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**Report to:** Cabinet **Date of Meeting:** 29 March 2012

Council **Date of Meeting:** 12 April 2012

**Subject:** Draft Joint Working Protocol between Sefton Overview and Scrutiny Committee (Health and Social Care) and Sefton LINK

**Report of:** Director of Corporate Commissioning **Wards Affected:** All

**Is this a Key Decision?** Yes

**Is it included in the Forward Plan?**  
Yes

**Exempt/Confidential**

No

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### **Purpose/Summary**

To seek approval to an amendment to the Council's Constitution, to provide for the co-option of a non-voting member from Sefton Local Involvement Network (LINK), and a substitute member, to the membership of the Overview and Scrutiny Committee (Health and Social Care), following the approval of a draft Joint Working Protocol between the Committee and Sefton LINK.

### **Recommendation**

To approve the amendment to the Council's Constitution, to provide for the co-option of a non-voting member from Sefton Local Involvement Network (LINK) to the membership of the Overview and Scrutiny Committee (Health and Social Care), and provision also be made to permit a substitute co-opted member to attend meetings of the Committee, if necessary.

### **How does the decision contribute to the Council's Corporate Objectives?**

	<b><u>Corporate Objective</u></b>	<b><u>Positive Impact</u></b>	<b><u>Neutral Impact</u></b>	<b><u>Negative Impact</u></b>
1	Creating a Learning Community		√	
2	Jobs and Prosperity		√	
3	Environmental Sustainability		√	
4	Health and Well-Being	√		
5	Children and Young People		√	
6	Creating Safe Communities		√	
7	Creating Inclusive Communities	√		
8	Improving the Quality of Council Services and Strengthening Local Democracy	√		

**Reasons for the Recommendation:**

The Constitution states that only the Council may amend the Constitution.

**What will it cost and how will it be financed? N/A**

**Implications: N/A**

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<b>Legal:</b> S221 Local Government and Public Involvement in Health Act 2007 and associated guidance.	
<b>Human Resources</b>	
<b>Equality</b>	
1. No Equality Implication	<input checked="" type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

**Impact on Service Delivery: N/A**

**What consultations have taken place on the proposals and when?**

The Head of Corporate Finance & ICT (FD: 1341/11) and the Head of Corporate Legal Services (LD:697/12) have been consulted and any comments have been incorporated into the report.

The Overview and Scrutiny Committee (Health and Social Care) and Sefton LINK have been consulted on the Joint Protocol.

**Are there any other options available for consideration? N/A**

**Implementation Date for the Decision**

Immediately following the Council meeting.

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**Background Papers:**

There are no background papers available for inspection.

## **1. Introduction/Background**

- 1.1 The Local Government and Public Involvement in Health Act 2007 enabled Local Involvement Networks (LINKs) to be established. Sefton LINK was established in 2008 and gives local people and organisations a say in Health and Adult Social Care in Sefton. Sefton LINK is a voluntary network of local people, groups and organisations who wish to improve Health and Adult Social Care services. Sefton LINK members have the opportunity to:-
- Shape and improve the quality and delivery of services;
  - Influence Health and Adult Social Care decision makers;
  - Express any concerns or raise neglected issues;
  - Join a range of Task and Finish Groups to look at specific areas of concern;
  - Attend meetings, events and presentations on behalf of the membership; and
  - Meet like-minded individuals who wish to “make a difference”.
- 1.2 A representative from Sefton LINK has attended meetings of Sefton Council’s Overview and Scrutiny Committee (Health and Social Care) (OSC) for some years now and receives e-mail alerts for the publication of all its agendas and Minutes.
- 1.3 Recently, Sefton LINK approached the relevant Overview and Scrutiny Officer to request that a joint working protocol between the OSC and Sefton LINK be developed, similar to one that already exists in Knowsley MBC.
- 1.4 Following a meeting between a representative of Sefton LINK, the Chair of the OSC and the relevant Overview and Scrutiny Officer, a draft document was developed and circulated for comments.

## **2. Recent Developments**

- 2.1 The protocol proposes that a member of the LINK will be co-opted onto the OSC. In practice, this will mean that they will sit at the table with Members for the duration of Committee meetings.
- 2.2 The co-opted member will be treated in accordance with the rules and regulations contained within the Code of Conduct for elected Members, as set out within the Council’s Constitution, and should act in accordance with these rules. The co-opted member will be required to declare any interests, where applicable. The co-opted member may speak on items included on the agenda for an OSC meeting but cannot vote on those items.
- 2.3 The Council is reminded that the Overview and Scrutiny Committee (Children’s Services) already has 3 co-opted members and has operated with these members for some years now. These comprise of a Parent Governor Representative, an Archdiocesan Representative and a Diocesan Representative.
- 2.4 The protocol also proposes that it should be reviewed on an annual basis and, where necessary, updated jointly, to ensure that it continues to meet the needs of the LINK and the OSC.

- 2.5 Subject to the passage of the Health and Social Care Bill, local HealthWatch organisations will be established in October 2012 and will continue the functions currently provided by LINKs. LINKs will evolve into Local HealthWatch but will have additional functions and powers. Local HealthWatch will build on the good practice of LINKs, and continue to work with Local Authorities, Clinical Commissioning Groups, Patient groups, the local Voluntary and Community Sector and service providers to ensure they are inclusive and representative of the community they serve.
- 2.6 It is anticipated that the protocol can be adapted once LINKs evolve into HealthWatch.

### **3. Matters for Consideration**

- 3.1 At its meeting held on 8<sup>th</sup> November 2011, the OSC considered the Protocol developed and agreed the following recommendations:-

- “1. That the draft Joint Working Protocol between Sefton Overview and Scrutiny Committee (Health and Social Care) and Sefton LINK be approved; and
2. That the Council be requested to approve the amendment of the Council’s Constitution, to include the co-option of a non-voting member of Sefton Local Involvement Network (LINK) to the membership of this Committee.”

- 3.2 However, following the meeting held on 8<sup>th</sup> November 2011, Sefton LINK approached the Council and requested that provision also be made to permit a substitute co-opted member to attend future meetings of the Committee, if necessary.

- 3.3 Subsequently, at the meeting held on 10<sup>th</sup> January 2012, in confirming the Minutes from the previous meeting, the Committee agreed the inclusion of the following at the conclusion of the existing Minute 2, as set out above:-

“and provision be made to permit a substitute co-opted member to attend meetings of the Committee, if necessary.”

- 3.4 Formal approval to the amendment to the Council’s Constitution is now sought.