

## **EAST AYRSHIRE COUNCIL**

### **POLICY AND RESOURCES COMMITTEE - 30 SEPTEMBER 2004**

#### **PROPOSED DIRECT ELECTIONS TO NATIONAL HEALTH SERVICE BOARDS**

##### **Report by Chief Executive**

### **1. PURPOSE OF REPORT**

- 1.1** The purpose of the report is to apprise the Committee of a consultation initiated by Bill Butler MSP as a precursor to the development of his Private Member's bill on proposed direct elections to National Health Service Boards in Scotland and invite Councils to consider the view to be adopted by COSLA on this issue.

### **2. BACKGROUND**

- 2.1** The key principle on which the consultation paper seeks views is that of direct public elections for members of NHS Boards. From that principle flows a number of more detailed questions on a range of associated issues such as the proportion of members to be elected by direct election; whether candidates should require nomination; and postal ballots. The annex to this report includes details of questions Bill Butler expects to address in his Private Member's Bill.

- 2.2** CoSLA's Social Work and Health Improvement Executive Group gave preliminary consideration to this matter at its August meeting. Members' views were strongly expressed during the debate on the matter – which was largely restricted to the principle of direct elections and did not consider the associated details. A number of clear views were expressed.

- Firstly, whatever the benefits of the suggestion, the proposals were simply not well thought through and therefore did not provide a clear basis for consultation.
- Secondly, while the current arrangements for representation on Health Boards from Councils do not meet all our aspirations for the democratic accountability of Health Boards, they were providing some benefits and the arrangement was capable of future development.
- Thirdly, there was a concern that it would be counter-productive to re-design the governance arrangements of the NHS when so much managerial and service change was underway.
- Lastly, the added value of a direct election process was queried given that democratically elected community representation could be secured through an expansion and development of the current arrangement with local authorities.

### **3. CURRENT POSITION**

- 3.1** Council responses to the consultation are being sought. It is understood from CoSLA that from those responses available to date, it is clear that there is little or no support for the principle of direct elections to NHS Boards.
- 3.2** There is considerable support for the idea of democratising the NHS at a local level, but there is a general feeling that this could be done in a variety of ways built on expanding the representation of local councillors on NHS Boards and developing proposals for accountability between NHS Boards and Local Authorities.
- 3.3** The closing date for responses to the consultation is the end of September. A view is emerging that supports increased local authority influence over NHS service delivery. The Committee may therefore wish to consider a response to Bill Butler which is restricted to the principle of direct elections and the need for any change in current arrangements to be soundly evidenced. The wider issues arising from the consultation could, if the Committee so wish, be the subject of ongoing and separate debate with the Scottish Executive.

### **4. RECOMMENDATION**

- 4.1** It is recommended that the Committee:-
- (i) agree that the consultation document does not provide a satisfactory evidence base to support the introduction of direct elections to national health service boards; and
  - (ii) consider whether a separate approach should be made to the Scottish Executive about the role of local government in overseeing and contributing to the delivery of NHS services.

Fiona Lees  
Chief Executive

AMC/FM

24 September 2004

#### **LIST OF BACKGROUND PAPERS**

1. Direct Elections to National Health Service Boards (Scotland) Bill Consultation.

Any person wishing further information on this report should contact Elizabeth Morton, Depute Chief Executive/Executive Director of Corporate Support on Tel No (01563) 576103.

**Implementation Officer: Anne Marie Carr, Senior Administrative Officer.**

## APPENDIX

### **DIRECT ELECTIONS TO NHS BOARDS (SCOTLAND) BILL**

#### **Issues to be addressed in the proposed Bill**

The general principle of direct public elections to elect members of National Health Service Boards

Whether elected members should be elected to represent the whole of the Health Board area or to represent smaller parts of the larger Health Board area.

The frequency of elections and the tenure of office of elected members

The proportion of seats on a NHS Board to be decided by direct public election (the current proposal is 50% + 1 of the position on each Board directly elected)

The electoral system to be used (SVT, first past the post, other)

Should all elected posts be put up for election in the same cycle or would a staggered system be preferable

Whether candidates should require nomination (and, if so, from whom)

Whether there should be restrictions placed upon those eligible to stand for election (eg age, criminal record, those with a conflict of interest)

Whether elections to NHS Boards should be by postal ballot

What rules, if any, should be introduced regarding the use of publicity and election expenditure