrangements have been successful however more recently, due to other time pressures, there has been a notable decline in the regularity of attendance of District and Borough members at meetings of the Healthy Staffordshire Select Committee. It is becoming increasingly important to have local representation at the County's meetings as its workload is focussing more and more on strategic matters such as the STP (Sustainability and Transformation Plan), bringing together the work of the local authorities, CCGs and NHS Trusts in Staffordshire to secure quality, financial sustainability and efficiency in health and adult social care in Staffordshire.

Proposal

7. The importance of local member representation at Healthy Staffordshire meetings has been discussed at a joint meeting of Staffordshire's Council Leaders. That meeting has requested a change to the terms of reference of the Select Committee to permit the appointment of substitute member level representation (with full voting rights) for the District and Boroughs.

8. If Council is mindful to approve the request it is proposed that in appointing their substitutes, Leaders be encouraged to identify specific individuals with the capacity and level of knowledge/interest in health matters to be able to contribute to debate and provide continuity and consistency in representation.

B. Joint Health Scrutiny Committee for Stoke-on-Trent and Staffordshire – Re: Consultation on Future of Local Health Services in Northern Staffordshire

Background

9. Where a NHS body or Health Service provider consults more than one local authority's health function about proposals for substantial development or variation of services, in accordance with Regulation 30 of 'The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, those local authorities are required to appoint a mandatory joint overview and scrutiny committee for the purposes of the consultation. Only that Joint Committee can respond to the consultation and require the provision of information and/or the attendance at their meetings by representatives of the consulting Body/Provider to help them form a view.

10. The Accountable Officer for the CCGs in North Staffordshire and Stoke-on-Trent has contacted the County Council and Stoke-on-Trent City Council to request the establishment of a mandatory Joint Committee to consider proposals relating to community hospitals in Staffordshire and Stoke-on-Trent. The formal consultation process is expected to commence in early Autumn 2018.

Proposal

11. The involvement of the Healthy Staffordshire Select Committee in any Joint Committee arrangements needs to be provided for in the County Council's

Constitution. The following wording is suggested for inclusion in the Terms of Reference for the Committee as detailed in section 7 of the Constitution:

Appropriate members of the Select Committee shall comprise the County Council's representation at any Joint Committee formed under Regulation 30 of the Local Authority (Public Health, Health and Well Being Boards and Health Scrutiny) Regulations 2013; such Joint Committees being constituted to comment on substantial reconfiguration proposals by a local NHS body or service provider where those proposals would need to be consulted upon with other local authority health scrutiny bodies in addition to the County Council.

12. The Chairman of the Healthy Staffordshire Select Committee has met with his counterpart at Stoke-on-Trent City Council and agreed on proposed membership and Terms of Reference for the Joint Committee. Details are attached at Appendix 2.

Note: As the consultation relates to services in the North of the County, the proposed membership aims to provide representation for those areas whose communities are most directly affected by any changes to those services.

Appendix 1

Equalities Implications: None

Legal and Risk Implications:

The proposal seeks to secure maximum participation by the Staffordshire District and Borough Councils in discussions on health provision in the County thus enabling the Healthy Staffordshire Select Committee to fulfil its obligations to take account of the county wide implications of matters under consideration.

The establishment of a Joint Committee complies with legislative requirements

Resource and Value for Money Implications:

Substitute representation at Select Committee meetings will not have any resource implications for the County Council

The formation of a Joint Committee will remove the necessity to duplicate consultation processes thus delivering savings to the public purse.

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