

Kent and Medway NHS Joint Overview and Scrutiny Committee (JHOSC)

Terms of Reference

- To receive evidence in relation to proposals for a substantial development of, or variation to, the health service which affect both Kent and Medway under consideration by a relevant NHS body or relevant health service provider where both the relevant Overview and Scrutiny Committees of Medway and Kent have determined proposals to be a substantial development of, or variation in, the health service.
- To exercise the right to make comments under Regulations 23(4) and 30(5) of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 on behalf of the relevant Overview and Scrutiny Committees of Medway and Kent on any such proposals under consideration by the relevant NHS body or relevant health service provider.
- ~~To consider whether any proposal for a substantial development of, or variation in, the health service affecting the areas covered by Kent and Medway should be referred to the Secretary of State under Regulation 23(9) of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 and to recommend this course of action, if deemed appropriate, to the relevant Overview and Scrutiny Committees of both Kent and Medway in line with their respective Constitutions. (Note: the exercise of the power to make a referral to the Secretary of State has not been delegated to JHOSC)~~ To consider whether any proposal for a substantial development of, or variation to, the health service affecting the areas covered by Kent and Medway should be referred for a call in to the Secretary of State under regulation 23(9) of the 2013 Regulations. The JHOSC has delegated powers to request such a call in.
- Where the Secretary of State makes contact with the JHOSC to make representations about the call in of a reconfiguration proposal that has been under the previous scrutiny of the Committee, the JHOSC can respond to the request directly.
- To undertake other scrutiny reviews of health services if requested to do so by the relevant Overview and Scrutiny Committees of both Medway and Kent.
- To report on such other scrutiny reviews to the relevant Overview and Scrutiny Committees of Medway and Kent.

Rules

- Regulation 30 of the 2013 Regulations states that where a relevant NHS body or a relevant health service provider consults more than one local authority on any proposal which they have under consideration for a substantial development of, or variation to, the provision of a health service in the local authorities' areas, those local authorities must appoint a Joint Overview and Scrutiny Committee (JHOSC) for the purposes of the review.
- There will be a Kent and Medway NHS Joint Overview and Scrutiny Committee comprising of members appointed by Medway Council and Kent County Council. These rules apply to the JHOSC and any Sub-Committee established by it.
- The JHOSC will appoint a Chairperson at its first meeting in each municipal year, and that Chairperson will normally be drawn in rotation from Kent County Council and Medway Council members. Where a review is unfinished at the end of a municipal year, members may agree that the previous year's Chair (if still a member of the Committee) may continue to preside over consideration of matters relating to that review.
- The formal response of the JHOSC will be decided by a majority vote. If the JHOSC cannot agree a single response to a proposal under consideration for a substantial development of, or variation to, the provision of a health service by an NHS body or a relevant health service provider, then a minority response which is supported by the largest minority, but at least three members, may be prepared and submitted for consideration by the NHS body or a relevant health service provider with the majority response. The names of those who dissent may, at a member's request, be recorded on the main response.