

Committee Overview and Scrutiny Committee	Date 16 July 2014	Classification Unrestricted	Report No.
Report of: Service Head Democratic Services Originating Officer(s): Antonella Burgio, Committee Officer, Democratic Services		Title Co-options to Health Scrutiny Panel Ward(s) affected: All	

1. Summary

1.1 This report informs Health Scrutiny Panel (HSP) of:

- the establishment, by full Council, of the Health Scrutiny Panel, to discharge the Council's functions under the National Health Service Act 2006, with terms of reference and quorum as set out in the Council's Constitution.

1.2 This report also notes the appointments of two co-opted members to HSP made by Overview and Scrutiny Committee (the parent committee) in accordance with constitutional provisions.

2. Recommendations

2.1 Note the establishment of the Health Scrutiny Panel by full Council, to discharge the Council's functions under the National Health Service Act 2006 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 as set out in paragraph 5.1 of this report; with terms of reference and quorum as set out in paragraph 5.2 and Appendix 1 to this report;

2.2 Note the co-option of representatives from the Tower Hamlets HealthWatch to the membership of the Health Scrutiny Panel for the Municipal Year 2014/15, as set out at paragraph 5.4 of this report.

3. Health Scrutiny Panel

3.1 Establishment

3.1.1 The Constitution states that the Annual Council Meeting will establish "such other committees/panels as it considers appropriate to deal with matters which are neither Executive Functions nor reserved to the Council".

3.1.2 The Council's Constitution refers to the establishment of "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". The reference to the Health and Social Care Act 2001 is out of date and this should be taken as a reference to the National Health Service Act 2006 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

- 3.1.3 At the Annual General Meeting of the Council, held on 22 May 2013 the Health Scrutiny Panel was established for the Municipal Year 2013/14 with a membership numbering 7, and an allocation of places in accordance with overall proportionality requirements as follows: 4 Majority Group Members (Labour), 1 Minority Group Member (Conservative) and 2 Minority Group Members (Independent). The OSC is therefore requested to note the establishment of the Health Scrutiny Panel, its total membership and the allocation of places between the political groups.

3.2 Co-option of Representatives to the Health Scrutiny Panel

- 3.2.1 The Overview and Scrutiny Procedure Rules state that: "The Overview and Scrutiny Committee will be responsible for approving co-opted Members for the Scrutiny Panels. Co-opted Members will be non-voting."
- 3.2.2 In the Municipal Year 2012/13 two representatives previously recruited from the Tower Hamlets Local Involvement Network served as co-opted members of the Health Scrutiny Panel. It is recommended that these representatives be co-opted to the membership of the Health Scrutiny Panel in 2013/14.
- 3.2.3 Accordingly the OSC has agreed the co-option of representatives from Healthwatch Tower Hamlets (formerly Tower Hamlets Involvement Network) to the membership of the Health Scrutiny Panel for the Municipal Year 2013/14, as set out below:

Mr David Burbidge
Mr Sharmin Shajahan

4. Comments of the Chief Financial Officer

- 4.1 This report describes the OSC request to consider the appointment of Lead Scrutiny Members, in accordance with the Council's Constitution (as amended).
- 4.2 Also, OSC are requested to agree the following: co-option of representatives in respect of education matters in accordance with statutory requirements and the Council's Constitution; the creation of a Health Scrutiny Panel; co-option of 2 representatives from the Tower Hamlets HealthWatch.
- 4.3 There are no specific financial implications emanating from this report but in the event that the Council agrees further action in response to this report's recommendations then officers will be obliged to seek the appropriate financial approval before further financial commitments are made.

5. Legal Comments

- 5.1 Most of the relevant statutory and constitutional provisions are set out in the body of the report. OSC agreed that independent members be co-opted to the Health Scrutiny Panel. Section 9FA(4) of the Local Government Act 2000 confirms that a sub-committee of an overview and scrutiny committee may include persons who are not members of the authority. This is consistent with section 102(3) of the Local Government Act 1972 which makes similar provision in relation to committees and sub-committees.

6. One Tower Hamlets Considerations

- 6.1 The establishment of the Health Scrutiny Panel may contribute to the reduction of health inequalities that exist in the borough.

7. Risk Management Implications

- 7.1 The appointment of Scrutiny Lead Members, Co option of representatives in respect of education matters and establishment of the Health Scrutiny Panel is necessary for the Overview and Scrutiny Committee to meet its statutory and constitutional obligations and in particular the functions conferred on the Council by the provisions referred to in the body of the report.

8. Crime and Disorder Reduction Implications

- 8.1 There are no specific Crime and Disorder Reduction implications arising from the recommendations in the report.

LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED) LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

Brief description of "background paper"

If not supplied Name and telephone number of holder

n/a

n/a