

London Borough of Bromley

PART 1 - PUBLIC

**Briefing for Care Services Policy Development and Scrutiny Committee
Tuesday 4 September 2012**

**LB BROMLEY RESPONSE TO THE CONSULTATION ON
PROPOSED CHANGES TO HEALTH SCRUTINY**

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1. Summary

1.1 The Department of Health has launched a consultation on local authority health scrutiny; the changes proposed in this consultation will update the arrangements and regulations for local authority health scrutiny and help to ensure that the interests of patients and the public are at the heart of the planning, delivery and reconfiguration of health services.

1.2 This consultation document deals exclusively with health scrutiny. This is an essential mechanism to ensure that health services remain effective and are held to account. The main aims of health scrutiny are to identify whether:

- the planning and delivery of healthcare reflects the views and aspirations of local communities;
- all sections of a local community have equal access to health services;
- all sections of a local community have an equal chance of a successful outcome from health services; and
- proposals for substantial service change are in the best interests of local health services

2. THE BRIEFING

2.1 The consultation seeks views on whether health service reconfiguration and referrals should also include a:

- requirement for local authorities and the NHS to agree and publish clear timescales for making a decision on whether a proposal should be referred
- new intermediate referral stage to the NHS Commissioning Board for some service reconfigurations
- requirement for local authorities to take account of the financial sustainability of services when considering a referral, in addition to issues of safety, effectiveness and the patient experience
- requirement for health scrutiny to obtain the agreement of the full council before a referral can be made.

- 2.2 The consultation runs until 7 September 2012 and can viewed at:
<http://www.dh.gov.uk/health/2012/07/health-scrutiny/>
- 2.3 Any decisions to take further policy action on health scrutiny will be taken only after full consideration is given to consultation responses, evidence and other relevant information. Responses to the consultation, evidence submitted and other relevant information will inform the development of new regulations for local authority health scrutiny. It is our intention to bring these new regulations into effect from April 2013.
- 2.4 The consultation asks the following 11 questions:
- Q1. Do you consider that it would be helpful for regulations to place a requirement on the NHS and local authorities to publish clear timescales? Please give reasons
- Q2. Would you welcome indicative timescales being provided in guidance? What would be the likely benefits and disadvantages of this?
- Q3. Do you consider it appropriate that financial considerations should form part of local authority referrals? Please give reasons for your view.
- Q4. Given the new system landscape and the proposed role of the NHS Commissioning Board, do you consider it helpful that there should be a first referral stage to the NHS Commissioning Board?
- Q5. Would there be any additional benefits and drawbacks of establishing this intermediate referral?
- Q6. In what other ways might the referral process be made to more accurately reflect the autonomy in the new commissioning system and emphasise the local resolution of disputes?
- Q7. Do you consider it would be helpful for referrals to have to be made by the full council?
- Q8. Do you agree that the formation of joint overview and scrutiny arrangements should be incorporated into regulations for substantial service developments or variations where more than one local authority is consulted? If not, why not?
- Q9. Are there additional equalities issues with these proposals that we have not identified? Will any groups be at a disadvantage?
- Q10. For each of the proposals, can you provide any additional reasons that support the proposed approach or reasons that support the current position? Have you suggestions for an alternative approach, with reasons?
- Q11. What other issues relevant to the proposals we have set out should we be considering as part of this consultation? Is there anything that should be included that isn't?
- 2.5 Appendix 1 provides a copy of the complete consultation document and appendix 2 is the draft LB Bromley response.
- 2.6 If you would like to comment on the draft response prior to the Care Services PDS meeting please email the Information Briefing contact officer.