

## **Council – 7th July 2008**

### **Notice of motion – Walsall Hospitals NHS Trust**

**Service Area:** Social Care and Inclusion

**Wards:** All

#### **1. Summary of report**

This reports provides background information with regard to the following notice of motion submitted by Councillor Smith

“The Local Government Act of 2000 and the Health and Social Care Act of 2001 places obligations on local overview and scrutiny committees to scrutinise health services and places obligations on NHS bodies to provide information, answer questions and respond to recommendations. Given that this responsibility is included within the remit of the Health, Social Care and Inclusion Scrutiny and Performance Panel and given recent announcements, reported in the press in early June 2008 that as many as 127 posts including 89 nurses, midwives and health visitors at the Manor Hospital are set to be made redundant by October 2008 as part of a programme of savings ahead of a switch to foundation trust status, with possibly hundreds more staff being lost by 2011, this Council calls on the Health, Social Care and Inclusion Panel to consider fully the actual details of the Walsall Hospitals NHS Trust’s plans as a matter of some urgency after which a report should be presented to Council as soon as is practicable in order to give the Council an opportunity to consider the findings of the Scrutiny Panel on this matter”.

#### **2. Background information**

Under the Local Government Act 2000 and the Health & Social Care Act of 2001, the Council does indeed have a responsibility to scrutinise the plans and performance of local health services. The legislation allows some flexibility as to precisely how each council delivers on this responsibility, but common to all is the right to require the attendance of the senior management of local NHS organisations to advise on any proposed change to the nature or level of health services. Furthermore, it is in the gift of all LAs to express concerns if it feels that plans are to the detriment of local people, up to and including referral to the Secretary of State.

Under section 21 of the Local Government Act 2000, Overview and Scrutiny functions have the right to delegate any of their powers to a sub-committee.

On Thursday, 5 June, the Health, Social Care and Inclusion Scrutiny and Performance Panel held its first meeting of the year at which it considered how to organise itself to fulfil its full range of responsibilities in 2008/09, and also to agree a work programme for the coming year.

One of the first decisions it reached was to reconsider the Council's responsibilities related to health scrutiny and accordingly to re-establish the Health Scrutiny Panel as a formal sub-committee to deliver this aspect of its work. In establishing this sub committee the Health, Social Care and Inclusion Scrutiny and Performance Panel have delegated its powers to scrutinise health to the Health Scrutiny Panel.

Furthermore, it agreed that as an early priority there would be a request to the Manor Hospital Trust to attend the Panel to outline the implications to the health services in this borough of the deferment of their application for Foundation Trust status as this panel has previously received a number of briefings from the Manor Hospital Trust.

The first meeting of the Health Panel is scheduled to be held on 14 July and an invitation has been extended to the Manor Hospital Trust. According to the nature of what emerges from their presentation, the Health Panel will make recommendations as they see fit to the Health, Social Care and Inclusion Scrutiny and Performance Panel, who may then decide to report to full Council.

#### **Author**

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**Signed:**

**Executive Director:**

**Date:** 27th June 2008