

## **Appendix D**

### **Summary of responsibilities for local authorities and NHS bodies**

Overview and scrutiny of health is an important part of the Government's commitment to place patients and the public at the centre of health services. It is also an opportunity for democratically elected community leaders to voice the views of their constituents and require local NHS bodies to listen and respond. In this way, local authorities can assist to address health inequalities and support health improvement. The power of overview and scrutiny of health services is given to the overview and scrutiny committee of the following local authorities: county councils, councils of districts where there is no county council (i.e. district council unitary authorities and metropolitan councils), London borough councils and the Common Council of the City of London. A full explanation of the powers and duties placed upon local authorities and local NHS bodies, including definitions of terms and phrases, may be found in the Department of Health Guidance of the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002.

#### **Powers of local authority overview and scrutiny committees**

Overview and scrutiny committees may:

1. review and scrutinise any matter relating to the planning, provision and operation of health services in the area of the committee's local authority;
2. make reports and recommendations to local NHS bodies and to its local authority on any matter reviewed or scrutinised using the overview and scrutiny of health power;
3. require the attendance of an officer of a local NHS body to answer questions and provide explanations about the planning, provision and operation of health services in the area of the committee's local authority;
4. require a local NHS body to provide information about the planning, provision and operation of health services in the area of the committee's local authority, subject to exemptions outlined in the Health and Social Care Act 2001;
5. establish joint committees with other local authorities to undertake overview and scrutiny of health services;
6. delegate functions of overview and scrutiny of health to another local authority committee;
7. co-opt members of the overview and scrutiny committees of district councils onto the committee as full members (County Council committees only);
8. be able to report to the Secretary of State for Health:

- a) where the committee is concerned that consultation on substantial variation or development of services has been inadequate;
- b) where the committee considers that the proposal is not in the interests of the health service.

### Duties of local NHS bodies

NHS bodies must:

1. provide information requested by the overview and scrutiny committee, subject to exemptions;
2. attend before committees to answer questions, subject to exemptions;
3. on request, respond to reports and recommendations within 28 days of the request of the committee;
4. consult the local overview and scrutiny committee (including joint committees) on matters of substantial development or variation to services, (in addition to the duty under section 11 of the Health and Social Care Act 2001 to involve and consult patients and the public).