

Agreement for joint working between Wirral Health and Wellbeing Board, Healthwatch Wirral and Wirral Health Scrutiny

1. Purpose of the Agreement

This Agreement sets out the relationship between the Wirral Health and Wellbeing Board, Healthwatch Wirral and Wirral health scrutiny (currently undertaken by the Families and Wellbeing Policy & Performance Committee). Whilst these bodies have specific distinct functions, there is potential for overlap in their work and opportunities for them to work in a complementary way whilst maintaining their independence.

The Agreement clarifies the key roles of the 3 bodies, their legal obligations to each other and how they will work together to improve the health and social care services for people in Wirral.

The following document aims to ensure that appropriate mechanisms are in place to:

- exchange information, intelligence and work programmes;
- recognise issues of mutual concern / interest at an early stage and ensure they are dealt with in a spirit of co-operation;
- avoid any duplication of effort;
- provide a shared understanding of the process of referrals and arrangements for dealing with such referrals.

2. Roles and Responsibilities

2.1 Wirral Health and Wellbeing Board

Wirral Health and Wellbeing Board (the Board) was established in response to the Health and Social Care Act 2012 to act as a forum for key leaders from the health and care system to work together to improve the health and wellbeing of the residents of Wirral and to promote the integration of services. The role of the Board includes:

- A duty to encourage integrated health and social care provision and to provide advice and guidance to support such arrangements;
- A duty to oversee the development of the Joint Strategic Needs Assessment (JSNA) which provides a comprehensive picture of the health and wellbeing needs of Wirral;
- A duty to produce a Joint Health and Wellbeing Strategy (JHWS) covering social care, health care and public health;
- A duty to develop the Pharmaceutical Needs Assessment;
- A right to be consulted by Wirral Clinical Commissioning Group (CCG) on their commissioning plan and to give an opinion whether the CCG's commissioning plan takes proper account of the Joint Health and Wellbeing Strategy.

2.2 Health Scrutiny

Overview and scrutiny helps to provide accountability and transparency in local public services. It is an opportunity for non-executive councillors to review policies, decisions and services of the Council and other organisations operating in Wirral to ensure they meet the needs of the community and, where necessary, makes recommendations for improvement.

Health Scrutiny not only holds Council decision makers to account but also reviews and scrutinises commissioning and delivery across the health and social care system to ensure reduced health inequalities, access to services and the best outcomes for local people. The Families and Wellbeing Policy & Performance Committee is the key committee for the purposes of fulfilling the statutory requirements of health scrutiny. The role of health scrutiny includes:

- The right to be consulted by any local commissioner on any proposed substantial variation or development in health care provision and power to refer to the Secretary of State if not satisfied with the commissioner's proposals;
- The power to scrutinise any provider or commissioner of health services, including the independent sector; to require attendance at meetings and the provision of information;
- The power to make recommendations to commissioners and providers of health services;
- The ability to scrutinise the effectiveness of the Health and Wellbeing Board and to make reports and recommendations to the Board;
- The authority to make statements on the annual Quality Account of local health providers and to engage with providers on the development of their priorities for improvement;
- A duty to receive reports submitted by Healthwatch Wirral;

2.3 Healthwatch Wirral

Healthwatch Wirral is an independent consumer champion for both health and social care. Providing a Healthwatch is a statutory requirement for all local authorities to enable patients and carers to have a safe, secure environment within which they can share their health and care concerns and experiences. The Healthwatch network was established as part of the Health and Social Care Act 2012. The aim of Healthwatch Wirral is to give citizens and communities a stronger voice to influence and challenge how health and social care services are provided in the locality. In addition, Healthwatch Wirral provides, or signposts, people to information to help them make choices about health and care services.

The role of Healthwatch Wirral includes:

- enabling people to share their views and concerns about their local health and social care services and helping to build a picture of where services are doing well and where they can be improved;
- the right to alert Healthwatch England, Care Quality Commission (CQC), the Board and/or council scrutiny committees where appropriate, to concerns about specific care providers, health or social care matters;

- the power to give authoritative, evidence based feedback to organisations responsible for commissioning or delivering local health and social care services.
- the ability to provide people with information about their choices and what to do when things go wrong, as well as signposting people to how they can access services;

3. Statutory obligations

All three bodies have a legal basis and within their statutory functions there are specific legal obligations that exist between them:

- The Health and Wellbeing Board has a duty to involve Healthwatch Wirral in the preparation of the Joint Health and Wellbeing Strategy and the Joint Strategic Needs Assessment.
- The Health and Wellbeing Board has a duty to have a voting representative from Healthwatch Wirral.
- Healthwatch Wirral must appoint one person to represent it on the Health and Wellbeing Board.
- Healthwatch Wirral must provide a copy of its annual report to Health Scrutiny.
- Health Scrutiny has a responsibility to review and scrutinise matters relating to the planning, provision and operation of health services in Wirral and make reports and recommendations to relevant decision makers, including the Health and Wellbeing Board.
- Health Scrutiny must acknowledge and respond to referrals from Healthwatch Wirral.

4. Working Principles

Given that the shared aims of the Board, Healthwatch Wirral and Health Scrutiny are to improve the health and wellbeing of the people of Wirral through the commissioning and delivery of high quality services, each undertakes to:

- have a shared understanding of respective roles, responsibilities, priorities and different perspectives;
- work in a climate of mutual respect, courtesy and transparency;
- engage in early discussions on issues of common interest to ensure a joined up approach;
- promote and foster an open relationship where issues of common interest are shared and challenged in a constructive way;
- share work programmes, agendas, reports, minutes and relevant information to avoid the unnecessary duplication of effort;
- advocate for the roles of each other's organisations.

5. Working Arrangements and Commitments

In order to foster closer working arrangements and to avoid duplication of effort, the following commitments will apply:

Wirral Health and Wellbeing Board will:

- Share its work programme with Health Scrutiny and Healthwatch Wirral.
- Update Health Scrutiny on its progress with the JSNA and provide assurance that progress is being made to deliver the outcomes in the JHWS.
- Be subject to scrutiny by Health Scrutiny and provide information and attend meetings as requested to assist in their scrutiny work.
- Take account of and respond to comments, reports and recommendations submitted by Health Scrutiny.
- Request Health Scrutiny (subject to available resource) to undertake a particular piece of work within its remit (Health Scrutiny may choose not to do so).
- Ensure Healthwatch Wirral is a core member of the Board and involved in the preparation of the JSNA and JHWS.
- Take account of and respond to information produced by Healthwatch Wirral;
- Request (subject to available resource) Healthwatch Wirral undertakes a particular piece of work in order to inform the Board of public opinion and experiences of services to inform refreshes of the JSNA and JHWS (Healthwatch Wirral may choose not to do so).
- Receive reports and information from Healthwatch Wirral on any key themes or trends identified through engagement with patients, service users, carers and the public which impact on the delivery of the outcomes in the JHWS.

Health Scrutiny Committee will:

- Share its work programme with the Board and Healthwatch Wirral.
- Seek the views of the Board and Healthwatch Wirral when formulating Health Scrutiny work programmes.
- Take account of and respond to the views and recommendations of the Board and Healthwatch Wirral.
- Hold the Board to account for its work to improve the health and wellbeing of the people of Wirral, including its responsibilities in relation to the JSNA and JHWS.
- Make reports and recommendations to the Board as a result of scrutiny activity, including any concerns identified regarding the commissioning and/or delivery of local health and care services with a view to influencing future commissioning plans.
- Notify Committee members of the Board meeting agendas (and reports, where appropriate).
- Request Healthwatch Wirral (subject to available resource) to submit relevant intelligence and information to support scrutiny work.
- Invite representatives from Healthwatch Wirral to attend as required and, at the Chairman's discretion, speak at Health Scrutiny meetings.
- Request Healthwatch Wirral (subject to available resource) undertakes a particular piece of work to inform Health Scrutiny activity. This may include asking Healthwatch Wirral to use its 'Enter and View' powers (Healthwatch Wirral may choose not to do so).
- Refer relevant issues to Healthwatch Wirral in line with the process detailed in Section 6 of this agreement.

- Acknowledge and respond to referrals from Healthwatch Wirral in line with the process detailed in Section 6 of this agreement.
- Consider Healthwatch Wirral's annual report.
- Seek the views of Healthwatch Wirral to support its detailed scrutiny review work.
- Invite Healthwatch Wirral to be a member of working groups, where appropriate, for example, the Health and Care Performance Panel.

Healthwatch Wirral will:

- Work with the Board and Health Scrutiny to provide information and comments as the public champion.
- Provide the Board and Health Scrutiny with a copy of its Annual Report.
- Share its work programme with the Board and health scrutiny.
- Appoint one person (and a nominated substitute) to represent Healthwatch Wirral on the Board.
- Provide relevant public opinions and experiences about services to support the work of the Board and the development of the JSNA / JHWS.
- As a member of the Board, provide information and challenge from the perspective of the public, service users and carers.
- Provide Health Scrutiny with a copy of any report that responds to a consultation exercise undertaken by Healthwatch Wirral on behalf of local health or social care commissioners and providers or of its own volition.
- Highlight concerns about services to Health Scrutiny and, where appropriate make a referral in line with the process set out in Section 6 of this agreement.
- Share data and intelligence with health scrutiny, such as the concerns / findings from 'Enter and View'.
- Provide Health Scrutiny with information as requested for specific topics and issues regarding patient and user experiences and access to services.
- Acknowledge and respond to referrals from Health Scrutiny in line with the process detailed in Section 6 of this agreement.
- Attend meetings of the Health and Care Performance Panel, which reports to the Families and Wellbeing Policy & Performance Committee.

6. Referral Process

6.1 Referrals from Healthwatch Wirral to Health Scrutiny:

If, during the course of its work Healthwatch Wirral identifies an issue which it feels warrants further exploration, it can make a referral to Health Scrutiny. The referral needs to be made in writing to the Chairman of Wirral Health Scrutiny Committee via the Scrutiny Officer. The referral should detail:

- the nature of the referral;
- the reason why the referral has been made;
- any evidence about the issue;
- what action it is proposed should be taken.

Referrals will be acknowledged and considered at the next available meeting of the Health Scrutiny Committee. All effort will be made to ensure that referrals are dealt with in a timely manner. Healthwatch Wirral will be informed of the outcome of this consideration and if the request is supported, details of how the matter will be taken forward. If Health Scrutiny decides not to act on the referral it will provide reasons for not doing so.

6.2 Referrals to Healthwatch Wirral:

If, during the course of its work, Health Scrutiny identifies an issue that it feels warrants exploration by Healthwatch Wirral it can make a referral. Referrals should be made in writing to the Healthwatch Wirral Manager.

The referral should detail:

- the nature of the referral;
- the reason why the referral has been made;
- any evidence about the issue;
- what action it is proposed should be taken.

Referrals will be acknowledged and considered. Health Scrutiny will be informed of the outcome of this consideration and if the request is supported, any actions planned and progress then made in investigating the issue. If Healthwatch Wirral decided not to act on a referral it will provide reasons why to Health Scrutiny.

7. Review Arrangements

This protocol will be reviewed a year after its agreement and annually thereafter or in response to any new national guidance issued in relation to Health and Wellbeing Board, Health Scrutiny or Healthwatch.

Where there is concern that this protocol is not succeeding, resolution will be sought through communication between the Chairs.

8. Signatures

To be signed by the Chair of the three bodies.

.....Date
Chairman, Wirral Health and Wellbeing Board

.....Date
Chairman, Wirral Health Scrutiny Committee

.....Date
Chairman, Healthwatch Wirral

DRAFT VERSION 4

PROGRESS CHECKER

Understanding of roles and responsibilities influences good working relationships and performance	
Indicators – working well	Indicators – not working well
A clear understanding of roles, powers and responsibilities	Lack of distinction of roles and poor understanding of where boundaries lie
Partnership decisions are open to effective scrutiny	Underdeveloped arrangements for scrutiny of partnerships decisions
Behaviour and conduct influence good working relationships and performance	
Indicators – working well	Indicators – not working well
Culture of trust and respect	Mistrust and lack of respect
Commitment to agreed priorities	Relationships too close and decisions made without proper challenge or debate
Recognition of the value each group brings (through referral, consultation, debate)	Lack of understanding and respect for other partners’ points of view, cultures and structures.
The provision of guidance, information and support influences good working relationships and performance	
Indicators – working well	Indicators – not working well
Recognition of the benefit of developing knowledge and skills and individuals feel well supported by training and guidance	Poor briefing material, information to support decision taking and accountability
Seeking out examples of good practice, and sharing research.	Insular approach with poor networking
Partners are happy about the accuracy, regularity and timeliness of the information	Weak alignment between partnership and corporate plans, targets and delivery