



Joint Health Overview and Scrutiny Committee

8 October 2013

Subject Heading:

Proposed Amendment to Committee's
Terms of Reference

Report Author and contact details:

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Committee
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To make a minor amendment to the
Committee's Terms of Reference

Policy context:

Financial summary:

There are no apparent financial
implications of the Committee's decision.

SUMMARY

This report asks the Committee (the JHOSC) to consider a change to the wording of a clause in its Terms of Reference dealing with the political make-up of the borough appointments to the Joint Committee.

RECOMMENDATIONS

1. That the Committee adopt the revised wording of clause 5 of its Terms of Reference as follows:

Appointments made to the JHOSC by each participating London borough OSC will reflect the political balance of the borough Council, unless a participating borough OSC agrees to waive the requirement and this is approved by the JHOSC.

REPORT DETAIL

- 1.1 Recent discussion amongst officers have suggested that it may be appropriate to review the wording of clause 5 of the Committee's Terms of Reference which deals with the political balance of the appointment by each borough to the JHOSC. The clause currently reads as follows:

Each participating London borough OSC will reflect the political balance of the borough Council, unless all participating borough OSCs agree to waive the requirement.

- 1.2 It has been suggested that the above wording is somewhat ambiguous and, while it should be stressed that this was never the intention, the above wording could be read as the Joint Committee somehow seeking to influence the make-up of individual borough OSCs. There may also be occasions when a participating Council is unable, for any reason, to follow the overall political balance of its Council in its nominations to the JHOSC.
- 1.3 It is therefore suggested that clause 5 be amended as follows in order to make it clearer that individual boroughs are free to nominate any Members they wish to the JHOSC, provided any necessary waiving of the political balance rules deemed necessary by an individual borough OSC is also approved by the Joint Committee. The suggested wording of the clause is therefore as follows, with proposed revisions from the existing terms of reference shown in bold:

Appointments made to the JHOSC by each participating London borough OSC will reflect the political balance of the borough Council, unless a participating borough OSC agrees to waive the requirement and this is approved by the JHOSC.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

The political balance rules are as stated in the Local Government and Housing Act 1989 and it is for each individual Council to decide on how it will apply these in making appointments to a joint body such as the JHOSC.

Human Resources implications and risks:

None.

Equalities implications and risks:

None.

BACKGROUND PAPERS

None.