

**Manchester City Council
Report for Resolution**

Report to: Constitutional and Nomination Committee – 9 October 2013

Subject: Revision of a Joint Health Overview and Scrutiny Committee with Trafford Council

Report of: The Governance and Scrutiny Support Unit

Summary

The Council currently has a Joint Health Overview and Scrutiny Committee (JHOSC) with Trafford Council, established pursuant to the general direction from the Secretary of State to respond to the New Health Deal for Trafford NHS consultation. The consultation has now ended. The JHOSC made a referral to the Secretary of State that the proposals were not in the interests of the health service and the patients of Trafford and Manchester. The Secretary of State refused the referral but indicated that there was still a role for the JHOSC to play in an assurance capacity whilst the proposals were implemented. This report sets out the background for Manchester City Council.

Recommendations

1. To recommend that the Council agree to re-establish a joint health scrutiny committee with Trafford Council for the purposes of providing an assurance role in respect of the implementation of the New Health Deal for Trafford proposals
 2. To recommend that the Council re-appoint five Councillors to the joint committee (4 Labour, 1 Liberal Democrat) and one substitute member.
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Wards affected:

All

Contact officers:

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Background documents:

The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 at
<http://www.legislation.gov.uk/uksi/2013/218/contents/made>

Background

1. Manchester City Council established a Joint Health Overview and Scrutiny Committee (JHOSC) with Trafford Council on 10 October 2012 for the purposes of responding to the New Health Deal for Trafford NHS consultation which ended on 31 October 2012. The establishment of a JHOSC was at that time a statutory obligation under the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 and the Directions to Local Authorities (Overview and Scrutiny Committee Health Scrutiny Functions) 2003.
2. The JHOSC pursuant to its powers, made a referral to the Secretary of State that the proposals were not in the interests of the health service and the patients of Trafford and Manchester. The Secretary of State rejected the referral and confirmed that the New Health Deal for Trafford proposals would go ahead. NHS England are tasked with oversight of the implementation of the proposals, however the Secretary of State indicated that there is still a role for the JHOSC to play in an assurance capacity whilst the proposals are implemented.
3. At its August meeting the JHOSC considered the Secretary of State's response and confirmed that it wanted to continue to operate in an assurance capacity. At its July meeting the Health Scrutiny Committee of Manchester City Council confirmed its support for the JHOSC to continue in an assurance role. At its September meeting the Council of Trafford Council confirmed its approval to re-establish the JHOSC in an assurance role.
4. As the consultation period has now ended it is no longer a statutory obligation for the JHOSC to continue to operate. However, both statutory provision and the Council's constitution allows for the establishment of a JHOSC.

Conclusion

5. The Constitution and Nomination Committee is requested to recommend that the Council agree to re-establish a joint health scrutiny committee with Trafford Council for the purposes of providing an assurance role in respect of the implementation of the New Health Deal for Trafford proposals. The Terms of Reference are attached to this report as an Appendix.
6. The Constitution and Nomination Committee is requested to recommend that the Council appoint up to five councillors to the joint committee, and one substitute, in accordance with the principle of political balance. Although membership can be taken from across the Council, for consistency it is recommended that membership is taken from the Health Scrutiny Committee and remains the same (Councillors Cooley, Ellison, Fisher, Newman and Watson; and Councillor Akbar (substitute) with the exception of:
 - A new Liberal Democrat Councillor be appointed to replace Councillor B Fisher, at his request
 - A new substitute be appointed to replace Councillor R Akbar who cannot be re-appointed as he is now an Executive Member

Council has previously agreed that Councillor E Newman is the spokesperson for the JHOSC and it is recommended for consistency that this role continues.

Joint Health Scrutiny Committee for Trafford Borough Council and Manchester City Council

To Consider: The New Health Deal for Trafford

Terms of Reference

Purpose of the Committee

In accordance with the letter sent to the JHOSC by the Secretary of State on 11 July 2013, the purpose of the Committee is:-

- 1) To assess and evaluate the progress made in relation to the implementation of the New Health Deal for Trafford;
- 2) To take part in the assurance process, as stipulated by the Secretary of State. In exercising these functions, the JHOSC has the power to:
 1. Make comments to a relevant NHS body;
 2. Require an NHS body to provide information;
 3. Require an officer of a local NHS body to attend meetings and to answer questions in connection with the implementation of the proposals.

Membership/Chairing

The JHOSC will consist of ten Members. Five members will be appointed from each participating Local Authority and this will be decided upon at the Annual Meeting of each participating Local Authority.

Individual authorities will decide whether or not to apply political proportionality to their own Members in accordance with their own legal requirements and constitutional arrangements of each authority.

The Committee's members will elect a Chair and Vice-Chair.

Each member of the Committee will have one vote and the Chair will not exercise a casting vote.

Quorum for meetings

The quorum for the Joint Health Scrutiny Committee will be a minimum of three members, with at least one member from each authority.

Supporting the Joint Health Scrutiny Committee

The administrative support for the JHOSC will be shared between both Local Authorities.

Each participating authority will appoint a link officer to provide support to the members of the Committee as follows:

- liaise with the Chair and Committee Members;
- ensure attendance of witnesses;
- Organising and minuting meetings;

- Produce any correspondence where appropriate.

Meetings shall be held at venues, dates and times agreed between the participating authorities. The host authority will bear the costs of arranging, supporting and hosting the meetings of the Committee.

Constitutional arrangements

In all matters other than those specified in this document, the standing orders and constitutional rules of the Members' appointing authority will apply.