

**North East Regional Joint Scrutiny Member/Officer Network**  
**Notes of meeting held on Wednesday 13 December 2023**

**2. Apologies**

An attendance list was circulated in advance of the meeting, additional apologies received from Cllr Colin Hardy, Cllr Richard Dodd and Cllr Greg Stone (attendance record attached).

**3. Minutes of meeting held on 21 September 2023**

Decision - Minutes were approved.

**4. CfGS:**

**i) Guidance Publications**

An update was provided in relation to:

- Member guidance on financial scrutiny is due to be published in December and devolution arrangements in January.
- A webinar is to be organised late January with regards to the new Health Scrutiny arrangements.
- CfGS newsletter will contain publication dates and webinar details.

**ii) CfGS Policy Issue Update – Health Scrutiny Arrangements**

- New arrangements will be confirmed at the end of January for powers of referral.
- Current referral arrangements are to be changed under the new Health and Care Act 2022 and replaced by the power to submit a request to the Secretary of State to 'call-in' a service reconfiguration.
- The Secretary of State can intervene in local health scrutiny when considering a decision being made locally by the ICB to implement a change to a service.
- In new powers from 31 January 2024 (information is due out mid-January) health and scrutiny arrangements, regulations and guidance will be updated.
- Transitional arrangements – any referrals made up to 31 January 2024 will be dealt with under the old system. After this date they will be transferred to the new system.
- SoS can make judgments about when to intervene based on requests from ONS Officers, the public etc and more clarity was needed with regards to the evidence base to be used to inform whether, or not, to intervene. The CfGS confirmed a request has been made to have a copy of the draft regulations.

- Guidance is clear the SoS interventions will only take place when all other avenues have been exhausted for local resolution, via local authority O&S, Commissioners or Healthwatch.
- An increased number of service variations / reconfigurations going forward are likely to cover wider geographical areas crossing multiple local authority boundaries. This will require the utilisation of existing joint overview and scrutiny committees and, in some instances, the creation of new joint arrangements. A comment was made about the resource implications of these new arrangements and the need for a review of existing joint OSC arrangements.
- With emphasis on the utilisation of joint committees for the scrutiny of cross boundary service reconfigurations, it is expected that the ICB will focus its resources on engagement via these bodies, reducing duplication and making the best use of their resources. In relation to the wider issue of costs associated with the organisation / support of joint scrutiny arrangements, in response to concerns regarding the impact on local authorities, the provision of contributions by those bodies proposing reconfigurations was being explored via CfGS. No response to this suggestion had yet been received from central government.
- Emphasis was placed upon the need to raise organisational, and public, awareness of these changes and the development of memorandums of understanding between local authorities and commissioning bodies. The importance of both of which were referenced in the guidance.

The rationale behind the O&S changes contained within the Act had been to include the SoS at the beginning of the process for service change, requiring ICBs to 'notify' the SoS of significant variations of service rather than waiting for local authorities to enact their OSC 'referral' powers later in the process. It was, however, noted that whilst the new powers allow anyone to request that the SoS 'call-in' a service reconfigurations, the requirement to be able to demonstrate local resolution via OSCs, the ICB or Healthwatch could result in an increased workload for local authorities. This alongside the OSC's own powers to request the SoS 'call-in' a service reconfiguration.

A concern was raised as to whether a complaint would be dismissed if it only affected a small patch of the ICB, given that North East and North Cumbria was the largest ICB.

A question was raised as to whether the SoS could intervene on behalf of the MP.

The CfGS was thanked for its update.

5. **Local Authority Best Practice (discussion):** Accessibility of Council Services Investigation.

This item was deferred until the March 2024 meeting.

6. **List of on-going scrutiny investigations.**

A template will be sent out in January 2024 to all local authorities with a request that any scrutiny investigations or other work currently being undertaken be listed. This will enable a list to be collated and circulated in preparation for the next meeting.

7. **Training Programme Update**

The first training session will follow this meeting and attendees need to log in using the link that was sent after registration.

8. **Meeting Schedule / Potential agenda items for each meeting**

Thursday 21 March 2024:

- Accessibility of Council Services – Hartlepool Borough Council
- Supporting Young people into Employment – Newcastle City Council
- The Scrutiny Protocol for Combined Authorities – North of Tyne CA.

9. **Any Other Business**

No items.

10. **Date of next meeting**

Thursday 21<sup>s</sup> March 2024, 10am, MS Teams