

COUNTY COUNCIL

Meeting date: 9 January 2020

From: Leader of the Council

CONSTITUTION REVIEW GROUP

1.0 EXECUTIVE SUMMARY

1.1 *The report makes proposals for full Council to approve the establishment of a joint health scrutiny committee for the Lancashire and South Cumbria Integrated Care System, and if approved, to delegate to the Monitoring Officer authority to finalise the terms of reference of the joint committee and to appoint members and substitute members to the joint committee.*

2.0 STRATEGIC PLANNING AND EQUALITY IMPLICATIONS

2.1 *Regulation 30 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 requires local authorities to appoint joint committees where a relevant NHS body or health service provider consults more than one local authority's health scrutiny function about substantial reconfiguration proposals.*

2.2 *There are no direct implications under the Equality Act 2010 arising from this report.*

3.0 RECOMMENDATION

3.1 *Council is recommended to:*

3.2 *Approve the establishment of a Joint Health Scrutiny Committee for the Lancashire and South Cumbria Integrated Care System in accordance with the principles set out in the draft terms of reference (Appendix 1).*

3.3 *Authorise the Monitoring Officer to finalise the terms of reference for the Joint Health Scrutiny Committee in consultation with the Chair of the Cumbria Joint Health Scrutiny Committee.*

3.4 *Authorise the Monitoring Officer to formally appoint members and substitute members to the Joint Health Scrutiny Committee to serve up to the annual meeting of the Council 2020, on the nomination of the political groups acting in accordance with the terms of reference of the Joint Health Scrutiny Committee.*

3.5 *Approve that the final terms of reference of the Joint Health Scrutiny Committee are included in Part 5C of the Constitution and that the Monitoring Officer is authorised to make consequential amendments to Part 1 (paragraph 6.6) and Part 2C (paragraph 1.3) to include the Joint Health Scrutiny Committee.*

4.0 BACKGROUND

4.1 In 2016, NHS organisations and local councils came together to form 44 sustainability and transformation partnerships (STPs) covering the whole of England, and set out their proposals to improve health and care for patients. In some areas, including Lancashire and South Cumbria these partnerships evolved to form an integrated care system (ICS), where NHS organisations, in partnership with local councils and others, took collective responsibility for managing resources, delivering NHS standards, and improving the health of the population they served.

4.2 Regulation 30 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 requires local authorities to appoint joint committees where a relevant NHS body or health service provider consults more than one local authority's health scrutiny function about substantial reconfiguration proposals. With an increasing number of decisions planned at a Lancashire and South Cumbria System level there is a need to appoint a joint health scrutiny committee between the two county councils and two unitary authorities within the Lancashire and South Cumbria footprint.

4.3 There is an existing joint committee but this only covers South Cumbria and North Lancashire (Morecambe Bay Footprint). It is envisaged that this committee will continue and be convened to consider any specific proposals which relate only to that footprint. Any change to the existing joint committee's terms of reference would require a decision of Council and the agreement of Lancashire County Council.

4.4 Lancashire County Council has taken the lead on establishing the new Joint Committee. The draft terms of reference were considered and the establishment of the Joint Committee supported by the Cumbria Health Scrutiny Committee on the 7th October 2019.

4.5 The terms of reference presented in Appendix 1 have been drafted by the four local authorities. While the main principles have been agreed between the Health Scrutiny Chairs for the four authorities, the terms of reference are not yet in final form. Council is asked to delegate authority to the Monitoring Officer to approve the final form of the terms of reference on behalf of the Council.

4.6 Council is asked to approve the inclusion of the final terms of reference in Part 5C (Overview and Scrutiny Procedure Rules) of the Constitution. It will be necessary to make incidental amendments to Part 1 (paragraph 6.6), and Part 2C (paragraph 1.3) to add the name of the committee "Joint Health Scrutiny Committee for the Lancashire and South Cumbria Integrated Care System" to these Parts. Council is asked to authorise the Monitoring Officer to make these changes to the Constitution.

- 4.7 Full Council is the appointing body for members of the Joint Committee as a non-executive committee carrying out scrutiny functions. Since the terms of reference for the Joint Committee are not yet in final form, Council is asked to authorise the Monitoring Officer to make the appointments to the Joint Committee up to the annual meeting of the Council in 2020, in line with the wishes of the political groups, acting in accordance with the final terms of reference.
- 4.8 Constitution Review Group has considered the proposals by email, to maintain adherence to the timetable for establishment of the Joint Committee agreed between the Health Scrutiny Chairs for the four local authorities. Constitution Review Group members have been consulted on the proposals and the responses have been supportive.

5.0 OPTIONS

- 5.1 Council may approve the establishment of the Joint Committee or may decline to approve the establishment at this meeting. If not approved, a further report would be brought to full Council addressing the reasons for disapproval. If the recommendations are not approved at this meeting, it will delay to establishment of the Joint Committee.

6.0 RESOURCE AND VALUE FOR MONEY IMPLICATIONS

- 6.1 There are no resource and value for money implications arising from the recommendations contained within this report. An allowance is paid to Chair of the Health Scrutiny Committee is included in the Budget approved by Council in February 2019.

7.0 LEGAL IMPLICATIONS

- 7.1 The establishment of a joint health scrutiny committee and the decisions incidental to this which are recommended in this report are decisions for full Council. The legal issues in respect of the establishment of the joint committee are included in the body of the report.

8.0 CONCLUSION

- 8.1 Council is asked to approve the recommendations in this report to establish a new joint health scrutiny committee.

Iolanda Puzio
Chief Legal Officer and Monitoring Officer

12 December 2019

APPENDICES

Appendix 1 – Draft terms of reference Joint Scrutiny Committee

Electoral Division(s): All

Executive Decision

	No
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Key Decision

N/A	
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If a Key Decision, is the proposal published in the current Forward Plan?

		N/A
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Is the decision exempt from call-in on grounds of urgency?

	N/A
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If exempt from call-in, has the agreement of the Chair of the relevant Overview and Scrutiny Committee been sought or obtained?

		N/A
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Has this matter been considered by Overview and Scrutiny?

Yes	
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If so, give details below.

Has an environmental or sustainability impact assessment been undertaken?

		N/A
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Has an equality impact assessment been undertaken?

		N/A
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PREVIOUS RELEVANT COUNCIL OR EXECUTIVE DECISIONS

No previous relevant decisions.

CONSIDERATION BY OVERVIEW AND SCRUTINY

Health Scrutiny Committee 7 October 2019.

BACKGROUND PAPERS

No background papers.

RESPONSIBLE CABINET MEMBER

The Leader of the Council.

REPORT AUTHOR

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