

SECRETARY OF STATE REFERRAL TIMELINE

REPORT OF THE HEAD OF MEMBER SUPPORT AND COMMUNITY PARTNERSHIPS

1. PURPOSE OF THE REPORT

- 1.1 The report provides, for information and comment, an update on the timeline for the referral to the Secretary of State in relation to the Path to Excellence consultation.

2. BACKGROUND

- 2.1 The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 state that if the authority is not satisfied with:

- the adequacy of content of the consultation;
- the time allowed for the consultation;
- the reasons given for not carrying out consultation are adequate or it has not been consulted;
- the proposal would not be in the interests of the health service in its area,

it may refer the matter to the Secretary of State for Health.

- 4.2 The Joint Scrutiny Committee met to consider the decisions that have been made on the 9th March 2018 and unanimously agreed to recommend that each constituent authority refers the decisions contained in the Path to Excellence Phase One to the Secretary of State. The grounds for the referral will be on:

- Adequacy of the content of the consultation, and
- The proposals would not be in the interests of the health service in its area.

3. CURRENT POSITION

- 3.1 The draft timeline attached in **Appendix 1** outlines the timescales in relation to the process that Sunderland and South Tyneside Council's will follow to make the referral. (Please note that this is subject to change).

- 3.2 It is important to note that before a contested proposal is referred to the Secretary of State, the organisations involved should satisfy themselves that all other options for local resolution have been fully explored. The two week period in the timeline to allow the CCGs to respond to the Joint Scrutiny Committees formal referral reflects this requirement.

4. RECOMMENDATION

- 4.1 The Joint Health Scrutiny Coordinating Committee is recommended to note and agree the current timeline for the referral to the Secretary of State.

Contact Officer: Nigel Cummings
Scrutiny Officer – Sunderland City Council
Tel: (0191) 561 1006