

Health and Adult Services Scrutiny Committee

Health Scrutiny Steering Group

Terms of Reference

Background

The terms of reference set out the purpose and scope of the Health Scrutiny Steering Group, to assist the [Health and Adult Services Scrutiny Committee](#) in fulfilling the county council's statutory health scrutiny function particularly around responding to proposed health service developments/variation in Lancashire.

Part 4 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, and Regulation 23(1)(a), requires the responsible NHS body or health service provider to consult local authorities (through the health scrutiny function) where any proposal is under consideration for either a substantial development of the health service, or a substantial variation in the provision of such a service in the local authorities' area.

New powers for the Secretary of State to intervene in reconfiguration of NHS services were introduced by the Health and Care Act 2022 and came into force on 31 January 2024. Statutory guidance was published in terms of setting out the new process for ministerial intervention and Paragraph 2 of schedule 10A to the NHS Act 2006 now places a duty on the NHS commissioning body to notify the Secretary of State when they propose a notifiable reconfiguration of NHS services.

The statutory guidance makes clear that the NHS commissioning body should consider the local authority Health Scrutiny Committee's views on a proposal and should make clear to the Secretary of State the Health Scrutiny Committee's view of whether the reconfiguration is notifiable.

Membership:

The Health Scrutiny Committee Steering Group is made up of 4 Committee Members constituting 3 Conservative and 1 Labour.

Frequency of Meetings:

The Health Scrutiny Steering Group meet every 6 weeks, in tandem with the calendar of meetings for the Health and Adult Services Scrutiny Committee.

Function:

The main purpose of the Health Scrutiny Steering Group is to assist with the management of the Committee workload more effectively. This includes facilitating meetings to support early discussions with health providers on potential substantial variations to local health services and to agree appropriate ongoing engagement. Subsequently, the views of the Health Scrutiny Steering Group can help inform any future considerations by the Committee.

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In summary, the main functions of the Health Scrutiny Steering Group are to:

1. Act as the first point of contact between Scrutiny and the Health Service Provider Trusts and the Lancashire and South Cumbria Integrated Care Board.
2. Liaise, on behalf of the Committee, with Health Service Provider Trusts and the Lancashire and South Cumbria Integrated Care Board.
3. Make proposals to the Committee on whether they consider NHS service changes to be 'substantial' thereby instigating further consultation with the Committee.
4. Maintain its own work programme agreed as part of the annual Portfolio and Service Area Update session reviewing service areas across local authority services (Adult Services, Public Health) as well as ICB service areas.
5. Invite any co-opted member(s) on the committee whose district(s) as well as any County Councillor(s) whose division(s) will be potentially affected to sit on the Group for the duration of the topic to be considered.

Monitoring Arrangements:

The Health Scrutiny Steering Group is not a formal decision-making body and will report its activities and any aspect of its work to the Committee for consideration and agreement.