

Extract of Overview and Scrutiny Management Board

2nd June 2009

JOINT HEALTH OVERVIEW & SCRUTINY COMMITTEES

The Board considered the report of the Director of Corporate Governance with regard to proposals across Health Overview and Scrutiny Committees (HOSCs) in the West Midlands to have a clear framework for the formation of joint HOSCs to respond to consultations by Healthcare Organisations that are considered substantial variations to services and how the Board may potentially take part in these arrangements.

The Department of Health had issued a directive that in cases where a substantial variation affects more than one local authority area (and the HOSCs for that area agree it to be substantial), then a joint Committee **must** be established. Where a joint HOSC is established the NHS body concerned is required to consult only with that joint Committee. HOSCs that choose not to participate in the joint Committee will not be consulted separately, although the Chairman of the Health Social Care & Partnerships Scrutiny Board had been assured he that this would not prevent an authority from submitting a minority report. .

The report explained the challenges faced in establishing a joint Committee in particular the need for the joint Committee to be politically balanced unless the requirement is waived by all Councils concerned.

It was noted that the Health, Social Care & Partnerships Scrutiny Board had considered a similar report and had supported the recommendations with the rider "that in situations where the Chairman acts as the representative on any joint HOSC, that any paperwork be shared and discussed with the spokespeople".

RESOLVED

That Full Council be asked to agree the following recommendations: -

- (i) The Council agree to waive the requirement of political proportionality for Joint HOSCs in order to prevent delays in establishing a Joint HOSC and in order to ensure an effective and appropriately sized Joint HOSC,
- (ii) In the first instance, the Chairman act as the representative of the Health, Social Care and Partnerships Scrutiny Board for any Joint HOSCs that need to be established,
- (iii) That in situations where the Chairman acts as the representative on any Joint HOSC, that any paperwork be shared and discussed with the spokespeople,
- (iv) The Chairman and Spokespeople act as the representatives of the Health, Social Care and Partnerships Scrutiny Board for any Joint HOSCs that need to be established where membership larger than just Chairmen is deemed necessary by the Chairmen of all the HOSCs involved,

- (v) That should political proportionality of a Joint HOSC be enforced by any other Local Authority requiring it, that the Chairman and Spokespeople of the Health, Social Care and Partnerships Scrutiny Board determine which Member(s) of the Health, Social Care and Partnerships Scrutiny Board should participate,
- (vi) That the Chairman of the Health, Social Care and Partnerships Scrutiny Board continue to be a Member of the Regional Health Scrutiny Chairs Group for the purposes of information gathering and sharing, and as a Joint HOSC when required,
- (vii) That the Chairman of the Health, Social Care and Partnerships Scrutiny Board report back to the Health, Social Care and Partnerships Scrutiny Board on the activities of the Regional Health Scrutiny Chair's Group, and
- (viii) That the Health, Social Care and Partnerships Scrutiny Board consider any framework for Joint HOSCs developed by the Regional Health Scrutiny Chair's Group.

This was subsequently agreed by Full Council on 14th July 2009.