

## Bath & North East Somerset Council

MEETING:	Wellbeing Policy Development and Scrutiny Panel	
MEETING DATE:	29 <sup>th</sup> July 2011	AGENDA ITEM NUMBER
TITLE:	NHS Reform and interim commissioning arrangements	
WARD:	ALL	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b> Appendix 1: Government response to NHS Future Forum Summary of key changes Appendix 2: Interim Commissioning Arrangements		

### 1 THE ISSUE

- 1.1 *Equity and Excellence Liberating the NHS* setting out the governments intentions for the reform of the NHS was released by the Department of Health for consultation in July 2010. A response to the consultation *Liberating the NHS Legislative Framework and Next Steps* was published in December 2010. The content of these papers has previously been reported to the overview and scrutiny panel. The Health and Social Care Bill that provides the underpinning legislation is progressing through its parliamentary process. Both reform papers and the bill itself received mixed response and public challenge. The Prime Minister called for a pause in the progression of the Health and Social care Bill and initiated a further period of reflection and consultation led by the NHS Future Forum review body. This review has now concluded and amendments have been made to the details previously reported.
- 1.2 This paper is being presented to ensure overview and scrutiny panel members are well informed on the progress of reform and the work underway to implement change in Bath and North East Somerset.

### 2 RECOMMENDATION

- 2.1 Members are asked to note the report

### 3 FINANCIAL IMPLICATIONS

- 3.1 None identified at this stage of the programme.

## 4 THE REPORT

4.1 The NHS Future Forum completed their review and reported their findings on 13<sup>th</sup> June. The government issued a response and outlined how the recommendations would be considered and implemented. In introducing the response the Secretary of State for Health reasserted the principles that will carry forward into reform and described a commitment to establish a health system:

- led by frontline professionals;
- where patients and the public have a stronger voice and more control – “no decision about me without me”;
- where people’s health and social care needs aren’t treated separately;
- where local councils have a real say over decisions in the NHS;
- that’s focused on the causes of health problems as well as treating them;
- that’s judged on the quality of care it provides.

4.2 All of the core recommendations from the NHS Future Forum were accepted by government. A series of linked reports outlining the detail of revisions in specific areas were published. The summary of the key points published by the Department of Health is attached at Appendix 1. the full set of reports are available to view on the Department of Health website at [www.dh.gov.uk](http://www.dh.gov.uk)

4.3 One of the significant aspects of the commissioning reforms was the proposal that primary care trusts cease as of 2013 with new clinical commissioning structures put in place to manage the future local commissioning of the NHS. In response to this aim primary care trusts were asked to cluster into larger groupings to ensure resilience during the transition period and to enable greater efficiencies. This has now taken place and as of June 1<sup>st</sup> NHS Bath and North East Somerset and NHS Wiltshire have entered into a cluster with a single chief executive and a single executive management team.

4.4 Within the suite of NHS Future Forum reports the report entitled *public accountability and patient involvement* is likely to be of particular interest to the overview and scrutiny committee. This report confirms that members of health and wellbeing boards will be subject to oversight and scrutiny by the existing statutory structures for the overview and scrutiny of local authority or health functions. The existing statutory powers of local authority overview and scrutiny functions will continue to apply and action will be taken to extend local authority health scrutiny powers to facilitate effective scrutiny of any provider of any NHS-funded service, as well as any NHS commissioner. Local authorities will continue to be able to challenge any proposals for the substantial reconfiguration of services, and the Government’s four tests for assessing service reconfigurations will be retained in that plans will need to demonstrate:

- i) support from clinical commissioning groups;
- ii) strengthened public and patient engagement;
- iii) clarity on the clinical evidence base; and
- iv) consistency with current and prospective patient choice.

4.5 A second paper previously considered by the partnership board and the PCT board is also attached at Appendix 2. This outlines the interim commissioning arrangements established in response to the recent changes in national policy, the proposed NHS and social care reforms and the movement towards clinical commissioning and PCT cluster arrangements.

## 5 RISK MANAGEMENT

5.1 There are risks that agendas and priorities are not properly transferred into the new and emerging governance arrangements. This paper provides the opportunity for overview and scrutiny members to be aware of work underway to mitigate these risks.

## 6 EQUALITIES

6.1 The JSNA, health and wellbeing plan and commissioning framework are the mechanisms through which reducing health inequalities and promoting equality of access will be governed. The reform changes require new arrangements to ensure these elements are appropriate for a local area and are supported by the health and wellbeing boards.

## 7 CONSULTATION

7.1 Progress towards implementing the reforms and establishing new commissioning structures is being developed in consultation with clinicians, GPs, the partnership board, the PCT board, the cabinet member for people's services and other parties.

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<b>Background papers</b>	Government response to NHS Future Forum report: Briefing notes on amendments to the Health and Social Care Bill (June 2011) Government response to the NHS Future Forum report (20 June 2011) Future Forum (13 June 2011) 2011/12 Operating framework 15.12.10 Liberating the NHS: legislative framework & next steps [Command Paper 15.12.10) Liberating the NHS White Paper July 2010
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