

Bedfordshire, Cambridgeshire, Essex, Hertfordshire, Luton, Norfolk, Peterborough, Southend, Suffolk and Thurrock Joint Health Overview and Scrutiny Committee

1st February 2008

Agenda Item 9

“A Strategic Vision for the East of England NHS” - Joint Committee’s conduct of its business

Report of the (Advisor)

1. Later this year the East of England Strategic Health Authority will publish, on behalf of the relevant local NHS bodies, a service strategy and proposals in “A Strategic Vision for the East of England NHS” arising from the review of acute and other health services across the Eastern Region. Following publication there will be a three month period of consultation. The Committee has the right to make comment on the strategy and the detailed proposals set out in it.
2. The Joint Committee will appreciate that its role is to consider two issues in respect of the review of health services in the East of England. The first is to establish that the proposals set out in the proposed strategy are in the interests of the health service locally and the health of the region’s residents.. The second is to satisfy itself that the consultation with the Joint Committee by the consulting NHS bodies has been adequate for the purposes. If the Joint Committee is not satisfied on either of these points it has the power to refer the strategy and/or proposals, together with a statement of its concerns, to the Secretary of State for Health.
3. The Joint Committee is not a consulting body itself. Section 11 of the Health and Social Care Act 2001 places that responsibility on those who are consulting – the relevant NHS Bodies.
4. It is suggested that at the first substantive meeting of the Joint Committee the Project Director for Service Reconfiguration is invited to make a presentation to the Committee on the proposals in “A Strategic Vision for the East of England NHS” and the proposed consultation arrangements.
5. The Joint Committee will need to consider whether it wishes to hold evidence gathering sessions and if so whether how many such sessions there should be. The Committee will need to determine whether it wishes to hear from relevant Patient and Public Involvement Forums/LINKs Organisations and how it wishes to deal with receiving and considering written submissions from patients groups and other stakeholders. If the Joint Committee wishes to proceed in this way, arrangements for publicising the evidence gathering sessions will need to be determined. Such arrangements should be published by each of the participating authorities in the normal way and on their websites.
6. The Committee will need to consider if it wishes to appoint an expert adviser to support its work. At the time of writing it is not clear whether the Joint Committee has a budget for such purposes and the Committee will be advised further on this issue at the meeting.
7. The Committee will wish to collate the evidence it has received and make a report to the East of England Strategic Health authority (and/or other consulting NHS bodies). This will need to be drafted and submitted to the Joint Committee before it is submitted to the Strategic Health Authority (or other consulting NHS bodies) by the close of the consultation period.
8. It is hoped that a unanimous report can be submitted but if that is not possible then

there would need to be a protocol for determining the basis for any minority report(s). It is suggested that any single authority or individual member of the Committee who wishes to provide a minority report should receive support from the Advisor.

9. The relevant Department of Health Guidance provides for the range of interested parties to whom the Joint Committee's Report should be submitted. These include

- a) the full Councils of the participating local authorities,
- b) Joint or Partnership Boards,
- c) Local Strategic Partnerships,
- d) Local MPs,
- e) Relevant patient forums (or LINKs),
- f) Local voluntary organisations with an interest,
- g) NHS Trusts and PCTs,
- h) other local authorities with an interest, for example neighbouring authorities.

The Guidance also suggests that the report is made available in local libraries, community venues and on websites.

10. The Committee may wish to consider, with the Strategic Health Authority (and/or other consulting NHS bodies), mechanisms to measure the implementation, monitor the success of the strategy and to report on the findings of that work.

11. Accordingly it is **recommended** that the committee conducts its business by,

a) the Joint Committee receiving a report from the consulting authorities on the content and rationale of the strategy/proposal. The Joint Committee may then wish to receive evidence from any Specialist Advisor and/or the Advisor to the committee on the nature of the strategy and proposals and on their merits and deficiencies. If, following those two reports and the Joint Committee's consideration of them, the Committee is minded to respond to the consultation then it will need to submit a response in accordance with the consultation timetable. The preparation of such a submission will be the responsibility of the Advisor, will be the subject of debate and determination by the Joint Committee and may involve the Joint Committee hearing evidence from those who wish to comment on or make representations about the strategy and proposals.

b) following the closure of the consultation period and after the consulting bodies have considered the responses to the consultation and made a decision on the strategy and proposals, the Joint Committee will request a paper from the consulting bodies to demonstrate that the consultation has been adequate and that the strategy and proposals, as finally determined, are in the interests of health locally. At this stage the Joint Committee will wish to consider whether (or not) it holds hearings to receive evidence from those respondents who do not believe that the consultation has been adequate or who believe that their representations have not been listened to.

c) at a separate meeting, after the NHS and other bodies have made their decision on the strategy, the Joint Committee will consider, via a report from the Advisor, as to whether the Committee is minded to sign off the strategy or whether it wishes to exercise its powers to refer the strategy and/or proposals to the Secretary of State, and if so, on what grounds.

Bill Hamilton
Advisor to the Joint Committee