

Appendix A

ROYAL BOROUGH OF KENSINGTON AND CHELSEA

ADMINISTRATION COMMITTEE – 15 SEPTEMBER 2010

REPORT FROM THE SCRUTINY STEERING GROUP

AMENDMENTS TO THE REMITS OF THE HEALTH AND THE HOUSING, ENVIRONMENTAL HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEES

This reports sets out proposals to amend the remits of the Health and the Housing, Environmental Health and Adult Social Care Scrutiny Committees, in order to better reflect internal structures and external developments.

FOR DECISION

1. INTRODUCTION

- 1.1 The Committee is requested to approve the changes to Scrutiny Committee remits proposed in this report.
- 1.2 Please note, due to the schedule of Council meetings, on the day of publication for the Administration Committee agenda Members of the Health and the Housing, Environmental Health and Adult Social Case Scrutiny Committees were still being consulted on this report. Any comments put forward by Members as a result of that consultation will be collated and circulated to Members of the Administration Committee prior to the meeting on 15 September.

2. BACKGROUND

- 2.1 A number of factors have prompted this review of the remits of the Health Scrutiny Committee and the Housing, Environmental Health and Adult Social Care Scrutiny Committee (HEHASC).
- 2.2 Firstly, the convergence of the health and adult social care agendas in the last few years. Health care and adult social care services now intersect in many ways, for instance, through:

- Joint commissioning of services such as learning disabilities
- Joint delivery of services such as mental health
- Joint work on assessment of local needs through the Joint Strategic Needs Assessment
- Joint work on strategies such as on Carers and on Dementia
- Development of a single inspection body for both types of services (the Care Quality Commission) and the Local Involvement Network (LINK) representing both NHS and social care users.

This suggests that the scrutiny of health and social care could be more efficiently and effectively carried out by bringing them together under one Committee.

- 2.3 Another factor to consider is the recent creation of a Cabinet portfolio to focus on housing and corporate property (see Appendix 1). This brings together matters that are currently under the remit of two Committees: (1) Housing provision, planning, management and performance is currently under HEHASC and (2) corporate property, which is now under Cabinet & Corporate Services Scrutiny Committee.
- 2.4 A further consideration is the implications of the "Liberating the NHS" White Paper¹ which proposes the creation of *statutory* "Health and Well Being Boards" (HWBB) led by local authorities and the transfer of existing statutory Health Scrutiny functions (such as the power to refer significant changes to the Secretary of State) to the Council's Executive. If the proposals are enacted, the Scrutiny Committee responsible for Adult Social Care may take over the scrutiny of the HWBB, and any stand alone Health Scrutiny Committee may disappear. The timescale for implementing this aspect of the White Paper is not clear, though it's unlikely to be before mid 2011 or after mid 2012 (assuming it becomes law). However, the White Paper is clear about the commitment to break down barriers at all levels between health and social care and to promote partnership working between the NHS and social care.
- 2.5 The last major reorganisation of Committee structures was in 2006. It was partly prompted by a desire to match, as far as possible, Cabinet portfolios with the remit of Scrutiny Committees. This is a principle that might be worth preserving.

¹ <http://www.info4local.gov.uk/filter/?item=1638094>

3. PROPOSALS

3.1 Taking the above factors into account, it is proposed that the following structure and titles be adopted:

- The Health, Environmental Health and Adult Social Care Scrutiny Committee (replacing the former Health Scrutiny Committee)
- The Housing and Property Scrutiny Committee (replacing the former Housing, Environmental Health and Adult Social Care Scrutiny Committee)

3.2 If adopted, this structure would be a better fit as Health Scrutiny functions reduce or disappear, and would enable a joined-up consideration of housing and corporate property issues as reflected in the logic of creating a single Cabinet portfolio. Detailed remits for these Committees can be found in Appendix 2.

3.3 It is also proposed that corporate property be removed from the Cabinet and Corporate Services Scrutiny Committee's remit. (This will not require a change in the Committee's remit as detailed in the Constitution, as corporate property is currently considered under point 1 of the Committee's terms of reference; namely to scrutinise "all business handled by the full Cabinet which does not fall within the remit of another scrutiny committee.")

4. FINANCIAL IMPLICATIONS

4.1 There are no financial implications associated with this report.

5. LEGAL IMPLICATIONS

5.1 The Director of Legal Services comments that there are no legal implications.

6. PERSONNEL IMPLICATIONS

- 6.1 There are no personnel implications associated with this report.

7. EQUALITIES IMPLICATIONS

- 7.1 There are no equalities implications associated with this report.

8. RECOMMENDATION

- 8.1 The Committee is invited to recommend that the Council adopts the proposals set out in paragraph 3.

Background papers: None.

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Appendix 1

Cabinet Member for Housing and Property

The scope of this portfolio is concerned with leadership, strategic planning and development, partnership working and decision making within the following policy and service areas:

In relation to housing matters:

- i. all social housing regeneration projects, including Wornington Green, Trellick Tower and Elm Park Gardens basements;
- ii. the Housing Regeneration Programme;
- iii. options and policies to improve the quality of existing social housing to include physical condition, urban design and potential for redevelopment;
- iv. housing policy compliance with the Local Development Framework and regional and sub-regional planning policy;
- v. policies that establish the Council's aspirations for the repair and maintenance of social housing stock and the regulated private sector;
- vi. management of housing demand, including homelessness, the Allocations Policy and other housing initiatives;
- vii. Supporting People services;
- viii. the Tenant Management Organisation management agreement and regulation;
- ix. performance improvement of housing services.
- x. responsibility for the Housing stock finance and development;
- xi. responsibility for the Housing Strategy; and
- xii. responsibility for the Housing Revenue Account Business Plan.

In relation to property matters:

- xiii. maintenance of the Council's buildings (other than day-to-day maintenance);
- xiv. overall management of the Council's property assets and the disposal of the Council's property interests up to a value of £249,999 in conjunction with the Cabinet Member within whose portfolio the property was formerly an operational property. **[Note: decisions on – (i) the disposal and acquisition of property; (ii) the letting of property for rents exceeding £10,000 per annum; and (iii) the development of any land owned by the Council – in the Colville, Cremorne, Golborne, Norland, Notting Barns and**

St Charles Ward shall be the subject of joint decision with the Cabinet Member with responsibility for regeneration matters.]; and

- xv. the power to grant leases and easements of a value between £100,000 and of £249,999.

Proposed Committee Remits

Health, Environmental Health and Adult Social Care Scrutiny Committee

(a) Membership

Eleven members (nine majority party and two minority party).

(b) Terms of Reference

To Scrutinise:

1. the provision, planning, management and performance of all adult social care and environmental health services;
2. health partnerships where adult social care is a significant partner in terms of service delivery or management accountability;
3. any partnerships associated with the delivery of adult social care and environmental health services;
4. corporate grants;
5. the public health agenda;
6. the provision of care by all NHS Trusts particularly the Kensington and Chelsea PCT, Chelsea and Westminster Foundation Trust; Imperial College Hospital Trust in partnership with the City of Westminster; Royal Marsden in partnership with the London Borough of Sutton; Royal Brompton and Harefield in partnership with the London Borough of Hillingdon; London Ambulance Service; and the Central and North West London Mental Health Foundation Trust.
7. aspects of partnerships where the Council is a partner in terms of health service delivery and accountability;
8. participation with scrutiny committees of the other London boroughs in matters which cross borough boundaries.

Housing and Property Scrutiny Committee

(a) Membership

Eleven members (nine majority party and two minority party).

(b) Terms of Reference

To Scrutinise:

1. the provision, planning, management and performance of all housing services;
2. any partnerships associated with the delivery of housing;
3. social housing regeneration and the Housing Regeneration Programme;
4. Supporting People services;
5. the Tenant Management Organisation ;
6. Housing strategy, housing stock finance and development;
7. Corporate asset management strategy, plan and delivery.