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| DECISION-MAKER: | HEALTH AND WELLBEING BOARD | | |
| SUBJECT: | OPERATING PROTOCOL BETWEEN HEALTH AND WELLBEING BOARD, HEALTH OVERVIEW AND SCRUTINY PANEL, AND HEALTHWATCH SOUTHAMPTON | | |
| DATE OF DECISION: | 14 th AUGUST 2013 | | |
| REPORT OF: | DIRECTOR OF PUBLIC HEALTH | | |
| <u>CONTACT DETAILS</u> | | | |
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| STATEMENT OF CONFIDENTIALITY | | | |
| None | | | |

BRIEF SUMMARY

The Health and Social Care Act set out the roles and responsibilities of Health and Wellbeing Boards and local Healthwatch. It also modified the responsibilities of Health Overview and Scrutiny Committees. This report contains a protocol setting out the respective roles and responsibilities of these bodies, and a framework for handling key issues.

RECOMMENDATIONS:

- (i) That the draft protocol set out in Appendix 1 be approved;
- (ii) That the draft protocol be referred to the Health Overview and Scrutiny Committee and Healthwatch Southampton for consideration and approval; and
- (iii) That authority be delegated to Director of Public Health, after consultation with the Chair, to make any drafting or other amendments required following consideration by the Health Overview and Scrutiny Panel and Healthwatch Southampton that do not affect the spirit of the intentions of the protocol.

REASONS FOR REPORT RECOMMENDATIONS

1. To ensure a common operational understanding between the Health and Wellbeing Board, the Health Overview and Scrutiny Panel and Healthwatch Southampton.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. Not to develop a protocol. The risk of following this course of action is that it is more likely to lead to opportunities for confusion and misunderstandings.

DETAIL (Including consultation carried out)

3. The Health and Social Care Act 2012 established Health and Wellbeing Boards, local Healthwatch and it amended the responsibilities of Health Overview and Scrutiny Committees. The annual meeting of the Council in May 2013 required the development of the protocol.
4. A draft protocol is attached at Appendix 1. It has been produced by officers supporting democratic services, the Health and Wellbeing Board, Health Overview and Scrutiny and Healthwatch Southampton and shared informally with Healthwatch Southampton and the chairs of the Health and Wellbeing Board and the Health Overview and Scrutiny Panel. It summarises key elements of the roles of the respective bodies, and then sets out responsibilities for:
 - Commissioning and decommissioning services
 - Significant changes and variations to services
 - Engagement with stakeholders, residents and service users
 - Quality and inspection
 - Safeguarding
 - New legislation and changes to the legal framework
 - Engagement with other health bodies
5. It is anticipated that the protocol will need to change over time in order to reflect developments across health and care systems. For this reason it is proposed that the protocol should be reviewed annually at the start of each municipal year. If there are significant changes to the health and care system architecture or the democratic or public engagement processes, then it will be reviewed as necessary during the course of the year.

RESOURCE IMPLICATIONS

Capital/Revenue

6. None.

Property/Other

7. None

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

8. The Health and Social Care Act 2012 sets out the legal framework for the operation of Health and Wellbeing Board, local Healthwatch, and made changes to the responsibilities of Health Overview and Scrutiny Committees.

Other Legal Implications:

9. None

POLICY FRAMEWORK IMPLICATIONS

10. None

KEY DECISION No

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| WARDS/COMMUNITIES AFFECTED: | None |
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SUPPORTING DOCUMENTATION

Appendices

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| 1. | Protocol between Southampton Health and Wellbeing Board, Healthwatch Southampton and Southampton City Council Health Overview and Scrutiny Panel. |
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Documents In Members' Rooms

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| 1. | None |
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Equality Impact Assessment

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| Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out. | No |
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Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

| Title of Background Paper(s) | Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable) |
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| 1. | None. | |
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