

Horton Joint Health Overview and Scrutiny Committee (Oxfordshire, Warwickshire and West Northamptonshire)

Terms of Reference

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 (JHOSC) 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) advised a JHOSC be formed covering the area of patient flow for these services. This was formed in 2018, across the area of patient flow for obstetric services at the Horton General Hospital in Oxfordshire, Northamptonshire and Warwickshire.
3. A decision was made by Oxfordshire Clinical Commissioning Group (OCCG) in September 2019 to:
 - a) Confirm an earlier decision made in August 2017 to create a single specialist obstetric unit for Oxfordshire (and its neighbouring areas) at the John Radcliffe Hospital and establish a Midwife Led Unit (MLU) at the Horton General Hospital, for the foreseeable future.
 - b) Work closely with Oxford University Hospitals (OUH) and local stakeholders to further develop the masterplan for the Horton General Hospital, ensuring it includes high quality, flexible clinical space that could be used for different services over time, including obstetric services if circumstances demand.
 - c) Actively pursue with OUH the need for significant capital investment in the Horton General Hospital, in clear recognition that this can improve recruitment and ensure the site is fit for its future as a thriving 21st century hospital for the whole of North Oxfordshire and beyond.
4. Following this decision, the Horton JHOSC Terms of Reference were amended to allow its further scrutiny of the development of a Horton General Hospital masterplan.
5. These terms of reference set out the arrangements for Oxfordshire County Council, Warwickshire County Council and West Northamptonshire Council to operate a JHOSC in line with the provisions set out in legislation and guidance to allow it to operate as a mandatory committee.

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6. The Horton 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 Wellbeing Boards and Health Scrutiny) Regulations 2013 to appoint a joint committee for the purposes of the specified health partner's consultation on:
 - i. Development of the masterplan for the Horton General Hospital, ensuring it includes high quality, flexible clinical space that could be used for different services over time, including obstetric services if circumstances demand.
 - ii. Active pursuit of significant capital investment in the Horton General Hospital.
7. The purpose of the mandatory Horton JHOSC across Oxfordshire, Warwickshire and West Northamptonshire is to:
 - a) Make comments on the proposal consulted on
 - b) Require the provision of information about the proposal
 - c) Require a member or employee of the relevant NHS body or relevant health service provider to attend before it to answer questions in connection with the consultation.
 - d) Refer to the Secretary of State only on the development of a masterplan for the Horton General Hospital where:
 - It is not satisfied that consultation on any proposal for a substantial change or development in health services has been adequate in relation to content or time allowed (Note: the referral power in this context only relates to the consultation with the local authorities and not consultation with other stakeholders).
 - It is not satisfied that the proposal would 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.
8. The response to the consulting health service will be agreed by the Horton JHOSC and signed by the Chair.
9. With the exception of proposals to develop a masterplan for the Horton General Hospital, responsibility for all other health scrutiny functions and activities remains with the respective local authority health overview and scrutiny committees.
10. No matter to be discussed by the Horton JHOSC 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 and Governance

11. The Horton JHOSC 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 Horton JHOSC of the formal consultation timetable and the point at which a decision is taken.
12. Meetings of the Horton JHOSC will be conducted under the Standing Orders of Oxfordshire County Council (i.e. the local authority hosting and providing Democratic Services support).

Membership

13. Membership of the Horton JHOSC will be appointed by Oxfordshire County Council, Warwickshire County Council and West Northamptonshire Council from the membership of their overview and scrutiny committees that have responsibility for discharging health scrutiny functions.
14. Appointments to the Horton JHOSC have regard to the proportion of patient flow for the Horton General Hospital. The membership of the JHOSC will therefore be 10 councillors, consisting of 8 from Oxfordshire, 1 from Warwickshire and 1 from West Northamptonshire.
15. Appointments by each authority to the Horton JHOSC will reflect the political balance of that authority.
16. The quorum for meetings of the Horton JHOSC will be 5 members, comprising at least one member from either Warwickshire or West Northamptonshire.

Committee support

17. The work of the Horton JHOSC will require support in terms of overall co-ordination, setting up and clerking of meetings and underpinning policy support and administrative arrangements.
18. Meetings of the Horton JHOSC are to be held near to the Horton General Hospital (or virtually according to relevant regulations) and associated administrative support and costs to be borne by Oxfordshire County Council.
19. Should a press statement or press release need to be made by the Horton JHOSC this will be drafted by Oxfordshire County Council on behalf of the Horton JHOSC and will be agreed by the Chair.