

Joint Health Overview and Scrutiny Committee (Hampshire Together Programme) Draft Terms of Reference

Purpose

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 (JHOSC) for the purposes of the consultation. (where those authorities consider the change a 'substantial' change).
2. These terms of reference set out the arrangements for Hampshire County Council and Southampton City Council to operate a JHOSC in line with the provisions set out in legislation and guidance.

Terms of Reference

3. The new JHOSC will operate formally as a statutory 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 providing independent scrutiny to the Hampshire Together – Modernising our Hospitals and Health Services Programme.
4. The purpose of the JHOSC is to:
 - a. make comments on the proposal consulted on
 - b. require the provision of information about the proposal
 - c. gather evidence from key stakeholders, including members of the public
 - d. require the member or employee of the relevant health service to attend before it to answer questions in connection with the consultation.
 - e. Refer to the Secretary of State only on where it is not satisfied that:
 - consultation on any proposal for a substantial change or development has been adequate in relation to content or time allowed (NB. The referral power in these contexts only relates to the consultation with the local authorities, and not consultation with other stakeholders)
 - the proposal would not be in the interests of the health service in the area
 - a decision has been taken without consultation and it is not satisfied that the reasons given for not carrying out consultation are adequate

5. With the exception of those matters referred to in paragraph [4] above responsibility for all other health scrutiny functions and activities remain with the respective local authority Health Scrutiny Committees.

Governance

6. Meetings of the JHOSC will be conducted in accordance with the Standing Orders of the host Local Authority.

Host authority

7. The JHOSC will be hosted by Hampshire County Council as the Local Authority with the largest population affected by the proposals.

Membership

8. Membership of the JHOSC will be appointed by the respective Local Authorities and their appointments notified to the host authority. A Local Authority may amend their appointments to the JHOSC and this will take effect when formal notification has been received by the host authority.
9. Each member of the JHOSC must be a properly elected Councillor to a seat on their respective authority and will cease to be a member of the JHOSC with immediate effect should they no longer meet this requirement.
10. Seats on the JHOSC are allocated in proportion to the relative population of each Local Authority area and the relative health impact on each area.

Accordingly, the JHOSC will comprise 8 Members, with 7 being appointed by Hampshire County Council and 1 being appointed by Southampton City Council.

11. Appointments by each authority to the JHOSC will reflect the political balance of that authority.
12. The quorum for meetings will be 3 voting members.

Chairman & Vice Chairman

13. The Chairman of the JHOSC for the duration of the Committee shall be elected at its first formal meeting and drawn from those Members in attendance at that meeting. Should the Chairman cease to be a member of the JHOSC, a new Chairman shall be elected at the next formal meeting.
14. The Vice-Chairman of the JHOSC for the duration of the Committee shall be elected at its first formal meeting and drawn from those Members in attendance at that meeting. In the absence of the Chairman, the Vice-Chairman shall assume all Chairmanship responsibilities. Should the Vice-

Chairman cease to be a member of the JHOSC, a new Vice-Chairman shall be elected at the next formal meeting.

15. In the absence of both the Chairman and Vice-Chairman at any Meeting of the JHOSC, Members in attendance shall appoint a Chairman for that Meeting from amongst their number, who shall, while presiding at that Meeting, have any power or duty of the Chairman in relation to the conduct of the Meeting.

Task & Finish Groups

16. The Committee may appoint such Working Groups of their members as they may determine to undertake and report back to the Committee on specified investigations or reviews as set out in the work programme. Appointments to such Working Groups will be made by the Committee, ensuring political balance as far as possible. Such panels will exist for a fixed period, on the expiry of which they shall cease to exist.

Committee support

17. The overall coordination, facilitation of meetings, policy support and other administrative arrangements will be undertaken by the host authority.
18. Meetings of the committee will be arranged and held by the host authority in accordance with Access to Information Regulations and other relevant legislation.
19. Communications with the media will be led by the host authority on behalf of the JHOSC.
20. Legal advice and support to the JHOSC will be provided by the host authority.

Meetings

21. The JHOSC will meet as often as required to fulfil its purpose, which is likely to include:
 - An initial meeting to establish and set the scene of the proposals;
 - a meeting to comment on the planned public consultation process;
 - a meeting to comment on the results of the public consultation and any further relevant analysis of the options; and
 - a meeting to agree whether to support the proposed outcome
22. Dates for meetings will be arranged in advance and notified by the host authority.
23. Meetings of the JHOSC will be avoided during the pre-election period (late March through to early May 2021) if possible.
24. Once the purpose of the JHOSC has been fulfilled the Committee will cease.

Reporting

25. Members of the JHOSC may provide updates to their Local Authority on its proceedings in accordance with the requirements of their respective authority.
26. Any recommendations of the JHOSC will be published and communicated to relevant parties by the host authority.