

## **Health and Adult Social Care Scrutiny Committee Terms of Reference**

(aligned to 'independence for later life' area of influence)

### **Constitution**

12 members of the County Council and seven members comprising one from each of the borough and district councils (voting) and one Local HealthWatch representative (non-voting).

### **Terms of Reference**

1. To consider existing policies and the effectiveness of their delivery relevant to the Scrutiny Committee's specific service area.
2. To consider and align its business in the context of the Council's ambitions and objectives associated with needs and aspirations of the community for later life.
3. To discharge the Health Scrutiny functions (including power of referral) on behalf of the County Council (see also paragraphs 18 to 26 below).
4. To undertake the scrutiny of the performance of the Council's services against the outcomes objectives and measures set through a relevant commissioning process.
5. To review decisions of the Executive.
6. To review proposed decisions of the Executive including Executive decisions made by County Local Committees and key decisions under delegated powers made by officers on behalf of the Executive (call-in).
7. To review the manner in which non-Executive committees take decisions.
8. To consider matters referred to the Scrutiny Committee by the Executive.
9. To consider, as a "preview", items raised by any member where the matter is likely to be considered by the Executive because of its sudden prominence.
10. To consider items raised at meetings of the County Council and referred initially to the Cabinet for re-examination and which the Executive asks the Scrutiny Committee to consider.
11. To consider a programme of work which the Committee believes is in the interests of the County Council for it to review, and to recommend it to the Performance and Finance Scrutiny Committee for approval by the County Council as part of the Scrutiny Committee work programme.
12. To refer any matter arising within these terms of reference to a County Local Committee for consideration.

13. To receive and consider a referral from a County Local Committee made in accordance with the procedures for a Councillor Call for Action.
14. To consider any relevant local government matter raised by any member.
15. To consider a petition in accordance with the Petitions Scheme in accordance with Standing Order 10(1).
16. To consider a request for a review of the County Council's response to a petition in accordance with the Petitions Scheme.
17. To consider any relevant report of joint scrutiny work undertaken under the auspices of the West Sussex Joint Scrutiny Steering Group and refer the report to the relevant Cabinet Member for consideration.
18. To review and scrutinise any matter relating to the planning, provision and operation of health services in the geographical area covered by West Sussex County Council, the health of the people of West Sussex and matters of general concern affecting the determinants of health for the community of the West Sussex area.
19. To set up appropriate procedures in accordance with the relevant statutory framework to facilitate the conduct of health review and scrutiny in West Sussex, in consultation with the district and borough councils in West Sussex and with the local NHS bodies.
20. To make reports and recommendations to local NHS bodies and to West Sussex County Council or any borough or district council in West Sussex on any health matter reviewed or scrutinised by it.
21. To respond to consultation by any local NHS body with reference to any proposal for a substantial development of the health service in the area of West Sussex or for a substantial variation in the provision of such service with the exception of urgent proposals as defined in Regulation 23 (2) of the Local Authority (Public health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 and to make comments by the due date specified by the local NHS body referring the matter.
22. To delegate health scrutiny powers to, appoint members to and agree terms of reference of a joint committee when there is an intention by a local NHS body to consult on a substantial variation or development to health services that extends beyond West Sussex.
23. To report to the NHS body(ies) or to the Secretary of State in writing in any case where the Committee is not satisfied that
  - a) consultation on any proposal has been adequate in relation to content or time allowed; or
  - b) that the reasons given by the local NHS body for failing to consult because of urgency are not adequate.

24. To report to the Secretary of State in writing on any such proposals as are referred to above which it considers would not be in the interests of the health service in the area of West Sussex.
25. To take such other steps as may be appropriate including requiring the attendance of officers of local NHS bodies and other relevant people to attend the Committee and take steps to obtain appropriate information and explanations as may be appropriate to enable the Committee to discharge its functions effectively.
26. To delegate health scrutiny powers to one or more West Sussex borough and district councils whether or not they are acting jointly with the County Council when exercising its health scrutiny powers or to another county or unitary, borough or district council. To agree the terms of reference for any delegation and, in the case of any joint committee, to appoint members from the Committee.
27. To make such recommendations to the County Council as it sees fit as to the constitution of the Committee within the statutory framework.
28. To encourage members to lead on specific topics within the Committee's remit, as agreed by the Committee.

**Note:**

A local NHS body is any body or organisation which provides, or arranges for the provision of, or performs any management function in relation to, NHS services to persons residing within West Sussex.