

Subject: **Towards a Work Programme**
Date of Meeting: **11 June 2008**
Report of: **The Director of Strategy and Governance**
Contact Officer: Name: Giles Rossington Tel: 29-1038
E-mail: Giles.rossington@brighton-hove.gov.uk
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 For Members to consider the formation of a draft work programme for the Health Overview & Scrutiny Committee (HOSC) 2008-2009, with regard to the Terms of Reference and functions of the Committee (see Part 6, Paragraph 2.6 of the Constitution).

2. RECOMMENDATIONS:

- (1) To agree a draft work programme to be submitted to the Overview & Scrutiny Commission for consideration;

Or

- (2) To agree that a more detailed draft work programme be presented for the Committee to consider at its next meeting, and then to the Overview & Scrutiny Commission for consideration.

3. BACKGROUND INFORMATION

- 3.1 Part 6 of the Council's Constitution states that the functions of the Overview and Scrutiny Committees include working to "develop focused programmes of work and identify the most appropriate means of progressing such work."
(6:3.2)

Committees should also "be responsible for setting their own work programme to overview and scrutinise the work of the Executive, relevant Council Committees and services and the effectiveness of relevant partnerships or other bodies." (6:12.2)

The Overview and Scrutiny Commission is tasked with approving "an annual Overview and Scrutiny work programme to ensure that there is efficient use of the Committees' time and that the potential for duplication of effort is minimised." (6: 3.1a))

Therefore, whilst it is the responsibility of the HOSC to agree its own work programme, the Overview & Scrutiny Commission must have sight of all overview and scrutiny committees' work programmes in its role as the co-ordinating committee.

- 3.2 There are a number of ways in which items may be suggested for inclusion in the HOSC Work Programme:

a) All Members will have access to the Council's Forward Plan, and may choose to suggest that Key Decisions from the Plan should be included in the HOSC Work Programme. Please note that the Forward Plan may also feature decisions taken by local NHS Trusts under "Section 75" agreements (relating to the joint resourcing, commissioning and provision of healthcare services).

b) The HOSC Chairman may choose to examine the Forward Plan at each Chairman's meeting and put forward any items she sees fit.

c) Cabinet Members, Regulatory Committee Chairmen and Cabinet may all refer items to the HOSC for examination and comment.

d) HOSC is required to respond, as soon as its Work Programme permits, to requests from the Council (and, if it considers it appropriate, the Cabinet/Cabinet Committees) to review particular areas of Council activity (Part 6:13.3 of the Constitution).

e) Any member of the Overview & Scrutiny Commission or of any one of the Overview & Scrutiny Committees may notify the Head of Scrutiny that they wish to have an item included on the agenda of the next

possible meeting of a specific Scrutiny Committee. The Committee in question will then determine if and how it wishes to pursue the matter in question.

f) HOSC may also receive requests from other Councillors and suggestions from officers for particular topics to be scrutinised. Any Councillor may submit a letter for inclusion on the agenda of any Overview & Scrutiny Committee.

g) "Legacy" items or matters brought forward from the 2007-2008 Work Programme may also be included on the 2008-2009 Work Programme. HOSC agreed at its 23.04.08 meeting that a number of such items should be submitted to the new HOSC for possible inclusion in the 2008-2009 Work Programme. (A copy of the report agreed by HOSC on 23.04.08 is included as Appendix 2 to this report).

h) The 19 Plans and Strategies which make up the Budget and Policy Framework are listed in part 3.1 (3.02) of the Council's Constitution (and in appendix 1 to this report). Although approval of the Budget and Policy framework is a Full Council function, it is envisaged that the appropriate Overview & Scrutiny Committee(s) should consider draft proposals before their submission to full Council for approval. The Cabinet should take into account any response from an Overview & Scrutiny Committee and from relevant stakeholders when determining its final proposals for submission to Full Council in regard to any of the plans and strategies.

i) The Local Government and Public Involvement in Health Act (2007) created bodies called Local Involvement Networks (LINKs). LINKs replace and enlarge the role of Public and Patient Involvement Forums, facilitating public and patient involvement in the scrutiny of health and social care. The 2007 Act empowers Links to refer matters relating to health and social care to Overview & Scrutiny Committees for consideration. Overview & Scrutiny Committees are obliged to consider such referrals in a timely fashion, either agreeing to investigate as requested, or giving reasons why no further action is thought necessary.

j) NHS Trusts planning "substantial variations" in the services they provide are required to consult with local HOSCs on both the substantive nature of the changes proposed and on any public and stakeholder consultation that will be undertaken prior to the changes being introduced. The HOSC Work Programme may therefore need to incorporate items of substantial variation proposed by local NHS Trusts.

k) Local NHS Trusts may also wish to bring matters to HOSC's attention which do not constitute substantial variations in their service, but are nonetheless of importance. Such matters may include briefings on

national and regional healthcare policy, briefings on local strategic plans, items relating to the performance of local NHS Trusts and so on.

- 3.3 The HOSC draft Work Programme also needs to allow for flexibility to accommodate matters as they arise, such as requests for Scrutiny or for Call-In.

4. CONSULTATION

- 4.1 No formal consultation has been undertaken in regard to this report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no direct financial implications to this report; final decisions on a HOSC Work Programme will need to be made with reference to the availability of officer resources.

Legal Implications:

- 5.2 There are no direct legal implications.

Equalities Implications:

- 5.3 There are no direct equalities implications, although equalities issues may be taken into account when making final decisions in regard to the HOSC Work Programme.

Sustainability Implications:

- 5.4 There are no direct sustainability implications to this report although sustainability issues may be taken into account when making final decisions in regard to the HOSC Work Programme.

Crime & Disorder Implications:

- 5.5 There are no crime and disorder implications to this report.

Risk and Opportunity Management Implications:

- 5.6 There are none.

Corporate / Citywide Implications:

- 5.7 Final decisions in relation to the HOSC Work Programme will need to be made in reference to corporate priorities and to the health and social care needs of city residents.

SUPPORTING DOCUMENTATION

Appendices:

1. List of the 19 Plans and Strategies which make up the Budget and Policy Framework.
2. “Forward Planning Recommendations for the new Health Overview & Scrutiny Committee” – Item 81 on the 23.04.08 HOSC agenda (reprinted here for information).

Documents in Members’ Rooms:

1. There are none with regard to this report.

Background Documents:

1. The Council’s Constitution (May 2008).