

Joint Health Overview and Scrutiny Committee (Coventry and Warwickshire)

Draft Terms of Reference

July 2017

1 Rationale

- 1.1 Health Services are required to consult a local authority's Health Overview and Scrutiny Committee about any proposals they have for a substantial development or variation in the provision of health services in their area. When these substantial developments or variations affect a geographical area that covers more than one local authority, the local authorities are required to appoint a Joint Health Overview and Scrutiny Committee (HOSC) for the purposes of the consultation. Increasingly, proposals from the National Health Service are affecting larger geographical areas.
- 1.2 This terms of reference report sets out the arrangements for Coventry City Council and Warwickshire County Council to operate a Joint HOSC Committee with in line with the provisions set out in legislation and guidance and allow it to operate both as a mandatory committee and as a discretionary committee.

2 General Terms of Reference

- 2.1 The Joint Health Overview and Scrutiny Committee will operate formally as a mandatory joint committee i.e. where the councils have been required under Regulation 30 (5) Local Authority (Public Health, Health and Well-being Boards and Health Scrutiny) Regulations 2013 to appoint a joint committee for the purposes of the specified consultation.
- 2.2 The purpose of the mandatory Joint HOSC is to:
 - Make comments on the proposal consulted on
 - Require the provision of information about the proposal
 - Require the member or employee of the relevant health service to attend before it to answer questions in connection with the consultation.
- 2.3 Both participating authorities have retained all other powers, including the ability to refer issues to the Secretary of State.
- 2.4 The joint response to the consulting health service will be agreed by the Joint Health Overview and Scrutiny Committee and signed by both Chairs.
- 2.5 At any other time, the Joint Health Overview and Scrutiny Committee can be convened as a discretionary committee with the agreement of both Committee Chairs. This would allow the Joint Committee to consider relevant issues but the two local authorities would retain their health scrutiny functions.
- 2.6 No matter to be discussed by the Group shall be considered to be confidential or exempt without the agreement of both Councils and subject to the requirements of Schedule 12A of the Local Government Act 1972.

3 Timescales & Governance

- 3.1 The Joint Health Overview and Scrutiny Committee will operate as a mandatory Committee only while the proposed service changes that affect both areas are considered, that is from the point at which the relevant health body notifies the Joint HOSC of the formal consultation timetable and the point at which a decision is taken.
- 3.2 The responsibility for chairing meetings will alternate between Coventry and Warwickshire, the Health Scrutiny Chair of the hosting authority to chair the meeting. The location of meetings is to rotate between the two authorities. In the absence of a meeting Chair, the Chair of the other Authority, if present, takes the chair, and in the absence of both Chairs, a Chair will be elected from those members present at the meeting.
- 3.3 Meetings of the Joint HOSC will be conducted under the Standing Orders of the host Local Authority (i.e. the Local Authority chairing the meeting and providing democratic services support)

4 Communication with Media

- 4.1 Should a press statement or press release need to be made by the Joint Health Overview and Scrutiny Committee, this will be drafted by the host Local Authority on behalf of the Committee and will be agreed by both Chairs.

5 Membership

- 5.1 Membership of the Joint HOSC will be appointed by Coventry City Council and Warwickshire County Council from the membership of their Scrutiny Committees that have responsibility for discharging health scrutiny functions.
- 5.2 Each authority will nominate 5 members to the Committee. Appointments by each authority to the Joint Committee will reflect the political balance of that authority.
- 5.3 The quorum for meetings will be four members, comprising two members from each authority.
- 5.4 There are to be no co-opted Members.

6 Support Arrangements / Resources

- 6.1 The work of the Joint HOSC will require support in terms of overall co-ordination, setting up and clerking of meetings and underpinning policy support and administrative arrangements.
- 6.2 Venues for meetings are to be rotated between Coventry City Council and Warwickshire County Council associated administrative costs to be borne by the respective Authority. Responsibility for administrative/ policy support and clerking arrangements is also to be alternated between the two Authorities. The nature of tasks involved in supporting the Committee is set out below: -

Support	Nature of tasks
Overall Co-ordination of Joint Scrutiny Committee's work, Policy Support and Administrative Support	Manage the Committee's work programme. Ensure key action points arising from Committee discussions are followed. Maintain ongoing dialogue and communication between the two Local Authorities. Maintain ongoing dialogue with Healthcare Trusts. Provide policy support as required by the Working Group/Committee. Produce briefing papers as required. Undertake any other support tasks e.g. writing letters, inviting witnesses etc. Drafting joint response
Clerking of meetings	Set up meetings and associated tasks. Maintain schedule of meetings. Send out agendas and related paper work. Take notes of meetings and distribute these. Provide advice in relation to scrutiny procedures.

Date Approved by:

Coventry City Council

Warwickshire County Council