

From Norman Coombe ;Principal Lawyer	Title Legal advice on Health and Wellbeing Board and Scrutiny members ability to sit on both committees
Date 5.4.2012	To Health and Adult Social Care Scrutiny meeting

Is it possible for Scrutiny members to both serve on the Health and Wellbeing Board and be part of Overview and Scrutiny, which will hold the board to account , or would this be seen as a conflict of interest.

This is a difficult question to answer as the standards regime is changing

Currently a member would have a **prejudicial interest** in any business before an overview and scrutiny committee or sub-committee meeting where both of the following requirements are met:

- That business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees [**such as the Board**], sub-committees, joint committees or joint sub-committees.
- You were a member of that decision-making body at that time and you were present at the time the decision was made or action taken.

Until we see the new regulations it is not possible to be definite , however it looks unlikely.