

Overview and Scrutiny Committee 2024

2nd September

Motion on Notice – Referral to Overview and Scrutiny Committee

Relevant Portfolio Holder	Councillor Monica Stringfellow
Portfolio Holder Consulted	Councillor Stringfellow was in attendance at the Council meeting held on 29 th July 2024
Relevant Assistant Director	Claire Felton, Assistant Director of Legal, Democratic and Property Services
Report Author	Job Title: Assistant Director of Legal, Democratic and Property Services Contact email: c.felton@bromsgroveandredditch.gov.uk
Wards Affected	No specific ward relevance
Ward Councillor(s) consulted	N/A
Relevant Council Priority	Living Independent, Active and Healthy Lives
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

The Overview and Scrutiny Committee is asked to RESOLVE to approve one of the following options:

- 1) That the Overview and Scrutiny Committee should investigate the subject of the reconfiguration of Adult Mental Health Inpatient and Rehabilitation Services at a meeting, or series of meetings, of the Committee; or
- 2) That a Task Group should be established to review the reconfiguration of Adult Mental Health Inpatient and Rehabilitation Services; or
- 3) That Worcestershire Health Overview and Scrutiny Committee should be asked to further review the reconfiguration of Adult Mental Health Inpatient and Rehabilitation Services; or
- 4) That an alternative approach, to be specified at the Overview and Scrutiny Committee meeting, should be adopted to reviewing the reconfiguration of Adult Mental Health Inpatient and Rehabilitation Services; or

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5) That no further action should be taken in respect of reviewing the reconfiguration of Adult Mental Health Inpatient and Rehabilitation Services.

2. BACKGROUND

2.1 The report details the background to discussions around a Motion on Notice that was considered at a meeting of Council held on 29th July 2024 and which was referred for the consideration of the Overview and Scrutiny Committee.

2.2 The Committee is invited to consider what action, if any, to take in response.

3. OPERATIONAL ISSUES

3.1 At a meeting of Council held on 29th July 2024, Members considered a Motion on Notice on the subject of Hill Crest Ward. The Motion, as submitted to Council, stated the following:

“That the Council asks Herefordshire and Worcestershire Health and Care NHS Trust to reconsider the proposed closure of Hillcrest Ward in Redditch and the consequential transfer of all adult acute mental health in-patient treatment to the Elgar Unit at the Worcester Royal Acute Hospital site.”

3.2 When this Motion was discussed at the Council meeting, it received general, cross-party support from the Members who were present. However, an agreement was reached to alter this Motion to refer the matter to the Overview and Scrutiny Committee for further consideration. This alteration added the following words to the start of the Motion:

“Council asks the Overview and Scrutiny Committee to scrutinise the proposals for Reconfiguration of Adult Mental Health Inpatient and Rehabilitation services.”

3.3 In making this referral to overview and scrutiny, Council noted that the subject of Adult Mental Health Acute Inpatient and Rehabilitation Redesign had been discussed at a meeting of the Worcestershire Health Overview and Scrutiny Committee (HOSC) held on 8th July 2024.

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3.4 The Council did not specify how the Overview and Scrutiny Committee should review this subject and it should be noted that there are a number of options available:

- Discussion of this subject at a meeting or meetings of the Overview and Scrutiny Committee as an overview item. Representatives of NHS services and the Chair of the HOSC could be invited to attend this meeting (or meetings) to speak on this subject. This would need to be accommodated alongside other items of business on the Overview and Scrutiny Committee's work programme.
- Establishing a Task Group to review the subject. A Task Group could meet on an ad hoc basis to investigate the matter further. The focus of the meetings could be entirely on this subject. However, it should be noted that there are already two Task Groups that have been set up and there could be difficulties providing the resources needed to support a third Task Group to run concurrently.
- Referring the matter back to the Worcestershire HOSC for further consideration. Redditch Borough Council's Overview and Scrutiny Committee has a representative on the Worcestershire HOSC. Councillor David Munro was appointed to this position at the Council meeting held on 29th July 2024. This representative can raise issues for the consideration of HOSC on behalf of the Council and should also report back to the Redditch Overview and Scrutiny Committee on a regular basis on the work of the HOSC. It should be noted that the minutes of the HOSC meeting held on 8th July 2024 state that the Chairman of HOSC requested an update on this subject for the consideration of HOSC before March 2025.
- Taking no further action. Despite the referral from Council, the Overview and Scrutiny Committee is not obliged to investigate this subject further and Members may conclude that no further action is required.
- Alternative action identified during the meeting of the Overview and Scrutiny Committee. Members may identify an alternative course of action during the Overview and Scrutiny Committee which Members may wish to adopt in order to address this subject.

4. FINANCIAL IMPLICATIONS

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4.1 No specific financial implications for the Council have been identified.

5. LEGAL IMPLICATIONS

5.1 In a two-tier authority area, such as Worcestershire, health scrutiny powers are conferred on the upper tier authority, which is Worcestershire County Council. This is confirmed by section 244 of the National Health Service Act 2006 which states that scrutiny powers for health apply “to any local authority, except that it applies to the council of a district only where the district is comprised in an area for which there is no county council” (section 244 (1)). Further provisions regarding the processes for the scrutiny of health issues are set out in the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (as amended).

5.2 The recent updating of service delivery and organisational arrangements for the NHS as set out in the Health and Care Act 2022 is also important to note. This is the legislation that has led to the formal establishment of “Integrated Care Systems” comprising “Integrated Care Boards”, which replaced the Clinical Commissioning Groups, and a new type of consultative local committee known as an Integrated Care Partnership. This new body or “ICP” will run alongside the existing HOSC for each area. There have also been some consequential changes to the powers of HOSCs resulting from the Health and Care Act 2022.

5.3 The position is that Redditch Borough Council’s Overview and Scrutiny Committee does not have the power to compel health bodies to attend meetings to provide evidence or to consider recommendations that may be made.

5.4 The Worcestershire HOSC does have powers in relation to scrutiny of health services. This includes the power to make reports and recommendations to relevant NHS bodies, health service providers and the Secretary of State on health services in the authority’s area.

5.5 Given the greater statutory powers available at County level, Members may wish to refer this topic back to the Worcestershire Health Overview and Scrutiny Committee for further consideration and / or to refer any Borough scrutiny findings to HOSC for consideration.

5.6 Should Members choose to investigate this matter further and to report back to HOSC, it is suggested that the aim should be to complete this work prior to March 2025. This suggestion has been made due to the

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HOSC Committee's request for a further update on this subject from relevant NHS services and partners before March 2025.

6. OTHER - IMPLICATIONS

Relevant Council Priority

- 6.1 The subject of Adult Mental Health Inpatient and Rehabilitation Services links to the strategic purpose of living independent, active and healthy lives.

Climate Change Implications

- 6.2 There are no specific climate change implications.

Equalities and Diversity Implications

- 6.3 No particular equalities and diversity implications have been identified.

7. RISK MANAGEMENT

- 7.1 There is a risk that scrutiny of this subject by the Redditch Overview and Scrutiny Committee might result in raising expectations within the community that the Committee has more influence over health services than are in fact available to a district-level Overview and Scrutiny Committee.

8. APPENDICES and BACKGROUND PAPERS

Appendices:

Appendix 1 – Relevant extract from the minutes of the meeting of Council held on 29th July 2024.

Background Papers:

The minutes of the meeting of the Worcestershire Health Overview and Scrutiny Committee when the subject of the redesign of Adult Mental Health Inpatient and Rehabilitation Services was discussed: [Adult Mental Health Acute Inpatient and Rehabilitation Redesign - Worcestershire County Council](#)

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9. REPORT SIGN OFF

Department	Name and Job Title	Date
Lead Director / Assistant Director	Judith Willis, Assistant Director of Community and Housing Services	12.08.24
Legal Services	Nicola Cummings, Principal Solicitor - Governance	15.08.24