

**DERBYSHIRE COUNTY COUNCIL
HEALTH IMPROVEMENT AND SCRUTINY COMMITTEE**

15 July 2013

Report of the Director of Legal Services

**HEALTH IMPROVEMENT AND SCRUTINY COMMITTEE
ROUND-UP REPORT**

1. Purpose of the report

To provide the Committee with a round-up of issues and projects relevant to the role and remit of the Committee that are not covered elsewhere on the agenda.

2. Information

Spending Review 2013

On 26 June the Chancellor announced details of the Spending Round 2013, also known as the Spending Review, which sets out the Government's spending priorities for the remainder of the current Parliament and into 2015/16. The main headlines for the Committee to be aware of are:

- £3.8 billion will be placed into a pooled budget for health and social care services to work more closely together in local areas, in order to deliver better services to older and disabled people. According to the Secretary of State for Health this pooled budget can, however, only be accessed by Local Authorities and Clinical Commissioning Groups, through Health and Wellbeing Boards, putting forward 'ambitious plans' to spend the money. It has also been suggested that social care would have to consider moving some services to seven day working arrangements to access these funds. Any plans put forward will have to be signed off by the Health Minister and a member of the Communities and Local Government team;
- To ensure change can start immediately the NHS will make £200 million available in 2014/15 for Social Care Services;
- A further £200 million will be invested into extending the 'Troubled Families' programme and help change the way that local authorities, health, education and criminal justice services work with a further 400,000 vulnerable families.

The Committee should be kept informed of any plans devised locally to access these funds and consider the implications they may have on improving the health of the local population.

Children's Congenital Heart Surgery – Safe and Sustainable Review

In 2011 the Joint Council of Primary Care Trusts (JCPCT) consulted on proposals for the reconfiguration of children's heart surgery in England. The aim of the reconfiguration was to focus the delivery of these services into a smaller number of specialist surgical sites nationally with a view to creating a national network that would improve quality and outcomes. The consultation put forward a number of options to retain and enhance existing surgery units – the Council's former Improvement and Scrutiny Committee-People supported an option to retain services at Glenfield Hospital, Leicester.

The Safe and Sustainable Review proved to be very emotive and controversial. The outcome of a public consultation on options for reconfiguration was delayed by a legal challenge by the Royal Brompton and Harefield NHS Foundation Trust – the challenge was subsequently dismissed.

Following the public consultation and legal challenge the JCPCT delivered its final plan for Children's Congenital Heart Surgery in July 2012. The plan intended to have the specialist surgical centres in Birmingham, Bristol, Liverpool, Newcastle, and Southampton and at two sites in London. Following this announcement the Health Scrutiny Committee for Lincolnshire referred the decision to the Secretary of State for Health on the grounds that it was not in the interests of their health service as patients would have to travel to either Newcastle or one of the London centres. A second referral was made in September 2012 by the Leicester, Leicestershire and Rutland Joint Health Overview and Scrutiny Committee, which included a supporting letter from Derbyshire County Council's Improvement and Scrutiny Committee-People. A further referral was made in November 2012 by the Yorkshire and Humber Health Overview and Scrutiny Committee in support of retaining children's heart surgery in Leeds.

The Secretary of State for Health asked the Independent Reconfiguration Panel to conduct a full review into the Safe and Sustainable programme. During this investigation a judicial review was launched by Save Our Surgery Ltd in the High Court to retain services at Leeds. The High Court ruled in favour of the group in March 2013 which led to the Independent Reconfiguration Panel's review being extended until 30 April to take into account the judgement of the High Court ruling.

On 30 April this year, the Independent Reconfiguration Panel presented its report to the Secretary of State and recommended that the process be halted. Whilst agreeing there was a case for change the Panel felt that the JCPCT's decision was based on a "*...flawed analysis of incomplete proposals and their health input, leaving too many questions about sustainability unanswered and to be dealt with as implementation risks.*" This decision was supported by the Secretary of State on 12 June this year.

NHS England, which has taken on the responsibilities of the JCPCT as part of the NHS reforms, will now consider the recommendations put forward by the Independent Reconfiguration Panel. An announcement on the future of Children's and Adult's Heart Surgery will take place in the autumn and will be preceded by a listening exercise with patients, clinicians and providers. The Committee will be kept informed of developments in this area and any potential work arising from this.

East Midlands Ambulance Service – ‘Being The Best’ change programme

In September 2011, East Midlands Ambulance Service (EMAS) NHS Trust launched a consultation on proposals to reconfigure the way in which it delivered its services with the primary focus being on the use of its estate. The former Improvement and Scrutiny Committee-People, though supportive of the need for change, highlighted concerns about the viability of the proposals and the lack of sufficient services in the High Peak, Derbyshire Dales and South Derbyshire areas.

The consultation ended in December 2011 and EMAS revised its proposals following a series of listening exercises across the region. Their final plans were announced in March 2013 and included new provision for Ambulance Stations in the High Peak and Derbyshire Dales. These proposals were accepted by all of the Health Scrutiny Committees across the region except for Lincolnshire who referred the proposals for Lincolnshire to the Secretary of State for Health. It was announced by the Secretary of State in June this year that the Independent Reconfiguration Panel will review this. The Committee should, therefore, be mindful of the current review and the potential impact this could have on the wider plans by EMAS to reconfigure services in Derbyshire.

National Review of Hospital Mortality

Professor Sir Bruce Keogh, National Medical Director at NHS England, is conducting a review on the quality of care and treatment provided by NHS Trusts and NHS Foundation Trusts that are persistent outliers on hospital mortality indicators. There are currently 14 hospital trusts being investigated as part of this review. While none of these lie in the immediate county, two of the trusts are in neighbouring areas that receive patients from Derbyshire:

- Burton Hospitals NHS Foundation Trust
- Tameside Hospitals NHS Foundation Trust

Hospital investigations are taking place in three stages with the first two already completed at both Burton and Tameside. Stage one concerned the gathering and analysing of information and data; stage two was a rapid response review led by a team of experienced clinicians and comprising patients, managers and regulators. Stage three will see a risk summit take place to consider the outcomes of the first two stages and will make judgements about the quality of care and agree any necessary actions. The Committee will be kept informed of the progress of these reviews.

3. Considerations (to be specified individually where appropriate)

In preparing this report the relevance of the following factors has been considered: financial, legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

4. Officer's Recommendation

1. That the Health Improvement and Scrutiny Committee receives and notes the update report; and
2. The Committee is kept informed of any developments relating to issues outlined in this report.

John McElvaney
Director of Legal Services