

# Appendix 1: JHOSC Essential Points

## **Establishment of a Joint Health Overview and Scrutiny Committee (JHOSC) for Brighton & Hove City Council, East Sussex County Council, Surrey County Council and West Sussex County Council**

### Background

Under the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, local authorities may establish a joint health overview and scrutiny committee (JHOSC) to undertake health scrutiny functions on their behalf, and must establish a joint health overview and scrutiny committee to respond to consultation on proposals for substantial variation in health services (SViS) affecting more than one local authority area.

Discussions between the Sussex and Surrey HOSC and HASC Chairmen has concluded that the best way forward is the formation of a Standing JHOSC, with responsibility for responding to consultations on substantial service change affecting multiple local authorities across the area.

Establishing a standing JHOSC to scrutinise all cross-boundary SViS plans means that we do not need to undertake a separate decision-making process each time a consultation requiring the establishment of a Joint Health Overview and Scrutiny Committee is initiated, enabling local authorities to respond more rapidly and saving officer and member time. The draft terms of reference and rules of procedure are attached. Points to note are:

- There will be three members of the Committee for each local authority represented, appointed in accordance with local procedures. As the JHOSC is a statutory local authority joint committee, each constituent local authority must ensure that its JHOSC nominees reflect the political make-up of their Full Council. Local authorities are also encouraged to nominate substitutes to attend when their primary representatives are unable to.
- The Committee will have the power to establish sub-committees, and much of the work in relation to specific consultation will be undertaken in these sub-committees. The members of a sub-committee may be members of the main committee, but constituent local authorities may also nominate another representative to serve on a specific sub-committee.
- Where a consultation affects some, but not all, of the constituent areas voting membership of the relevant sub-committee will be restricted to the authorities directly affected. Thus, for example, the sub-committee responding to consultation on the Sussex-wide Clinically Effective Commissioning initiative (CEC) would not include Surrey County Council as a voting member.
- There is no minimum frequency of meetings of the Committee, and when there are no current consultations there will be no need for the committee to meet.
- The life of the Committee will be for a maximum of four years. Constituent

areas will nominate members annually, and there will be an annual election for the Chair and Vice-Chair of the Committee. In some circumstances a constituent authority may need to change its membership mid-year (for example following local elections).

- Constituent local authorities will not delegate to the JHOSC their statutory powers to refer SViS to the Secretary of State for Health. Instead, each local authority will retain this power and will make an individual decision to refer, with reference to the evidenced recommendation of the JHOSC or its sub-committee.