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**Meeting:** Social Care, Health and Housing Overview and Scrutiny Committee  
**Date:** 12 December 2012  
**Subject:** South East Midlands Acute Services Review: Health Scrutiny  
**Report of:** Cllr Carole Hegley, Executive Member for Social Care, Health and Housing  
**Summary:** The report invites the Committee to consider whether a formal Joint Health Overview and Scrutiny Committee is required in relation to the proposed consultation regarding the South East Midlands Acute Services Review

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**Advising Officer:** Julie Ogley, Director of Social Care, Health and Housing  
**Contact Officer:** Bernard Carter, Corporate Scrutiny and Research Manager  
**Public/Exempt:** Public  
**Wards Affected:** All  
**Function of:** Council

## **CORPORATE IMPLICATIONS**

### **Council Priorities:**

1. The Review of Acute Services by NHS Bedfordshire will have an impact on the following Council Priorities:
  - Supporting and caring for an ageing population
  - Promoting healthier lifestyles.

The Committee is invited to consider how best to scrutinise the Review.

### **Financial:**

2. Costs for the establishment and running of a Joint Health Overview and Scrutiny Committee can be met from existing budgets.

### **Legal:**

3. The Local Authority (Overview and Scrutiny of Health Function) Regulations 2001 require that NHS bodies consult the relevant Overview and Scrutiny Committee where there is a proposed substantial variation or development of health services in the area. Overview and Scrutiny Committees are statutory consultees. An Overview and Scrutiny Committee can decide whether or not it wishes to respond to the consultation.

4. Under Section 7 of the Health and Social Care Act 2001, Social Services authorities are required to appoint an Overview and Scrutiny Committee to review health services within the local authority area. In Central Bedfordshire Council, this function is carried out by the Social Care Health & Housing Overview and Scrutiny Committee.
5. Further to this, the Secretary of State issued a Direction in 2003 with regard to NHS consultations that cover several local authorities. Where this is the case, those authorities' Overview and Scrutiny committees that wish to be involved in the consultation must form a Joint Committee. Councils' Overview and Scrutiny Committees cannot choose to be consulted separately. Under current legislation, a joint committee of this nature is required to be politically proportionate unless the Councils involved agree to waive that requirement.

**Risk Management:**

6. There are no direct risk implications arising from this report.

**Staffing (including Trades Unions):**

7. Not applicable.

**Equalities/Human Rights:**

9. There are no direct equalities implications arising from this report

**Community Safety:**

10. Not applicable.

**Sustainability:**

11. Not applicable.

**Procurement:**

12. Not applicable.

**RECOMMENDATION(S):**

**The Committee is asked to:**

1. **Agree that this is a substantial variation or development of services and therefore a formal public consultation is required, and;**
2. **Subject to recommendation 1 above, to agree in principle that a Joint Health Overview and Scrutiny Committee be established.**

**Background**

13. The South East Midlands Acute Services Review (SEM ASR) Programme Board and NHS Bedfordshire and Luton have provided the attached report at **Appendix A** which outlines the detail of the work to be done.
14. Representatives from the Acute Services Review Programme Board will be at the Committee's meeting to present the report attached at **Appendix A** and to answer the Committee's questions.

15. As the Acute Services Review covers a number of local authorities, it is likely that a joint Health Overview and Scrutiny Committee (HOSC) will be formed. Bedford Borough Council's Adult Services and Health Overview and Scrutiny Committee was the first in the affected area to receive a presentation from the SEM ASR team. Other affected local authorities include Central Bedfordshire Council, Luton Borough Council, Northamptonshire County Council and Milton Keynes Council.
16. Bedford Borough Council at its meeting on 15 November 2011 resolved to agree that the Acute Services Review was a substantial variation and development of services, and agreed in principle that a Joint Health Overview and Scrutiny Committee (Joint HOSC) was required. The decisions of the other local authorities' Overview and Scrutiny Committees will be reported verbally at the meeting.
17. It is proposed that, once all the Councils have considered the matter and decided individually whether a joint HOSC is required, formal appointment processes will be undertaken including more detail on the composition of the Joint HOSC. It should also be noted that the NHS 'duty to involve' requires consultation with all local authorities where patients of the services under consideration reside, and therefore it may be possible that a Joint HOSC will include additional local authorities from the borders of the area.
21. The current proposed timetable for the formal consultation begins next Spring. The role of the Joint HOSC would be to consider both the adequacy of the consultation process as well as the proposals themselves. It would therefore be likely that the Joint HOSC would need to begin work prior to the start of the formal consultation in order to advise NHS colleagues of its views of the proposals for consultation.

**Appendices:**

Appendix A: Briefing Paper from the Acute Services Review Programme Board and NHS Bedfordshire and Luton.

**Background papers and their location:** (open to public inspection)

None.