

Committee	Date	Classification	Report No.	Agenda Item No.
Overview and Scrutiny Committee	28th July 09	Unrestricted		
Report of: Assistant Chief Executive Originating Officer(s): Afazul Hoque, Acting Scrutiny Policy Manager		Title: Establishment of Inner North East London Joint Health Overview and Scrutiny Committee Ward(s) affected: All		

1. Summary

- 1.1 This report invites the Committee to agree to establish a Joint Health Overview and Scrutiny Committee with other Inner London Boroughs to respond to the consultation document issued by the Joint Committee of Primary Care Trusts entitled "Making Healthcare for London Happen in North East London: The Case for Change".

2. Recommendations

- 2.1 Overview and Scrutiny Committee is asked to agree that Tower Hamlets participate in the proposed Inner-London Joint Health Overview and Scrutiny Committee (JOSC) being established to respond to the consultation document issued by the Joint Committee of PCTs on proposed changes to NHS acute services.
- 2.2 That the Committee appoint 3 Members consisting of two majority group members and one member from the main opposition group from the Overview and Scrutiny Committee and/or the Health Scrutiny Panel to represent the authority on the Inner-London JOSC.
- 2.3 That the Committee appoint three deputy members for those appointed under 2.2 above.
- 2.4 That the Service Head Scrutiny and Equalities be authorised to agree the detailed terms of reference for how JOSC will operate in consultation with the appointed Members.

3. Background

- 3.1 *Healthcare for London; A Framework for Action* was published in July 2007 by NHS London. It was written by Professor Lord Darzi and outlined a number of proposals which were needed to improve the health of Londoners. These specific proposals were outlined in the *Healthcare for London: Consulting the Capital* report which went out to consultation from November 2007. The consultation was led by a Joint Committee of London PCTs and, as part of this, a Joint Overview and Scrutiny Committee (JOSC) of local authorities affected by the proposals was set up to respond.
- 3.2 The JOSC took evidence from a range of stakeholders and made 34 recommendations which were considered by the Joint Committee of PCTs (JCPCTs) on 12th June 2008. The JOSC reconvened in October 2008 to receive the formal *Healthcare for London* response to their report. The JCPCT found the comments of the JOSC to be helpful and recognised the importance of engagement with Councils and their Overview and Scrutiny Committees to transform health and social care services.
- 3.3 A further JOSC was set up in January 2009 to consider proposals to develop NHS services for acute stroke and major trauma services in London. The final report of the JOSC was published in June 2009 and consisted of 39 recommendations which is currently being considered by Healthcare for London.

4. Making Healthcare for London Happen in North East London: The Case for Change

- 4.1 The seven NHS Primary Care Trusts in North East London are currently completing "Health for North East London" (Health4NEL) – a clinically-led review into strengthening how local health care services are delivered across North East London to improve clinical quality and to deliver the aspirations set out in "A Framework for Action". Lord Darzi's review of healthcare services in London.
- 4.2 "Health for North East London" is a wide ranging review that will make proposals on how acute services are provided across the major NHS hospitals in the North East London health economy, including those provided by Barts and the Royal London Hospital. The range of services affected by the review include:
- Urgent Surgery
 - Urgent Medicine
 - Children's Services
 - Maternity and newborn services
 - Specialist services
 - Planned Care
- 4.3 The local NHS trusts conducting the review have written to the Council to inform us that some elements of their proposals may represent substantial service change and will require a formal public consultation running from October 2009 to January 2010. As the proposals will affect residents across the eight North East London Boroughs, as well as surrounding areas, the local NHS trusts have formally requested that either one or two JOSCs be constituted to scrutinise the proposals under powers laid down in the Health and Social Care Act 2001.

- 4.4 The Outer-North East London Boroughs (Barking and Dagenham, Redbridge, Waltham Forest and Havering) already have a standing Joint Health Overview and Scrutiny Committee constituted to receive this type of consultation.
- 4.5 The Council needs to consider whether it wishes to participate in the proposed Inner North East London Joint Overview and Scrutiny Committee which is being established by the London Boroughs of Newham, Hackney and the City of London to respond to the consultation document issued by the Joint Committee of Primary Care Trusts.
- 4.6 It is important that Tower Hamlets participates in this review as all acute service provisions in the borough will be subject to review and the outcome will determine the future service provisions of Bart's and the London NHS Trust.
- 4.7 The Health Scrutiny Panel at their meeting on 21st July 2009 will receive an update on the progress and timetable for the proposed consultation. A draft Terms of Reference for the JOSOC is attached in Appendix 1.

5 Concurrent Report of the Assistant Chief Executive (Legal)

- 5.1 Sections 7 and 8 of the Health Care Act 2001 (the '2001 Act') provide a power for local authority overview and scrutiny committees to review and scrutinise health matters. This is confirmed by the Local Authority (Overview and Scrutiny Committees' Health Scrutiny Functions) Regulations 2002 (the '2002 Regs') which make provision in relation to the health scrutiny functions.
- 5.2 Regulation 4 deals with consultation of overview and scrutiny committees by local NHS bodies of proposals for substantial development of the health service or for any substantial variations in the provision of the health service.
- 5.3 The Secretary of State for Health State can exercise his powers under the Act 2001 and regulation 10 of the 2002 Regs, that where a local NHS body consults with more than one overview and scrutiny committee pursuant regulation 4 of the Regs, he can make a direction that the local authorities shall appoint a joint overview and scrutiny committee for the purposes of consultation and only that joint overview and scrutiny committee may comment on the proposals consulted on to the local NHS body. Such a Direction was made by the Secretary of State for Health on 17 July 2003.
- 5.4 Accordingly, in order to comply with the Direction this report seeks Members to be appointed to a joint overview and scrutiny committee for purposes of this consultation.

6 Comments of the Chief Financial Officer

- 6.1 There are no direct financial implications arising from this report.

7 One Tower Hamlets Considerations

- 7.1 The consultation report aims to address health inequalities that exist within London. The JOSOC will, as part of its work, need to consider carefully the equalities implications of the proposals within the report and in particular, the Equality impact Assessment undertaken by the Joint Committee of PCTs. The JOSOC will also address consultation with hard to reach communities and ensure the proposed changes have a positive impact on all sections of the community.

8 Sustainable Action for a Greener Environment

8.1 There are no direct environmental implications arising from this report.

9 Risk Management

9.1 There is a risk that the operation of the JOSC may become overly bureaucratic and local issues may not be fully considered.

LOCAL GOVERNMENT ACT 1972 (AS AMENDED) SECTION 100D LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

Background paper

Name and telephone number of and address where open to inspection

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**JOINT OVERVIEW & SCRUTINY COMMITTEE TO REVIEW
'NORTH EAST LONDON ACUTE PROVIDER REVIEW'**

PROPOSED TERMS OF REFERENCE

1. Consider and respond to the proposals set out in the PCT consultation document 'Case for Change: North East London Acute Services Review';
2. Consider whether the 'Case for Change: North East London Acute Services Review' proposals are in the interests of the health of local people and will deliver better healthcare for the people of North East London;
3. Consider the PCT consultation arrangements – including the formulation of options for change and whether the formal consultation process is inclusive and comprehensive.