

AGENDA ITEM

REPORT TO EXECUTIVE SCRUTINY COMMITTEE

15 DECEMBER 2009

REPORT OF DIRECTOR OF LAW AND DEMOCRACY

HEALTH SCRUTINY – RESPONDING TO CONSULTATIONS FROM HEALTH BODIES

SUMMARY

The report proposes an amendment to the Council's constitution to give power to the Health Select Committee to respond to minor health consultations whilst requiring endorsement by full Council of proposed responses in respect of matters of "significant variation".

RECOMMENDATIONS

That Council be recommended to amend the Council's constitution to give power to the Health Select Committee to respond to health consultations but requiring that responses to consultations on "significant variations" are endorsed by full Council prior to submission to the relevant health body.

BACKGROUND

1. The Health and Social Care Act 2001 requires all Councils with Social Services responsibilities to make provision for the scrutinising of the planning, provision and operation of health services. The power is exercised in Stockton by the Health Select Committee.

2. From time to time local NHS bodies consult the Health Select Committee on changes to health services operating within or affecting the Borough. On occasion these consultations are indicated by the relevant NHS body to involve "significant variations", such as in the case of the Momentum proposals. Factors which may influence whether a consultation concerns a significant variation include the following:-

- Changes in accessibility of services
- Impact of proposal on wider community
- Patients affected
- Methods of service delivery

3. Prior to the Health Select Committee responding to health consultations, it has been the practice for full Council to endorse all responses regardless as to whether the matter is a significant variation or not. Whilst full Council endorsement of responses in respect of significant variations (e.g. Momentum) has ensured that the response from the Health Select Committee is consistent with the Council's policies, the same practice has also meant that relatively minor matters have needed to be referred to full Council before a response could be made to the NHS body (such as the recent response to the Billingham Headway proposals for relocation of GP practices).

4. It is therefore suggested that the constitution is revised to require that responses in respect of “significant variations” should be subject to approval by full Council , as is the case currently, but that the Health Select Committee are given power to respond to other consultations without reference to full Council.

FINANCIAL AND LEGAL IMPLICATIONS

5. None

RISK ASSESSMENT

6. The proposed changes are classes as low risk. Any response to matters involving significant variations will still require approval of full Council.

COMMUNITY STRATEGY IMPLICATIONS

7. Service Delivery (Enhance Local Democracy).

CONSULTATION

8. Amendment to the Council’s constitution will require approval by full Council.

Director of Law and Democracy

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Background Papers:

None

Ward(s) and Ward Councillors:

Not Ward Specific

Property Implications:

None