

JOINT HEALTH OVERVIEW AND SCRUTINY COMMITTEE (YORKSHIRE & THE HUMBER)

FRIDAY, 16TH NOVEMBER, 2012

PRESENT: Councillor J Illingworth in the Chair

Councillors P Elliott, M Gibbons,
R Goldthorpe, B Hall, T Revill, B Rhodes
and L Smaje

61 Late Items

It was agreed to admit to the meeting the draft report from the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) in support of its referral to the Secretary of State for Health, regarding the decision of the Joint Committee of Primary Care Trusts (JCPCT) at its meeting on 4 July 2012 (Minute 66 refers).

62 Declarations of Interest

There were no declarations of interest.

63 Apologies for Absence and Notification of Substitutes

Apologies for absence were submitted on behalf of Councillors J Bromby, D Brown, J Clark, C Funnell, M Rooney and J Worton.

No substitute members were in attendance.

64 Minutes of the Previous Meetings

Draft minutes from the following meeting were presented for consideration:

- 24 July 2012
- 19 December 2011
- 4 October 2011
- 29 September 2011
- 22 September 2011

The following issues were raised regarding the meeting held on 24 July 2012:

It was noted that the replacement Appendix 2 had been received very late from JCPCT, with insufficient time for members of the Joint HOSC to give detailed consideration. It was highlighted that after considering the information presented at the meeting – including the detailed breakdown of the assessment scores for surgical centres produced by the Independent Expert Panel (chaired by Sir Ian Kennedy) – members had clarified that additional information may be identified and subsequently requested by the Joint HOSC. (Minute 55 refers).

Members emphasised that the proposed fragmentation of the existing strong Yorkshire and Humber clinical network had been specifically raised by members of the Joint HOSC at the meeting. This included details around how the proposed clinical networks would work in practice – including the proposed relationships between surgical centres and cardiology centres – particularly in terms of proposed cardiology centres working with more than one surgical centre. (Minute 59 refers).

RESOLVED –

- (a) Subject to the amendments identified at the meeting, the minutes for the meeting held on 24 July 2012 be agreed.
- (b) Minutes from the meetings held on 19 December 2011, 4 October 2011, 29 September 2011 and 22 September 2011 be agreed as presented.

65 Review of Children's Congenital Heart Services in England: Implementation

The Head of Scrutiny and Member Development presented a report which sought to update the Joint Committee regarding the implementation stage of the review, alongside other relevant information following the Secretary of State's announcement to commission a review of the *Safe and Sustainable* review of children's congenital cardiac services in England by the Independent Reconfiguration Panel (IRP). The following information was appended to the report:

- *Safe and Sustainable* Children's Congenital Heart Services: Implementation Plan during 2012/13 and Transfer into the NHS Commissioning Board for April 2013 (August 2012).
- Membership details of the Implementation Advisory Group (September 2012).
- The IRP initial assessment advice (September 2012) – following referrals from Lincolnshire County Council's Health Scrutiny Committee and Leicester, Leicestershire and Rutland's Joint Health Overview and Scrutiny Committee.
- The commissioning letter from the Secretary of State for Health to the IRP (October 2012).
- The Terms of Reference for the IRP's review (October 2012).
- A recent IRP media release regarding the review (November 2012).

Members were also advised that the first Implementation Advisory Group meeting, chaired by Professor Deirdre Kelly, had taken place on 18 September 2012.

In considering the information presented, members of the Joint Committee raised and discussed a number of issues, including the following points and concerns:

- The membership of the Implementation Advisory Group (IAG) and, in particular, concern regarding the lack of representation from Yorkshire and the Humber on the IAG.
- The general lack of recognition/ appreciation of the potential role of Health Overview and Scrutiny Committee's within the implementation phase of the review.
- Membership of the IAG and queries whether or not the membership had been reviewed following the recent Care Quality Commission's (CCQ's) report and associated compliance notification issued to University Hospitals of Bristol NHS Trust, following its review of services on the children's cardiac ward.
- The detail of the proposed terms of reference for the IRP's review of the *Safe and Sustainable* review of children's congenital cardiac services in England.
- Details of the Local Area Teams (highlighted in the Implementation Plan) and concern that significant areas of Yorkshire and the Humber had, seemingly, not been identified.

Members specific discussed areas relating to the IRP terms of reference and agreed to identify any specific suggestions for inclusion during consideration of other items on the agenda (minute 66 refers).

RESOLVED –

- (a) To note the information provided in the report and associated appendices.
- (b) To raise the Joint Committee's concerns regarding the current membership of the Implementation Advisory Group with the appropriate bodies and/or representatives.
- (c) To consider regular updates and issues associated with implementation at future meetings, as and when appropriate.
- (d) To identify any specific suggestions for inclusion within the IRP terms of reference and draw these to the attention of the Secretary of State for Health (minute 66 refers).

66 Review of Children's Congenital Heart Services in England: Referral to the Secretary of State for Health - draft report

The Head of Scrutiny and Member Development presented a draft referral report for consideration, following the Joint Committee's review of the decision of the Joint Committee of Primary Care Trusts (JCPCT).

Members of the Joint Committee reviewed the information presented at the meeting, page by page, and suggested various amendments to the draft documents.

During the discussion there was a short adjournment at 12:30pm (approx.). The meeting reconvened at 12:55pm (approx.).

Following discussion, agreement was reached on proposed amendments for inclusion in the final report. The Principal Scrutiny Adviser (Leeds City Council) was tasked with incorporating the amendments identified at the meeting and, in consultation with the Chair, preparing a final report for submission to the Secretary of State for Health.

With regard to the current terms of reference set for the Independent Reconfiguration Panel's review of the *Safe and Sustainable* review of children's congenital cardiac services in England (presented and discussed earlier in the meeting – minute 65 refers), Members of the Joint Committee highlighted the following matter to specifically draw to the attention of the Secretary of State for Health:

RESOLVED –

- (a) That, subject to the amendments identified and discussed at the meeting, the report be agreed in support of the Committee's previous decision to refer the matter to the Secretary of State for Health (minute 59 refers) – on the basis of the decision of the Joint Committee of Primary Care Trusts not being in the best interest of local health services across Yorkshire and the Humber, nor the children and families they serve.
- (b) That, following the amendments, the Joint Committee's final report be issued to the Secretary of State for Health, as soon as practicable.
- (c) That, in formalising the Joint Committee's referral, the following areas be drawn to the attention of the Secretary of State for Health, recommending these be incorporated into revised terms of reference for the Independent Reconfiguration Panel's review of the Safe and Sustainable review of children's congenital cardiac services in England:
 - The validity of the Kennedy Panel 'Quality Assessments' in light of recent and/or forthcoming Care Quality Commission reports and/or compliance notices issued to current providers previously assessed by the Kennedy Panel.
 - The extent to which the JCPCT took account of the IRP's previous advice (endorsed by the Secretary of State for Health) that the JCPCT should give due consideration to comments from the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) in relation to the PwC report on assumed patient flows and manageable clinical networks.
 - The implications of an unpopular solution imposed by the JCPCT for patient choice within the NHS.
 - Issues associated with potential obstetric referral patterns, the impact these may have on patient numbers at the proposed designated surgical centres and to what extent such matters were taken into account within the JCPCT's decision-making processes.
 - The JCPCT's use of population projections/ estimates to determine potential future demand for services, both in terms of using the most

up-to-date information and the lack of consideration of regional variations that may impact on the long term sustainability of specific/ individual surgical centres.

- The appropriateness, or otherwise, of the JCPCT' and its supporting secretariat refusing legitimate requests from the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber) for access to non-confidential information during its scrutiny inquiry.

67 Date and Time of Next Meeting

It was agreed that a further meeting would be held on Monday, 3rd December 2012, commencing at 10:30am (pre-meeting starting at 10:00am)

The Chair thanked all those present for their attendance and contribution to the meeting.

The meeting closed at 1:45 pm (approximately).