

**Protocol between Southampton Health and Wellbeing Board, Healthwatch Southampton and Southampton City Council Health Overview and Scrutiny Panel**

**Introduction**

1. The Health and Social Care Act 2012 identified a range of individual and joint responsibilities for Health and Wellbeing Boards local Healthwatch (known in the city as Healthwatch Southampton), and Health Overview and Scrutiny Committees (known in Southampton as the Health Overview and Scrutiny Panel). This paper sets out a protocol between the three bodies to facilitate an understanding of responsibilities and to identify where separate and joint working will be undertaken.

**Overview of the Roles of the Three Bodies**

2. The Health and Wellbeing Board, Health Overview and Scrutiny Panel and Healthwatch Southampton share a common interest in improving the health of people living in the city and in reducing health inequalities, and share a desire to engage with all communities including those identified as harder to reach.
3. The Health and Wellbeing Board (HWB) is responsible for producing a Joint Strategic Needs Assessment (JSNA), a Joint Health and Wellbeing Strategy (JHWS) and for seeking to integrate services. The Health and Social Care Act 2012 makes a representative of local Healthwatch a statutory member of the Health and Wellbeing Board.
4. Healthwatch Southampton (HWS) is independent of the Council and the NHS. It is responsible for undertaking patient and public engagement activities, providing a signposting and advice service to support individuals in exercising choice over access to and use of services, and for providing a NHS complaints advocacy service. HWS has a seat on the HWB, through which it can ensure that the patient and public views are represented when strategic decisions are taken. Currently, it also has a seat on Southampton City Clinical Commissioning Group, and a standing invitation to attend meeting meetings of the Health Overview and Scrutiny Panel.
5. The Health Overview and Scrutiny Panel has responsibility for scrutinising social care issues in the city, responding to proposals for significant variations and reconfigurations of health services, and working in partnership with other HOSC areas as appropriate.

**General Principles**

6. Whilst the respective roles of each body are acknowledged as respected by the others, where appropriate two or more of the bodies will work on a project or piece of work either jointly or independently. At the outset of any such work a written statement will be produced summarising the actions and areas of activities each body will pursue. Any published

material arising from the work will acknowledge the contributions of all participating bodies.

### **Developing the Joint Strategic Needs Assessment and the Joint Health and Wellbeing Strategy**

7. The Health and Wellbeing Board has a legal duty to develop the JSNA and the JHWS. It will engage with Healthwatch Southampton and the Health Overview and Scrutiny Panel, initially to set out draft proposals, and then at a later stage to review a final draft. Healthwatch Southampton will be invited to collect and contribute views from the public to both the JSNA and the JHWS.

### **Commissioning and Decommissioning Services**

8. The Health and Wellbeing Board will set a strategic direction for the commissioning of services. It will review the annual commissioning plans from the Clinical Commissioning Group, NHS England and the Council's social care services to ensure they address the needs identified in the JSNA and the actions set out in the JHWS. Changing commissioning plans may result in some services being decommissioned or being delivered differently.
9. Healthwatch Southampton will be active in assessing residents' and patients' views on proposals. The Health Overview and Scrutiny Panel will hold the Health and Wellbeing Board, the council Cabinet or the CCG to account for commissioning and decommissioning decisions. The Health Overview and Scrutiny Panel will undertake the scrutiny of social care issues, including the draft local account, unless they are Forward Plan items, in which case they may be considered by the Overview and Scrutiny Management Committee.

### **Significant Changes and Variations to Services**

10. Provider organisations may, from time to time, seek to re-configure services in response to commissioning plans, or to their own organisational development programmes. The Health Overview and Scrutiny Panel will use its current rules to determine whether any scenario qualifies as a "substantial variation", which would require consideration at a meeting. It will check with Healthwatch Southampton to ascertain whether there are issues that Healthwatch has existing intelligence on, or would be able to make a significant contribution to.

### **Engagement With Stakeholders, Residents and Service Users**

11. The changes that need to be delivered to provide sustainable health and care services in the future will require input and support from a wide range of stakeholders. Each of the bodies included in this protocol will need to ensure it has the appropriate mechanisms to deliver effective engagement with the appropriate stakeholders.
12. The Health and Wellbeing Board will from time to time undertake stakeholder engagement exercises. These will seek to highlight needs and pressure, set the agenda for change in the light of national priorities and frameworks, and showcase innovation and best practice from within

the city and further afield. The stakeholders invited will vary according to the subject of each event.

13. The Health and Wellbeing Board is legally required to engage local residents and stakeholder on the development of the JSNA and the JHWS.
14. Healthwatch Southampton has at its core ongoing and meaningful engagement with people living, or receiving services, in Southampton. It will operate a range of engagement activities with a wide range of communities, using a wide range of methods, including focus groups, surveys and social media. The outcomes from engagement will be fed, as appropriate, to service providers, NHS England, the Health and Wellbeing Board, CCG and City Council. Healthwatch Southampton will also help collect views from the public as the JSNA and JHWS are developed.
15. The Health Overview and Scrutiny Panel will be able to invite any interested stakeholders to attend individual meetings where they can contribute to the business of the meeting and to engage in inquiries relating to health and wellbeing issues in the city.

#### **Quality and Inspection**

16. The Health and Wellbeing Board will take a strategic lead on ensuring quality, safe services are commissioned. It will consider findings of relevant government and other national studies. Healthwatch Southampton will develop intelligence on patient and user experiences, using its enter and view powers where appropriate. Where significant issues are identified, Healthwatch Southampton will refer the matters to the CCG or the local authority as appropriate. Both Healthwatch Southampton and the Health Overview and Scrutiny Panel will monitor reports from national inspection bodies, and where problems are identified, undertake an examination of the issues. The Health Overview and Scrutiny Panel will schedule agenda items where appropriate and request the attendance of appropriate officers from provider organisations. It may also wish to hold meeting with representatives of the Care Quality Commission (CQC) where appropriate. Healthwatch Southampton may also seek meetings with CQC. There maybe occasions when the Health Overview and Scrutiny Panel and Healthwatch Southampton may consider a joint meeting with CQC as the best means resolving a significant issue that has been identified.

#### **Safeguarding**

17. The Health and Wellbeing Board will receive the annual reports of the Southampton Safeguarding Children Board and Southampton Adult Safeguarding Board. Where significant issues are raised in the documents, it may request such further detailed reports as it deems appropriate.
18. Healthwatch Southampton will use patient complaints, advocacy and other intelligence to identify safeguarding issues. The Health Overview

and Scrutiny Panel will assess whether appropriate responses are being undertaken to any issues identified.

### **New Legislation and Changes to the Legal Framework**

19. The Health and Wellbeing Board will consider the implications of new legislation and assess the likely impact and opportunities across health and care systems. Both the Health and Wellbeing Board and Health Overview and Scrutiny Panel may wish to respond separately to legislative proposals and consultations, where they may legitimately agree separate conclusions. Healthwatch Southampton may also choose to examine such proposals and assess the impact on patients and service users.

### **Other Bodies and Future Developments**

20. The new landscape for health, care and wellbeing developed under the Health and Social Care Act is still embedding. NHS England Local Area Team has a seat on the Health and Wellbeing Board. The Health Overview and Scrutiny Panel and Healthwatch Southampton will monitor the quality of services of services commissioned by NHS England for the people of Southampton.
21. Public Health England (PHE) is not represented on either the Health and Wellbeing Board or Health Overview and Scrutiny Panel. The Health and Wellbeing Board and Health Overview and Scrutiny Panel may request PHEs attendance at meeting where they are considering issues which PHE has responsibility for delivering.

### **Conclusion**

22. This protocol has been considered and agreed by the Health and Wellbeing Board, Health Overview and Scrutiny Panel and Healthwatch Southampton. It is advisory, and for the Health and Wellbeing Board and Health Overview and Scrutiny Panel is a subsidiary document to the Council Constitution. The protocol will be reviewed at the start of each municipal year and updated in the light of experience and wider developments.