

Item No. 7.	Classification Open	Date: 11 January 2023	Meeting Name: Overview & Scrutiny Committee
Report title:		South East London Joint Health Overview and Scrutiny Committee – Terms of Reference	
Ward(s) or groups affected:		All	
From:		Head of Scrutiny	

RECOMMENDATIONS

1. That the revised terms of reference of the joint committee as set out in Appendix 1 be adopted.

BACKGROUND INFORMATION

2. The former Joint Health Overview and Scrutiny Committee (JHOSC) for the South East London, covering Southwark, Lambeth, Lewisham, Greenwich, Bexley and Bromley was established in 2016 as a statutory joint committee to scrutinise the Our Healthier South East London (OHSEL) NHS programme.
3. The five year OHSEL programme has come to an end, and the Integrated Care System is now the formal body coordinating health arrangements across the region. The revised terms of reference reflect these changes and expand the remit of the joint committee to include a discretionary function to scrutinise cross borough changes.

KEY ISSUES FOR CONSIDERATION

4. Southwark's constitution empowers the Overview & Scrutiny Committee to enter into a joint committee arrangement and provide for the council's scrutiny function to be carried out by that joint committee.
5. The Health and Care Act 2022 put Integrated Care Systems on a statutory footing from 1 July 2022, and made them responsible for planning and funding health and care services in the area they cover.
6. The ICS is taking on the NHS planning functions previously held by former clinical commissioning groups and collaborative programmes such as the former OHSEL. Services and care are now being planned and designed at a South East London level.

7. It is now more likely than ever that there will be occasions where there may be a need to consider jointly how the needs of the local population, which cross council boundaries, are being met.
8. The proposed draft revised Terms of reference (ToR) represent a shift in focus and emphasis from the previous ToR towards scrutiny of those wider issues (i.e. those not just in relation to circumstances where relevant bodies are proposing a substantial reconfiguration to services that affect more than one local authority) that a discretionary joint committee might consider.
9. While it is not a requirement for Local Authorities to form a JHOSC in this way, doing so enables cross borough scrutiny of strategic health issues, which as explained given the changes within the NHS is now more than ever beneficial and the most effective way to carry out such health scrutiny.
10. The draft revised ToR still, however, retains the ability for the joint committee to meet to consider and respond to proposals for substantial reconfigurations that affect the entire ICS area (and therefore all six boroughs) as a whole, as required and when they arise (acting as a mandatory committee).
11. Local health scrutiny at a borough level will still be undertaken where possible.
12. The Health and Social Care Commission chair and vice have been involved in informal discussions to revise the joint committee's terms of reference and support the changes.
13. The newly named South East London Joint Overview and Scrutiny Commission (SEL JHOSC) will meet on the 19 January 2023 in Tooley Street. The SEL JHOSC will then hold a mix of formal committee meetings and informal virtual meetings. It is anticipated that the joint committee will meet formally around twice a year, and hold informal virtual meetings as needed.
14. Further legislative changes are anticipated governing the relationship between the Integrated Care System and health scrutiny, which may require subsequent changes to the joint committee's Terms of Reference, particularly around the present power to refer a matter to the Secretary of State, which the government has indicated it wishes to amend.
15. The Health & Social Care commission is conducting a wider review to support the working relationships between health scrutiny, Partnership Southwark, the local borough board, and the Integrated Care System.

Community impact statement

16. The role of the joint committee is to examine the emerging proposals and scrutinize the consultation arrangements to ensure that all affected communities have the opportunity to participate.

Resource implications

17. Administrative and research support will be provided by the scrutiny teams of the six boroughs working together. Communication between the joint committee, local authorities and the NHS will normally be administered by officers from the same borough as the Chair.

Consultation

18. This report is only concerned with revising the constitutional and administrative arrangements for the joint committee. No consultation has taken place on these matters.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
None		

APPENDICES

No.	Title
Appendix 1	Terms of Reference

AUDIT TRAIL

Lead Officer	Everton Roberts, Head of Scrutiny	
Report Author	Julie Timbrell, Scrutiny Project Manager	
Version	Final	
Dated	3 January 2023	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Director of Law and Governance	No	No

Strategic Director of Finance and Governance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team/Scrutiny Team	3 January 2023	