

# Health Scrutiny Committee (Sub-committee of the People Scrutiny Commission) 11<sup>th</sup> March 2020



**Report of:** Dan Berlin, Scrutiny Advisor

**Title:** Health Scrutiny Committee (Sub-committee of the People Scrutiny Commission)  
Annual Business Report 2019/2020.

**Ward:** N/A

## **Recommendations:**

1. To note the Scrutiny Committee's Terms of Reference
2. To note the membership of the Committee for the 2019/2020 municipal year
3. To confirm the 2019/2020 meeting date for the Scrutiny Committee



## **1. Context and Proposal**

### **1.1 Terms of Reference of the Committee**

At its meeting on 17<sup>th</sup> July 2019 the Overview & Scrutiny Management Board established this committee (sub-committee of the People Scrutiny Commission) with the following terms of reference:

#### **Overview**

The role of this Committee is to undertake the scrutiny of local Health Service provision in accordance with Section 7 of the Health and Social Care Act 2001, the Health and Social Care Act 2012 and Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

#### **Functions**

1. To review and scrutinise any matter relating to the planning, provision and operation of the health service in its area.
2. To review and scrutinise any proposal for the substantial development or substantial variation of the Health Service as referred by a local NHS commissioner or provider under its statutory obligation to consult with the Council. To consider and assess impact assessments from such bodies and decide whether proposals are substantial variations or developments.
3. To require the local NHS body to provide information about the proposal 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 in connection with the consultation.
4. To report to the Secretary of State in writing where it is not satisfied that consultation on any proposal referred to in paragraph 2 above has been adequate in relation to the content or time allowed.
5. To report to the Secretary of State in writing in any case where it considers that the proposal referred to in paragraph 2 above would not be in the interests of the health service in the area

6. Where a matter is referred to it by Healthwatch to consider whether to exercise any powers in relation to the matter, taking into account information supplied by Healthwatch.
7. To scrutinise matters relating to the health of the authority's population and contribute to the development of policy to improve health and reduce health inequalities.
8. To review and scrutinise the impact of the authority's own services and key partnerships on the health of its population.
9. Review and scrutinise decisions made, or other action taken in connection with the discharge of any functions which are the responsibility of the Mayor/Executive, functions which are not the responsibility of the Executive, and functions which are the responsibility of any other bodies the Council is authorised to scrutinise.
10. In relation to the above functions:
  - a) To make reports and/or recommendations to the full Council, Executive of the Council, any joint committee, NHS bodies or any relevant partner authority as appropriate;
  - b) To consider any matter affecting the area or its inhabitants
11. To report on an annual basis to the People Scrutiny Commission on progress against the work programme and any recommendations it makes.

## **1.2 Membership of the Committee:**

Cllr Brenda Massey  
Cllr Gill Kirk  
Cllr Paul Goggin  
Cllr Celia Phipps  
Cllr Chris Windows  
Cllr Harriet Clough  
Cllr Eleanor Combley

## **1.3 2019-2020 Meeting Dates**

Wednesday 11 March 2020

## 2. Public Sector Equality Duties

Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
- ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
  - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
  - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
  - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- ii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
  - tackle prejudice; and
  - promote understanding.

### Appendices:

None

### LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

#### Background Papers:

- Overview and Scrutiny Management Board minutes 17-7-19