

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Social Work and Health

Social Work & Health Improvement Committee

19 March 2008

Subject: Local Healthcare Bill - Consultation

1. Purpose

- 1.1** The report asks for the Committee's approval of the Council's response to the Scottish Government's consultation on the perceived democratic deficit within the NHS. (The response and the consultation document are attached as appendices)

2. Background

2.1 Local Healthcare Bill

The Scottish Government has recently published a consultation document on proposals to introduce legislation which would provide for direct election to NHS Boards in Scotland (link <http://www.scotland.gov.uk/Resources/Doc/208149/0055207.pub>)

- 2.2** The stated aim is to "encourage greater public and patient involvement in the planning and delivery of local NHS services". The other priorities outlined include:

- healthcare services delivered as locally as possible
- good governance structures
- effective scrutiny

- 2.3** The consultation looks at options for change under 2 headings:

- strengthening existing policies to ensure the needs of local communities are heard more effectively within the current framework of appointed NHS Boards;
- introducing new legislation to require elections to be used to place locally elected members on Boards.

- 2.3** The response has to be sent by 1 April 2008.

3. Main Issues

3.1 The proposals are far reaching. Not unexpectedly NHS Boards have challenged much of the assumptions behind the proposed reforms. The Chair of NHS Greater Glasgow and Clyde Board has indicated in their response that they believe the Board have made considerable progress in improving accountability, democratic representation, public involvement and clarity of responsibility.

3.2 They point to the role of elected members on NHS Boards and Community Health Partnerships. They also have concerns about:

- The manageable size of NHS Boards with additional "elected" memberships;
- The costs of elections.

NHS Greater Glasgow and Clyde is not convinced of the need for change nor is it persuaded that this "piecemeal" change sits well within the wider reforms of the public sector.

3.3 CoSLA's View

CoSLA has debated the issues within the Leaders' Group and the Health and Wellbeing Executive Group, led by Councillor R. McColl. The views within these debates reflect similar experiences to those across West Dunbartonshire. There are strongly held views locally about the need to encourage greater public and patient involvement in the planning and delivery of local NHS Services and that further democratisation of the NHS is required. CoSLA, however, has not determined its final response and has asked the President to meet with the Cabinet Secretary to hold further discussions on the consultation.

4. The Council's Response

4.1 The draft response attached expresses a clear view that the democratic deficit should be tackled by expanding the membership of elected members on NHS Boards. This step would require a re-defined role for the elected members mandated to represent their areas as well as their wider role as non-executive members of the Boards.

4.2 Any legislative reform should be accompanied by a review of the decision-making processes and the roles of different membership groups within the Boards.

4.3 The response does not support the direct election of other lay members because this would be complex, costly and would undermine the democratic force of elected members on NHS Boards.

5. Financial Implications

5.1 There are no direct financial consequences to the Council.

6. Personnel Implications

6.1 There are no staffing implications

7. Risk Analysis

7.1 If the proposal is accepted that there should be directly elected lay members this might challenge the role of locally elected members as mandated representatives. Should the proposal (recommended in 4.1) to expand local authority representation be accepted there would be workload implications for elected members.

8. Recommendations

8.1 Committee is asked to approve the draft response.

8.2 Council's views be shared with CoSLA as part of the CoSLA team's discussions with the Cabinet Secretary.

William W. Clark,
Executive Director of Social Work and Health

Person to Contact: William W. Clark, Executive Director of Social Work and Health, telephoned 01389 737599.

Appendices: Draft Council response to Consultation Document on Local Healthcare Bill

Background Papers:

Wards Affected: All