

Constitution Working Party			
Report Title	Matters referred by the Healthier Communities Select Committee		
Key Decision	No	Item No.	3
Ward	All		
Contributors	Executive Director for Resources		
Class	Part 1	Date	19 March 2009

1. Summary

- 1.1 This report informs the Constitution Working Party of the proposals of Healthier Communities Select Committee in relation to its terms of reference.

2. Recommendation

The Constitution Working Party is asked to give consideration to amending the Healthier Communities Select Committee and Safer Stronger Communities Select Committee terms of reference as outlined in Appendix A (where responsibilities proposed for transfer are shown in bold & italic).

3. Select Committee Views

- 3.1 At its meeting on 15 April 2008, the Healthier Communities Select Committee considered an officer report on a draft work programme for the municipal year 2008/09. The report asked the Committee to note the terms of reference as outlined in the Council's Constitution.
- 3.2 The committee considered the inclusion of lifelong learning within its terms of reference and recognised the importance of adequate scrutiny of the wider determinants of health. However, the committee noted that due to the scale and pace of change within the NHS, it had been unable to undertake in-depth scrutiny of libraries and lifelong learning.
- 3.3 It was suggested that consideration is given to allocating the scrutiny of libraries and lifelong learning to the Safer Stronger Communities Select Committee which is currently responsible for scrutiny of services within or closely aligned to the Community Services Directorate.

4. Financial Implications

- 4.1 There are no financial implications arising from this report.

5. Legal Implications

- 5.1 The Constitution provides for the Constitution Working Party to advise the Council on the constitution. The terms of reference of the Select Committees are set out in the Constitution.

BACKGROUND PAPERS

- Minutes of the Healthier Communities Select Committee meeting held on 15 April 2008;
- Terms of Reference for Healthier Communities Select Committee
- Lewisham Council Constitution

If you have any queries on this report please contact Nike Shadiya, Head of Overview & Scrutiny (020 8314 7443), or Kevin Flaherty, Head of Business & Committee (0208 314 9327).

ARTICLE 6

Specific Terms of Reference:

Healthier Communities Select Committee

- (a) to fulfill all of the Overview and Scrutiny functions in relation to the provision of service by and performance of health bodies providing services for local people. These functions shall include all powers given to the Council's Overview and Scrutiny Committee by the Health and Social Care Act 2001 and regulations made under it and any6 other legislation in force from time to time
- (b) To require the attendance of representatives of health bodies at meetings of the select committee to address it, answer questions and listen to the comments of local people on matters of local concern
- (c) To fulfill all of the Council's Overview and Scrutiny functions in relation to social services provided for those 19 years old or older including but not limited to services provided under the Local Authority Social Services Act 1970, National Assistance Act 1948, Mental Health Act 1983, NHS and Community Care Act 1990, Health Act 1999, Health and Social Care Act 2001, and any other relevant legislation in place from time to time.
- (d) Without limiting the remit of this select committee, its terms of reference shall include Overview and Scrutiny functions in relation to:-
 - People with learning difficulties
 - People with physical disabilities
 - Mental health services
 - The provision of health services by those other than the Council
 - Provision for elderly people
 - The use of S31 Health Act 1999 flexibilities to provide services in partnership with health organizations
 - Other matters relating to Health and Adult Care for those aged 19 years or over
- (e) Without limiting the remit of the select committee to hold the executive to account for its performance in relation to the delivery of Council objectives in the provision of adult services and health

Specific Terms of Reference

Safer Stronger Communities Select Committee

- (a) To fulfill all of the Council's Overview and Scrutiny functions in relation to the discharge by responsible and other partner authorities of their crime and disorder function contained in the Police and Just Act 2006, when implemented and as amended from time to time, and all other relevant legislation. This shall include the power:

- (i) to review or scrutinise decisions made, or other action taken, in connection with the discharge by responsible authorities of their crime and disorder function'
- and
- (ii) to make reports or recommendations to the local authority or the executive with respect to the discharge of those functions
- (b) make proposals to the executive to promote equality of opportunity within the borough, including issues of discrimination based on race, ethnic origin, gender, disability, sexuality, age and/or class
- (c) to recommend to the executive, the Council or an appropriate committee proposals for policy development in relation to equalities issues
- (d) to analyse policy options as necessary to inform the proposals to be made to the executive or other appropriate committee
- (e) to advise the executive or other committee on all matters relating to equality of opportunity both in terms of policy, service provision, employment and/or access to public services
- (f) to enhance and develop existing and innovative consultative and/or advisory work for equality of opportunity and to consider issues of inequality and discrimination across the borough
- (g) to consider and recommend to the executive, ways in which participation by disadvantaged and under-represented sections of the community might be more effectively involved in the democratic processes of local government
- (h) to pilot methods of consultation and involvement and to report back to the Executive or appropriate committee on their effectiveness with recommendation if appropriate;
- (i) to establish links with and liaise with external organizations in the borough which are concerned with the promotion of equality of opportunity
- (j) to fulfill all of the Council's Overview and Scrutiny functions in relation to the lifelong learning of those aged 19 years or over**
- (k) without limiting the remit of this select committee, its terms of reference shall include Overview and Scrutiny functions in relation to:**
- **Community Education Lewisham**
 - **Libraries**
 - **Other matters relating to lifelong learning for those aged 19 years and over**
- (l) without limiting the remit of the select committee, to hold the executive to account for its performance in relation to the delivery of Council objectives in the provision of lifelong learning**