

County Council - Thursday 18 May 2023

Code of Joint Working Arrangements with District and Borough Councils for Health Scrutiny

Recommendation(s) / Action(s) Required

- a. That the County Council approve the revised Code of Joint Working Arrangements (Joint Code) with District and Borough Councils for Health Scrutiny.
- b. That the constitution be amended to include the following wording:
 - a. The Council has agreed a Code of Joint Working between the District/ Borough Council and Staffordshire County Council in relation to Overview and Scrutiny of health matters.
 - b. In accordance with the agreed code:
 - i. the County Council shall discharge the overview and scrutiny function under the Health and Social Care Act 2001 and subsequent guidance including the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.
 - ii. the [*Borough/District*] Chairman of the [*relevant Overview & Scrutiny Committee*] Committee will be appointed to Staffordshire County Council's Health and Care Overview & Scrutiny Committee.
 - iii. the County Council is entitled to appoint one of its members to the [*relevant Borough/District Overview & Scrutiny Committee*] in relation to health matters.

Report of John Tradewell, Deputy Chief Executive and Director for Corporate Services.

Summary

1. The Code of Joint Working Arrangements with District and Borough Councils for Health Scrutiny has been reviewed and refreshed to develop the health scrutiny function across Staffordshire and to foster good relationships with District and Borough Council scrutiny committees and Health Partners.

2. The County Council is being asked to approve the revised Code of Joint Working Arrangements with District and Borough Councils for Health Scrutiny.

Report

Background

3. The statutory responsibility for Health Scrutiny lies with Staffordshire County Council as the social care authority, the Health and Care Overview and Scrutiny Committee considers health, adult social care, and public health matters. Scrutiny of wider determinants of health falls within the District/ Borough scrutiny function.
4. The Joint Code was first introduced in 2003 to provide guidance to County and District/Borough Scrutiny processes. In essence, matters that had a Staffordshire wide theme be scrutinised by the County, whilst the local District/Borough scrutiny arrangements were intended to deal with matters that had a local theme.
5. The Joint Code was updated in 2015 in response to Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, implications of the Francis Report, and the changes to the structure of the Health Service. This was to ensure health matters were being scrutinised in the right forum and to avoid duplication. The Joint Code was signed by District/ Borough Leaders in 2015.
6. The Health and Care Act 2022 has introduced the Integrated Care System and new ways of working. Existing regulations from 2014 on health scrutiny remain in force for the time being but there will be new powers for the Secretary of State to intervene in local health services from July 2023. Around this, the role and functions of health scrutiny will be changing, and it is important to prepare for these changes. It is therefore timely to refresh working arrangements and re-launch the Joint Code.
7. The Chairman, District / Borough Chairmen and support officers refer to the Joint Code to determine the method for scrutiny of any item that is of interest to both County and District/Boroughs:
 - Countywide issues are considered by the County (e.g. System Pressures)
 - Local issues may be considered by the Districts/Boroughs (e.g. Cannock MIU) by mutual agreement.

- Joint scrutiny (e.g. Walleys Quarry or Integrated Care Hubs in North Staffordshire) considered by the County and one or more Districts/Boroughs.
 - All Staffordshire Member Webinars (e.g. GP access) County, District/ Boroughs and Parish Councils.
8. The Staffordshire County Council Health and Care Overview and Scrutiny Committee has 21 members: 13 County Council and 8 District and Borough representatives (The Chairman of each District Committee with the remit for Health and Wellbeing).
9. District/ Borough Committee structures, remits and support staff have changed considerably since 2015. The Health Scrutiny Officers Group (HSOG) has been refreshed and the Terms of Reference forms part of the revised Joint Code.
10. The Health Scrutiny Officer Group, the Health and Care Overview & Scrutiny Chairman and the Overview and Scrutiny Chairs and Vice Chairs Forum were all consulted when drafting the revised Joint Code.
11. The Leaders of the County Council, District and Borough Councils have now endorsed the code at the Staffordshire Leaders Board and the Monitoring Officer has written to the District and Borough Councils to include the following within their respective Constitutions to ensure consistency:
- a. The Council has agreed a Code of Joint Working between the District/ Borough Council and Staffordshire County Council in relation to Overview and Scrutiny of health matters.
 - b. In accordance with the agreed code:
 - iv. the County Council shall discharge the overview and scrutiny function under the Health and Social Care Act 2001 and subsequent guidance including the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.
 - v. the [*Borough/District*] Chairman of the [*relevant Overview & Scrutiny Committee*] Committee will be appointed to Staffordshire County Council's Health and Care Overview & Scrutiny Committee.
 - vi. the County Council is entitled to appoint one of its members to the [*relevant Borough/District Overview & Scrutiny Committee*] in relation to health matters.

List of Background Documents/Appendices:

12. Code of Joint Working Arrangements with District and Borough Councils for Health Scrutiny.

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