

**Protocol between Herefordshire Council Health Scrutiny Committee and the Patients and Public Involvement Forums of the Herefordshire NHS Hospitals Trust, Primary Care Trust**

*(This protocol is derived from the memorandum of understanding (the MOU) agreed between the Local Government Association and the Commission for Patient and Public Involvement in Health – June 2004 and Government Guidance – July 2003).*

The protocol concerns the relationship between the Herefordshire Council Health Scrutiny Committee and the Patients and Public Involvement Forums of the Herefordshire NHS Hospitals Trust, Primary Care Trust and their roles and responsibilities in fostering effective health scrutiny and patient and public involvement in Herefordshire. This protocol sets out procedures which will assist each organisation in meeting these responsibilities. It also sets out underlying principles and objectives, roles and responsibilities and the commitment both organisations have to working together.

**Overriding Aim**

To improve health in Herefordshire.

**Underlying Principles**

- This protocol will foster and promote an open relationship between the organisations, where issues of common interest and concern are shared in a constructive and mutually supportive way, each helping the other to carry out their respective roles.
- For the common benefit of the organisations, where possible, and relevant information, data and intelligence they have collected or obtained will be shared.
- There will be regular and effective communication between officers and members to discuss issues of common interest.
- By closer partnership working, the organisations will be able to achieve cooperation and better outcomes for joint areas of work.
- The organisations will plan together in producing their work programmes.
- Each organisation will name an individual officer to take responsibility for the implementation of this protocol and monitoring and reviewing its operation.

**Summary of Role and Responsibility of the Patient and Public Involvement Forums (PPIFs)**

The role of the Patient and Public Involvement Forums includes:

- Obtaining views from local communities about health services and making recommendations and reports.
- Making reports and recommendations on the range of health services and their day-to-day delivery.
- Influencing the design of and access to NHS services.
- Providing advice and information to patients and their carers about services.
- Monitoring the effectiveness of local Patient Advice and Liaison Services (PALS).
- Working with other PPIFs to share experiences and to address common issues.

- Being a key resource for local citizens, helping and supporting community groups and promoting better public involvement.
- Reporting trends and conclusions drawn from the entirety of patient experience data and reporting this to local decision makers. In particular this will be to Health Scrutiny Committee.

*(Source MOU and Department of Health Guidance on Overview and Scrutiny of Health - July 2003)*

### **Summary of Powers of the Herefordshire Health Scrutiny Committee**

The Health Scrutiny Committee (HSC) may:

- Review and scrutinise any matter relating to the planning, provision and operation of health services in the area of the committee's local authority.
- Make reports and recommendations to local NHS bodies and to its local authority on any matter reviewed or scrutinised using the overview and scrutiny of health 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 of the committee's local authority.
- Require a local NHS body to provide information about the planning, provision and operation of health services in the area of the committee's local authority subject to exemptions outlines in the Health and Social Care Act 2001.
- Establish joint committees with other local authorities to undertake overview and scrutiny of health services.
- Delegate functions of overview and scrutiny of health to another local authority committee.
- Be able to report to the Secretary of State for Health:
  - Where the committee is concerned that consultation on substantial variation development of services has been inadequate
  - Where the committee considers that the proposal is not in the interests of the health service.

*(Source: MOU)*

### **PRINCIPAL AREAS OF CO-OPERATION**

#### **Distribution of Papers**

- Agenda papers and Minutes of public meetings of the HSC will be circulated on publication to the Project Co-ordinator for the PPIFs. (The documents will also normally be available for inspection on the Herefordshire Council's website.)
- The PPIFs will forward action notes from their public meetings, and reports to local NHS bodies, to the Council's contact upon publication.
- A monthly update will be exchanged by the officer contacts outlining progress and any news.

## **Meetings**

### **Meetings of HSC**

The Council will notify the PPIF Co-ordinator of dates of meetings of the HSC which are open to the public.

Members of the PPIFs are welcome to attend meetings open to the public as observers. At the Chairman's discretion PPIF Members may be invited to speak.

Members of the PPIFs may be invited to attend informal, private meetings of the HSC at the Chairman's discretion.

### **Meetings of PPIFs**

The PPIF Co-ordinator will notify the HSC of dates of meetings of the PPIFs open to the public.

Members of the HSC are welcome to attend meetings of the PPIFs open to the public. They will not have the right to speak at meetings. Written questions may be submitted to the Chair 3 days in advance

Meetings between representatives of the HSC and the PPIFs will be arranged by agreement as required by the contact officers.

### **Work Programmes**

It is important that the work of the HSC does not duplicate that of the PPIFs and vice-versa. The Government's guidance notes that to ensure an integrated approach locally, committees and PPIFs will need to set up clear lines of communication and information exchange (which this document is designed to deliver).

The guidance recommends that in developing their scrutiny plans OSCs should discuss plans with local health bodies including the PPIFs. It also notes that PPIFs have the power to refer issues to OSCs as appropriate. The regulations require OSCs to take account of relevant information provided to them by a PPIF. If issues referred are not urgent they may be considered by the Committee when planning its future work programme and prioritised accordingly. As good practice the OSC should advise the PPIF of the actions taken and the rationale behind those actions.

The OSC has no power to require the PPIF to pursue any particular course. The overarching aim, as described in this protocol, is, however, to improve health in Herefordshire. To this end the OSC and PPIF should work together as far as possible in a spirit of co-operation.

The Chairs of the HSC and the PPIF will therefore meet in January of each year to discuss future work programmes and identify areas of work which it is considered will be of maximum benefit to the improvement of Health in Herefordshire.

### **Statutory Consultations**

There is a duty on each local NHS body to consult the local OSC on any proposal it may have under consideration for any substantial development of the health service

or on any proposal to make any substantial variation in the provision of such a service.

The PPIFs will provide the OSC with evidence of the Patients perspective on the proposed change or variation.

The OSC and PPIFs will submit their own separate responses to the consultation.

The responsibilities on the two bodies in responding to consultations are distinct and separate. However, where appropriate, and practicable, efforts will be made to avoid duplication of effort, mindful of the pressure consultations place on NHS resources, not least the time of senior NHS officers.

At the end of each consultation the HSC and the PPIFs will agree arrangements for feedback on the response of the NHS body to the HSCs recommendations and any arrangements for reviewing the NHS body's response.

### **Recommendations by PPIFS**

The Department of Health's reference guide for Members of PPIFS notes that under the Regulations, at the end of each review that a Forum carries out, it must prepare a report to the NHS Trust or PCT about the service(s) reviewed. When Forums send a report to an NHS organisation they can request a response. If this is done the Trust or PCT must reply within 20 working days, explaining what action it intends to take, or why it does not intend to take any action. If a Trust does not reply to the recommendations made in a report, the accepted recommendations are not acted upon or, in the view of the Forum, recommendations are unreasonably contested, the Forum may decide to refer the matter for consideration to the relevant Strategic Health Authority or the OSC.

The HSC undertakes that if a matter of this nature is referred to it the HSC will respond at the next reasonable opportunity available to it.

### **REVIEW OF THE OPERATION OF THE PROTOCOL**

The operation of the protocol will be reviewed every six months by the contact officers and reports made as appropriate.

### **CONTACTS**

It is important that there is informal liaison between Members of the HSC and the PPIFs and in particular between the Chairmen of the HSC and the PPIFs. However, if discussions generated as a result of this contact lead to a desire for formal action on behalf of the HSC or PPIF, or a request for a formal report, this **must** be referred to the officer contacts in the first instance. A formal request must then be lodged by or on behalf of the relevant Chairman.

The officer contacts are:

PPIFs	HSC
<p>Shelagh Callaghan                      Project Co-ordinator PPI Forums                      (Herefordshire)                      36 Widemarsh Street                      Hereford                      HR4 9EP                      Tel: 01432 354975                      Fax: 01432 360483                      e-mail</p>	<p>Tim Brown                      Members Services                      Herefordshire Council                      PO Box 240                      HR1 1ZT</p> <p>Tel: 01432 260239                      Fax: 01432 260286                      E-mail: <a href="mailto:tbrown@herefordshire.gov.uk">tbrown@herefordshire.gov.uk</a></p>

Date.....

Signed.....

