

	<p align="center">London Borough of Hammersmith & Fulham</p> <p align="center">HEALTH ADULT SOCIAL CARE AND SOCIAL INCLUSION POLICY AND ACCOUNTABILITY COMMITTEE</p> <p align="center">4 FEBRUARY 2015</p>
<p align="center">NORTH WEST LONDON JOINT HEALTH OVERVIEW & SCRUTINY COMMITTEE</p>	
<p>Report of the Director of Law</p>	
<p>Open Report</p>	
<p>Classification - For Decision</p> <p>Key Decision: No</p>	
<p>Wards Affected: All</p>	
<p>Accountable Executive Director: Jane West, Executive Director of Finance and Corporate Governance</p>	
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1. EXECUTIVE SUMMARY

- 1.1 The North West London Joint Health Overview & Scrutiny committee met on 16 October 2014 and approved the terms of reference, set out as appendix 1.

2. RECOMMENDATIONS

- 2.1 The Committee is asked to endorse the decision made at its meeting on 22 July 2014 and appoint Councillor Rory Vaughan as the voting member and Councillor Sharon Holder as the alternate member to the North West London JHOSC.

3. BACKGROUND

- 3.1 The North West London JHOSC was established as part of the statutory consultation process for *Shaping a Healthier Future (SaHF)* in 2012. In November 2012 the JHOSC submitted its final report, but it was agreed

that a cross-borough forum was still required to scrutinise the implementation of SaHF.

- 3.2 The membership of the JHOSC is formed of a voting member and a non-voting member from each of the eight boroughs. The Local Government Act 2000 requires that council committees be politically proportional and The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 confirm that this applies to joint scrutiny committees. Therefore the voting member of the JHOSC is required to be an administration member. As the second member would not have a vote, political proportionality rules would not apply.
- 3.3 At its meeting on 16th October 2014, the NWL JHOSC considered and re-confirmed the terms of reference. These are attached as Appendix 1.

LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	None		

The North West London Joint Health Overview & Scrutiny Committee Terms of Reference

1. Background

The North West London Joint Health Overview and Scrutiny Committee (JHOSC) was formed by the London Boroughs of North West London at the request of NHS North West London as part of the statutory consultation process for *Shaping a Healthier Future (SaHF)*. The JHOSC held its first meeting in July 2012 and completed its review of the hospital reconfiguration consultation in November 2012 with the submission of its final report to the NHS. This submission completed the JHOSCs statutory role in the reconfiguration process¹.

In November 2013, following the final decision on the structure of the reconfiguration setting out which hospitals would be developed as major and local hospitals, the North West London Collaboration of Clinical Commissioning Groups submitted a report to the JHOSC requesting that the JHOSC continued to provide a forum where issues relating to *SaHF*, which cross borough boundaries, could be scrutinized and discussed. This was agreed by the JHOSC. The JHOSC has subsequently met on four further occasions with its last meeting held on the 6th August 2014 at Hounslow.

2. Current Status

At the 6th August meeting the JHOSC operated under provisional arrangements with Cllr Mel Collins (LB Hounslow) acting as interim Chair. At the meeting it was agreed that when the JHOSC reconvened in the autumn it would reconfirm its terms of reference and set out a work programme to reflect the business planning and implementation timeframe of the *SaHF* programme.

The rationale for reconfirming the terms of reference and agreeing a structured work programme is to provide a clear understanding for all stakeholders of the role and remit of the JHOSC. The areas of the *SaHF* programme that it wishes to focus on, and provide member boroughs with an indication of the timelines and resources required to ensure the JHOSC can effectively fulfil its remit. Undertaking this area of work planning is particularly relevant following the local elections which has resulted in a number of changes being made to the membership of the JHOSC.

3. Terms of Reference

Set out below are draft terms of reference that the JHOSC is asked to consider and agree. These draft terms are informed by the views of JHOSC members as expressed at meetings held between December 2013 and

¹ Local authorities are required to appoint joint scrutiny committees where a relevant NHS body or health service provider consults more than one local authority's health scrutiny function about substantial reconfiguration proposals. When the joint scrutiny committee completes its review they can submit recommendations to the NHS body with the health service required to respond to these recommendations.

August 2014. The terms are also guided by the Department of Health's recently issued new guidance for health scrutiny. This guidance states that the primary aim of health scrutiny is to strengthen the voice of local people, ensuring that their needs and experiences are considered as an integral part of the commissioning and delivery of health services and that those services are effective and safe.

3.1 Membership

Membership of the JHOSC will continue to be one nominated voting member from each participating council, plus one other nominated member to whom the vote can be transferred (on the basis of that member being an elected member of the council they are representing).

As of 17 September 2014 the membership of the JHOSC consists of the following boroughs and elected members:

London Borough of:	Voting Member	Second Member
Brent	Cllr Aslam Choudry	Cllr Mary Daly
Ealing	Cllr Theresa Byrne	Cllr Joy Morrissey
Hammersmith & Fulham	Cllr Rory Vaughan	
Harrow	Cllr Rekha Shah	Cllr Vina Mithani
Hounslow	Cllr Mel Collins	Cllr Myra Savin
Kensington & Chelsea	Cllr Will Pascal	Cllr Robert Freeman
Richmond	Cllr John Coombs	Cllr Liz Jaeger
Westminster City Council	Cllr David Harvey	Dr Sheila D'Souza

The current position is that the membership of the JHOSC is one nominated voting member from each participating council, plus one other nominated member to whom the vote can be transferred (on the basis of that member being an elected member of the council they are representing).

On 16 October 2014, it was agreed that alternatively a Borough could nominate one voting member only. A substitute member can be nominated by the Borough. The vote could also be transferred to the substitute member where he or she is an elected member of the council and the voting member is unavailable.

3.2 Quorum

The committee will require at least six members in attendance to be quorate.

3.3 Chair and Vice Chair

The JHOSC will elect its own chair and vice chair.

Elections will take place on an annual basis each May, or as soon as practical thereafter, such as to allow for any annual changes to the committee's membership.

3.4 Duration

The planned implementation timeframe for *SaHF* runs up to 2018. It is proposed that the JHOSC operates alongside the implementation programme up to 2018 with its duration expanded should the SaHF programme run beyond this date.

It is important the JHOSC operates on the basis of being able to contribute to the effective scrutiny of cross-borough issues relating to SaHF and provides a forum for cross borough engagement and consultation between its member local authorities, and health service commissioners and providers. As such, it is proposed that the committee will also hold an annual review in May each year, or as soon as practical thereafter, where it will consider and decide whether there is a need for the JHOSC to continue or whether it has fulfilled its remit and should terminate earlier than 2018. This would not preclude individual local authorities from giving notice at the JHOSC annual meeting of their intention to withdraw from the JHOSC. Should there be any proposals for a JHOSC beyond this date, this would be considered by each participating authority in line with its own constitution and policies.

3.5 Remit of the JHOSC

In recognition of the decision of the JHOSC at the November 2012 meeting the committee's remit will be based on performing the following functions:

1. To scrutinise the 'Shaping a Healthier Future' reconfiguration of health services in North West London; in particular the implementation plans and actions by the North West London Collaboration of Clinical Commissioning Groups (NWL CCGs), focussing on aspects with cross borough implications.
2. To make recommendations to NWL CCGs, NHS England, or any other appropriate outside body in relation to the 'Shaping a Healthier Future' plans for North West London; and to monitor the outcomes of these recommendations where appropriate.
3. To require the provision of information from, and attendance before the committee by, any such person or organisation under a statutory duty to comply with the scrutiny function of health services in North West London.

The stated purpose of the JHOSC is to consider issues with cross-borough implications arising as a result of the Shaping a Healthier Future reconfiguration of health services, taking a wider view across North West London than might normally be taken by individual Local Authorities.

At each annual meeting the JHOSC will develop, in consultation with the North West London Collaboration of Clinical Commissioning Groups, a work programme for the forthcoming municipal year based upon their agreed remit.

Individual local authority members of the JHOSC will continue their own scrutiny of health services in, or affecting, their individual areas (including those under 'Shaping a Healthier Future'). Participation in the JHOSC will not preclude any scrutiny or right of response by individual boroughs.

In particular, and for the sake of clarity, as the JHOSC is a discretionary joint committee is not appointed for and nor does it have delegated to the functions or powers of the local authorities, either individually or jointly, under Section 23(9) of the local authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

This means that in accordance with the Regulations and subsequent non-statutory guidance the power of referral to the Secretary of State is not delegated to the JHOSC but retained by individual boroughs.