

Standing Orders

Southwark Community Health Council

Introduction

These Standing Orders are subject to any statutes or statutory instruments, issued by the Secretary of State for Health concerning Community Health Councils and any directive issued by the South Thames Regional Health Authority concerning CHCs.

1. Function

It shall be the duty of the Council to keep under review the operation of the health service in its district and make recommendations for the improvement of such services, or otherwise advise any relevant District Authority upon such matters relating to the operation of the health service within its district as the Council thinks fit.

2. Chair's Ruling

The decision of the Chair of the meeting on questions of order, relevancy and regularity (including procedure on handling motions) and the Chair's interpretation of the Standing Orders, shall be final. In this interpretation the Chair shall be advised by the Chief Officer.

3. Interpretation

3.1 *In these Standing Orders, unless the context otherwise requires:*

- "Appointing body" means, as appropriate, the Secretary of State, a Regional Health Authority, a Local Authority, and a voluntary organisation.
- "District Authority" means a District Health Authority.
- "Council" means the Community Health Council.
- "District" means in relation to the Council, in locality for which it is established, whether that locality consists of the area of part of the area of a District Health Authority or such an area or part together with the area of parts of the areas of other district authorities.
- "Establishing authority" means the Secretary of State or a Regional Health Authority.
- "Health Authority" means a Regional Health Authority, District Health Authority or Special Health Authority.

- “Member” means Member of the Council and “Members” shall be construed accordingly.
- “Relevant Local Authority” means in relation to England in Section 270(1) of the Local Government Act 1972 of which the area or part of it is in each case included in the Council’s district.
- “Voluntary organisation” means anybody (other than a public or local authority) of which the activities are carried on otherwise than for profit.
- And any other expression to which a meaning is assigned by the National Health Service Act 1946 (a) has that meaning in these regulations.

References in these Standing Orders to any enactment shall include references to such enactment as amended by any subsequent enactment, order or regulations.

The rules for the construction of Acts of Parliament contained in the Interpretation Act 1889(b) shall apply for the purpose of the Interpretation of these Standing Orders as they apply for the purposes of interpretation of an Act of Parliament.

- 3.2 References in these Standing Orders to “the Chair of the Council” shall be deemed to include in the absence or incapacity of the Chair the Vice-Chair of the Council or in the absence or incapacity of both the Chair and Vice-Chair such person who has been appointed by the Members at a valid meeting of the Council to fulfil the office of Chair and Vice-Chair of the Council.
- 3.3 References in these Standing Orders to “the Chief Officer of the Council” shall be deemed to include:
- 3.3.1 In the absence or incapacity of the Chief Officer such other person who has either been appointed by the Council to act as Chief Officer of the Council or who has been appointed by the Council in the absence or incapacity of the Chief Officer to discharge certain *specified* functions which would normally be undertaken by the Chief Officer.
- 3.3.2 Other persons authorised by the Chief Officer to discharge certain specified functions on behalf of the Chief Officer.

4. *Urgent Decisions*

Where the Chair of the Council or the Chair of any Committee of the Council authorises urgent action in respect of a matter on behalf of the Council which would normally have been considered by the Council itself, such action shall be reported to the next meeting of the Council and the Chair of any Committee of the Council shall, before taking such action, consult the Chair of the Council who shall be advised by the Chief Officer.

5. *Suspension of Standing Orders*

Except where this would contravene any statutory provision or any direction made by the Secretary of State, any one or more of the Standing Orders may be suspended at any meeting provided at least two thirds of the Members present vote for such suspension.

6. **Variation and Amendment of Standing Orders**

These Standing Orders shall not be varied except upon a notice of motion under Standing Order 20 and unless there are at least two thirds of the whole number of members present and voting for such variation and provided that any variations do not contravene a statutory provision or direction made by the Secretary of State.

7. **Standing Orders to be Given to Members of Staff**

The Chief Officer shall give a copy of the Standing Orders to each Member of the Council and the staff.

8. **Annual Meeting**

The first meeting of the Council in the month of March of each year shall be the designated annual meeting of the Council.

9. **Business at the Annual Meeting**

The first business of the annual meeting of the Council shall be the appointment of a Chair of the Council. Other business to be transacted at the annual meeting shall include the appointment of a Vice-Chair of the Council, the establishment and membership of committees of the Council and the representation of the Council on other bodies.

10. **Election of Chair and Vice-Chair**

10.1 *The Members shall elect one of their number to be Chair for such a period as the Council may determine on making the election, not being a longer period than the remainder of the period of the Member's membership of the Council during which the Member is elected and the Chief Officer of the Council shall forthwith notify the establishing authority of the name of the Chair so elected. This CHC shall elect officers for the period to 31 March of the following year.*

10.2 *The Members shall elect one of their number, other than the Chair to be Vice-Chair for such a period as the Council may determine on making the election not being a longer period than the remainder of the period of the Member's membership of the Council during which the Member is elected and the Chief Officer of the Council shall forthwith notify the establishing authority of the name of the Vice-Chair so elected.*

10.3 *Any Member elected to be Chair or Vice-Chair may at any time resign from such office by giving notice in writing to the officer appointed to act as Chief Officer of the Council, who shall forthwith notify the establishing authority, and the members of the Council shall thereupon elect another of their number as Chair or Vice-Chair in accordance with the provisions of this regulation.*

Membership

The membership of the Council shall be 24 appointed as follows:

<i>London Borough of Southwark:</i>	12
<i>Voluntary Organisations:</i>	8
<i>STRHA:</i>	4

11. Termination of Membership

11.1 *A member may resign at any time during the period for which he was appointed on giving notice in writing to the officer appointed to act as Chief Officer of the Council who shall forthwith notify the appointing body by which that member was appointed and the establishing authority. Coopted Members as decided by the AGM, no more than one third of the membership.*

11.2 *If a Member has not attended a meeting of the Council or a committee thereof for a period of six months the Council shall report the absence of the Member to the appointing body by which the Member was appointed and to the Establishing Authority and that Authority, after consultation with the appointing body by which the Member was appointed (if the establishing authority is not itself that appointing body), shall, unless it is satisfied that the absence was due to reasonable cause, declare that the Member's place on the Council has become vacant and on the making of such declaration that person shall cease to be a Member.*

12. Disqualification for Membership

12.1 *A person shall be disqualified for appointment to or being a member of the Council if he is a member of a Regional Health Authority, a District Authority or a Family Practitioner Committee.*

12.2 *Subject to paragraph 12.3 of this regulation, a person shall be disqualified for appointment as a member of the Council if that person has been dismissed, otherwise than by reason of redundancy from any paid employment with any of the following bodies:*

- *A Regional Health Authority or a District Health Authority*
 - *A Special Health Authority*
 - *The Public Health Laboratory Service Board*
- *A preserved Board within the meaning of Section 15 of the National Health Service Reorganisation Act 1973(a)*
 - *The Dental Estimates Board*
 - *The National Radiological Protection Board*

12.3 *Subject to paragraph 12.4 where a person is disqualified under paragraph 12.2 of this regulation he may, after the expiry of a period of not less than two years commencing with the dismissal, apply in writing to the Secretary of State to remove the disqualification, and the Secretary of State may direct that the disqualification shall cease.*

13. Appointment of Committees and Joint Committees

13.1 *The Council may appoint committees of the Council to exercise, subject to such restrictions and conditions as the Council thinks fit, some, but not all of the Council's functions and such committees may consist wholly or partly of persons who are members of the Council.*

13.2 *Except in any particular case which the establishing authority may for special reasons allow, not less than two thirds of the members of any committees appointed by the Council must be members of the Council.*

13.3 *The Council may, together with one or more other Councils, appoint a Joint Committee of which the Members consist of members of those Councils to exercise, subject to such restrictions and conditions as may be agreed between those councils some, but not all of, the functions of such councils.*

The Council may coopt persons to membership of the Council. There shall be no more than one third of members coopted.

Each Committee shall agree to its own Chair to be notified to the annual meeting of the Council. If no Chair is notified, the Council shall appoint a Chair of the sub-committee. If a Chair of a sub-committee resigns between annual meetings, the matter of the Chair shall be settled at the next sub-committee meeting and/or council meeting.

14. Meetings

14.1 *Meetings of the Council shall take place at such times and places as the Council may direct, but in any event a meeting of the Council shall take place at least once in every three months.*

14.2 *The Chair may call a meeting of the Council at any time and, if the Chair refuses to call a meeting after a requisition for that purpose, signed by at least one third of the whole number of Members and has been presented to the Chair, or if, without so refusing, the Chair does not call a meeting within ten days after such a requisition has been presented to him/her, such one third or more Members may forthwith call a meeting.*

Meetings shall normally take place on the second Tuesday in alternate months starting January, to be reviewed at the Annual General Meeting.

15. Notice of Meetings

15.1 *Before each meeting of the Council a notice of the meeting, specifying the business proposed to be transacted thereat, and signed by the officer appointed to act as Chief Officer of the Council or by some other officer of the Council authorised to sign on his behalf, shall be delivered to every Member or sent by post to the usual place of residence of such Member, so as to be available to such Member at least seven clear days before the meeting.*

15.2	<i>Provided that want of service of such notice on any member shall not affect the validity of a meeting.</i>
15.3	<p>Provided also that, in the case of a meeting called by members in default of the Chair, the notice shall be signed by those members and no business shall be transacted at the meeting other than that specified in the notice.</p> <p>No business shall be added to the agenda unless notified to the Chair or Chief Officer before the commencement of the meeting.</p>
16.	<u>Presiding at Meetings</u>
16.1	<i>At any meeting of the Council the Chair, if present, shall preside.</i>
16.2	<i>If the Chair and Vice-Chair are absent, such one of their number as the Members present, shall preside.</i>
17.	<u>Quorum</u>
	<i>No business shall be transacted at a meeting unless one third of the whole number of members are present.</i>
18.	<u>Business of the Meeting</u>
18.1	Policy shall be determined only by the Council. Recommendations and decisions of committees are policy only of that committee until the report of the committee meeting has been accepted by the Council.
18.2	<p><u>Order of the Business</u></p> <p>The normal Agenda shall be:</p> <ol style="list-style-type: none"> 1. Apologies for Absence 2. Minutes of the Previous Meeting 3. Matters Arising from the Minutes 4. Speaker (if appropriate) 5. Report from DHA meeting 6. Other Reports (specified) 7. Committee Reports (specified) 8. Reports of Visits (specified) 9. Motions 10. Any Other Business
18.3	No business shall be added to the agenda unless notified to the Chief Officer before the meeting.
18.4	No item of "Any Other Business" shall be included in the agenda unless notified to the Chief Officer before the meeting.