



Haringey Council

Report for:	Overview & Scrutiny Committee– 4 November 2013	Item Number:	
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Title:	NHS England – Consultation on the reconfiguration of Cancer and Cardia Services - Establishment of a Joint Health Overview and Scrutiny Committee
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Report Authorised by:	
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Lead Officer:	Robert Mack, Senior Scrutiny Officer (Scrutiny), Strategy & Business Intelligence Rob.mack@haringey.gov.uk 0208 489 2921
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Ward(s) affected: All	Report for Key/Non Key Decisions:
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1 Describe the issue under consideration

- 1.1 The purpose of this report is to recommend to Full Council to appoint a Joint Health Overview and Scrutiny Committee that includes Haringey and other boroughs to respond to the consultation on the proposals by NHS England to reconfigure cancer and cardiovascular services across North London.

2 Cabinet Member Introduction

- 2.1 N/A

3 Recommendations

- 3.1 That Full Council appoint or enter into a joint overview and scrutiny committee that includes the London Borough of Haringey and the other boroughs for the purpose of responding to the consultation by NHS England on proposal to reconfigure cancer and cardial services across North Central and North East London.
- 3.2 That the Terms of Reference and Functions of Overview and Scrutiny Committee in the Constitution be amended to include the power to enter into or appoint such joint overview and scrutiny committees that include the London Borough of Haringey and other boroughs for the purpose of responding to consultation by NHS bodies on

proposals for substantial variations or developments in the provision of health services. The amendments are set out in Appendix 1 attached

- 3.3 The recommendation in Paragraph 3.2 above to apply to future proposals that requires the appointment of such joint overview and scrutiny committees.

4 Background information

- 4.1 NHS England is currently developing proposals to reconfigure specialised cancer and cardiovascular services across north central and north east London. It is likely that the proposed changes will constitute a substantial development or variation in health services and which would require consultation with local authorities that cover the geographical areas affected by the proposals.
- 4.2 The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 apply to the proposed service reconfiguration. Regulation 23 provides for a local authority to be consulted on any proposal for a substantial development of the health services in its area or for substantial variation in the provision of such service. When consulting, the local authority must be provided with the proposed date by which a decision will be made on whether to proceed with the proposal and the date by which the authority should provide comments on the proposals.
- 4.3 Regulation 30 enables local authorities to appoint a joint committee (“a joint overview and scrutiny committee” for the discharge of health scrutiny functions and requires local authorities to do so in certain circumstances. Regulation 30 (5) provides that where a responsible person (in this case the NHS Commissioning Board) consults more than one local authority pursuant to Regulation 23, those local authorities must appoint a joint overview and scrutiny committee for the purposes of the consultation and only that joint overview and scrutiny committee may a) make comments on the proposal consulted on; b) require the provision of information about the proposal; or c) require a member or employee of a responsible person to attend before it to answer questions in connection with the consultation. Therefore, Regulation 30 (5) makes it mandatory for the local authorities affected by the proposals to appoint a joint committee.
- 4.4 Full Council has the power to appoint a joint committee. There can at times be practical difficulties in the process and timescale for each local authority’s Full Council to approve the setting up or appointment of a joint committee and in time meet the NHS body consultation timetable. Therefore, it is recommended that the terms of reference of Overview and Scrutiny Committee be changed to allow for the Committee to appoint a joint committee for the purpose of complying with Regulation 30 above.

Comments of the Chief Financial Officer and Financial Implications

- 5.1 This report is recommending that Haringey appoint or enter into a Joint Overview and Scrutiny Committee to consider NHS proposals for cardiac and cancer care and that the constitution be amended to allow this to happen. There are no significant financial implications arising directly from this report as any costs associated with this

committee will be met from existing resources within Local Democracy and Member Services.

7 Head of Legal Services and Legal Implications

7.1 The Head of Legal Services has been consulted on this Report. The legal issues raised are covered in the Report.

8. Equalities and Community Cohesion Comments

8.1 Not applicable

9. Head of Procurement Comments

9.1 Not applicable.

10. Policy Implications

10.1 Not applicable

11. Use of Appendices

11.1 Appendix to follow.

12. Local Government (Access to Information) Act 1985