

National Health Service Act 2001

Health Services Consultative Committee

In exercise of the powers conferred on the Department of Health and Social Security (“the Department”) by section 2 of the National Health Service Act 2001 (“the Act”) and of all other enabling powers a Committee is hereby established in accordance with the following provisions.

1) Title

The Committee shall be known as “the Health Services Consultative Committee”.

2) Functions

The functions of the Committee are those set out in section 2 of the Act.

3) Membership

- a) The Committee shall comprise ten persons, four of whom (not being Members of Tynwald) shall be appointed by the Council of Ministers (“the Council Appointees”) and, in accordance with sub-paragraph (b), six appointed by the Department (“the Department appointees”).
- b) The Department appointees shall comprise -
 - i) a Hospital Consultant, being a member of and nominated by the Isle of Man Medical Society;
 - ii) a General Medical Practitioner, being a member of and nominated by the Isle of Man Medical Society;
 - iii) a Nurse Practitioner, being a member of and nominated by the Royal College of Nursing;
 - iv) a General Dental Practitioner, being a member of and nominated by the Isle of Man Dental Association;
 - v) a Pharmacist, being a member of and nominated by the Isle of Man Pharmacy Contractors’ Association; and,
 - vi) an Ophthalmic or Dispensing Optician, being a member of and nominated by the Isle of Man Association of Optometrists & Registered Opticians.

4) Chairman

A Chairman, being one of the four Council appointees, shall be nominated by that Council. In the temporary absence of the Chairman, the Committee shall appoint a Chairman being a Council appointee.

5) Secretary

The Civil Service Commission shall appoint a Secretary to the Committee not being a person appointed to the staff of the Department. The Secretary shall not be entitled to vote at Committee meetings.

6) Tenure

- a) Initially two Council appointees (one being the Chairman) shall serve for a period of three years and the other two Council appointees shall serve for a period of two years. The initial Department appointees under paragraphs 3(b)(i), (iii) and (v) shall serve for a period of three years and the other Department appointees shall serve for a period of two years.

- b) Thereafter members of the Committee shall be appointed to serve for a period of three years.
- c) Retiring members shall be eligible for re-appointment save that no person may serve as a member of the Committee for periods in total of more than nine years.

7) Observers

The persons holding the offices of the Chief Executive of the Department and the Director of Public Health shall be entitled to receive in advance copies of Committee Agendas (including minutes and other relevant papers referred to therein). They (or in the case of an officer of the Department nominated by them) shall be entitled to attend Committee meetings in an advisory capacity but shall have no right to vote at any such meeting.

8) Conduct of Business

a) Quorum

A Committee meeting shall be invalidated unless at least five members are present (including at least two Council appointees).

b) Decisions

Decisions and other deliberations of the Committee shall be recorded in minutes of its meetings maintained by the Secretary. In the event of an equality of votes on any issue the Chairman shall have a second or casting vote but no decision of the Committee shall be valid unless it is supported by at least two Council appointees.

c) Meetings

Meetings of the Committee shall be held not less frequently than every 13 weeks on dates and times to be agreed by the members (save for the first meeting which shall be arranged by the Chairman). In the light of unforeseen and urgent business the Chairman may call "ad hoc" meetings.

d) Agenda

The Secretary in consultation with the Chairman shall be responsible for preparing Agendas for the Committee meetings. The Agenda shall comprise of such business as may have been referred to it by the Department, together with such business as a member may wish to have included on an Agenda, being business falling within the functions of the Committee. An Agenda and any other relevant supporting documents shall be circulated not later than 7 days before the meeting.

e) General

Other than as provided in sub-paragraphs (a) – (d) above the Committee shall be free to determine its own procedures.

9) Annual Report

The Committee shall submit an annual report to the Department on the discharge of its functions.

Given this day of August 2002 under the hand of the Minister for Health and Social Security.