

Council

13 October 2020

Horton Joint Health Overview and Scrutiny Committee - Proposed Revisions to Terms of Reference

Recommendation

Council is **recommended** to:

1. **AGREE** to amend the scope of the health scrutiny powers delegated to the Horton Joint Health Overview and Scrutiny Committee to allow scrutiny of a masterplan for the Horton General Hospital and pursuit of associated capital investment.

2. **AGREE** to nominate Councillor as the Council's representative on the Joint Health Overview and Scrutiny Committee.

1. Executive Summary

- 1.1 Health Services have a legislative duty to consult a local authority's health overview and scrutiny committee about any proposals they have for a substantial development or variation in the provision of health services in their area. When these substantial developments or variations affect a geographical area that covers more than one local authority, the local authorities are required to appoint a joint health overview and scrutiny committee (JHOSC) for the purposes of the consultation.

- 1.2 On 15 May 2018 Council approved recommendations for the establishment of the Horton JHOSC. Its remit was to consider proposed changes involving closure of consultant-led maternity services at the Horton General Hospital (HGH).

- 1.3 The body had fulfilled its original remit on the review of obstetric services, so the appointment of Councillor Redford as the authority's representative was not renewed at Annual Council this July. The revision to the terms of reference to look at the masterplan for the Hospital will involve the reconvening of this joint body and a nomination of the Council's member to serve on it.

2. Financial Implications

2.1 None

3. Environmental Implications

3.1 None

4. Supporting Information

Background

Health scrutiny powers

- 4.1 Health scrutiny powers are held by local upper tier authorities. Chief among these are the ability to:
- a) Require officers of NHS bodies to attend committee meetings.
 - b) Require the local NHS to provide information about the planning, provision and operation of the health service in the area.
 - c) Make reports and recommendations to NHS bodies.
 - d) Refer proposals for substantial changes to health services to the Secretary of State for decision if the committee believes the consultation has been inadequate, if there were inadequate reasons for not consulting, or if the proposals would not be in the interests of the local health service.
- 4.2 The NHS is obliged to consult the JHOSC on any substantial changes it wants to make to local health services, in addition to its wider responsibility to involve and consult the public.

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- 4.3 The 'Horton JHOSC' was formed in 2018 following a recommendation from the Secretary of State. The Committee's current remit is therefore solely in relation to the issue of consultant-led obstetric services at the HGH. It has not had any wider remit to scrutinise any other health or wellbeing issues.
- 4.4 This is a joint committee of nine non-executive voting members and one co-opted non-voting member. Having due regard to the patient flow for the Horton Hospital, the committee has eight members from Oxfordshire, one from Northamptonshire and one from Warwickshire. Members are appointed to the committee from the respective local authorities and are reflective of the political balance accordingly.

Scope of the Horton HOSC

- 4.5 Throughout the twelve months from September 2018, an extensive process was undertaken by the Horton JHOSC to examine and scrutinise obstetric services at the HGH. Following this, a decision was made by Oxfordshire Clinical Commissioning Group (OCCG) in September 2019 to:
- a) Confirm an earlier decision made in August 2017 to create a single specialist obstetric unit for Oxfordshire (and its neighbouring areas) at the John Radcliffe Hospital and establish a midwife led unit at the HGH, for the foreseeable future.
 - b) Work closely with Oxford University Hospitals (OUH) and local stakeholders to further develop the masterplan for the HGH, ensuring it includes high quality, flexible clinical space that could be used for different services over time, including obstetric services if circumstances demand.
 - c) Actively pursue with OUH the need for significant capital investment in the Horton Hospital, in clear recognition that this can improve recruitment and ensures the site is fit for its future as a thriving 21st century hospital for the whole of North Oxfordshire and beyond.
- 4.6 The Horton JHOSC responded to this decision by making a referral to the Secretary of State on the following grounds:
- a) The Horton JHOSC was not satisfied with the adequacy of the content of the consultation (Regulation 29(9)(a)).
 - b) The Horton JHOSC believed the proposal would not be in the interests of the health service in this area (the latter being the cross-boundary area represented by the Horton JHOSC) (Regulation 23(9)(c)).
- 4.7 To date, there has not been a response by the Secretary of State to the Horton JHOSC's referral.
- 4.8 The JHOSC accepted that partners were working to improve HGH and agreed that it would be beneficial if the JHOSC could continue meet to hold OUH and OCCG and others to account in the development and implementation of the positive vision for the future of the HGH (through the masterplan). To achieve this, it requires Warwickshire County Council and its counterpart authorities in Oxfordshire and Northamptonshire to amend the scope of the delegated health scrutiny powers. Scrutiny of all other issues remains with the respective, established health scrutiny committees.
- 4.9 Council is therefore asked to approve the recommendation that health scrutiny powers are delegated to the Horton JHOSC in regard to:

- Development of the masterplan for the HGH, ensuring it includes high quality, flexible clinical space that could be used for different services over time, including obstetric services if circumstances demand.
- The active pursuit of significant capital investment in the HGH.

4.10 A copy of the previous report to Council on 15 May 2018 is available [here](#).

5. Timescales associated with the decision and next steps

5.1 Council decisions have immediate effect.

Appendices

1. Revised terms of reference for the Horton JHOSC are attached in Appendix A. Changes to the original terms of reference are **highlighted** for ease of reading.

Background Papers

None

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The report was circulated to the following members prior to publication:

Local Member(s): N/A

Other members: N/A