

To: All Members of the Health Scrutiny Committee
All Chief Officers

From: Legal, Democratic & Statutory Services
Ask for: Elaine Manzi
Ext: 28062

cc: All officers named for 'actions'
Democratic Services

**HEALTH SCRUTINY COMMITTEE
16 MARCH & 30 MARCH 2017**

MINUTES

16 MARCH 2017

ATTENDANCE

MEMBERS OF THE COMMITTEE

J R Barfoot, R H Beeching, E M Gordon, D Hart, D J Hewitt, S L C Johnston, S Quilty (Chairman), R G Tindall, C J White (Vice Chairman)

DISTRICT COUNCILLORS

A Alder (East Herts), F Guest (Dacorum), K Hastrick (Watford), D Lambert (Hertsmere), M McKay (Stevenage), G Nicholson (Broxbourne), F Thomson (Welwyn Hatfield)

Other Members In Attendance

N Bell, F Button, F R G Hill, T Hone, T Hunter, I M Reay, P A Ruffles, R H Smith, T R Hutchings, A S B Walkington, M A Watkin, W J Wyatt-Lowe

MINUTES

The Minutes of the meeting of the Special Health Scrutiny Committee held on 9 March 2017 were confirmed as a correct record and signed by the Chairman.

PART 1 ('OPEN') BUSINESS

		Action
1	HERTS VALLEYS CLINICAL COMMISSIONING GROUPS DECISION ON THE CONTINUED FUNDING OF CARE SERVICES FOR THE FINANCIAL YEAR 2017/18	
1.1	The Chairman introduced and welcomed Kathryn Magson , the new Herts Valleys Clinical Commissioning Group (HVCCG) Chief Executive and invited her to update the Committee on the outcome of the Herts Valleys CCG's Board meeting on 9 March 2017.	
1.2	Ms Magson advised that at the Herts Valleys CCG Board meeting on the 9 March 2017, the Governing Body had made two decisions:	

1. To cease the discretionary payment for social care funding from Herts Valleys CCG to Hertfordshire County Council from 2018/19. This was UNANIMOUSLY agreed by the Board.
2. To make a reduced discretionary payment for social care funding to Hertfordshire County Council of £4.5m in 2017/18. This was agreed further to a long discussion with a MAJORITY decision, with one board member choosing to abstain.

- 1.3 Ms Magson explained that these decisions had been reached further to considering the comments made by the public and partners including the County Council and Healthwatch. The Board had acknowledged the challenges that had occurred during the previous decision making process.
- 1.4 The Committee heard that NHS England had supported the decisions made by HVCCG.
- 1.5 Members were advised that the Board also discussed the financial challenge that the withdrawal of funding would create, and further to all the information provided by the County Council clarified exactly how the funding provided previously had been spent. Ms Magson thanked the County Council for providing all the information required.
- 1.6 Members were assured that Herts Valleys CCG recognised its statutory responsibilities, and also recognised the impact that the withdrawal of funding would have on social services and the fact that the reduced contribution for 2017/18 would not cover the full amount of funding needed to cover the services commissioned by the County Council.
- 1.7 Moving forward, it was stated that Herts Valleys CCG wished to repair the damage to relationships that had been created by the situation and work together to tackle the considerable challenges ahead, and 'co-design' the outcomes of future working.
- 1.8 Ms Magson stated that she was personally looking forward to working with Members, officers and partners across the council to achieve this.
- 1.9 The Chairman invited **Iain MacBeath, Director of Health and Social Care (HCS) for Hertfordshire County Council** to respond.
- 1.10 The Director of Health and Social Care (HCS) advised that he had attended the Herts Valleys CCG Board meeting on the 9 March 2017, along with the Executive Member for Adult Care and Health, and legal and finance colleagues, in order to answer any questions of clarification that the Board may have had.
- 1.11 The Director confirmed that the County Council had accepted the decisions made by Herts Valleys CCG at the meeting as outlined by Ms Magson.
- 1.12 The Director advised that he had found the questions and debate to

be useful and fully agreed with Ms Magson's comments regarding working together and confirmed that the County Council wished to work collaboratively with Herts Valleys CCG in the future.

- 1.13 Members were advised that in regard of the £4 million deficit in funding for 2017/18, planning was already underway as to how this shortfall would be countered. The Committee was reminded that in the Budget speech made by central government on 8 March 2017, the Chancellor of the Exchequer had confirmed that £2billion would be invested into social care funding. It was not yet known how much would be allocated to Hertfordshire.
- 1.14 The Director advised that he would be having a further meeting with Ms Magson on the 24 March 2017 to discuss further the outcomes and decision made by Herts Valleys CCG and a wider meeting with additional officers from both the CCG and the County Council in a couple of weeks' time. A meeting had also been scheduled between the Director of HCS and the Director of Resources for Hertfordshire County Council to discuss alternative budget plans.
- 1.15 Ms Magson also reiterated to members her intent to work closely with the Director of HCS and County Council colleagues to counter the challenges faced in the future. Members heard that Ms Magson had previously been a Sustainability and Transformation Plan (STP) Leader and would be using her knowledge and expertise in this area to explore opportunities which she stated would have a 'big influence' on future planning.
- 1.16 Members queried what would happen if it was established that the reduction in social care funding was found to have an impact on increased hospital spend. Ms Magson stated that it was too early in her tenure for her to comment, but she stressed that the bigger picture went beyond the figure of £8.5m as, throughout the country, CCGs were facing huge financial challenge, and the way forward was to work together in an open way, establish the money available from core funds and get the best value possible for residents.
- 1.17 The Chairman thanked Ms Magson for attending and for her comments and reassurance, and on behalf of the Committee requested that any future issues be brought to the attention of the County Council as soon as possible.
- 1.18 The Chairman declared that, as the matter was to be referred back to full Council in March, the Committee would need to take a short adjournment to enable officers to prepare a draft motion for Members to consider. The Committee adjourned.
- 1.19 The Committee then reconvened.

Conclusion

- 1.20 The following motion, proposed by the Chairman and duly seconded (by CJ White) was UNANIMOUSLY AGREED:-
The Health Scrutiny Committee recommends to Council that:-

- (1) *Council should not report the decision of Herts Valleys Clinical Commissioning Group (HVCCG) to withdraw funding for social care to the Secretary of State in accordance with its powers under Regulation 23(9) of the Local Authority (Public Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (“the Regulations”), but that the Council should make a report to HVCCG in relation to the matters that the Health Scrutiny Committee has scrutinised in accordance with its powers under Regulation 22 of the Regulations; and*
- (2) *That the Chief Legal Officer be authorised to take all necessary steps prepare and submit the report referred to in (1) above in consultation with the Chairman of Health Scrutiny Committee; and*
- (3) *Council notes the Committee’s disappointment that the full £8.5m will not be paid, but also notes that the Committee is content that HVCCG has moved its position significantly with £4.5m to be paid in relation to 2017/18 and that the Committee looks forward to the County Council working together co-operatively with the CCG moving forward with stronger governance around any future funding and partnership arrangements;*

1.21 The Committee’s recommendation will be reported to the County Council for consideration at its meeting on 21 March 2017.
Subsequent Note: The Committee’s recommendation to Council was considered by the County Council at its meeting on 21 March 2017. The Minutes of this meeting can be viewed here
<http://cmis.hertfordshire.gov.uk/hertfordshire/Calendarofcouncilmeetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/513/Committee/4/Default.aspx>

**2(A) ANNUAL SCRUTINY OF HEALTH ORGANISATIONS 2017/18
(INCORPORATING THE QUALITY ACCOUNTS)**

[Officer Contact: Charles Lambert, Scrutiny Officer (Tel: 01438 843630)]

2.1 The Chairman welcomed all Members and officers present to the Committee’s scrutiny of the health trusts in Hertfordshire’s budgets and Quality of Care.

- 2.2 Members received an introduction to the scrutiny and a summary by the Scrutiny Officer, reminding members of the format for the Committee's scrutiny.
- 2.3 The Committee then adjourned to gather its evidence.
- 2.4 The Committee broke into three groups to gather its evidence and focussed on six local trusts.
- West Herts Hospital Trust (WHHT)
 - North Herts Hospital Trust (ENHT)
 - Herts Partnership Foundation Trust (HPFT)
 - Herts Community NHS Trust (HCT)
 - East of England Ambulance Trust (EEAST)
 - Herts Urgent Care (HUC)
- 2.5 Members of the Committee were divided into 6 'Member Groups', with each group focusing its questioning based on the following key themes:-
- Quality of Care
 - Finances
- 2.6 All members of the Council had been notified of the scrutiny and invited to attend. A number of members had accepted this invitation and participated in the 'evidence gathering' part of the scrutiny.

At the end of the evidence gathering process the session closed.

The Committee reconvened on 30 March 2017 to consider its recommendations, information requests and additions to the work programme.

MEMBERS OF THE COMMITTEE

R H Beeching, E M Gordon, D Hart, D J Hewitt, S L C Johnston, A Joynes (*substituting for L R Kercher*), S Quilty (Chairman), R G Tindall, C J White (Vice Chairman)

DISTRICT COUNCILLORS

A Alder (East Herts) F Guest (Dacorum), K Hastrick (Watford), D Lambert (Hertsmere), M McKay (Stevenage), G Nicholson (Broxbourne),

Other Members In Attendance

R H Smith

**2B) ANNUAL SCRUTINY OF HEALTH ORGANISATIONS 2017/18
(INCORPORATING THE QUALITY ACCOUNTS)
DRAFT REPORT**

[Officer Contact: Charles Lambert, Scrutiny Officer (Tel: 01438 843630)]

- 2.7 The Committee considered a draft report summarising the conclusions, recommendations, information requests and suggested future scrutinies proposed as a result of the Committee's evidence gathering session on 16 March 2017.
- 2.8 As a result of discussion on the report, it was agreed that the report be revised to reflect the views expressed at the meeting; with the final wording being agreed by the Committee's Chairman, Vice-Chairman and Labour Group Spokesman.

Conclusions

- 2.9
1. Members thanked the NHS organisations for the responses they had provided to the Committee which had contributed to a very successful scrutiny and to the input Healthwatch had made to the event.
 2. The Committee agreed:-
 - (a) that the Committee's report be revised to reflect discussion at the meeting and that the final wording be agreed by the Chairman, Vice-Chairman and Labour Group Spokesman*;
and
 - (b) that the final report be sent to all Members of the Committee at the earliest opportunity.
 3. The Committee agreed that it should receive a report at its meeting in June 2017 reviewing the process used for this year's **Annual Scrutiny of Health Organisations 2017/18 (Incorporating the Quality Accounts)**

**Note: The final report is attached as Appendix 1 to these minutes*

**LAST MEETING OF THE COMMITTEE IN THE CURRENT
COUNTY COUNCIL**

The Chairman noted that the meeting was the last meeting of the Health Scrutiny of the current elected term. The Chairman thanked all Committee Members for their invaluable contribution, and paid particular thanks to Members confirmed as standing down in the forthcoming election; JR Barfoot, R H Beeching and L R Kercher. The Chairman also paid a special tribute to S A Batson, who had died earlier this year.

REPORT TO COUNTY COUNCIL

A summary of all items of business will be reported to the County Council at its meeting on 18 July 2017.

**KATHRYN PETTITT
CHIEF LEGAL OFFICER**