



Full Council

Report Subject	Local Authority Health Scrutiny
Meeting date	9 December 2014
Cabinet Portfolio	Councillor Michael Greene, Corporate Policy and Strategy
Corporate Lead	Ian Milner, Finance
Service Director	Tanya Coulter, Legal and Democratic
Status	Public
Classification	For decision
Key Decision	No
Impacts on Key Policy Framework	No
Report author	Tanya Coulter, Service Director – Legal and Democratic  01202 451172  Tanya.coulter@bournemouth.gov.uk
Executive summary	The purpose of this report is to obtain the Full Council's formal delegation of the powers contained within the Health and Social Care Act 2012, for the discharge of Health Scrutiny functions.
Recommendations	That, in accordance with Regulation 28 of the Health and Social Care Act 2012, the Council confirm the delegation of its health scrutiny functions to the Health and Adult Social Care Overview and Scrutiny Panel.
Reasons for recommendations	The Health and Adult Social Care Overview and Scrutiny Panel sits within the proven Overview and Scrutiny model, offering a number of benefits that other structures may not, including a clear identity within the local authority, political balance and an established reputation within the local community for independence and accessibility.

Background detail

1. Historically in England and Wales, legislation has provided that Health Scrutiny functions be conferred on a statutory local authority Health Scrutiny Committee. To date, the Council's statutory Health Scrutiny Committee has been the Health and Adult Social Care Overview and Scrutiny Panel.
2. The National Health Service Act 2006, as amended by the Health and Social Care Act 2012, confers Health Scrutiny functions on the local authority, as distinct from any overview and scrutiny committee or panel within the local authority. This new provision is designed to give local authorities greater flexibility and freedom over the way they discharge Health Scrutiny functions.
3. Therefore, to ensure that the Council has complied with the Home Office guidance of June 2014, the Full Council is asked to formally confirm the delegation of its Health Scrutiny functions.

Consultation

4. The recommendations contained within the report have been developed in consultation with the Chairman of the Health and Adult Social Care Overview and Scrutiny Panel and the Executive Director – Adults and Children.

Options

5. The Council is asked to formally delegate the powers contained within the Health and Social Care Act 2012, for the discharge of Health Scrutiny functions, to the Health and Adult Social Care Overview and Scrutiny Panel.

Summary of finance and resourcing implications

6. There are no finance or resourcing implications arising from this report.

Summary of legal implications

7. Approval of the recommendations set out in this report ensures that the Council meets statutory requirements and specific provisions within the Health and Social Care Act 2012 and the Council's Constitution. Furthermore, any failure to confirm the arrangements could place the Council at risk of challenge with regard to its decision making in respect of its statutory responsibilities for Health Scrutiny.

Summary of human resources implications

8. There are no human resource implications arising from this report.

Summary of environmental impact

9. There are no environmental implications arising from this report.

Summary of equalities and diversity impact

10. There is a positive impact in that ensuring decision making arrangements are established coherently will assist the Council in its engagement with the community in its decision making.

Summary of risk assessment

None.

Background papers

[Home Office Guidance – Local Authority Health Scrutiny – June 2014](#)

Appendices

None.