

APPENDIX 1

EXCERPT FROM THE LONDON BOROUGH OF TOWER HAMLETS CONSTITUTION

(Council Constitution Part 2 “Articles of the Constitution”, Article 6 - Overview and Scrutiny Committee and Scrutiny Panels)

Article 6 - Overview and Scrutiny Committee and Scrutiny Panels

6.01 Terms of Reference

The Committee will appoint a standing Sub-Committee to discharge the Council’s functions under the Health and Social Care Act 2001 to be known as the Health Scrutiny Panel; it will also appoint such other Sub-Committees or Scrutiny Panels as the Committee considers appropriate from time to time to carry out individual reviews under the Overview and Scrutiny work programme.

6.03 Specific Functions

- (b) **Scrutiny.** The Overview and Scrutiny Committee and the Scrutiny Panels may:
- (i) Review and scrutinise decisions made by the Executive and the performance of the Executive and/or Committees and Council officers both in relation to individual decisions and over time.
 - (ii) Review and scrutinise the performance of the Council in relation to its policy objectives and performance targets and/or particular service areas.
 - (iii) Question members of the Executive and or Committees and chief officers about their decisions and performance whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects.
 - (iv) Make recommendations to the Executive and/or appropriate Committees and/or Council arising from the outcome of the scrutiny process.
 - (v) Review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the relevant scrutiny body and local people about their activities and performance.
 - (vi) Question and gather evidence from any person.

6.04 Allocation of Responsibilities

The Health Scrutiny Panel shall have responsibility for scrutiny of the local health service, in accordance with the provisions of the Health and Social Care Act 2000. This will be a standing Sub-Committee and will meet at least four times a year.

It shall:

- a) review and scrutinise matters relating to the health service within the Council's area and make reports and recommendations in accordance with any regulations made thereunder;
- b) respond to consultation exercises undertaken by an NHS body; and
- c) question appropriate officers of local NHS bodies in relation to the policies adopted and the provision of services.

The Scrutiny Lead Member for a healthy community shall be appointed as a Member and Chair of the Health Scrutiny Panel.

6.05 Reports

The Overview and Scrutiny Committee will report to full Council, Cabinet or the appropriate Cabinet member and make recommendations, as appropriate. All reports and/or recommendations of Scrutiny Panels shall first be considered by the Overview and Scrutiny Committee before being reported to full Council, Cabinet or the appropriate Cabinet member, as appropriate.

6.06 Proceedings of Scrutiny Panels

The Overview and Scrutiny Committee and its Scrutiny Panels will generally meet in public and conduct their proceedings in accordance with the Procedure Rules in Part 4 of this Constitution.

**(Council Constitution Part 4 “Rules of Procedure”, Section 4.5 -
Overview and Scrutiny Procedure Rules)**

4.5. Overview and Scrutiny Procedure Rules (Extracts relating to Health Scrutiny Panel.)

1. THE ARRANGEMENTS FOR OVERVIEW AND SCRUTINY

1.1 The Council will establish the Overview and Scrutiny Committee and Sub-Committees or Scrutiny Panels set out in Article 6. The Council will appoint Members of the Overview and Scrutiny Committee and the Overview and Scrutiny Committee will appoint Members of the Sub-Committees or Scrutiny Panels.

1.2 There will be one standing Scrutiny Panel to discharge the Council’s functions under the Health and Social Care Act 2001.

1.4 The Health Scrutiny Panel will undertake the Council’s functions under the Health and Social Care Act 2001 and to consider matters to the local health service as provided by the NHS and other bodies including the Council:

- (a) To review and scrutinise matters relating to the health service within the Council’s area and make reports and recommendations in accordance with any regulations made thereunder;
- (b) To respond to consultation exercises undertaken by an NHS body; and
- (c) To question appropriate officers of local NHS bodies in relation to the policies adopted and the provision of the services.

1.5 The membership of individual Scrutiny Panels and their terms of reference will be determined by the Overview and Scrutiny Committee. They will include the following:

- (a) To investigate, scrutinise, monitor and advise in relation to:
 - How services are being delivered and the Council’s functions discharged.
 - How policies have been implemented and their effect on the Council's corporate strategies (i.e. equal opportunities, anti-poverty and crime and disorder).
 - The development of relevant policy.
 - How resources are being used, spent and managed.

- Any other matter, relevant to the specific remit of the Scrutiny Panels, which affects the Council's area or any of its inhabitants.

2. WHO MAY SIT ON OVERVIEW AND SCRUTINY?

2.1 All Councillors except Members of the Executive may be Members of the Overview and Scrutiny Committee and Scrutiny Panels. However, no Member may be involved in scrutinising a decision in which s/he has been directly involved.

2.3 The Lead Scrutiny Member for a Healthy Community shall be appointed as a member and Chair of the Health Scrutiny Panel.

(Council Constitution Part 4 “Rules of Procedure”, Section 4.1 - Council Procedure Rules)

4.1. Council Procedure Rules (Extracts relating to Quorum)

8. QUORUM

- 8.1** Subject to any specific statutory requirement, and to any specific quorum requirements set out in the terms of reference of a particular body, the quorum of a meeting will be one quarter of the whole number of Members or three voting Members, whichever is the greater. If a quorum is not reached 15 minutes after the time appointed for the start of the meeting, the meeting will stand adjourned. During any meeting if the Mayor counts the number of Members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor. If s/he does not fix a date, the remaining business will be considered at the next ordinary meeting.

Accordingly, the Health Scrutiny Panel’s quorum is 3 (Three) voting Members.