

## PART 5 BRIGHTON & HOVE CITY COUNCIL HEALTH OVERVIEW AND SCRUTINY COMMITTEE

**Explanatory note: This Committee has responsibility for delivering the Council's functions in relation to health scrutiny in accordance with powers conferred on the authority by the National Health Service Act 2006 as amended.**

### **1. Delegated functions:**

To discharge the functions of the Council relating to the scrutiny of health services by exercising its powers pursuant to the National Health Service Act 2006, as amended by the Health and Social Care Act 2012, and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 ('the Regulations').

To scrutinise the planning, provision and operation of the health service **and social care** in the Authority's area, including **both adults and children, as well as** those functions exercised by the authority as a health service provider, as set out in the National Health Service Act 2006, as amended, and the Regulations.

The functions of the Committee include but are not limited to:

- Responding to consultations and making comment on proposals including for a substantial development or variation in the provision of the health service in the Brighton & Hove area;
- Making reports and recommendations to the National Health Service and other health service providers, the Council, the Committees and Sub-Committees, and to other relevant bodies and individuals;
- Requesting that healthcare providers attend to answer questions or provide information in accordance with prescribed process;
- Reviewing and scrutinising the impact of the Council's own services and of key partnerships on the health of its population and to contribute to the development of policy and services to improve health and reduce health inequalities;
- Encouraging the Council as a whole to take into account the implications of their policies and activities on health and health inequalities;
- Monitoring and reviewing the outcomes of its recommendations.
- Receiving and responding to referrals from a Local Healthwatch organisation or Local Healthwatch contractor in accordance with the Regulations.

In all of the above, the Council will act having first both invited interested parties to comment and taken into account relevant information, including that provided by stakeholder groups.

## **2. Membership of the Health Overview and Scrutiny Committee**

Membership of the Health Overview and Scrutiny Committee will reflect the political composition of the Council and be subject to section 15 of the Local Government and Housing Act 1989. No member of the Council's Health and Wellbeing Board may be a member of the Health Overview and Scrutiny Committee. No Member may be involved in scrutinising a decision in which they have been directly involved.

## **3. Co-optees**

The Health Overview and Scrutiny Committee will include non-voting co-opted members from the Older People's Council, the Brighton & Hove Youth Council, Healthwatch and the community and voluntary sector. .

## **4. Meetings of the Health Overview and Scrutiny Committee**

The Health Overview and Scrutiny Committee will meet in accordance with a programme of meetings agreed by the Policy & Resources Committee. In addition, an extraordinary meeting may be called by the Chair or the Chief Executive at any time if they consider it necessary or desirable.

## **5. Quorum**

The quorum for Health Overview and Scrutiny Committee meetings shall be as set out for Committees and Sub-Committees in the Council Procedure Rules in Part 3 of this Constitution.

## **6. Chair of Health Overview and Scrutiny Committee**

The Council will appoint the Chair of the Health Overview and Scrutiny Committee.

## **7. Work programme**

The Health Overview and Scrutiny Committee will be responsible for setting its own work programme.

## **8. Agenda items**

Agenda items shall be set by the Health Overview and Scrutiny Committee and should identify issues which they wish to consider.

Any Member of the Council may notify Democratic Services that they wish for an item relevant to the functions of the Health Overview and Scrutiny

Committee to be included on the agenda for the next available meeting of the Committee.

### **9. Submission of reports from Health Overview and Scrutiny Committee**

Once it has formed recommendations on any matter, the Health Overview and Scrutiny Committee will prepare a formal report and submit it to the relevant NHS body, Council Committee, the Chief Executive of the Council or relevant organisation for consideration at the relevant decision-making body.

### **10. Matters excluded from review by the Health Overview and Scrutiny Committee**

The health overview and scrutiny process is not appropriate for issues involving individual complaints or cases, or for which a separate process already exists e.g. personnel/disciplinary matters, ethical matters or allegations of fraud.