

REPORT OF DIRECTOR FOR LEGAL, DEMOCRATIC AND ELECTORAL SERVICES

APPOINTMENT TO JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE

Health in Hackney Scrutiny Commission
29 June 2022

Classification

Public

Ward(s) affected

All

Enclosures
None

AGENDA ITEM No

5

1. INTRODUCTION

- 1.1 This report invites the Health in Hackney Scrutiny Commission to agree the appointment of **3** Members to the Inner North East London Joint Health Overview and Scrutiny Committee for 2022/23. The Committee comprises one member from the City of London Corporation, and three each from the London Boroughs of Hackney, Newham, Tower Hamlets and Waltham Forest.

2. RECOMMENDATIONS

- 2.1 **To appoint 3 Members as Hackney’s representatives on the Inner North East London Joint Health Overview and Scrutiny Committee for 2022/23.**

3. FINANCIAL CONSIDERATIONS

- 3.1 The recommendations to appoint new members to these Committees to deal with the issues specified in the report will not result in any significant additional cost to the Council. Any costs arising from the hosting of or attendance at meetings of the Joint Committee will be met from existing budgets.

4. LEGAL CONSIDERATIONS

- 4.1 Sections 190 and 191 of the Health and Social Care Act 2012 (“HSCA 2012”) made various changes to the system of review and scrutiny of the health service. Under the HSCA 2012 health scrutiny functions were conferred upon the Council itself. Health scrutiny became a statutory function of the Council (as opposed to an overview and scrutiny Committee of the local authority). Health scrutiny functions are not functions of the executive under executive arrangements. Under section 244 of the NHS Act 2006, local authorities were no longer required to have a Health Overview and Scrutiny Committee to discharge health functions. The Council chose to continue its existing Health

Overview and Scrutiny Commission as set out in the report to Full Council on 20 March 2013 upon the setting up of the Health and Wellbeing Board.

- 4.2 Article 11.4 of Article 11 of the Constitution provides that the Council may be required to form a joint Health Scrutiny Committee with other boroughs being consulted by local health providers that are planning changes to the way they deliver services which could be considered to be a substantial and arrange for the Joint Health Scrutiny Committee to review and scrutinise matters relating to the health services and make reports and recommendations on such matters.
- 4.3 By virtue of Article 11 of the Constitution, Health in Hackney Overview and Scrutiny Commission has been delegated the Council's statutory functions in accordance with section 244 of the National Health Service Act 2006 and associated regulations to set up a Joint Health Overview and Scrutiny Commission and appoint members from within the membership of the Committee to any Joint Overview and Scrutiny Commission with other local authorities, as directed under the NHS Act 2006.
- 4.4 The arrangements for the Joint Health Overview and Scrutiny Committee must comply with the relevant provisions of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013. The Joint Health Overview and Scrutiny Commission is established under Regulation 30(1), which enables two or more local authorities to appoint a joint overview and scrutiny committee and arrange for health scrutiny functions to be exercisable by the joint committee, subject to such terms and conditions as the authorities consider appropriate. Under Regulation 30(6) the Joint Health and Overview and Scrutiny Commission may not discharge any functions other than health scrutiny (relevant functions) in accordance with Regulation 30.

5. DETAIL

- 5.1 INEL JHOSC and ONEL (Outer North East London) JHOSC emerged from the then pan-London JHOSCs formed to scrutinise heart and stroke services and the Darzi reforms c. 2008. INEL JHOSC has met formally 4 times during 2021/22 in virtual or hybrid meetings. The main focus of its work is to scrutinise the East London Health and Care Partnership (ELHCP) which has evolved into **North East London Integrated Care System** (NEL ICS) which will be formally in place from 1 July 2023.
- 5.2 The Health and Care Act 2022 becoming law means that from 1 July 2022 NEL CCG will no longer exist and a new statutory organisation – an Integrated Care Board (ICB) – has been established to be known as **NHS North East London**. The NEL ICS footprint crosses 8 boroughs and replaces the 7 previous CCGs in north east London, including City and Hackney CCG.
- 5.3 NEL ICS is the collective term for: *the Integrated Care Board, Integrated Care Partnership, place-based partnerships and provider collaboratives*. The ICB will take on the NHS commissioning functions of CCGs as well as some of NHS England's commissioning functions. It will be responsible for the NHS budget and performance within the system. Marie Gabriel CBE has been appointed as the Chair and Zina Etherdige has been appointed as the CEO.

- 5.4 In terms of cross-borough scrutiny of NHS services, the North East London patch has, for historical reasons, had two joint health scrutiny committees covering it. **Outer North East London (ONEL)** comprising Havering, Barking and Dagenham, and Redbridge and **INEL** which comprises Waltham Forest, Tower Hamlets, Newham, City and Hackney. Waltham Forest is also an Observer on ONEL and Redbridge is an Observer on INEL.
- 5.5 The custom has been that the Chair of the Committee rotates among the 5 boroughs every two years. This usually followed the municipal calendar however a delay meant that Newham held the chair from Feb 2019 to Feb 2021. At a meeting on 10 February 2021 Cllr Ben Hayhurst (Chair of Health in Hackney Scrutiny Commission) and one of the three Hackney reps was elected as Chair of INEL for a two-year term. This also means that Hackney Council now has the Secretariat for the Committee from Feb 2021 to effectively May 2023 to end the municipal term.
- 5.6 Over the past year the Committee has considered the following items. The 23 June 2021 meeting considered:
- a) Covid-19 vaccinations programme in NEL
 - b) Implications for NEL ICS of the Health and Care White Paper
 - c) Accountability of processes for managing future changes of ownership of GP Practices
 - d) Challenges of building back elective care post Covid-19 pandemic
- 5.7 The 13 September 2021 meeting considered:
- a) Whipps Cross redevelopment programme
 - b) Structure of Barts Health and the developing Provider Collaboration
 - c) Implementing the North East London Integrated Care System
 - d) Covid-19 vaccination programme in NEL
- 5.8 The 16 December 2021 meeting considered:
- a) Covid-19, winter pressures, elective recovery update
 - b) Plans for engagement and information on proposed service changes - Community Diagnostic Centres
 - c) NEL Integrated Care System update
 - d) Whipps Cross Redevelopment update from Chair of the new Special Whipps Cross JHOSC
- 5.9 The 1 March 2022 meeting considered:
- a) Implementation of the ICS Structure
 - b) Partnership updates (comprising Performance; Provider Trusts, Covid 19 and Long Covid; Cancer; Community Pharmacist Consultation service, Diagnostics; Looking ahead)
 - c) Harmonisation of Continuing Healthcare policies
 - d) Harmonisation of Fertility Services policies
 - e) Update on the work of the Whipps Cross JHOSC
- 5.10 The first meeting of 2022/23 takes place on 25 July 2022 and it will consider the following:

- a) Implementation of the ICS (filling out the structure, finance flows, engagement strategy)
- b) Partnership updates (Provider Collaboratives; Elective Care backlog etc)
- c) Consultation on harmonisation of Fertility Services
- d) Update from Whipps Cross JHOSC

5.11 In 2022/23 the Committee will meet on 25 July, 19 Oct, 15 Dec '22 and 28 Feb '23. The Membership for 2021/22 was:

City of London: Common Councilman Michael Hudson

Hackney: Cllrs Ben Hayhurst, Peter Snell, Kam Adams

Newham: Cllrs Susan Masters, Anthony McAlmont, Ayesha Chowdhury

Tower Hamlets: Cllrs Gabriela Salva-Macallan, Faroque Ahmed, Shah Ameen

Waltham Forest: Cllrs Umar Ali, Nick Halebi, Richard Sweden

Observer Member: Cllr Neil Zammett (LB Redbridge)

Please note that memberships will change significantly after the local elections and the AGMs in each borough.

5.12 Cllr Munn from Hackney chaired the Committee from 2014-2016 and Cllr Hayhurst from Hackney has been one of the Vice Chairs since 2016 and in February 2021 was elected Chair. Hackney Members have played an active role in the Committee and ensured that there isn't duplication in the work programmes of INEL JHOSC and Health in Hackney SC.

Dawn Carter-McDonald

Director Legal, Democratic and Electoral Services

Report Originating Officer: Jarlath O'Connell 020-8356 3309

Legal Comments: Louise Humphreys 020-8356 4817

Background papers:

The following documents were used in the preparation of this report:

- Local Government Act 1972 (as amended) - Access to Information

For reference: