

APPENDIX 3

Health Scrutiny Panel: Establishment, Terms of Reference and Quorum

Extract from the report considered by the 19 June 2012 OSC, at agenda item 8.2, "Appointment of Scrutiny Lead Members, Co-options to Overview and Scrutiny Committee, Health Scrutiny Panel Terms of Reference and Appointments" advising it of the statutory and constitutional provisions and requirements relating to the establishment of the Health Scrutiny Panel and the Terms of Reference and quorum thereof:

Establishment

- 5.2 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".
- 5.3 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 The reference to the Health and Social Care Act 2001 is out of date and this should be taken as a reference to the National Health Service Act 2006 and the Local Authorities (Overview and Scrutiny Committees Health Scrutiny Functions Regulations) 2002.

6. Terms of Reference and Quorum

- 6.1 The Health Scrutiny Panel will undertake the Council's functions under the Health and Social Care Act 2001 and consider matters relating 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.
- 6.2 The quorum will be 3 voting members.

8. Co-option of Representatives to the Health Scrutiny Panel

- 8.1 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.”