

# Report – Policy and Resources Committee

## Health and Social Care Scrutiny Committee

*To be presented on Thursday, 3<sup>rd</sup> March 2016*

*To the Right Honourable The Lord Mayor, Aldermen and Commons of  
the City of London in Common Council assembled.*

### **SUMMARY**

1. In light of the impact of national developments on the way local authorities exercise their health overview and scrutiny function, your Policy and Resources Committee has considered the health and social care scrutiny functions of the City Corporation's Health & Social Care Scrutiny Sub-Committee's and the associated governance implications. This follows a review over seen by the Sub-Committee itself. The review highlighted the need to scrutinise not just the social care provided by external organisations but by the Corporation itself and organisations it has commissioned.
2. As a result of this we have agreed in principle to set up a new stand-alone Committee with the combined responsibility for scrutiny of health and social care and to dissolve the existing Sub-Committee. We now ask the Court to approve the creation of a Health & Social Care Scrutiny Committee with terms of reference and constitution as set out at Appendix 1.

### **RECOMMENDATION**

3. That a new Health & Social Care Scrutiny Committee be established with terms of reference and constitution as attached at Appendix 1 and that Standing Order 29 (3) be amended to enable the Chairman of the Committee to also be the Chairman of another Committee at the same time.

### **MAIN REPORT**

#### **Background**

1. Over the past year the Health & Social Care Scrutiny Sub-Committee has reviewed its scrutiny functions. There was a consistent view that the issues and organisations looked at were heavily weighted towards health compared to social care, and this was further complicated by the fact that looking at 'health' tended to mean looking at organisations external to the City Corporation while 'social care' would include the Corporation itself and organisations it has commissioned.
2. As a result of the potential for conflicts of interest, the Health & Social Care Scrutiny Sub-Committee felt that the Sub-Committee should be dissolved and that combined responsibility for the scrutiny of health and social care should be

retained under a new stand-alone Health & Social Care Scrutiny Committee. Your Policy and Resources Committee concurs with this view.

### **Composition and Terms of Reference**

3. A number of options for serving on the Health & Social Care Scrutiny Committee, including the option of allowing Members to sit on both the new Committee and the Community & Children's Services Committee (albeit in a minority). However, whilst this would go some way towards mitigating any conflicts of interest, it would not prevent all potential problems.
4. In light of this and guidance from the Department of Health, we propose that no Member of the Community & Children's Services Committee or the Health & Wellbeing Board should serve on a new Health & Social Care Scrutiny Committee. This is consistent with existing arrangements whereby those Members of the Health & Wellbeing Board elected by the Court of Common Council cannot be Members of the Health & Social Care Scrutiny Sub-Committee.
5. In view of the proposed restrictions on the 'pool' of Members available to constitute the Health & Social Care Scrutiny Committee, we believe that the new Health & Social Care Committee should be one listed as an exception under Standing Order 29(3) in terms of dual Chairmanship.
6. To ensure this new stand-alone Committee is in-line with those in neighbouring boroughs, the constitution and terms of references for those Health Scrutiny Committees were reviewed. The arrangements previously applied to the Health & Social Care Scrutiny Sub-Committee are comparable to Health Scrutiny Committees elsewhere therefore we believe that the terms of reference of the Health & Social Care Scrutiny Sub-Committee should be retained for the new stand-alone Committee. It is also proposed that membership of the new Committee remains at six Members of the Court of Common Council together with a co-option from Healthwatch City of London.

All of which we submit to the judgement of this Honourable Court.

DATED this 21<sup>st</sup> day of January 2016.

SIGNED on behalf of the Committee.

**Mark Boleat**  
Chairman, Policy and Resources Committee

### HEALTH & SOCIAL CARE SCRUTINY COMMITTEE

1. **Constitution**

A non-Ward Committee consisting of

- Any 6 Members appointed by the Court of Common Council
- 1 Co-opted Healthwatch representative.

The above shall not be Members of the Community & Children's Services Committee or the Health & Wellbeing Board.

2. **Quorum**

The quorum consists of any three Members. [N.B. - the co-opted Member does not count towards the quorum]

3. **Terms of Reference**

To be responsible for:-

- (a) fulfilling the City's health and social care scrutiny role in keeping with the aims expounded in the Health and Social Care Act 2001 and Part 14 of the Local Government and Public Health Act 2007 (Patient and Public Involvement in Care and Social Care);
- (b) agreeing and implementing an annual work programme; and
- (c) receiving and taking account of the views of relevant stakeholders and service providers by inviting representations to be made at appropriate meetings.