

## Report of Head of Governance and Scrutiny Support

### Report to Scrutiny Board (Adults and Health)

**Date: 24 April 2018**

### **Subject: Request for Scrutiny – Proposals from Leeds Teaching Hospitals NHS Trust to establish a Wholly Owned Subsidiary Company**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

### Summary of main issues

1. A Request for Scrutiny has been received from Councillor Janette Walker, on behalf of a constituent, regarding proposals from Leeds Teaching Hospitals NHS Trust to create a Wholly Owned Subsidiary (WOS) Company to deliver aspects of its current services, including estates and facilities.
2. Details received directly from the constituent relating to the request, and presented by Councillor Walker, are set out below:

*I work for the Leeds Teaching Hospital Trust and yesterday (13th March) we had a meeting with Senior Management in the Estates & Facilities Department. I do not know whether you are already aware of the plans they have put forward to turn the Department into a WOC. However the majority of the workforce in the Estates & Facilities is against the proposed changes, as are the three major Unions representing us, UNISON, Unite and GMB.*

*The reason for our displeasure is the fact we will no longer work for the NHS Trust but a company owned by it. Even though it is stated we will be protected for 25 years, I do not understand how that can be guaranteed? As employers can change conditions for economic, technical or organisational reasons, which I am sure after a short period, the WOC would find a reason. There is also the fact of the unfeasibly short time scale, 29th March 2018 before it is either rejected or ratified by the Board.*

*This would also create a two tier workforce within the Trust.*

3. Councillor Walker has been advised that the Scrutiny Board will be considering this request at the meeting.
4. In considering this request, it should be noted that at a meeting of the Trust Board on 29 March 2018, the following recommendations were agreed and approved by the Trust Board:
  - Note progress in developing proposals to establish a wholly owned subsidiary (WOS) company for the provision of estates, facilities, procurement and clinical engineering services.
  - Consider the staff and Trade Union feedback received to date.
  - Note the outstanding issues requiring further consideration.
  - Defer the decision to establish a WOS and approve an extension of the period of engagement in order to allow the fullest possible engagement with Leeds Teaching Hospitals staff and representatives, including the review of alternative models.
  - Approve the continued development of the current proposal.
  - Note the financial impact of the consequence of any delays or failure to establish a WOS.
5. The full report considered by the Trust Board is available on the Trust's website, using the following link: <http://www.leedsth.nhs.uk/about-us/board-meetings/29-03-2018-09-30>
6. The decision whether or not to further investigate matters raised by a request for scrutiny is the sole responsibility of the Scrutiny Board. As such, any decision in this regard is final and there is no right of appeal.
7. When considering the request for Scrutiny, the Scrutiny Board may wish to consider:
  - If further information is required before considering whether further scrutiny should be undertaken;
  - If a similar or related issue is already being examined by Scrutiny or has been considered by Scrutiny recently;
  - If the matter raised is of sufficient significance and has the potential for scrutiny to produce realistic recommendations that could be implemented and lead to tangible improvements;
  - The impact on the Board's current workload;
  - The time available to undertake further scrutiny;
  - The level of resources required to carry out further scrutiny;
  - Whether an Inquiry should be undertaken.

## **Recommendations**

8. The Scrutiny Board (Adults and Health) is asked to consider the Request for Scrutiny and determine what, if any, further action it wishes to make in this regard.

## **Background papers<sup>1</sup>**

9. None used

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.