

Item 6: Adult Mental Health Inpatient Services Review.

By: Tristan Godfrey, Research Officer to the Health Overview and Scrutiny Committee

To: Kent and Medway NHS Joint Overview and Scrutiny Committee,  
3 July 2012

Subject: Adult Mental Health Inpatient Services Review.

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## 1. Summary

- (a) Under *The Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 (S.I. 2002/3048)*<sup>1</sup> local NHS bodies must consult the HOSC over any proposals “for a substantial development of the health service in the area of a local authority, or for a substantial variation in the provision of such services.”
- (b) The subsequent *Directions to Local Authorities (Overview and Scrutiny Committees, Health Scrutiny Functions) 2003*<sup>2</sup> from the Department of Health stated that when an NHS body consulted two or more local authority health scrutiny committees a joint committee “shall” be established.
- (c) In effect this means that where a service change is proposed that affects an area covered by more than one statutory local authority health scrutiny committee, and where both consider the change to be a “substantial variation,” then a Joint HOSC will need to be established.
- (d) On 9 March 2012 the Health Overview and Scrutiny Committee at Kent County Council determined that the proposals for a review into adult mental health inpatient services in Kent and Medway constituted a substantial variation of service. On 27 March 2012 the Health and Adult Social Care Overview and Scrutiny Committee at Medway Council made the same decision.
- (e) The Health and Adult Social Care Overview and Scrutiny Committee at Medway Council has an agreed protocol concerning the assessment of a substantial variation of service. The completed protocol on this topic is included in the Agenda paper.

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<sup>1</sup> *The Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 (S.I. 2002/3048)*,

<http://www.legislation.gov.uk/uksi/2002/3048/contents/made>

<sup>2</sup> *Directions to Local Authorities (Overview and Scrutiny Committees, Health Scrutiny Functions) 2003*,

[http://www.dh.gov.uk/prod\\_consum\\_dh/groups/dh\\_digitalassets/@dh/@en/documents/digitalassets/dh\\_4066609.pdf](http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/@dh/@en/documents/digitalassets/dh_4066609.pdf)

## **2. Joint Health Scrutiny Committee with Medway Council**

- (a) In order to prepare in advance for a Joint HOSC being required, a Joint Committee with Medway Council was established at the meeting of the County Council of 25 March 2004. The arrangements were updated at County Council on 14 September 2006.<sup>3</sup>
- (b) The agreed Terms of Reference for the Kent and Medway NHS Joint Overview and Scrutiny Committee are attached to this report as an Appendix.
- (c) The Joint Committee consists of 12 Members: 8 from Kent County Council and 4 from Medway Council.

### **3. Recommendation**

That the Committee consider and comment on the report.

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<sup>3</sup> <http://democracy.kent.gov.uk/Data/County%20Council/20060914/Agenda/sep06-item7.pdf>

## **APPENDIX**

### **Kent and Medway NHS Joint Overview and Scrutiny Committee**

#### **Terms of Reference**

- (i) To receive evidence in relation to consultations initiated by local NHS bodies regarding proposals for substantial development or variation of the health service which effect both Medway and a substantial part of Kent.
- (ii) To make comments on behalf of the relevant Overview and Scrutiny Committees of Medway and Kent on any such proposals to the NHS body undertaking the consultation.
- (iii) To undertake other scrutiny reviews of health services if requested to do so by the relevant Overview and Scrutiny Committees of both Medway and Kent
- (iv) To report on such other scrutiny reviews to the relevant Overview and Scrutiny Committees of Medway and Kent.