

7 (D). PATIENT AND PUBLIC INVOLVEMENT IN HEALTH AND OVERVIEW AND SCRUTINY OF HEALTH

Report By: Director of Social Care and Strategic Housing

Wards Affected

County-wide

Purpose

1. To provide information on the local authority power of overview and scrutiny and the new system for patient and public involvement within the health service.

Financial Implications

2. There is no indication, despite representations, that the Government will make additional resources available to finance the exercise of the new power of health scrutiny. Consideration will need to be given to longer-term resource needs.

Overview and scrutiny of health

3. Overview and scrutiny of health is an important part of the Government's commitment to place patients and the public at the centre of health services. It is also an opportunity for democratically elected community leaders to voice the views of their constituents and require local NHS bodies to listen and respond. In this way, local authorities can assist to address health inequalities and support health improvement.
4. The power of overview and scrutiny of health services is given to county councils, unitary authorities, metropolitan councils, London borough councils and the Common Council of the City of London. In summary, the power means that the Health Scrutiny Committee may:
 - review and scrutinise any matter relating to the planning, provision and operation of health services in the area;
 - make reports and recommendations to local NHS bodies and to the local authority on any matter reviewed or scrutinised using the power;
 - require the attendance of an officer of a local NHS body to answer questions and provide explanations about the planning, provision and operation of health services in the area;
 - require a local NHS body to provide information about the planning, provision and operation of health services in the area, subject to exemptions outlined in the Health and Social Care Act 2001;
5. In return, NHS bodies must:
 - provide information requested by the committee, subject to exemptions;
 - attend before committee to answer questions, subject to exemptions;

- on request, respond to reports and recommendations within 28 days of the request of the committee;
- consult the committee on matters of substantial development or variation to services, in addition to the duty under section 11 of the Health and Social Care Act 2001 to involve and consult patients and the public.

Patient and public involvement

6. A new system of patient and public involvement has also been set up to replace Community Health Councils in England. In each trust and PCT, there will be a **Patient Advice and Liaison Service (PALS)** providing on-the-spot help and information about health services. PALS is an NHS managed service designed to deal with queries and concerns quickly and to enable change within organisations that is based on the needs and experiences of patients, carers and the public.
7. **Patients' forums** will be set up for every NHS trust and PCT. Forums will be independent of the bodies to which they relate. They will comprise patients, carers and members of voluntary organisations that represent the interests of patients or carers. They will monitor and review services, including carrying out inspections. They will make reports to the board of the NHS organisations and the intention is to have one of their number on the board as a non-executive director. They will be funded, supported and performance managed by the **Commission for Patient and Public Involvement in Health**. The Commission will also help co-ordinate patients' forums' activities.
8. In each community, PCT patients' forums will be a key resource for local citizens, helping and supporting community groups and promoting better public involvement. They will also help to integrate the work of patients' forums and PALS strategically by bringing together data from their activities regularly to share lessons and identify trends.
9. Patients' forums will work in partnership across wider health economy to guide local work programmes. An important function for the patients' forums will be to report trends and conclusions drawn from the entirety of patient experience data and reporting this to local decision-makers. In particular this will be to the Health Scrutiny Committee.
10. **Independent Complaints Advocacy Services (ICAS)** is independent support for patients and carers wishing to make a complaint against the NHS. A range of agencies will provide ICAS, with PCT patients' forums taking the lead once they are established.

RECOMMENDATION

THAT the report be noted

BACKGROUND PAPERS

- Department of Health, Overview and Scrutiny of Health guidance