

# Appendix D

## Health Scrutiny Committee for Lincolnshire

### Terms of Reference

The Health Scrutiny Committee for Lincolnshire is authorised to undertake the following activities: -

- To review and scrutinise the following services and their outcomes:
  - NHS funded health care; and
  - Health and Well-Being Board, including in particular the Board's development of the Joint Strategic Needs Assessment, the Joint Health and Wellbeing Strategy, the Pharmaceutical Needs Assessment
- To review and scrutinise any matters relating to the planning, provision and operation of health services which affect the residents of Lincolnshire except for those under the remit of the Adults and Community Wellbeing Scrutiny Committee and the Children and Young People Scrutiny Committee.
- To consider the Annual Report of the Director of Public Health on the Health of the People in Lincolnshire, using the report to inform the Committee's work programme.
- **To provide advice to any responsible NHS commissioner on whether the Committee believes any proposal for service change from that commissioner constitutes a substantial development or substantial variation in the provision of health services in Lincolnshire, following consideration of the relevant provisions in any protocol agreed between the responsible NHS commissioner and the Committee.**
- To consider and respond to any consultations by any responsible NHS commissioner, which constitute a substantial development or substantial variation in the provision of health services in Lincolnshire, using the powers set out in the relevant health overview and scrutiny regulations and referring to any guidance issued by the Secretary of State for Health. ~~Where there is a disagreement between the Committee and the responsible NHS commissioner which cannot be resolved after reasonable practicable steps and the Committee believe that~~
  - ~~(a) the proposed substantial variation or development would not be in the interests of the health service in Lincolnshire; or~~
  - ~~(b) the arrangements put in place by the responsible NHS commissioner for consultation have not been adequate in relation to content or time allowed; or~~
  - ~~(c) the reasons given for not consulting by the responsible NHS commissioner are not adequate;~~

~~the Committee may determine whether to refer the matter to the Secretary of State, in accordance with the relevant health overview and scrutiny regulations and any guidance issued by the Secretary of State for Health, taking account of any protocol agreed between the Committee and the responsible NHS commissioner.~~

- To request that the Secretary of State calls in a proposal from a responsible NHS commissioner for a substantial development or substantial variation in the provision of health services in Lincolnshire, in instances where the Committee does not support the proposal and all reasonable steps have been taken to resolve the matter locally in accordance with the guidance issued by the Secretary of State.
- To consider representations from individuals or organisations, where those individuals or organisations are seeking to support their request that the Secretary of State call in a proposal for the reconfiguration of local health services.
- To make representations to the Secretary of State, in instances where the Secretary of State has intervened on a proposal for a substantial development or substantial variation in the provision of health services in Lincolnshire.
- To consider and respond to any other health consultations, which affect the residents of Lincolnshire.
- To submit requests to the Overview and Scrutiny Management Board, for in-depth scrutiny reviews in relation to the above services. Where a request for a scrutiny review is approved by the Overview and Scrutiny Management Board, the scrutiny review will be undertaken by a Scrutiny Panel on behalf of the Committee.
- To consider and approve reports, including recommendations, prepared following in-depth reviews undertaken by Scrutiny Panels, for submission to the relevant NHS organisation or other decision maker. Such reports and recommendations to include:-
  - (a) an explanation of the matter reviewed or scrutinised;
  - (b) summary of the evidence considered
  - (c) list of participants involved in the review or scrutiny; and
  - (d) an explanation of any recommendations on the matter reviewed or scrutinised.
- To make reports and recommendations to any relevant NHS body, to any relevant health service provider, the County Council, the Executive or relevant Executive Councillor in relation to any of the Committee's functions listed above. Such reports and recommendations to include:-
  - (a) an explanation of the matter reviewed or scrutinised;
  - (b) summary of the evidence considered;
  - (c) a list of participants involved in the review or scrutiny; and
  - (d) an explanation of any recommendations on the matter reviewed or scrutinised.
- To liaise with Healthwatch Lincolnshire in relation to the health care element of Healthwatch Lincolnshire's work programme and to consider referrals from Healthwatch Lincolnshire in relation to health care.
- **To agree protocols with any NHS organisation, Healthwatch Lincolnshire, the Health and Wellbeing Board or the Integrated Care Partnership to support the Committee in its activities.**