

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Cabinet

8 August 2023

TITLE:	Staffordshire Health and Care Overview and Scrutiny - The Joint Code of Working
PORTFOLIO HOLDER:	Councillor Mike Gledhill – Council Leader
CONTACT OFFICER:	Linden Vernon – Head of Democratic Services
WARDS INVOLVED:	Non-Specific

Appendices Attached – Appendix A The Joint Code of Working – Local Authorities

1. Reason for the Report

- 1.1 The report provides members with the updated version of the Code of Joint Working for Health Scrutiny in Staffordshire that has recently been considered approved by the Staffordshire Leaders Board.

2. Recommendation

- 2.1 That the Council Leader be recommended to approve, sign and adopt the Joint Code of Working and to update the Council's Constitution accordingly.

3. Executive Summary

- 3.1 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.
- 3.2 Due to changes in the legislative framework the Staffordshire Leaders Board recently considered and approved the revised Code of Joint Scrutiny Working. The Board agreed that the Leaders of each District and Borough Council would take the Joint Code back to their respective Local Authorities for adoption.
- 3.3 This report was considered by the District Council's Health and Wellbeing Committee on 5 July 2023. Members considered the Code of Joint Working and debated the District Council's role in detail. The importance of a good working relationship with the County Council was highlighted and it was acknowledged that the Health & Care Overview and Scrutiny Committee was the most appropriate forum for scrutiny of certain aspects of the Health

Service. However, members were of the opinion that the Health & Wellbeing Committee should have the ability to invite representatives from local health service providers to meetings. It was recommended that Cabinet should fully accept the over-arching principles of the Code of Joint Working but reserve the right to scrutinise in detail local issues, including if necessary, engagement with local service providers.

Mark Trillo

Executive Director (Governance and Commissioning) and Monitoring Officer

Web Links and Background Papers

Contact details

Joint Code of Working - attached

Linden Vernon - Head of Democratic Services
Linden.vernon@staffs Moorlands.gov.uk

6. Detail

- 6.1 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.
- 6.2 The statutory responsibility for Health Scrutiny lies with Staffordshire County Council (SCC) 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.
- 6.3 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.
- 6.4 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.
- 6.5 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.

- 6.6 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. Leek MIU) by mutual agreement.
 - Joint scrutiny (e.g. 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.
- 6.7 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). A County Councillor also sits on each District/Borough committee.
- 6.8 The [Staffordshire Leaders Board on Thursday 9th March 2023](#), considered and approved the revised Code of Joint Scrutiny Working - Local Authorities to develop the health scrutiny function across Staffordshire and to foster good relationships with District and Borough Council scrutiny committees and Health Partners. The Board agreed that the Leaders of each District and Borough Council would take the Joint Code back to their respective Local Authorities for adoption.
- 6.9 It was agreed to seek approval from respective Councils to formally agree, sign and adopt the document and for each District and Borough Council to include the following wording in its Constitution:
- 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.