

# **NEATH PORT TALBOT COUNTY BOROUGH COUNCIL**

## **Social Care Health and Housing Scrutiny Committee**

8th October 2015

### **Report of the Social Care Health and Housing Scrutiny Committee– Cllr Doreen Jones (Chair)**

**Matter for: Decision**

**Wards Affected:**

All Wards.

### **Scrutiny Recommendations following the inquiry into Section 33 of the National Health Service (Wales) Act 2006 overarching partnership agreement.**

#### **Purpose of the Report**

1. To make recommendations to the Social Care, Health and Housing Cabinet Board in relation to the proposed s.33 agreement between the Local Authority and the Abertawe Bro Morgannwg University Health Board (AMBU) following a half day inquiry.

#### **Executive Summary**

2. On September 17th 2015, the Social Care Health and Housing Scrutiny (SCHH) Committee held a half day inquiry into the proposed s.33 agreement between the Local Authority and ABMU Health Board. The proposed s.33 agreement represents a significant commitment from the Local Authority and Members of the SCHH Scrutiny Committee wanted to

assure themselves of what the agreement entails, that it is fit for purpose and that the ongoing governance met its requirements.

3. Members received detailed background information including the initial business case and the proposed s.33 agreement and during the session received detailed presentations from:
  - Claire Marchant (Head of Community Care & Commissioning Services NPTCBC)
  - Louise Barry (Community Services Manager, Community Networks)
  - Andy Griffiths (Community Services Manager, Community Resource Team)
  - Hilary Dover (ABMU Locality Director)
4. Members considered in detail the information provided to them and asked detailed questions on the substance of the proposed agreement.
5. They formed the following recommendations to present to the SCHH Cabinet Board for consideration when the proposed s.33 agreement is presented to them for decision.

Members of the SCHH Scrutiny Committee were supportive of the proposed s.33 agreement overall but would make the following recommendations:

-s.13 Scrutiny: Members welcomed reference to Scrutiny but felt the section needed to be strengthened to make explicit reference that the SCHH Scrutiny Committee receives quarterly overview reports which will include budget, performance and complaints data. These reports will be presented to the Committee by the Pooled Fund Manager and the ABMU Locality Manager will attend on request.

-s.15.6/15.7 'Reasonable Endeavours': Members have requested that this section is further explained by Legal Representatives with a view to providing clarity on the meaning of the context contained within the report.

- s.16 Variations: Members have requested that this section is further explained by Legal Representatives with a view to providing clarity on the meaning of the context contained within the report.

- That the Western Bay Programme Manager is invited to attend a meeting of the SCHH Scrutiny Committee to present an overview of the Western Bay programme and the project streams therein.

### **Financial Impact**

6. There are no direct financial impacts in relation to this report and the financial implications are highlighted in the associated Cabinet Board report.

### **Equality Impact Assessment**

7. There is no requirement to undertake an Equality Impact Assessment on this report as one has been undertaken in relation to Delivering Improved Community Services for Older People and is included with the Cabinet Board Papers.

### **Workforce Impacts**

8. There are no workforce impacts associated with this report.

### **Legal Impacts**

9. A Section 33 National Health Service (Wales) Act 2006 agreement is a legally binding document and was considered by the Committee during their inquiry.

### **Risk Management**

10. Failure to implement the recommendations contained within the report would undermine the democratic process.

### **Consultation**

11. There is no requirement under the Constitution for external consultation on this item.

## **Recommendations**

12. Members of the SCHH Scrutiny Committee were supportive of the proposed s.33 agreement overall but would make the following recommendations:
13. s.13 Scrutiny: Members welcomed reference to Scrutiny but felt the section needed to be strengthened to make explicit reference that the SCHH Scrutiny Committee receives quarterly overview reports which will include budget, performance and complaints data. These reports will be presented to the Committee by the Pooled Fund Manager and the ABMU Locality Manager will attend on request.
14. s.15.6/15.7 'Reasonable Endeavours': Members have requested that this section is further explained by Legal Representatives with a view to providing clarity on the meaning of the context contained within the report.
15. s.16 Variations: Members have requested that this section is further explained by Legal Representatives with a view to providing clarity on the meaning of the context contained within the report.
16. That the Western Bay Programme Manager is invited to attend a meeting of the SCHH Scrutiny Committee to present an overview of the Western Bay programme and the project streams therein.

## **Reasons for Proposed Decision**

17. For the SCHH Cabinet Board to consider the views of the SCHH Scrutiny Committee following their inquiry into the proposed s.33 agreement when considering the decision.

## **Implementation of Decision**

18. The decision is proposed for implementation after the three day call in period

## **List of Background Papers**

[http://moderngov.neath-porttalbot.gov.uk/Data/Cabinet/20140514/Agenda/\\$CAB-140514-REP-SS-CM.docx.pdf](http://moderngov.neath-porttalbot.gov.uk/Data/Cabinet/20140514/Agenda/$CAB-140514-REP-SS-CM.docx.pdf)

## **Officer Contact**

19. Councillor Doreen Jones

Chair of Social Care, Health and Housing Scrutiny Committee

[cllr.d.jones@npt.gov.uk](mailto:cllr.d.jones@npt.gov.uk)

Neil Evans

Senior Scrutiny and Member Development Officer

01639 763747

[g.n.evans@npt.gov.uk](mailto:g.n.evans@npt.gov.uk)

Stacy Sullivan

Democratic Services Officer

01639 763194

[s.sullivan@npt.gov.uk](mailto:s.sullivan@npt.gov.uk)