

Health and Well Being Board			
<b>Title</b>	Lewisham Health and Social Care Scrutiny Protocol (Revised)	<b>Item No</b>	3
<b>Contributors</b>	Healthier Communities Select Committee		
<b>Class</b>	Part 1	<b>Date</b>	19 September 2013

## 1. Purpose of paper

- 1.1 To invite the Board to consider the Health and Social Care Scrutiny Protocol, which sets out how the Healthier Communities Select Committee will exercise its scrutiny responsibilities, and which also forms an agreement between the Committee and the Health and Wellbeing Board, healthcare commissioners and providers in Lewisham as to how they will interact.

## 2. Recommendations

- 2.1 The Board is recommended to:

- note the role of the Healthier Communities Select Committee
- to be a signatory of the Lewisham Health and Social Care Scrutiny Protocol

## 3. Health and Social Care Scrutiny Protocol

- 3.1 In 2008, the Healthier Communities Select Committee (HCSC) developed and agreed a Health and Social Care scrutiny protocol with local commissioners and providers as to how the various bodies would interact with the Committee as it exercised its statutory health scrutiny duties. The protocol included specific agreement about regular and routine interaction, how potential services variations would be dealt with and how interaction with the Lewisham Involvement Network (LINK) would also be maintained, in part through the attendance of two LINK members at every HCSC meeting.
- 3.2 The introduction of the agreements set out in the protocol have led to closer working relationships with local provider trusts and commissioners over the last 4 years and much earlier engagement with proposed service developments, as well as collective agreement on an agreed template for assessing whether a proposed variation might be considered substantial by the Committee. Regular attendance at the Committee meetings and routine engagement with the Chair has benefitted both the Committee and the local organisations by the effective communication it supports, enabling interaction to be targeted and appropriate.
- 3.3 With the changes brought in by the Health and Social Care Act 2012 being implemented from April 2013, it was recommended to the Committee and the relevant partner organisations that the protocol be updated in light of these changes, to ensure ongoing effective relationships with local commissioners and providers and Lewisham Healthwatch.
- 3.4 On 16 April 2013, the Committee agreed that the Protocol be revised, in discussion and agreement with the appropriate local organisations and bodies. On 4 September 2013 the Committee considered a draft of the revised protocol and agreed that the

Health and Wellbeing Board be asked to agree to the protocol, specifically to the inclusion of the commitments that the Board will:

- ensure that the health and wellbeing strategy and resultant delivery plan are made available to the Committee for pre-decision scrutiny before they are finalised and agreed by the Board,
- provide appropriate representation at Committee meetings when requested to attend in relation to a specific item being scrutinised

3.5 The Health and Social Care Scrutiny Protocol is attached at Appendix A.

## **5. Legal Implications**

5.1 As set out in the Constitution, the Healthier Communities Select Committee is required to:

- “fulfill all of the Overview and Scrutiny functions in relation to the provision of service by and performance of health bodies providing services for local people. These functions shall include all powers in relation to health matters given to the Council’s Overview and Scrutiny Committee by any legislation but in particular the Health and Social Care Act 2001, the NHS Act 2006 as amended, the Health and Social Care Act 2012 and regulations made under that legislation, and any other legislation in force from time to time.
- review and scrutinise the decisions and actions of the Health and Wellbeing Board and to make reports and recommendations to the Council and/or Mayor and Cabinet.
- To review and scrutinise in accordance with regulations made under Section 244 NHS Act 2006 matters relating to the health service in the area and to make reports and recommendations on such matters in accordance with those regulations
- Require the attendance of representatives of relevant health bodies at meetings of the select committee to address it, answer questions and listen to the comments of local people on matters of local

### **Background documents:**

Minutes of Healthier Communities Select Committee 16 April 2013 and 4 September 2013.