

## Appendix 1

### Sustainability and Transformation Plan Joint Health Scrutiny Committee: Terms of Reference

- 1) Bristol City Council, North Somerset Council and South Gloucestershire Council to collectively review and scrutinise the Bristol, North Somerset and South Gloucestershire (BNSSG) Sustainability and Transformation Plan (STP) pursuant to Regulation 30 of the Local Authority ( Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.(Regulation 30)
- 2) To collectively review and scrutinise any proposals within the STP that are a substantial development of the health service or the substantial variation of such service where more than one local authority is consulted by the relevant NHS body pursuant to Regulation 30
- 3) To collectively consider whether a specific proposal within the STP that's is not a substantial development or variation is only relevant for one authority and therefore should be referred to that authority's Health Scrutiny Committee for scrutiny.
- 4) In the event that a participating council considers that it may wish to consider a discretionary matter itself rather than have it dealt with by the joint committee it shall give notice to the other participating councils and the joint committee shall then not take any decision on the discretionary matter (other than a decision which would not affect the council giving notice) until after the next full Council meeting of the council giving notice in order that the council giving notice may have the opportunity to withdraw delegation of powers in respect of that discretionary matter.
- 5) To require the relevant local NHS body to provide information about the proposals under consideration and where appropriate to require the attendance of a representative of the NHS body to answer such questions as appear to it to be necessary for the discharge of its function
- 6) Make reports or recommendations to the relevant health bodies as appropriate and/or the constituent authorities' respective Overview and Scrutiny committees or equivalent
- 7) Each Council to retain the power of referral to the Secretary of State of any proposed "substantial variation" of service, so this power is not delegated to the JHOSC.

### **Sustainability and Transformation Plan Joint Health Scrutiny Committee Working Arrangements**

#### **Membership**

The joint committee will be a committee established by Bristol City Council, North Somerset Council and South Gloucestershire Council in accordance with section 101(5) of the Local Government 1972

The membership shall be made up of 7 members from each participating council with each council's membership being politically proportionate. Non-executive councillors will make up the membership.

Substitutions will be accepted if a councillor is not able to attend a meeting of the committee.

Co-options are a possibility and can be considered by the joint committee at its first meeting. The Guidance suggests that co-opting people is one method of ensuring involvement of key stakeholders with an interest in, or knowledge of, the issue being scrutinised. This is already a power of overview and scrutiny committees by virtue of the Local Government Act 2000. However, the Guidance also recommends other ways of involving stakeholders by, for example, giving evidence or by acting as advisers to the committee. A chair (from the host authority) will be appointed by the joint committee at each meeting

#### **Quorum**

The quorum for meetings will be 7 members from at least two local Authorities. During any meeting if the chair counts the number of councillors 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 chair. If a date is not fixed, the remaining business will be considered at the next meeting.

#### **Reporting Arrangements**

Prior to the agenda for each meeting of the joint committee being finalised officers will convene a planning / pre-meeting with the Chairs of the individual HOSC's or their nominee

In terms of the joint committee's conclusions and recommendations the Guidance says that one report has to be produced on behalf of the joint committee. The final report shall reflect the views of all local authority

committees involved in the joint committee. it will aim to be a consensual report. In the event there is a failure to agree a consensual report the report will record any minority report recommendations. At least 7 members of the joint committee must support the inclusion of any separate minority report in the committee's final report. Any report produced by the committee will be submitted to the local authority's council meetings for information.

The NHS body or bodies receiving the report must respond in writing to any requests for responses to the report or recommendations, within 28 days of receipt of the request.

In the event that any Council exercises its right to refer a substantial variation to the Secretary of State, it shall notify the other Councils of the action it has taken.

### **Financial and Administrative Support**

Meetings will usually be led by each authority alternately. The Chair of the lead authority will Chair the meeting.

- The lead authority will be responsible for the servicing of the committee. Suitable officer resources (Legal, Democratic) will be provided to meet the requirements of the committee. This includes (but is not restricted to):
  - providing legal advice
  - liaising with health colleagues ahead of the meeting
  - updating action sheets from previous meetings
  - producing agenda papers and co-ordinating public forum
  - creating formal minutes and actions sheets
- If there is a specific reason, for example, if the issue to be discussed relates to a proposal specific to the locality of one Local Authority area the meeting venue can change to a more appropriate venue. The lead Local Authority would remain the same, even if the venue changes.
- Any changes to the host authority must be agreed by the committee

### **Petitions Statements and questions**

- Members of the public and members of council, provided they give notice in writing or by electronic mail to the proper officer of the host authority (and include their name and address and details of the wording of the petition, and in the case of a statement or question a copy of the submission), by no later than 12 noon of the working day

before the meeting, may present a petition, submit a statement or ask a question at meetings of the committee. The petition, statement or question must relate to the terms of reference and role and responsibility of the committee.

- The total time allowed for dealing with petitions, statements and questions at each meeting is thirty minutes.
- Statements and written questions, provided they are of reasonable length, will be copied and circulated to all members and will be made available to the public at the meeting
- There will be no debate in relation to any petitions, statements and questions raised at the meeting but the committee will resolve;  
(1) “that the petition / statement be noted”; or  
(2) if the content relates to a matter on the agenda for the meeting: “that the contents of the petition / statement be considered when the item is debated”;
- **Response to Questions**  
Questions will be directed to the appropriate Director or organisation to provide a written response directly to the questioner. Appropriately redacted copies of responses will be published on the host authority’s website within 28 days.
- Details of the questions and answers will be included on the following agenda.