

## APPENDIX 3

# Working protocol

**PEOPLE SCRUTINY COMMITTEE AND  
SOUTHEND HEALTH & WELLBEING BOARD**

**JANUARY 2019**

# WORKING PROTOCOL BETWEEN PEOPLE SCRUTINY COMMITTEE AND SOUTHEND HEALTH & WELLBEING BOARD

## Background

The People Scrutiny Committee ('the Scrutiny Committee') is a Committee of Southend-on-Sea Borough Council and which acts as the Health Scrutiny Committee. The Scrutiny Committee fulfils the Council's responsibilities under 'The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013' to have health scrutiny provision.

Guidance to support local authorities and their partners to deliver effective health scrutiny was published in June 2014<sup>1</sup>. The "primary aim of health scrutiny is to act as a lever to improve the health of local people, ensuring their needs are considered as an integral part of the commissioning, delivery and development of health services".

The Scrutiny Committee has the power to hold NHS bodies to account for the quality of their services, through powers to obtain information, ask questions in public and make recommendations for improvements that have to be considered. The Scrutiny Committee can refer matters via full Council to the Secretary of State. All commissioners and providers of publicly funded health and social care are covered, as well as policies arising from the Joint Strategic Needs Assessment (JSNA) and Health & Wellbeing Strategy (HWBS).

This document has been drawn up to provide a framework for beginning to explore the complementary roles and responsibilities of health scrutiny and Southend's Health & Wellbeing Board (HWB), on a practical level.

Health & Wellbeing Board		People Scrutiny Committee	
Will do <sup>2</sup>	Won't do	Will do	Won't do
<b>1. Provide strategic leadership, strengthen the influence of LA's and elected representatives in shaping healthcare commissioning</b>		Understanding of different, but complimentary role of scrutiny.  The Chairman of People Scrutiny Cttee will attend Board meetings, as an observer.	Duplicate work of the Board.
<b>2. Oversee the development and refresh</b>		Could review them by reviewing how well the	Review the commissioning strategies of the NHS

<sup>1</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/324965/Local\\_authority\\_health\\_scrutiny.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/324965/Local_authority_health_scrutiny.pdf)

<sup>2</sup> Taken from Terms of Reference of Board, set out in Constitution

Health & Wellbeing Board		People Scrutiny Committee	
Will do <sup>2</sup>	Won't do	Will do	Won't do
of the JSNA so that future commissioning / policy decisions and priorities are evidence based		priorities in the strategy reflect the needs of the JSNA and the success of implementing the strategy.	Southend Clinical Commissioning Group (hereafter referred to as 'CCG').  Duplicate the role of the H&WB in reviewing and monitoring its HWB Strategy.
3. To determine the health improvements priorities for Southend			
4. To promote integration, collaboration and partnership working		Will share work plan with the Board.	
5. To oversee development of a HWB Strategy which sets out improvement for health and wellbeing outcomes, including reduction in health inequalities that provides a framework for commissioning plans related to health and wellbeing	'Veto' / make commissioning plans.	Challenge the H&WB on commissioning priorities in the HWB Strategy (if appropriate).  Scrutinise specific health services and integrated health and social care services.  During scrutiny of specific issues, check whether commissioners are acting in line with the agreed HWB Strategy priorities.  During scrutiny review of specific subjects, check that commissioners and providers	Challenge the CCG on commissioning priorities if these are in line with the HWB Strategy agreed by the HWB.  Undertake specific scrutiny reviews of wider wellbeing elements outside the remit of the Scrutiny Committee.  Routinely scrutinise the CCG commissioning plans

<b>Health &amp; Wellbeing Board</b>		<b>People Scrutiny Committee</b>	
<b>Will do<sup>2</sup></b>	<b>Won't do</b>	<b>Will do</b>	<b>Won't do</b>
		take account of wellbeing in their operational activity.	
<b>6. To promote and encourage integration and partnership working including joint commissioning, pooled budgets and joint delivery across the NHS, social care, public health and wellbeing issues</b>	Manage commissioning activity Arbitrate contract disputes.		
<b>7. To initiate and support stakeholder and community engagement and consultation work in relation to health and wellbeing issues</b>	Consider 'anecdotal narratives' of experiences.	Work with Healthwatch Southend to take a patient resident view in relation to specific topics under scrutiny. Anecdotal evidence may be considered where validated research does not yet exist.	Duplicate the work of Healthwatch Southend.
<b>8. To appoint task &amp; finish groups / sub committees for specific pieces of work that support or inform health and wellbeing across Southend</b>		Share the Scrutiny Committee work plan to try avoid any duplication in work.	
<b>9. To sign-off key commissioning plans, strategy and policy related to health and wellbeing and health inequalities</b>			
<b>10. To oversee the development of the</b>	Provide a formal 'expert view' on clinical issues.	Can comment on the statutory process used to develop the	

Health & Wellbeing Board		People Scrutiny Committee	
Will do <sup>2</sup>	Won't do	Will do	Won't do
pharmaceutical needs assessment	Make decisions about prescribing issues.	pharmaceutical needs assessment	
11. To performance manage the achievement of and progress against key outcomes identified within the HWB Strategy		Could check the HWB Strategy takes account of wider determinants of health.	
12. To provide leadership on any other emerging health and wellbeing related issues that may have a significant impact on the delivery of the HWB Strategy			
Other issues:			
(a) Challenge national must-do actions if they don't make local sense			'Call in' national commissioners or commissioning decisions (no legal right to do this).
(b) Be a forum where significant changes in commissioning are considered, shaped & tested	Determine reconfiguration plans.	<p>Receive consultation on substantial local reconfiguration plans.</p> <p>May choose to 'call in' local commissioners and / or providers.</p> <p>May seek to influence changes in plans and / or recommend full Council make referrals to</p>	Determine reconfiguration plans.

Health & Wellbeing Board		People Scrutiny Committee	
Will do <sup>2</sup>	Won't do	Will do	Won't do
		the Secretary of State for review.	
(c) Ask what commissioning has achieved for patients, residents		Could ask what commissioning has achieved for patients / residents in respect of specific topics and / or in respect of review of the HWB Strategy.	Duplicate the work of Healthwatch Southend.
(d) Give consideration to system-wide issues identified through Healthwatch Southend and Health Scrutiny		Could raise system-wide, strategic issues identified through health scrutiny with the HWB for consideration by all the relevant parties.	
(e) Use one-off 'crisis' or 'events' to learn, develop thinking etc about causes	Agree operational solutions.  'Emergency planning' responses to local events.	Could scrutinise one-off 'crisis' or 'events' to draw out learning points.	
(f) Quality issues – consider and reflect on CQC reports	Duplicate commissioner role (in quality assurance).  Monitor performance against national targets.	Refer to the evidence in CQC reports in relation to scrutiny of specific subjects.	Duplicate commissioner role (in quality assurance)
(g) Provide a strategic focus around wellbeing to help inform operational activity		During scrutiny review of specific subjects, check that commissioners and providers take account of wellbeing in their operational activity.	
(h) Could ask Scrutiny Committee to scrutinise an area of concern e.g. any performance / delivery concerns		Decide whether or not the referral is within its terms of reference and it can add value through scrutiny.	

Health & Wellbeing Board		People Scrutiny Committee	
Will do <sup>2</sup>	Won't do	Will do	Won't do
		<p>The Scrutiny Committee could decide that:</p> <ul style="list-style-type: none"> <li>(a) it does wish to scrutinise the issue and does so at the meeting; or</li> <li>(b) it does wish to scrutinise the issue, and adds it to the forward work programme and agrees a date for the scrutiny; or</li> <li>(c) it does not wish to scrutinise the issue.</li> </ul>	

*Councillor Cheryl Nevin*  
*Chairman*  
*People Scrutiny Committee*

*Councillor Lesley Salter*  
*Chair*  
*Southend Health & Wellbeing Board*

Dated: January 2019

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