

From the Rt Hon Andrew Lansley CBE MP
Secretary of State for Health



POC1_682589

Councillor Lisa Mulherin
Chair
Joint Health Overview and Scrutiny Committee
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23 FEB 2012

Dear Councillor Mulherin,

**REFERRAL FROM YORKSHIRE AND THE HUMBER JOINT
HEALTH OVERVIEW AND SCRUTINY COMMITTEE
“SAFE AND SUSTAINABLE REVIEW OF CHILDREN’S
CONGENITAL HEART SERVICES” AND INITIAL IRP ADVICE**

Further to your referral letter of 14 October 2011 concerning the above I asked the Independent Reconfiguration Panel (IRP) for its initial advice.

The Panel has now completed its initial assessment and shared its advice with me.

A copy of that advice is appended to this letter.

The advice will be published today on the Panel’s website at www.irpanel.org.uk

In order to make my decision on this matter, I have considered the concerns raised by your Committee and have taken into account the IRP’s advice.

IRP advice

Essentially, the IRP believes this referral is not suitable for full review. Referral was made on the grounds of inadequate consultation between the JHOSC and the JCPCT. The IRP has considered the four specific pieces

of information not supplied to the JHOSC as set out in your letter of 14 October 2011 and has advised me that:

The detailed breakdown of assessment scores for surgical centres produced by the independent Expert Panel (chaired by Sir Ian Kennedy)

Since the detailed breakdown of assessment scores has not been seen by the JCPCT, it was not material to the production of the consultation document, nor will it be material to the decision-making process. The JCPCT's commitment to release this information once it has made its final decisions is, in our view, reasonable.

I support the Panel's advice on this point.

A finalised Health Impact Assessment report

Emerging findings were published in February, June and August 2011. The JCPCT states that the final version of the HIA report can only be published, once the authors have themselves considered the extent to which responses to the public consultation will influence the HIA's emerging findings. The Panel agrees with this position on the basis that the final HIA is published sufficiently in advance of the JCPCT final decision-making meeting to allow its contents to inform fully that decision.

I support the Panel's approach on the above point concerning the health impact assessment report.

A detailed breakdown of information on the likely impacts on identified vulnerable groups across Yorkshire and the Humber referred to in the Health Impact Assessment (interim report)

The information requested was not held and, having considered the Joint HOSC's request, the JCPCT concluded that the HIA process would not benefit from this additional analysis, nor would it be equitable to commission it for one area only. The Panel agrees with this position on the basis that the final HIA report is suitably comprehensive.

I support this approach.

The Price Waterhouse Coopers report that tested the assumed patient travel flows under each of the four options presented for public consultation

I understand this information was not available prior to the 5 October 2011 deadline for HOSCs to submit responses to the consultation. The Panel believes that it should have been available at a much earlier stage so that it could be communicated to all interested parties. PwC's report was published on the NSCT website in October 2011. The Panel considers that (subject to the forthcoming legal judgement), any comments the Joint HOSC (or any other interested party) may wish to make with regard to this report should be accepted by the JCPCT and considered alongside the report itself as part of its decision-making process.

I support the Panel's approach on this particular point.

I agree with the Panel that the commitment and passion with which your Committee has scrutinised this subject is admirable. I also note the considerable efforts made to improve communications and information exchange in the latter stages of the process.

I like the Panel, hope that this will form the basis for effective working relationships in the future.

I appreciate the next steps in this process are dependent on the outcome of the forthcoming appeal against the Court judgement of the consultation process. The Panel's sound advice will be equally relevant, whatever the outcome of that appeal.

Conclusion

I support in full these recommendations.

I expect the JCPCT to continue to engage with your Committee about the potential impact of these changes, not least in order to ensure that any further concerns the Committee may have can be considered.

Based on the IRP's initial assessment of the documentation provided by both your Committee and the JCPCT and Safe and Sustainable Review Team, I support in full the IRP's initial advice.

I am satisfied the IRP's advice is in the interests of the local health service and I hope that your Committee will continue to work with local NHS partners in the best interests of patients.

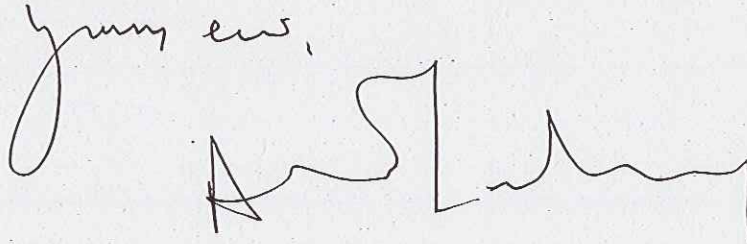
I am copying this letter to:

Ian Dalton, Chief Executive, NHS North of England

Dr Peter Barrett, Chair, IRP

Sir Neil McKay, Chair, Joint Committee of Primary Care Trusts

Teresa Moss, NHS Specialised Commissioning Team

Yours etc,


ANDREW LANSLEY CBE