

**Joint Health Overview and Scrutiny Committee
Birmingham City Council and Sandwell Metropolitan
Borough Council.
2024/25.**

Terms of Reference

1. General Terms of Reference

1.1 The Joint Health Scrutiny Committee has been convened to:-

- (a) Be a statutory Joint Health Overview and Scrutiny Committee in relation to substantial variations or developments (changes and reconfigurations) in service delivery proposed by Sandwell and West Birmingham Hospitals NHS Trust, including proposed consultation frameworks, in line with the Birmingham and Sandwell Health Scrutiny / ICB Memorandum of Understanding.
- (b) Be a discretionary Joint Health Overview and Scrutiny Committee to scrutinise:
 - Services delivered by Sandwell and West Birmingham Hospitals NHS Trust that serve patients in Birmingham and Sandwell local authority areas
 - Progress towards completion of work on the Midland Metropolitan Hospital.
 - Proposals coming forward from the Black Country Integrated Care System and the Birmingham and Solihull Integrated Care System affecting both areas.
 - Any other cross boundary health issues as agreed by the two chairs.

1.2 No matter to be discussed by the Committee shall be considered to be confidential unless exempt under Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

2. Key Considerations

2.1 In relation to 1.1(a), above, the Joint Health Scrutiny Committee will have regard to the four requirements for lawful consultation in reaching its conclusions in relation to:-

- at the formative stage, the consulting body must have an open mind on the outcome;
- there must be sufficient reasons for the proposals, and requests for further information should be supported;
- adequate time should be allowed for consultation with all stakeholders;
- there should be evidence of conscientious consideration of responses by the consulting body.

- 2.2 The Joint Health Scrutiny Committee will consider the options presented as part of any proposed substantial service changes and implications they might have on the individual local authorities.
- 2.3 The Joint Health Scrutiny Committee will scrutinise and review any consultation framework to ensure that it is adequate and robust and that it captures the views of both service users and the public.

3. Timescales and Governance

- 3.1 The Joint Health Scrutiny Committee was reconstituted during October/November 2021 and will meet as and when required to ensure thorough scrutiny of the issues listed in paragraph 1.1, above and will continue whilst proposed service changes that affect both areas are contemplated.
- 3.2 Any issues listed under paragraph 1.1(a) above will only be scrutinised by the Joint Health Scrutiny Committee and not the constituent authorities.
- 3.3 Ideally, any other issues listed under paragraph 1.1 will only be scrutinised by the Joint Health Scrutiny Committee in line with the Birmingham and Sandwell Health Scrutiny / ICB Memorandum of Understanding.
- 3.4 Any response or recommendations to services outlined in paragraph 3.1 and 3.2 above will only be agreed by the Joint Health Scrutiny Committee and signed by both Chairs. It will not need the endorsement or agreement of the individual constituent authorities. Should agreement not be reached over recommendations a minority report will be attached to the recommendations.
- 3.5 Meetings of the Joint Health Scrutiny Committee will be conducted under the Standing Orders of the host Local Authority (i.e. the Local Authority Chairing the meeting and providing democratic services support).
- 3.6 These terms of reference will be revisited and reconsidered by the Joint Health Scrutiny Committee at its first meeting of each municipal year.

4. Membership

- 4.1 Membership of the Joint Health Scrutiny Committee will be nominated by the Sandwell and Birmingham scrutiny committees that have responsibility for discharging the statutory health scrutiny function.
- 4.2 Membership of the Joint Health Scrutiny Committee will reflect the political balance of each respective authority. The committee will consist of ten members, 5 from Sandwell and 5 from Birmingham.
- 4.3 The responsibility for chairing meetings will alternate between Birmingham and Sandwell, with the Chair of the hosting authority chairing the meeting. The location of meetings is to be rotated between the two authorities. In the absence of a chair of a meeting, the other chair, if present, takes the chair. In the absence of both chairs, a chair will be elected from those members at the meeting.

4.4 The quorum for meetings will be four members, comprising two members from each authority.

4.5 There are to be no co-opted members.

5. Support Arrangements / Resources

5.1 The work of the Joint Health Scrutiny Committee will require support in terms of overall co-ordination, setting up and clerking of meetings and underpinning policy support and administrative arrangements.

5.2 Venues for meetings are to be rotated between Sandwell MBC and Birmingham City Council with associated administrative costs to be borne by the respective Authority. Responsibility for administrative/ policy support and clerking arrangements is also to be alternated between the two authorities. The nature of the tasks involved in supporting the Committee is set out below.

Support	Nature of tasks
Overall Co-ordination of the Joint Health Scrutiny Committee's work, Policy Support and Administrative Support	<ul style="list-style-type: none">• Manage the Committee's work programme.• Ensure key action points arising from Committee discussions are followed.• Maintain ongoing dialogue and communication with Healthcare Trusts, commissioners and providing health organisations.

	<ul style="list-style-type: none"> • Maintain ongoing dialogue and communication between the two Local Authorities. • Provide policy support as required by the Committee. • Produce briefing papers as required. • Undertake any other support tasks e.g. writing letters, inviting witnesses etc. • Drafting joint response.
Clerking of meetings	<ul style="list-style-type: none"> • Set up meetings and associated tasks. • Maintain schedule of meetings. • Publication of agenda and related documentation. • Take minutes of meetings and distribute these. • Provide advice in relation to scrutiny procedures.

Local authority health scrutiny guidance (2024)

<https://www.gov.uk/government/publications/advice-to-local-authorities-on-scrutinising-health-services/local-authority-health-scrutiny>

Statutory Overview and Scrutiny: statutory guidance for councils, combined authorities and combined county authorities (2024).

<https://www.gov.uk/government/publications/overview-and-scrutiny-statutory-guidance-for-councils-combined-authorities-and-combined-county-authorities/overview-and-scrutiny-statutory-guidance-for-councils-combined-authorities-and-combined-county-authorities>

Approved by the Birmingham and Sandwell Joint Health Overview and Scrutiny Committee at the meeting held on: 16th September 2024.

Signed by:

Councillor Elaine Giles (Sandwell Chair)	Councillor Fred Grindrod (Birmingham Chair)
Date: September 2024	Date: September 2024