

**Horton Joint Health Overview and Scrutiny Committee
(Oxfordshire, Northamptonshire and Warwickshire)
Draft Terms of Reference
September 2018**

Rationale

1. Health Services are required to consult a local authority's Health Overview and Scrutiny Committee about any proposals they have for a substantial development or variation in the provision of health services in their area. When these substantial developments or variations affect a geographical area that covers more than one local authority, the local authorities are required to appoint a Joint Health Overview and Scrutiny Committee (HOSC) for the purposes of the consultation.
2. In response to the Oxfordshire Clinical Commissioning Group's proposals regarding consultant-led maternity services at the Horton General Hospital, the Secretary of State and Independent Reconfiguration Panel (IRP) have advised a HOSC be formed covering the area of patient flow for these services. The area of patient flow for obstetric services at the Horton General Hospital covers Oxfordshire, Northamptonshire and Warwickshire.
3. These terms of reference set out the arrangements for Oxfordshire County Council, Northamptonshire County Council and Warwickshire County Council to operate a Joint HOSC Committee in line with the provisions set out in legislation and guidance to allow it to operate as a mandatory committee.

Terms of Reference

4. The new Joint Health Overview and Scrutiny Committee will operate formally as a mandatory joint committee i.e. where the councils have been required under Regulation 30 (5) Local Authority (Public Health, Health and Well-being Boards and Health Scrutiny) Regulations 2013 to appoint a joint committee for the purposes of the specified consultation on consultant-led obstetric services at the Horton General Hospital.
5. The purpose of the mandatory Horton Joint HOSC across Oxfordshire, Northamptonshire and Warwickshire is to:
 - a) Make comments on the proposal consulted on
 - b) Require the provision of information about the proposal

- c) Require the member or employee of the relevant health service to attend before it to answer questions in connection with the consultation.
 - d) Refer to the Secretary of State only on the consultation of consultant-led obstetric services at the Horton General Hospital where it is not satisfied that:
 - Consultation on any proposal for a substantial change or development has been adequate in relation to content or time allowed (NB. The referral power in these contexts only relates to the consultation with the local authorities, and not consultation with other stakeholders)
 - That the proposal would not be in the interests of the health service in the area
 - A decision has been taken without consultation and it is not satisfied that the reasons given for not carrying out consultation are adequate
6. The response to the consulting health service will be agreed by the Joint Health Overview and Scrutiny Committee and signed by the Chairman.
 7. With the exception of proposals to permanently close consultant-led obstetric services at the Horton General Hospital, responsibility for all other health scrutiny functions and activities remain with the respective local authority Health Scrutiny Committees.
 8. No matter to be discussed by the Committee shall be considered to be confidential or exempt without the agreement of all Councils and subject to the requirements of Schedule 12A of the Local Government Act 1972.

Timescales & Governance

9. The Horton Joint Health Overview and Scrutiny Committee will operate as a mandatory Committee only while the proposed service changes that affect the relevant areas are considered. This period is from the point at which the relevant health body notifies the Joint HOSC of the formal consultation timetable and the point at which a decision is taken.
10. Meetings of the Joint HOSC will be conducted under the Standing Orders of Oxfordshire County Council (i.e. the Local Authority hosting and providing democratic services support).

Membership

11. Membership of the Joint HOSC will be appointed by Oxfordshire County Council, Northamptonshire County Council and Warwickshire County Council that have responsibility for discharging health scrutiny functions.

12. Appointments to the Joint Committee have regard to the proportion of patient flow for consultant-led obstetric services at the Horton General Hospital. Using latest figures available from 2015/16, of the 1466 births at the Horton General Hospital, 4% came from women with Warwickshire post codes and 14% from Northamptonshire post codes¹. The Joint Committee will therefore have ten members, consisting of eight from Oxfordshire, one from Northamptonshire and one from Warwickshire.
13. Appointments by each authority to the Joint Committee will reflect the political balance of that authority. Any co-opted member appointed will not have a vote.
14. The quorum for meetings will be four voting members, comprising at least one member from either Northamptonshire or Warwickshire.

Committee support

15. The work of the Joint HOSC will require support in terms of overall co-ordination, setting up and clerking of meetings and underpinning policy support and administrative arrangements.
16. Meetings of the committee are to be held near to the Horton General Hospital and associated administrative support and costs to be borne by Oxfordshire County Council.
17. Should a press statement or press release need to be made by the Joint Health Overview and Scrutiny Committee, this will be drafted by Oxfordshire County Council on behalf of the Committee and will be agreed by the Chairman

¹ Figures contained within OUH Board report from 31st August 2016: <http://www.ouh.nhs.uk/about/trust-board/2016/august/documents/ContingencyPlanforMaternityandNeonatalServicesv19Final.pdf>