

**THE CHESHIRE AND WIRRAL COUNCILS
JOINT SCRUTINY COMMITTEE OF CHESHIRE & WIRRAL
PARTNERSHIP NHS FOUNDATION TRUST**

PROCEDURAL RULES

The Joint Committee will operate in accordance with the Local Government Acts and Department of Health Regulations & Guidance. Procedural Rules are as set out below. Where, exceptionally, a matter of procedure is not covered below and a ruling is required, the appropriate and relevant Rules and Procedures set out in the Constitution of the Authority providing the Secretarial support will apply. The Terms of Reference of the Joint Committee have been agreed by the participating Councils, and a copy is attached at Appendix 2 for reference purposes.

1 TITLE OF THE COMMITTEE

The Joint Committee shall be known as the Cheshire and Wirral Councils Joint Scrutiny Committee.

2 MEMBERSHIP AND CO-OPTION ARRANGEMENTS

Membership of the Committee is

6 Cheshire East Councillors
6 Cheshire West and Chester Councillors
6 Metropolitan Borough of Wirral Councillors

as notified to the Secretary.

The representatives of the three Authorities must reflect the Political proportionalities of the nominating Council.

Each Member's term of office shall be in accordance with the constitutional arrangements of their own Council.

Executive Members from all of the Councils are excluded from serving on the Joint Committee in any capacity.

The Joint Committee may choose to co-opt other appropriate individuals, in a non-voting capacity, to the Committee or for the duration of a particular review or scrutiny.

3 APPOINTMENT OF CHAIR AND VICE-CHAIR AND TERM OF OFFICE

The Chair and Vice-Chair shall be appointed annually by the Joint Committee from the elected Members.

The Chair shall be held by one Authority and the Vice-Chair by another.

Nominations for the Chair and Vice Chair may be made by any Members with voting rights. If there is more than one nomination a secret ballot will be held to determine who shall be appointed.

The Authority which does not hold either the Chair or the Vice Chair shall appoint a Spokesperson from amongst its Members and notify the Secretary accordingly.

4 PROVISION OF ADMINISTRATIVE SUPPORT

Normally an Officer from the Chair's Authority shall be responsible for providing Secretarial, Administrative and Proper Officer support to the Joint Committee.

The Secretary, in consultation with the appropriate Officers of the other Authorities and the Chair, Vice-Chair and Spokesperson, shall draw up the business for each meeting of the Joint Committee. The Secretary shall be responsible for giving notice of meetings to the press and public.

For the relevant purposes under the Local Government Act 1989 and Part III of the Local Government Act 2000, individual Members of the Joint Committee should refer to the Monitoring Officer of their appointing Council. This will include the need to register any interests arising out of their membership of the Joint Committee.

The Monitoring Officer of the Council providing Secretarial services to the Joint Committee shall deal with any issues arising from the conduct of the individual Joint Committee meetings, and shall, if necessary, notify the Monitoring Officer of the other Council of any appropriate matters concerning individual Members of the Joint Committee.

5 SUBSTITUTION ARRANGEMENTS

Each Council shall identify up to three alternate Members as voting substitutes (one per Political Group).

Where a Council wishes to effect a change of representation for a particular meeting, written notice to this effect shall be served on the Secretary so that it may be reported at the start of the meeting.

It shall be the responsibility of the Member being substituted to pass on all relevant papers to his/her substitute.

6 PROGRAMME OF MEETINGS

The Joint Committee shall meet a minimum of four times per annum, at such times and venues considered appropriate.

Arrangements for the dates, times and venues of meetings shall be agreed by the Chair, Vice Chair and Spokesperson.

7 QUORUM

Business cannot be transacted at meetings of the Joint Committee unless there is a minimum of 6 of the Local Authority members present, of whom a minimum of 2 shall be from each Council.

8 RECORD OF PROCEEDINGS

Subject to the provisions of the Access to Information requirements, Minutes from each Joint Committee meeting shall be submitted to the next available meeting of the appropriate Overview and Scrutiny Committee of each Authority; and thereafter included in the record of proceedings sent to the full Council Meetings of each Authority. Each Council may decide on any additional distribution of the Minutes which they feel is appropriate.

9 WORK PROGRAMME

The Joint Committee shall forward a copy of its proposed annual work programme to the appropriate Overview and Scrutiny Committee of each Council, the Partnership Trust and appropriate PCTs for consultation, to develop overall consistency in Health Scrutiny activity and to make an assessment of the resources required to support the programme. The draft annual programme shall include terms of reference for each proposed Scrutiny review and how it is proposed the review should be undertaken. The Joint Committee may establish task and finish Joint Panels on a basis to be determined. The annual programmes will need to allow for short notice scrutiny work such as items referred by the Local Involvement Network or other bodies.

10 MANAGEMENT OF REPORTS

Draft copies of Scrutiny reports produced by the Joint Committee shall be sent to the relevant NHS, or other, bodies that have been the subject of the review to enable them to comment on issues of factual accuracy, and to inform them when the final report will be published. Copies of the final report shall also be sent to the appropriate Overview and Scrutiny Committee of each Council.

11 REFERENCE OF MATTERS TO OTHER BODIES

The Joint Committee may if deemed necessary, and prior to settling its response, refer any substantial development or variation (SDV) proposals on which it is being formally consulted to the appropriate Overview and Scrutiny Committee of any of the constituent Councils affected by the proposals for consideration and advice.

12 URGENT BUSINESS PROCEDURES

An item of urgent business, which cannot await the next meeting, may be determined by the Chair and Vice-Chair, in consultation with the Spokeperson. A report of any action taken on an urgent basis shall be made to the next meeting of the Joint Committee.

13 ATTENDANCE OF MEMBERS OF CONSTITUENT BODIES AND OTHERS

Any other Member of the constituent Authorities and, subject to the Access to Information requirements, members of the public may attend a meeting of the Joint Committee. They may speak with the consent of the Chair of the meeting.

14 JOINT ARRANGEMENTS

If appropriate, the Joint Committee may appoint a Joint Panel with another Health Scrutiny Committee.

TERMS OF REFERENCE

- 1 to undertake the Scrutiny of, and report on, any matter relating to the planning, provision and operation of services provided by the Cheshire and Wirral Partnership NHS Foundation Trust (including commenting on the annual “health check” of the performance of the Trust) within the areas of Cheshire East Council, Cheshire West & Chester Council and Wirral Metropolitan Borough Council
- 2 to consider and comment upon any proposals submitted by the Trust for substantial development or variation in the provision of its services
- 3 to consider any matters referred to the Joint Committee by Cheshire East Council Health & Adult Social Care Scrutiny Committee, or Cheshire West & Chester Health and Wellbeing Select Panel, or the Metropolitan Borough of Wirral’s Social Care, Health and Inclusion Overview and Scrutiny Committee
- 4 to consider any matters referred to the Joint Committee by the appropriate Local Involvement Network (LINK).