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healthwatch

Cllr David Sparks OBE
Chair
LGA, Local Government
House Smith Square
London SW1P 3HZ

cc. Rt. Hon. Jeremy Hunt MP, Secretary of State, Department of Health
cc. Simon Stevens, Chief Executive, NHS England

20th August 2014

Dear Cllr David Sparks OBE,

You will have seen my letter and advisory note to the Secretary of State of 16th July, and his response of 11th August, about the potential impact of the Draft Legislative Reform (Clinical Commissioning Groups) Order 2014 (the LRO).

It is vital that Clinical Commissioning Groups (CCGs) working under existing, and the proposed, joint committee arrangements engage local Health & Wellbeing Boards and communities in decision about service change.

I am keen to explore further the Secretary of State's suggestion that your Department-funded programme of work be strengthened to ensure local Healthwatch, and other Health and Wellbeing Board partners, have the knowledge and resources available to them to hold CCGs working in joint committees to account.

We will both need to ensure that CCGs acting under the proposed joint arrangements meaningfully engage local Health and Wellbeing Boards in decision making, take account of locally developed plans (such as the Joint Strategic Needs Assessments and Health and Wellbeing Plans) and are held to account in the locality that is affected by proposed changes.

To this end, I would also welcome the opportunity to consider how we might remind Health and Wellbeing Boards of their powers under s. 14Z14 of the National Health Service Act 2006 (as amended) to provide NHS England with an opinion on whether a CCG proposal takes proper account of the local Health and Wellbeing Strategy. I have copied the text of this power in the Annex to this letter.

As ever, do not hesitate to contact me if you require any further information and advice on this matter.

Kind regards,

Anna Bradley



Chair, Healthwatch England

Annex A: s. 14Z14 of the National Health Service Act 2006, as amended by s.26 of the Health & Social Care Act 2012

14Z14 Opinion of Health and Wellbeing Boards on commissioning plans.

(1) A relevant Health and Wellbeing Board—

- (a) may give [NHS England*] its opinion on whether a plan published by a clinical commissioning group under section 14Z11(4) or 14Z12(2) takes proper account of each joint health and wellbeing strategy published by the Health and Wellbeing Board which relates to the period (or any part of the period) to which the plan relates, and
- (b) if it does so, must give the clinical commissioning group a copy of its opinion.

* The legislation refers to the NHS Commissioning Board (or the Board), which is now branded NHS England