

MIDDLESBROUGH COUNCIL

AGENDA ITEM 14

**COUNCIL
1 NOVEMBER 2017**

ESTABLISHMENT OF RESPITE AND SHORT BREAK OPPORTUNITIES JOINT HEALTH SCRUTINY COMMITTEE

Purpose of the Report

- 1 This report provides members with background information regarding the Respite and Short Break Opportunities Review which includes a timeframe for statutory public consultation.
- 2 The report also details suggested proposals to establish a Joint Health Scrutiny Committee under the provisions of the Health and Social Care Act 2012 involving all local authorities affected by the review proposals.

Background

- 3 The Tees Valley Health Scrutiny Committee received information in respect of the Transforming Care: Respite Services Review at its meetings on 26 January, 26 April and 20 July 2017.
- 4 This Consultation is in line with the national and regional 'Transforming Care' agenda, looking at how people with learning disabilities and their families and carers can use a bigger range of different types of services, closer to where they live. Importantly there should be less reliance on services that are provided within hospital, making sure there are good services available in the community.

Learning Disability Respite Review

- 5 NHS South Tees Clinical Commissioning Group (CCG) and NHS Hartlepool and Stockton-on-Tees CCG have launched a formal public consultation on proposed changes to respite services for people with a learning disability, complex needs and/or autism.
- 6 The CCGs have proposed changes to the way bed-based respite services are delivered as well as:
 - Changing the assessment and allocations process for services – focusing more on the needs of service users and their carers;
 - Providing community based, flexible respite services such as gardening, doing a sport or another activity;
 - Providing clinically-led support services.

- 7 The most significant change being proposed is to bed-based services.
- 8 Currently, patients access services at 2 Bankfields Court in Middlesbrough, or Aysgarth in Stockton-on-Tees for their bed-based respite needs. The beds at 2 Bankfields Court and Aysgarth cost approximately £1.5 million per year across Tees. The CCGs are consulting on two options for the future of the services.
- 9 As part of this consultation one of the options would result in the beds at 2 Bankfields Court and Aysgarth being replaced by a range of bed based respite services.

Learning Disability Respite Review Timeline

- 10 The consultation will run for 10 weeks, from Monday 4 September to Friday 10 November 2017.

Provisions for consultation and engagement with Overview and Scrutiny Committees

- 11 The Local Authority (Public Health, Health and Wellbeing Board and Health Scrutiny) Regulations 2013 require the formation of a joint scrutiny arrangement, where an NHS body or relevant health service provider consults more than one local authority on proposals to make substantial variations or developments to services. They provide that all the local authorities whose residents receive such services must participate in the joint scrutiny arrangement for the purpose of responding to the consultation, using the method most appropriate to the areas and issues being considered.
- 12 A local authority can opt-out if, having considered the information provided by the NHS body or relevant health service provider proposing the service change, they determine that the proposal is not “substantial” for their residents. Where a local authority opts out in this way, they will relinquish the power to refer the proposed change to the Secretary of State for the purposes of that particular consultation.
- 13 Only the joint scrutiny committee can require the organisation proposing the change to provide information to them, or attend before them to answer questions. That organisation is under a duty to comply with these requirements. If a local authority has opted out of the joint arrangement, they may not request information or attendance from the NHS body or relevant health service provider proposing the change.
- 14 In scrutinising the proposals, the joint committee should aim to consider the proposal from the perspectives of all those affected or potentially affected by that proposal. Only the joint scrutiny arrangement can then make a report and recommendations back to the organisation proposing the change.

Establishment of a Joint Health Scrutiny Committee

- 15 The establishment of joint Health Scrutiny Committee has been proposed consisting of representatives from Hartlepool Borough Council, Middlesbrough Council, Redcar and Cleveland Borough Council and Stockton-upon-Tees Borough Council
- 16 In accordance with the regulations detailed above, the Joint Committee will be the vehicle through which the respective Local Authorities will respond to the consultation.
- 17 A protocol and terms of reference has been drafted setting out the role and function of the joint Committee as well as the proposed representation required from each Council. Early discussions on the issue of representation recommends three Councillors from each local authority to be appointed and that these reflect the political balance of each constituent Council. It is proposed that the membership of the Committee on behalf of Middlesbrough Council, be the same members appointed to the Tees Valley Health Joint Scrutiny Committee (Councillors Dryden, J McGee and D Rooney)

Recommendations and reasons

- 18 Council is recommended to:-
 - (a) Receive information in respect of the Respite Opportunities and Short Breaks Consultation;
 - (b) Agree to the establishment of a joint Health Overview and Scrutiny Committee under the terms of the Health and Social Care Act 2012 as set out in this report;
 - (c) Agree that the proposed protocol, Terms of Reference and membership of the Joint Health Scrutiny Committee, that will be set up to scrutinise the Respite Opportunities and Short Breaks Consultation be approved.

Background papers

Reports and Minutes from the Tees Valley Health Scrutiny Panel – 26 January, 26 April and 20 July 2017.

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