

SCRUTINY BOARD (HEALTH AND WELL-BEING AND ADULT SOCIAL CARE)

WEDNESDAY, 16TH MAY, 2012

PRESENT: Councillor L Mulherin in the Chair

Councillors R Charlwood, C Fox,
S Armitage, K Bruce, J Chapman,
A Hussain, J Illingworth and S Varley

CO-OPTED MEMBERS Sally Morgan and Paul Truswell

101 Chair's opening remarks

As this was likely to be Councillor Mulherin's final meeting as Chair before taking up a new role on Council, she paid tribute to the extensive and quality work undertaken by the Board during 2011/2012. Cllr Mulherin thanked Members of the Scrutiny Board for all their efforts and hard work during a very busy year, that had not just included the Health and Wellbeing and Adult Social Care Scrutiny Board, but also work associated with the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber), established to consider the review of Children's Cardiac Services and the implications for children and families across the region arising from any proposed changes.

The Chair also made specific reference to the following elements of work undertaken by the Board over the course of the municipal year 2012/13:

- Contribution to the future options for long term residential and day care services for older people in Leeds;
- Review of services and facilities at Fairfax House for Blind and Visually Impaired People of Leeds;
- Consideration and response to local Foundation Trust proposals – in particular, those presented by Yorkshire Ambulance Service NHS Trust;
- The scrutiny inquiry and report around reducing smoking in Leeds;
- The considerable work around the Transformation of Health and Social Care Services in Leeds – summarised in the draft report to be considered at the meeting;
- Work around reducing health inequalities in Leeds, including the outline principals and recommendations, on which to base a final report, due to be considered at the meeting;
- Consideration of a number of Care Quality Commission (CQC) compliance reports.

The Board specifically discussed Yorkshire Ambulance Service NHS Trust's proposals to become a Foundation Trust and the associated governance arrangements. Members were advised that a response had been received from the Trust, which summarised the outcome of the public consultation and confirmed the governance arrangements as those set out in the original consultation document. This being despite the concerns expressed by the Scrutiny Board. The Scrutiny Board agreed that a further response should be sent to the Trust, expressing the Scrutiny Board's continued concerns around the, seemingly agreed governance arrangements under a Foundation Trust model, and the absence of any West Yorkshire Local Authority representation on the Board of Governors.

The Chair also thanked the Board's Principal Scrutiny Adviser for his work during the year.

Board Members thanked Councillor Mulherin for her work as Chair of the Board and her dedication the role.

102 Late Items

Although there were no formal late items, the Board was in receipt of the following supplementary information, for consideration at the meeting:

- Draft Scrutiny Inquiry Report on Reducing Smoking in Leeds and associated comments from the Joint Director of Public Health (minute 109 refers)
- Draft Scrutiny Inquiry Report on Transformation of Health and Social Care Services in Leeds, to form the basis for consultation with the appropriate Directors (minute 110 refers)
- Outline principals and recommendations relating to the Board's inquiry into Reducing Health Inequalities in Leeds, to form the basis of the Scrutiny Board's draft final report (minute 111 refers)

103 Declarations of Interest

No declarations of interest were made at this stage although a declaration was made later in the meeting (minute 106 refers).

104 Apologies for Absence and Notification of Substitutes

Apologies for absence were received from:

Councillor Chapman and co-opted members Joy Fisher (Alliance of Service Users and Carers) and Betty Smithson (Leeds Local Involvement Network (LINK)).

105 Minutes

Draft minutes to be approved at the meeting
to be held on Wednesday 27th June 2012

RESOLVED - To approve the minutes of the Scrutiny Board (Health and Wellbeing and Adult Social Care) meeting held on 18th April 2012

106 Review of Children's Neurosurgery - a proposed framework for services and standards specification in England

The Board considered a report of the Head of Scrutiny and Member Development introducing draft documentation published in relation to a proposed framework and specification standards for Children's Neuroscience Networks. Appended to the report were the following documents:

- Briefing note from North of England Specialises Commissioning Group (Yorkshire and the Humber Office);
- Children's Neuroscience Networks (for the neurosurgical child) - a framework for services in England (February 2012);
- Children's Neuroscience Networks (for the neurosurgical child) - specification standards (February 2012);
- Children's Neuroscience Networks (for the neurosurgical child) – Questionnaire.

Attending for this item were:

- Cathy Edwards (Director of Specialised Commissioning) – North of England Specialised Commissioning Group (Yorkshire and the Humber Office)
- Lisa Marriott (Assistance Director of Specialised Commissioning) – North of England Specialised Commissioning Group (Yorkshire and the Humber Office)

Councillor Mulherin declared a personal interest as a member of Epilepsy Action.

The main points of discussion were:

- The network footprints being considered for Yorkshire and the Humber. It was confirmed that a North of England solution had been discounted as 'unworkable'. This was welcomed by the Scrutiny Board.
- The situation in respect of Sheffield and whether this would form part of footprint for the Yorkshire and Humber or Midlands network.
- The importance of children and their families not having to travel great distances to receive treatment.
- The importance and availability of support for children and their families accessing neurosurgical services.
- It was confirmed that the length of stay in hospital following surgical procedures tended to be between 5 and 10 days – with the average length of stay being 7 days.
- The engagement and involvement work that had taken place in helping to shape and develop the proposals outlined in the respective

framework and specification standards for Children's Neuroscience Networks documents.

- Clarification around the current service provision and the likely improvements associated with the proposed changes. This included:
 1. Providing 24/7 access to services, while making best use of resources across proposed networks and surgical centres; and,
 2. The relationship with other services and clinical pathways.
- Delays to treatment, including current delays occurred and how the proposed changes would help to address such issues.

The Chair thanked the Directors and Assistance Director of Specialised Commissioning for their attendance and contribution to the meeting. The Chair paid particular tribute to the Director's ability to explain very complicated topics subject with great clarity and simplicity.

RESOLVED –

- i) To note the report and the comments made at the meeting.
- ii) That Members' comments be used to form the basis of the Board's response to the consultation on the proposed changes.
- iii) That a further report be presented to the Board in the new municipal year, once the network footprints had been agreed.

107 Leeds and York Partnership NHS Foundation Trust - Care Quality Commission compliance update

Further to minute 96 of the Scrutiny Board (Health and Wellbeing and Adult Social Care) meeting held on 18th April 2012 where the Board considered a report following the Care Quality Commission's (CQC) compliance report issued to the Leeds Teaching Hospitals NHS Trust in respect of Ward 53 at the Leeds General Infirmary, the Board considered a report of the Head of Scrutiny and Member Development relating to recent inspections at facilities managed by Leeds and York Partnership NHS Foundation Trust. Appended to the report were:

- The CQC review of compliance report (December 2011) – the Newsam Centre (Ward 3)
- The CQC review of compliance report (April 2012) – St Mary's Hospital
- The CQC review of compliance report (October 2011) – St Mary's Hospital
- Associated responses from Leeds and York Partnership NHS Foundation Trust (LYPFT)

Attending for this item to provide further information and respond to the Board's queries and comments were:

- Rod Hamilton (Compliance Manager) – Care Quality Commission;
- Chris Butler (Chief Executive) – Leeds and York Partnership NHS Foundation Trust;
- Michele Moran (Deputy Chief Executive, Chief Operating Officer and Chief Nurse) – Leeds and York Partnership NHS Foundation Trust;

- Lynn Parkinson (Deputy Director of Care Services) – Leeds and York Partnership NHS Foundation Trust.

As the quality regulator across health and social care service providers, the CQC's Compliance Manager provided the Board with an overview of the CQC's work and priorities. The Board was advised of the CQC's contribution to nationally identified thematic reviews identified periodically and the recent areas of non-compliance that had been identified at St. Mary's Hospital and the Newsam Centre.

The Scrutiny Board was further advised by the Compliance Manager that Leeds and York Partnership NHS Foundation Trust had responded quickly and positively to the findings of the CQC and drawn up associated action plans in order to address the issues highlighted. The Board was assured that the action plans had been acted upon and improvements at both locations were evident.

The Chief Executive of Leeds and York Partnership NHS Foundation Trust confirmed to the Board that a range of measures had been put in place by the Trust to both address the findings of the CQC and as part of the Trust's internal processes and improvement work. The Scrutiny Board was advised that the Trust had:

- adopted CQC methodologies internally and were now carrying out unannounced inspections on their services. This formed part of an improved and more extensive audit processes to help provide multiple sources of information around the quality of services provided by the Trust;
- processes in place to report service quality issues to its Board of Governors;
- improved record keeping and reminded staff of the need to evidence the good care being given;
- increased investment in safeguarding with an additional safeguarding co-ordinator being recruited;
- increased training (and monitoring of training) on safeguarding, to ensure all staff had undertaken the latest training programme;
- provided training and clinical supervision around drawing up care plans, emphasising the need for these to be patient-centred and not written in technical language;
- increased the level and types of feedback on the service and care being provided
- developed a 'Welcome pack' for patients and carers.

The key areas of discussion were:

- The seriousness of the issues identified by the CQC and the scale of the issues across the Trust.
- The importance of safeguarding and the relationship with the Leeds Adult Safeguarding Board. Based on comments in the CQC report that

patient concerns had not been taken seriously and that there had been a three week delay in passing on a safeguarding concern, this included a discussion on how legitimate criticisms from patients were dealt with.

- The important role of CQC compliance inspections, along with the use of a range of information and sources of information to help provide an overview of the Trust and the services provided.
- That poor documentation could be indicative of other, more serious issues, with an organisation
- The level of involvement between the Trust and patients and carers
- The provision of tobacco to patients and the mixed messages this can give when trying to promote better health – and balancing this with the rights of individuals to make lifestyle choices.

The Board welcomed the assurance provided by Leeds and York Partnership NHS Foundation Trust about the improvements made following the recent inspections by the CQC. While a formal report following the recent re-inspection of the Newsam Centre was awaited, the Scrutiny Board noted that improvements had been made by the Trust.

RESOLVED - To note the report and the comments now made

During consideration of this matter, Councillor Hussain left the meeting

108 Quality Accounts for 2012

The Board considered a report of the Head of Scrutiny and Member Development providing an update on the production of local healthcare providers' Quality Accounts for 2012, together with a copy of the Leeds and York Partnership NHS Foundation Trust's draft Quality Account for comment

Attending for this item to respond to questions from the Board were:

- Chris Butler (Chief Executive) – Leeds and York Partnership NHS Foundation Trust
- Michele Moran (Deputy Chief Executive, Chief Operating Officer and Chief Nurse) – Leeds and York Partnership NHS Foundation Trust;
- Lynn Parkinson (Deputy Director of Care Services) – Leeds and York Partnership NHS Foundation Trust

The Board discussed the report and Quality Accounts, with the main issues arising from the discussion were as follows:

- The use of Patient Environment Action Teams (PEAT) that aimed to minimise the level of out of area placements.
- The Scrutiny Board welcomed the plans to open a new 17-bedded secure rehabilitation in-patient facility that will reduce the reliance on out of area placements. The Scrutiny Board recognised the benefits that being able to access services closer to home will bring to the

experience of service users and their families/ carers. The Scrutiny Board also recognises the improvements that such a facility will bring to the use of resources across the local health and social care economy.

- The Scrutiny Board noted the section on the Care Quality Commission(CQC) within the Trust's draft Quality Account inclusion. Having considered the compliance reports published by the CQC and the associated responses from the Trust, the Scrutiny Board believed that a greater emphasis should be included in the finalised Quality Account that specifically captures the actions taken by the Trust and details the assurances provided to the Scrutiny Board.
- The Scrutiny Board also believed there should be greater clarity around the current inspection regime, specifically in terms of the internal quality assurance processes implemented by the Trust.
- The Scrutiny Board noted that, earlier in the year, the Trust had provided anecdotal evidence suggesting there had been an increase in demand for services from people presenting with acute mental health crisis. The Scrutiny Board had requested data to support the statement made by the Trust, but the only evidence as yet seen by the Scrutiny Board had been provided by a voluntary sector organisation. The need for statistics around the demand for mental health service in Leeds to be provided was re-emphasised.
- The Scrutiny Board welcomed the additional capacity proposed to be implemented in 2012/13 at the Becklin Centre – aimed at increasing the physical space and capacity of the Section 136 service and to provide a flexible care environment to allow a greater range of therapeutic activities to be provided.
- The Scrutiny Board recognised that not all Leeds' mental health services are provided by the Trust, and that this amplifies the need for partnership working across the local health and social care economy – including voluntary, community and faith sector (Third Sector) organisations. The Scrutiny Board welcomed the Chief Executive's commitment for the Trust to work with the Third Sector, and believed that, moving forward, there should be greater emphasis on the Trust's work across/ with Third Sector organisations.

RESOLVED –

- (i) To note the report and the information provided at the meeting.
- (ii) That the comments made by the Board be formally submitted for inclusion in the final version of the Trust's Quality Account (2012)

During consideration of this matter, Councillor Armitage left the meeting

109 Reducing smoking in Leeds - draft Scrutiny Board report

Following its inquiry into Reducing Smoking in Leeds, the Board considered the draft Scrutiny Board report. Comments received from the Director of Public Health, Dr Cameron were circulated and considered at the meeting.

Whilst accepting Dr Cameron's suggested amendment to recommendation 2 of the draft report, the Board did not accept the comments made in relation to recommendation 11, which Dr Cameron suggested should be specifically around the sharing of data for public health purposes regarding tobacco. The Scrutiny Board felt this was too restrictive an approach.

The Board also discussed Dr Cameron's suggestion about the issue of costs around tobacco litter but felt that this issue was addressed in the draft Tobacco Action plan.

RESOLVED -

- i) To agree the draft recommendations subject to an amendment to recommendation 2 to state Where smoking cessation services are offered, including GP practices
- ii) That the final Inquiry report be issued to the appropriate bodies and a formal response be presented to a future meeting of the Scrutiny Board in the new municipal year.

110 Transformation of Health and Social Care Services in Leeds - draft Scrutiny Board report

Following the Board's inquiry into Transformation of Health and Social Care Services in Leeds, the Board considered the draft Scrutiny Board report.

The Chair welcomed the report which succinctly covered the extensive work undertaken by the Board on this Inquiry over the course of the year. It was felt that the report provided some important recommendations for moving forward. Some minor drafting errors were highlighted for correction within the submitted report

RESOLVED -

- (i) That, subject to the minor amendments highlighted at the meeting, the report presented be approved as the final draft inquiry report to form the basis for consultation with the appropriate Directors for their comments.
- (ii) That the final draft report, and associated comments from Directors, be submitted to the first meeting of the Scrutiny Board in the new municipal year for formal approval.

111 Reducing Health Inequalities in Leeds - draft Scrutiny Board report

Following the Board's inquiry into Reducing Health Inequalities in Leeds, the Board considered the arising outline principals and main areas for recommendations.

The Board gave detailed consideration to the outline principals and main areas for recommendations.

The importance of engaging with communities and obtaining their views on ways to achieve improvements and reduce health inequalities, rather than adopting a prescriptive approach, was highlighted

Whilst regretting that this work had not been concluded in the time available, the Chair stressed the importance of the successor Board completing this work and then using the recommendations as the basis for more detailed work in the future.

RESOLVED - To note the outline principals and recommendations relating to the Board's inquiry into Reducing Health Inequalities in Leeds, and for these to form the basis of the Scrutiny Board's draft final report to be reported to a future meeting of the Scrutiny Board in the new municipal year.