



## Council

### **Report title: Revised Terms of Reference for South-East London Joint Health Overview and Scrutiny Committee (SEL JHOSC)**

**Date:** 27 September 2023

**Key decision:** No

**Class:** Part 1

**Ward(s) affected:** All

**Contributors:** Jeremy Chambers (Director of Law and Corporate Governance)

### **Outline and recommendations**

Lewisham Council participates in a Joint Health Overview and Scrutiny Committee alongside five other South-East London boroughs. The Terms of Reference (ToR) of this Committee have been revised to reflect the changes to local NHS structures (the establishment of Integrated Care Systems via the Health and Care Act 2022) and to allow the committee to look at discretionary cross-borough strategic health matters, as well as mandatory cross-borough substantial reconfiguration proposals, as health services and care are now being planned and designed at a South East London level.

The Council is recommended to note the revised ToR for the South-East London Joint Health Overview and Scrutiny Committee (SEL JHOSC) and instruct the Monitoring Officer to make the necessary changes to the Constitution.

### **Timeline of engagement and decision-making**

Revised Terms of Reference agreed by the South-East London Joint Health and Overview Scrutiny Committee on 6 July 2023

## **1. Summary**

- 1.1. The Health and Care Act 2022 put the Integrated Care Systems on a statutory footing from 1 July 2022, making them responsible for planning and funding health and care services in the area they cover.
- 1.2. Following that, the Terms of Reference (ToR) for the South-East London Joint Health Overview and Scrutiny Committee (SEL JHOSC) have been revised to

allow the committee to look at discretionary cross-borough strategic health matters, as well as mandatory cross-borough substantial reconfiguration proposals

- 1.3. This report asks the Council to note the revised ToR for the SEL JHOSC and instruct the Monitoring Officer to make the necessary changes to the Constitution.

## **2. Recommendations**

- 2.1. The Council is asked to:
  - note the revised ToR for the SEL JHOSC and instruct the Monitoring Officer to make the necessary changes to the Constitution.

## **3. Background**

- 3.1. After the Health and Care Act 2022 put the Integrated Care Systems (ICS) on a statutory footing, the ICS took on the NHS planning functions previously held by former clinical commissioning groups and services are now being planned and designated at a South-East London level. The ToR for SEL JHOSC have been revised to reflect these NHS contextual changes.
- 3.2. There are two key types of Joint Health Overview and Scrutiny Committees- discretionary and mandatory:
  - 3.2.1. The ToR retain the ability for the Committee to meet to consider and respond to proposals for substantial reconfigurations that affect the entire ICS area. In this case the JHOSC acts as a mandatory committee.
  - 3.2.2. The ToR also allow for greater scrutiny of wider, system level issues that relate to the planning, provision and operations of health services across the ICS. In this case the JHOSC acts as a discretionary committee.

## **4. Financial implications**

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

## **5. Legal implications**

- 5.1. The Council's Constitution provides at paragraph 6.8, Article 6 that the Council may establish and appoint members to joint overview and scrutiny arrangements including but not limited to a joint overview and scrutiny committee with other Council(s) to carry out overview and scrutiny functions in relation to health bodies under Section 245 NHS Act 2006, Section 123 Local Government and Public Involvement in Health Act 2007 regulations thereunder, amendments thereto and/or other relevant legislation. The terms of reference of such joint overview and scrutiny committees as are established from time to time will be appended to the Constitution.
- 5.2. The Council participates in the South-East London Joint Health Overview and Scrutiny Committee (SEL JHOSC) and has appointed members to it. The Terms of Reference (ToR) for the Joint Health Overview and Scrutiny Committee (now called South-East London Joint Health Overview and Scrutiny Committee) appear in Lewisham's Constitution as Appendix 5. After noting the revised ToR for SEL JHOSC, the Council will have to instruct the Monitoring Officer to update the Constitution by appending the up-to-date ToR

for the joint committee.

## **6. Equalities implications**

- 6.1. There are no direct equalities implications arising from this report.

## **7. Climate change and environmental implications**

- 7.1. There are no direct climate change and environmental implications arising from this report.

## **8. Crime and disorder implications**

- 8.1. There are no direct crime and disorder implications arising from this report.

## **9. Health and wellbeing implications**

- 9.1. There are no direct health and wellbeing implications arising from this report. Nevertheless, the SEL JHOSC plays an important role in scrutinising the planning, provision and operation of health services that cross local authority boundaries in the SEL ICS footprint area. In doing so, they positively influence residents' health and wellbeing by ensuring accountability among service providers and decision makers.

## **10. Appendices**

- 10.1. Appendix A- South-East London Joint Health Overview and Scrutiny Committee Terms of Reference

## **11. Report author and contact**

- 11.1. If you have any questions about this report please contact the scrutiny manager:

Nidhi Patil, 020 8314 7620, [Nidhi.Patil@lewisham.gov.uk](mailto:Nidhi.Patil@lewisham.gov.uk)