

CUMBRIA HEALTH SCRUTINY COMMITTEE

Meeting date: 18 May 2022

From: Policy and Scrutiny Team

COMMITTEE BRIEFING REPORT

1.0 *PURPOSE OF REPORT*

1.1 *This report updates the Committee on developments in health scrutiny, the Committee's Work Programme and monitoring of actions not covered elsewhere on the Committee's agenda.*

2.0 ISSUES FOR SCRUTINY

The Committee are asked to:

- (i) Receive an update on the Cumbria and Lancashire Joint Health Scrutiny Committee (specific to Morecambe Bay)
- (ii) Receive an update on the appointment of a Joint Health Scrutiny Committee for the Lancashire and South Cumbria Integrated Care System
- (iii) Health and Care Act – Implications for Health Scrutiny
- (iv) Review the existing Work Programme.

3.0 UPDATES

Cumbria and Lancashire Joint Health Scrutiny Committee.

3.1 Members will see the notes included in this agenda pack of the Cumbria and Lancashire Joint Health Scrutiny Committee which took place on the 15th March 2022. The purpose of the meeting was to look specifically at the recent University of Morecambe Bay Hospitals Trust (UHMBT) Care Quality Commission (CQC) report and the measures the Trust is putting in place to address the issues the CQC report raises.

3.2 It was agreed at the meeting that the Joint Committee be convened again in September to examine the progress UHMBT have made with their action plan.

The appointment of a Joint Health Scrutiny Committee for the Lancashire and South Cumbria Integrated Care System

3.3 Lancashire County Council is taking the lead on establishing the Joint Committee.

- 3.4 It is anticipated that the first meeting of the Joint Committee would be convened in June 2022 but at time of writing no date has been confirmed.

Health and Care Act – Implications for Health Scrutiny

- 3.5 The Health and Care Act received Royal Assent on 28 April. The Bill was first published on 6 July 2021 and it set out the case for a new legislative framework to facilitate greater collaboration within the NHS and between the NHS, local government and other partners, and to support the recovery from the pandemic.
- 3.6 Many of these proposals were set out in the NHS' recommendations to Government to help deliver the aims of the NHS Long Term Plan and have already been the subject of an NHS England consultation, following which the Government published a White Paper. These proposals recognise that the whole health and care system, including local government, has a vital role in addressing the health and wellbeing challenges of our populations. In addition, there are proposals of relevance to local government on social care and public health.
- 3.7 During the Bills passage the government amended measures for the Secretary of State (SoS) to intervene in proposals for NHS reconfigurations. The SoS will have to ask for views on the changes from local NHS organisations and health overview and scrutiny committees and publish a summary of their responses. They will also have to publish the reasons for decisions, which must be made within six months.
- 3.8 Current understanding is that the government now plans to introduce the new intervention powers in April 2023. This means that the current health scrutiny powers – including the power to make a referral in the case of a substantial variation of local health services – will remain until then. Confirmation of this is important for the planning of the Committee's work programme, and we are seeking to receive this confirmation very shortly.
- 3.9 This delay means that the statutory referral power will, for a year, sit alongside the new statutory ICSs. Given this, DHSC has concluded that some transitional guidance may be necessary on scrutiny under these new arrangements, these will be circulated to Members when they are published.

4.0 WORK PROGRAMME

- 4.1 The Committee's work programme is attached at Appendix 1 for the committee to consider and review.

May 2022

Appendices

Appendix 1 - Work Programme

Contact: David Stephens, Strategic Policy and Scrutiny Adviser,
david.stephens@cumbria.gov.uk