

Email correspondence between JHOSC and JCPCT

This collection aims to record the entire correspondence between Cllr John Illingworth and Principal Scrutiny Advisor, Steven Courtney (on behalf of JHOSC Yorkshire & the Humber) with Sir Neil McKay, Jeremy Glyde, Zuzana Bates and Hannah Weaver (on behalf of the National Specialised Commissioning Team) plus Sir David Nicholson at the Department of Health. It is arranged in strict chronological order, starting on 5 July 2012 and ending on 31 October 2012. It is cross referenced to the bundle of attachments. The email messages are numbered consecutively and the attachments are lettered alphabetically. Fonts have been harmonized and the senders' personal details and redundant line feeds have been deleted from the messages to save space.

Although NSCT released a considerable quantity of additional information over this 4 month period, this did not include the details of the Kennedy Panel Assessments, the reports to the JCPCT and its various panels and advisory groups, or any detailed business from the Health Impact Assessment Steering Group.

Email message 1 attachments AX & AY

From: Courtney, Steven

Sent: 05 July 2012 18:30

To: McKay Neil

Cc: Jeremy Glyde; Andy Buck; Edwards Cathy; Maggie Boyle; Illingworth, Cllr John; Mulherin, Cllr Lisa

Subject: RE: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Importance: High

Dear Sir Neil,

Please find attached a letter from Cllr. John Illingworth, in his capacity as Chair of the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber).

Should you have any queries and/or need any additional information, please do not hesitate to contact me.

Kind Regards

Steven Courtney
Principal Scrutiny Adviser

Email message 2 attachment A

From: Zuzana Bates [mailto:Zuzana.Bates@nsct.nhs.uk]

Sent: 06 July 2012 12:30

To: Courtney, Steven

Cc: Jeremy Glyde; andy.buck@rotherham.nhs.uk; Edwards Cathy

Subject: RE: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Dear Steven,

Please find attached the response from the JCPCT's Secretariat. I hope this is helpful.

Kind regards

Zuzana Bates

Direct Line: 0207 932 3771

Email message 3 attachment removed

From: Courtney, Steven

Sent: 09 July 2012 15:15

To: 'McKay Neil'

Cc: Jeremy Glyde; andy.buck@rotherham.nhs.uk; Edwards Cathy; 'Zuzana Bates'; Illingworth, Cllr John; Mulherin, Cllr Lisa; 'Maggie Boyle'

Subject: RE: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Importance: High

Dear Sir Neil,

Please find attached a further letter from Cllr. John Illingworth, Chair of the Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber), detailing a number of urgent information requests in preparation for the Joint HOSC meeting on 24 July 2012.

Should you have any queries and/or need any additional information, please do not hesitate to contact me.

Kind Regards

Steven Courtney

Principal Scrutiny Adviser

Email message 4 attachment B

From: Courtney, Steven

Sent: 09 July 2012 15:39

To: McKay Neil

Cc: Jeremy Glyde; andy.buck@rotherham.nhs.uk; Edwards Cathy; Zuzana Bates; Illingworth, Cllr John; Mulherin, Cllr Lisa; Maggie Boyle

Subject: RE: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Importance: High

Dear Sir Neil,

Further to my earlier e-mail (below), please be aware that the letter referred to was incorrectly dated 5 July 2012. This has been amended/ corrected to read 9 July 2012 and is attached for you information. I can confirm that the remaining content of the letter remains unchanged.

Apologies for any inconvenience this may have caused.

Kind Regards

Steven Courtney

Principal Scrutiny Adviser

Email message 5 no attachments

From: Courtney, Steven

Sent: 09 July 2012 19:33

To: Zuzana Bates

Cc: Illingworth, Cllr John

Subject: RE: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Importance: High

Dear Zuzana,

I hope you're well? Just a quick question, in preparation for the Joint HOSC meeting on 24 July 2012: Would it be possible to send any hard copies (around 20) of the Decision-Making Business Case (the spiral bound copies handed out at the end of the JCPCT meeting)?

Please be aware that I'm going to be in London tomorrow (and not planning to come into the office beforehand) and then I'm not in for the rest of the week so I'll pick this up with you at the beginning of next week if that's OK? Alternatively, you could call me on my mobile number (0792 0067139) tomorrow morning.

If you are able to send any copies, please see below for the postal address to use.

Many thanks

Kind Regards

Steven Courtney

Principal Scrutiny Adviser

Email message 6 no attachments

From: Zuzana Bates [mailto:Zuzana.Bates@nsct.nhs.uk]

Sent: 11 July 2012 16:53

To: Courtney, Steven

Cc: Illingworth, Cllr John

Subject: RE: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Hi Steven,

Yes, of course, my colleague will be in touch with you about that. No problem at all.

I would like to ask you for a favour. Jeremy's dad died this week. Jeremy phoned me today to talk about the meeting on 24 July and the response that we have promised to send you this week. May I kindly ask you to give us a bit more time please to send you the response given the special circumstances. If that's ok, would early next week be ok with you please? It would be greatly appreciated.

I would also be grateful for some more information about location and timing of the meeting please (room, place, time you want us to be there, attendees etc). Let me know of course what you need from us, happy to help.

Kind regards

Zuzana

Zuzana Bates

Direct Line: 0207 932 3771

Email message 7 no attachments

From: Zuzana Bates [mailto:Zuzana.Bates@nsct.nhs.uk]

Sent: 11 July 2012 17:28

To: Courtney, Steven

Cc: Illingworth, Cllr John; Jeremy Glyde

Subject: RE: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Dear Steven,

Thank you for the letter. I will be in touch shortly to confirm details but at this stage I would like to let you know that we have started to collate the information.

I have spoken briefly with Cllr Illingworth today to reassure him I am working on this.

Thank you

Zuzana

Zuzana Bates

Direct Line: 0207 932 3771

Email message 8 no attachments

From: Illingworth, Cllr John

Sent: 12 July 2012 08:37

To: 'Zuzana.Bates@nsct.nhs.uk'

Cc: 'steven.courtney1@btinternet.com'; Riordan, Tom; Marrington, Peter; Mulherin, Cllr Lisa

Subject: FW: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Dear Zuzana

Steve is presently on leave, but I have forwarded your message to his home email address.

Information that would really help us are fully worked examples of your scoring calculations for Options B and G, and electronic copies of the input data for the corresponding sets of digital maps in the Health Impact Assessment. There are clearly some fundamental disagreements about these calculations, but it doesn't help good governance if the Joint Scrutiny Board misunderstands the JCPCT reasoning.

It would also be most helpful to have multiple copies of the Business Case so that we can circulate these to the Joint Scrutiny Board. There were numerous spares after the meeting on 4 July, and this document provides the key to all the others.

This is not to say that the other data is unimportant. The Joint Scrutiny Board has repeatedly sought details of Sir Ian Kennedy's scoring over many years. Having been asked for this information many months ago, I am incredulous that the JCPCT cannot now produce it in a timely fashion when the need for it was known well in advance.

We can circulate late reports, and formally agree to consider these at the meeting. We have to give reasons for this, but non-receipt of the relevant data from the JCPCT might provide an adequate justification. The main argument against is that this would be extremely bad practice that often impairs the quality of the subsequent debate. Inevitably some members have other business to complete, so they fail to match up the various reports arriving at different times. They attend the meeting believing that they have read all the papers, when this is not actually the case. There is a risk that in such circumstances members might decide to defer their discussion to their next meeting and wait until a full set of papers were available. In such case we would expect JCPCT, having caused the problem in the first place, to advise all centres to delay any progress on implementation until after this debate has taken place.

John Illingworth

Email message 9 no attachments

From: Illingworth, Cllr John

Sent: 12 July 2012 14:51

To: Zuzana Bates

Cc: Jeremy Glyde; Courtney, Steven; Steven Courtney

Subject: RE: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Dear Zuzana

Thank you for your second message (below) which I am only now able to forward to Steven Courtney's home email address because I have been involved all morning with a separate Scrutiny inquiry.

In the meantime I have received some reactions from several colleagues to your first message. They are, of course, sympathetic on learning about Jeremy Glyde's recent bereavement, and they all wish him well at this difficult time.

Nevertheless, colleagues also wanted me to record their dissatisfaction with the previous performance of the JCPCT, and their frustration that the earlier lack of adequate disclosure by the JCPCT has exacerbated the present very difficult situation. They expected better because the Joint Scrutiny Board is a Statutory Consultee. This previous lack of transparency has created new problems where none need exist. Colleagues have questioned whether the JCPCT truly understands the nature of the Scrutiny process, and the continuing obligation to share all relevant information in a timely manner with the Joint Scrutiny Board.

To be blunt, officers and members in Yorkshire feel that the JCPCT has been extremely reluctant to disclose information that might be used to challenge the decision published on 4 July. They have suspected this for some considerable time. They also feel that the process adopted by the JCPCT has denied a proper input from the Joint Scrutiny Board, and they are still waiting for an appropriate response from the JCPCT to their Joint Scrutiny Report that was published in October 2011. I sincerely hope that my colleagues are mistaken about this, and that we can all focus on reaching rational, objective conclusions based on established facts.

I am still discussing with colleagues the format for the meeting on 24 July, which depend to some extent on which documents are released by JCPCT and when these are released. We have however received a request from the BBC to make a video recording of these

proceedings. This is likely to be agreed, and in view of the high levels or public interest we shall probably be moving into a larger room.

John Illingworth

Email message 10 no attachments

From: Zuzana Bates [mailto:Zuzana.Bates@nsct.nhs.uk]

Sent: 12 July 2012 16:38

To: Illingworth, Cllr John

Cc: steven.courtney1@btinternet.com; Riordan, Tom; Marrington, Peter; Mulherin, Cllr Lisa

Subject: RE: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Dear Cllr Illingworth

Thank you for your emails. Jeremy is coming back to work tomorrow to address the issues that you have raised this week. Reflecting on the sentiments expressed in your emails, I hope that the fact that he is coming to work only a few days after his father had died should leave you and other committee members with no doubt about the importance attached to the issues you raise.

Jeremy would be very grateful if you could speak with him tomorrow. If you are happy to do this, what time would be convenient please?

Kind regards

Zuzana

Zuzana Bates

Direct Line: 0207 932 3771

Email message 11 attachments C & D

From: Zuzana Bates [mailto:Zuzana.Bates@nsct.nhs.uk]

Sent: 13 July 2012 16:23

To: Illingworth, Cllr John

Cc: Jeremy Glyde; andy.buck@rotherham.nhs.uk; Edwards Cathy; Courtney, Steven; McKay Neil

Subject: RE: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Dear Cllr Illingworth

Please find attached the response to your letter.

Best wishes

Zuzana Bates

Direct Line: 0207 932 3771

Email message 12 no attachments

From: Zuzana Bates [mailto:Zuzana.Bates@nsct.nhs.uk]
Sent: 17 July 2012 08:36
To: Courtney, Steven
Subject: 24 July

Hi Steven,

Hope you had a nice couple of days off.

You may have heard that Cllr Illingworth and Jeremy have agreed to meet on 23 July after 2pm. Whom should I speak with to set up the meeting please?

Also, it would be helpful to know the time and location of the meeting on 24 July?

Thank you

Zuzana

Zuzana Bates

Project Liaison Manager
Zuzana.Bates@nsct.nhs.uk

Email message 13 attachment E

From: Courtney, Steven
Sent: 17 July 2012 16:48
To: Zuzana Bates
Cc: Illingworth, Cllr John
Subject: RE: 24 July

Dear Zuzana - thank you for your e-mail and our telephone discussion earlier this afternoon.

As promised, please find attached a link to the meeting agenda/ reports for next weeks Joint HOSC meeting:

<http://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=793&MId=5940&Ver=4>

I can confirm that the meeting proper will commence at 10:30am (there is a short pre-meeting for members of the Joint HOSC at 10:00am) and will be held at Leeds Civic Hall. We're still working on the precise room to be used for the meeting, but will advise you of this ASAP.

Please be aware that I am still confirming details of those due to attend the meeting and aim to provide a summary for all those attending by close of play on Friday, 20 July 2012.

Currently, you have confirmed that Sir Neil, Jeremy and Andy Buck will be attending next week's meeting, but it would be helpful if you could confirm who else from the JCPCT/ National Team will be attending. I will also be working with Cllr. Illingworth to work out an order of attendance for consideration of the substantive order of business - the JCPCT's decision. Again, I hope to provide this to all parties in advance of the meeting.

I can also confirm that we are provisionally holding an appointment for Jeremy and Cllr. Illingworth to meet on Monday, 23 July 2012 at 1:00pm. Again, this will take place at Leeds Civic Hall and I have attached a map for ease of reference. Leeds Civic Hall is approximately 10/15 minutes walk from the train station and located north of Millennium Square (towards

the top of the map). Please note that Leeds Civic Hall should not be confused with Leeds Town Hall, which is a different building (albeit relatively close).

I trust this is helpful, but should you have any queries please don't hesitate to contact me. Otherwise, I look forward to hearing from you to confirm Jeremy's availability for Monday and general attendance for the Joint HOSC on Tuesday.

Kind Regards

Steven Courtney
Principal Scrutiny Adviser

Email message 14 no attachments

From: Zuzana Bates [mailto:Zuzana.Bates@nsct.nhs.uk]
Sent: 18 July 2012 09:31
To: Courtney, Steven
Cc: Illingworth, Cllr John
Subject: RE: 24 July

Dear Steven,

Thank you for your email and all the information, very helpful.

We will confirm the 1pm meeting on 23 July shortly.

I understand you want us to arrive before 10.30am. Would it be possible to indicate how long the meeting will last please? Apologies if I've overlooked it on your website.

Thank you

Zuzana

Zuzana Bates
Direct Line: 0207 932 3771

Email message 15 no attachments

From: Courtney, Steven
Sent: 18 July 2012 09:57
To: Zuzana Bates
Cc: Illingworth, Cllr John
Subject: RE: 24 July

Dear Zuzana - thanks for your e-mail.

I look forward to hearing from you to confirm the meeting with Jeremy on the 23rd. (As we previously discussed, please note that Cllr. Illingworth has another engagement at 3:00pm).

In terms of the JHOSC meeting on the 24th, we don't formally operate timed agendas or set out closing times for meetings. However, on a practical level I will be working with Cllr. Illingworth over the next day or so to set out some approximate timings - and will share these with you ASAP. Do any of those attending have other commitments in the day that we should be mindful of?

I don't imagine the meeting going on much beyond 2:00pm, but will confirm this ASAP.

I hope this is helpful.

Kind Regards

Steven Courtney
Principal Scrutiny Adviser

Email message 16 no attachments

From: Zuzana Bates [mailto:Zuzana.Bates@nsct.nhs.uk]

Sent: 18 July 2012 12:52

To: Courtney, Steven

Cc: Illingworth, Cllr John

Subject: RE: 24 July

Thank you Steven. As for the commitments, I am conscious that the attendees will be travelling from London and other places so I thought it might be worthwhile checking the time of their arrival with you so they don't arrive too early for the meeting. Of course, let me know please what is most convenient for the Council. I really appreciate the approximate timings.

Best wishes

Zuzana

Zuzana Bates
Direct Line: 0207 932 3771

Email message 17 attachment F

From: Zuzana Bates [mailto:Zuzana.Bates@nsct.nhs.uk]

Sent: 18 July 2012 15:22

To: Courtney, Steven

Cc: Jeremy Glyde; Illingworth, Cllr John; McKay Neil (MIDLANDS AND EAST SHA CLUSTER); andy.buck@rotherham.nhs.uk; Edwards Cathy

Subject: Safe and Sustainable

Dear Steven

Please find attached the JCPCT's response to the JHOSC's consultation submission. I would be grateful if you could circulate this to the members of the JHOSC and others, as you find appropriate.

Kind regards

Zuzana

Zuzana Bates
Project Liaison Manager

Email message 18 no attachments

From: Zuzana Bates [mailto:Zuzana.Bates@nsct.nhs.uk]

Sent: 18 July 2012 15:28

To: Courtney, Steven

Cc: Illingworth, Cllr John; Hannah Weaver

Subject: RE: 24 July

Hi Steven,

I would like to confirm the meeting on 23 July at 1pm. The attendees will be Sir Neil, Jeremy, Andy Buck and I.

Thank you

Zuzana

Zuzana Bates

Direct Line: 0207 932 3771

Email message 19 no attachments

From: Zuzana Bates [mailto:Zuzana.Bates@nsct.nhs.uk]

Sent: 19 July 2012 10:41

To: Courtney, Steven

Subject: 23 July

Hi Steven,

I'm really sorry to do this to you but would it be possible to move the meeting to take place a bit later? Would it be convenient for Cllr Illingworth to meet between 2pm-3pm? Or 1.45pm-2.45pm?

Thank you

Zuzana

Zuzana Bates

Project Liaison Manager

Email message 20 attachment G

From: Courtney, Steven

Sent: 19 July 2012 12:48

To: Zuzana Bates

Cc: Illingworth, Cllr John; Hannah Weaver

Subject: RE: 24 July

Importance: High

Dear Zuzana - thank you for your e-mail and confirming attendance for Monday's discussion. Please note that I have booked Room A within the Ante Chamber (at the Civic Hall) for this meeting. Please mention this to the reception staff on your arrival.

Following discussions with Cllr. Illingworth, I am now in a position to attach the draft running order for the meeting on the 24th. There are still some details to finalise (mainly in terms of

confirmed attendees) but this provides a basis for the various contributors to work from. Following my discussions with Cllr. Illingworth my original estimate for the duration of the meeting has extended. Please let me know ASAP if the timings are likely to cause any problems. Can you also confirm any other JCPCT attendees/ representatives?

As you will see from the running order, Cllr. Illingworth is keen to hear from a range of stakeholders to provide views on the outcome of the review and the JCPCT's decision. However, Cllr. Illingworth is equally keen to make best use of the available time and allow as much time as possible for discussions with Sir Neil et al. As such, the timings should be considered indicative rather than definitive.

Cllr. Illingworth has also asked me to thank you for the JCPCT's response to the Committee's initial report and advise that this will be issued as a supplementary paper to the public agenda - as this is likely to inform the JHOSC's consideration of the issues and associated questions.

Cllr. Illingworth has also asked that I request some additional information around the recently published Kennedy scores - ideally ahead of next week's meeting: Cllr. Illingworth is keen to receive the individual scores produced by members of the Kennedy Panel - both pre and post site visits - with more detail at how the consensus scores were arrived at. Please could you give me some indication when this information will be available.

I hope this is helpful and look forward to hearing from you, but should you have any queries and/or need any additional information please get in touch.

Kind Regards

Steven Courtney
Principal Scrutiny Adviser

Email message 21 no attachments

From: Courtney, Steven
Sent: 19 July 2012 16:38
To: 'Zuzana Bates'
Subject: RE: 23 July

Hi Zuzana - I've only just received, but will ask Cllr. Illingworth and get back to you ASAP.

Kind Regards

Steven Courtney
Principal Scrutiny Adviser

Leeds City Council
Democratic Services
Scrutiny Support Unit
1st Floor West, Civic Hall
Leeds
LS1 1UR

Tel: (0113) 247 4707
e-mail: steven.courtney@leeds.gov.uk

Email message 22 no attachments

From: Courtney, Steven
Sent: 20 July 2012 08:49
To: Zuzana Bates
Cc: Illingworth, Cllr John
Subject: RE: 23 July
Importance: High

Dear Zuzana - just a quick note to let you know that I've spoken to Cllr. Illingworth and, unfortunately, he is unable to accommodate a later start time. Can we please keep this as 1:00pm as previously arranged? Thanks

Kind Regards

Steven Courtney
Principal Scrutiny Adviser

The JHOSC meeting took place in Leeds Civic Hall on 24 July 2012

Email message 23 attachment H

From: Zuzana Bates [mailto:Zuzana.Bates@nsct.nhs.uk]
Sent: 26 July 2012 11:46
To: Courtney, Steven; Illingworth, Cllr John
Cc: McKay Neil (MIDLANDS AND EAST SHA CLUSTER); Jeremy Glyde; andy.buck@rotherham.nhs.uk; Edwards Cathy
Subject: Safe and Sustainable

Dear Steven

Many thanks again for the support provided to us in Leeds by the Council and by you. It was very much appreciated that we were looked after, for example, in terms of refreshments or a meeting room for our informal meetings on the day.

In terms of additional information reasonably required by the JHOSC to discharge its functions, as Sir Neil confirmed during the meeting on 24 July, the JCPCT is happy to work with the JHOSC to provide such information to help the JHOSC prepare its submission to the Secretary of State for Health. Please do not hesitate to contact the JCPCT or its Secretariat should you need anything else ahead of the JHOSC meeting in September.

Finally, I am attaching the Kennedy Panel scores. We wanted to share the various documents that you have asked for quickly before the meeting, but in this case, we have shared the different versions of this document with you instead of the version that is now attached and that was used by the Kennedy Panel. Please accept my apologies about this again.

Best wishes

Zuzana

Zuzana Bates
Project Liaison Manager

Email message 24 no attachments

From: Courtney, Steven

Sent: 27 July 2012 13:18

To: Zuzana Bates

Cc: McKay Neil (MIDLANDS AND EAST SHA CLUSTER); Jeremy Glyde; andy.buck@rotherham.nhs.uk; Edwards Cathy; Illingworth, Cllr John

Subject: RE: Safe and Sustainable

Hi Zuzana,

Many thanks for your e-mail. I'm sure I speak on behalf of Cllr. Illingworth when saying that I'm pleased that the hospitality helped and met your needs. I know Cllr. Illingworth is grateful to those that attended the meeting on behalf of the JCPCT - particularly given the relatively difficult circumstances/ context. As such, despite finishing slightly later than planned, I hope the other meeting arrangements were equally helpful.

Thank you for the JCPCT's offer of continued support for the scrutiny process and the discharge of the JHOSC's duties. I'm sure there will be some additional information needs over the next few weeks and we will try to confirm any additional information needs ASAP over the next couple of weeks. This may be affected by the holiday period, so perhaps I could start by confirming the various Kennedy Panel scores that have been circulating. My understanding is as follows:

(a) The Kennedy scores previously circulated and included with the JHOSC agenda were/ are the re-weighted scores used as part of the sensitivity testing process - as detailed on page 170 of the DMBC;

(b) The document referred to (and attached) within your e-mail below, provides the original Kennedy scores (which were published in the original consultation document and are also detailed on page 170 of the DMBC).

Assuming my understanding is correct (and please let me know otherwise!), in terms of the supplementary information submitted to Tuesday's meeting, could you please confirm what this represented and the associated status of the details?

In addition, regarding any of the third party details/ reports that the JCPCT commissioned/considered that the JHOSC may want any more specific information/ clarification on, should this be directed through the JCPCT/ secretariat or directly with the third party (obviously copied to the JCPCT/ secretariat)? If the later, could you confirm the appropriate contact details? I'm particularly thinking about the HIA, the Ipsos MORI consultation report, the PwC report on assumed patient flows/networks and the Kennedy Panel scores/ reports - although there may be others.

Many thanks, and I look forward to hearing from you in the near future.

Kind Regards

Steven Courtney
Principal Scrutiny Adviser

Email message 25 no attachments

From: Jeremy Glyde [mailto:Jeremy.Glyde@london.nhs.uk]

Sent: 02 August 2012 10:53

To: Courtney, Steven

Cc: McKay Neil (MIDLANDS AND EAST SHA CLUSTER); andy.buck@rotherham.nhs.uk; Edwards Cathy; Illingworth, Cllr John; Zuzana Bates

Subject: RE: Safe and Sustainable

Dear Steven

The secretariat will be pleased to provide assistance in responding to reasonable requests for necessary information. Requests should be addressed to Zuzana. It would be helpful if you could respond by listing definitively the information that you have requested so far so that we may respond. The scrutiny committee clearly felt that it was sufficiently informed last week to agree a decision to refer to SoS so I am assuming that additional future information needs will be limited. My understanding is that you are now in the process of compiling existing evidence into a format suitable for a report to SoS rather than a process of gathering additional evidence.

Regarding the Kennedy scores, the version shared with you on 26 July is the original and the one relied upon by the JCPCT. As I explained last week, subsequent versions were the outcome of sensitivity testing, as reported in the Decision Making Business Case. The sensitivity testing sought to explore concerns that supporters of Leeds put to the JCPCT about the weightings attached to the Kennedy scores, notably around co-location of services.

Kind regards.

Jeremy

Jeremy Glyde

Direct Line: 0207 932 3951 Mobile: 07554 116660

Email message 26 no attachments

From: Illingworth, Cllr John

Sent: 02 August 2012 15:22

To: 'Jeremy Glyde'; Courtney, Steven; 'Steven Courtney'

Cc: McKay Neil (MIDLANDS AND EAST SHA CLUSTER); andy.buck@rotherham.nhs.uk; Edwards Cathy; Zuzana Bates

Subject: RE: Safe and Sustainable

Dear Jeremy

Thank you for your message, and I am writing to let you know that Steven Courtney is on leave this week, so he may not see your message until his return next week.

In the meantime, I can identify two areas where I know that JHOSC members would like further information, and where Zuzana may wish to make a start before Steven is able to respond with a definitive list.

- 1) We are thoroughly confused about the Kennedy scores. We realise that there are two versions as outlined on page 170 of the Business Case, but we have received multiple versions of each version and there are some apparent discrepancies in the calculation of the scores. We would therefore like to go right back to the raw data, and see all the individual scores that were awarded by all the individual panel

members, both original and reweighted, to understand exactly how these important calculations were done.

- 2) There are major questions about travelling distances and their impact on the most disadvantaged communities. We realise that JCPCT consultants have attempted to quantify these effects, but we are not convinced that they have properly got to the bottom of the issue. We understand that there are national databases that hold records for thousands of congenital heart patients, which could be interrogated to yield post code information. Plainly there is a need here to maintain patient confidentiality, and to anonymise any published results, but it is also our understanding that these databases contain information about race and social class, or where the social class information is missing, that there is a tolerable proxy from published Council Tax bands. We believe that congenital cardiac patients are quite unevenly distributed, and that any calculations should be based as far as possible on real patients rather than “smoothed” indices that may bear only a tenuous relationship to the real world. Your assistance in obtaining such information would be greatly appreciated.

Best wishes

John Illingworth

Email message 27 no attachments

From: Illingworth, Cllr John

Sent: 07 August 2012 09:24

To: Zuzana Bates

Cc: Jeremy Glyde; andy.buck@rotherham.nhs.uk; Edwards Cathy; Courtney, Steven; McKay Neil

Subject: RE: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Dear Zuzana

Steven is still on leave dealing with an unexpected domestic problem, although he hopes to be back at work today. In the meantime I have been reflecting on the letter “120712 JHOSC Response.pdf” from Jeremy Glyde dated 13 July 2012. In view of subsequent events, it now seems to me that this response is inadequate for item 3.

As far as we can tell, having observed only that small part of the decision-making process which took place in public, JCPCT seems to have meekly accepted the advice from the steering committee and secretariat without challenging this advice to any significant extent. The steering committee and the secretariat appear to have been the fora in which the “real” decisions took place. We would therefore like to understand the processes within these two bodies to a greater extent.

Page 5 of the Health Impact Assessment from Mott MacDonald lists 25 iterations of the Health Impact Assessment. We have the final report, and some of the previous versions are available on the Safe and Sustainable Website, although we are not entirely sure where all of these are located and which of them is which.

Please could we see all 25 versions of the Health Impact Assessment that are listed in the final report? I am guessing that most of these are electronic documents which might conveniently fit onto a CD, and if some of these are already published then it would be sufficient to tell us where these are located. Nevertheless, we would like to see all the other

stages as well as these, in order to better understand the way in which these decisions were taken.

Please could we also see all the reports and correspondence, minutes and similar material that passed between the consultants, steering group, secretariat and JCPCT? Please could we also have a list of all the dates on which meetings of the JCPCT took place? I am sorry to burden you with this, but what we are seeking is no more than would have been routinely available from any public body that took its decisions in public, as the JCPCT was apparently required to do.

Best wishes

John Illingworth

Email message 28 no attachments

From: Illingworth, Cllr John

Sent: 08 August 2012 13:07

To: 'Zuzana Bates'

Cc: 'Jeremy Glyde'; 'andy.buck@rotherham.nhs.uk'; 'Edwards Cathy'; Courtney, Steven; 'McKay Neil'

Subject: RE: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Dear Zuzana

Further to yesterday's message (below) I have been studying the Safe and Sustainable website. It seem to me that this site has been significantly reorganised since 4 July 2012 and that new material has been added piecemeal to various locations within the website. Such practices make it extremely difficult for "outsiders" to keep track of documents and to be confident that their collections are complete.

This task is not helped when the same document is published in different locations under different names, nor by the use of extremely long file names that exceed the capacity of our Leeds City Council computer system. Some of these file names are substantial paragraphs instead of succinct titles, and we are obliged to abbreviate them so that these documents can be stored.

I have also noticed that the internal electronic dates within documents do not always match the dates printed on the cover, or the dates when the material was published on the Safe and Sustainable website. Sometimes the discrepancy is considerable, and it is not always in the expected direction. It can be really difficult to decide when a document was available to the public, or whether it was merely for internal use.

These have plainly been issues for yourselves at Safe and Sustainable as well as for the Joint Scrutiny Board, as evidenced by your supply of multiple versions of the Kennedy scores, few of which correctly matched the descriptions on the "wrapper" for the documents supplied.

Please could you provide a reconciliation between all your published documents, which includes a short, **unique** title, any other alias under which the information has been circulated, the actual creation date, the printed date on the cover, the date when it was first available to the public and the manner of its publication, for example a mail out or website URL. It would also be helpful to know where it is now, since the internal structure of the Safe

and Sustainable website is opaque to many users, and some of the electronic copies appear to have moved.

This may seem to be a considerable amount of work, but it is no more than most public bodies routinely and automatically provide through their normal publication systems. It will enormously simplify our final submission to the Secretary of State and the Independent Reconfiguration Panel to have all relevant materials properly indexed, dated and uniquely identified.

At the same time, please could you supply a chronology of significant events (from a Safe and Sustainable viewpoint) going back to the Bristol heart scandal through to the present day? Dates of meetings, major reports and policy decisions would be particularly helpful. Many important outcomes were not immediately evident at the time that they occurred, making it needlessly difficult and time-consuming for the Joint Health Overview and Scrutiny Committee to do its job properly, and to independently scrutinise what has taken place.

John Illingworth

Email message 29 attachments I, J & K

From: Illingworth, Cllr John

Sent: 17 August 2012 19:47

To: 'Zuzana Bates'

Cc: 'Jeremy Glyde'; 'andy.buck@rotherham.nhs.uk'; 'Edwards Cathy'; Courtney, Steven; 'McKay Neil'

Subject: Further requests for information

Dear Zuzana

Thank you for the previous versions of the Health Impact Assessment, which arrived safely. We think that one is missing, 18 or 19 from memory, but since these two versions were only one day apart we guess that the changes were fairly minimal.

We have three queries about these documents. This is not intended to be an exhaustive list, and more issues might emerge on detailed analysis, but this trio leap out of the pages to assault the reader, and we would like to put them to you straight away. The page numbers refer to the final version of the Health Impact Assessment dated June 2012.

On page 33 (attached) the penultimate paragraph reads:

In 2009, the Children's Heart Federation commissioned an independent expert (Ipsos MORI) to assess the level of support for the review amongst parents of children with congenital heart disease. 5,000 parents were sent questionnaires and 1,000 responses were received. The outcome of this analysis concluded that around 73% of parents who responded either 'strongly agree' or 'agree' on the benefits of reducing the number of units in the NHS that provide cardiac surgery for children.

1) Please could we see a copy of the original Ipsos MORI questionnaire and the raw data on which the above assertion is based?

On the same page the final paragraph reads:

Further detail on the case for change can be found in the New Vision for Children's Congenital Heart Services in England at: http://www.specialisedservices.nhs.uk/safe_sustainable/public-consultation-2011.

The link appears to be broken. We have tried a few obvious variations but none of these proved successful.

2) Please could you let us know the correct URL to access this supplementary information?

On page 68 (also attached) there is a table 4.2 which purports to show the changes in patient numbers at each hospital under the various alternative proposals. It seems to us that each row in this table should sum to zero since all the patients have to go somewhere and patients cannot be created or destroyed. This is demonstrably not the case in your table and I have also attached an Excel spreadsheet containing an extra column where these calculations have been done.

It is difficult to make much sense of these figures and there may be some errors in your original table.

3) Please could you send updated figures and explain how these apparent errors originated?

We are continuing our work on the documents that you have supplied and look forward to receiving this additional information in due course.

Best wishes

John Illingworth

Email message 30 no attachments

From: Illingworth, Cllr John

Sent: 23 August 2012 10:30

To: 'Zuzana Bates'

Cc: 'Jeremy Glyde'; 'andy.buck@rotherham.nhs.uk'; 'Edwards Cathy'; Courtney, Steven; 'McKay Neil'; Turnbull, Mark

Subject: Letter from Jeremy Glyde dated 17 August 2012

Dear Zuzana

Thank you for letter dated 17 August from Jeremy Glyde and the bundle of documents which arrived on Tuesday. Steven Courtney is on sick leave, having injured his back, and it will clearly take us a few days to fully analyse this information, but there is one obvious point that I would like to raise with you immediately:

Please could we have an electronic copy of the Index of Documents that came with the Chronology?

The reason is that this index plainly contains "clickable" links to the various URLs, but these, of course, are no longer clickable in the printed version. An alternative would be to include "scanable" QR codes in the printed version, but I imagine that simply emailing an electronic copy of the original document would be the easiest thing to do.

We have been having a bit of a struggle with the Specialised Services website, which has apparently been restructured at some stage. We believe that this has contributed to our difficulty in following links in the Health Impact Assessment that I mentioned in my message sent on 17 August at 19:47.

John Illingworth

Email message 31 attachment L

From: Zuzana Bates [mailto:Zuzana.Bates@nsct.nhs.uk]

Sent: 24 August 2012 09:02

To: Illingworth, Cllr John

Cc: Jeremy Glyde; 'andy.buck@rotherham.nhs.uk'; 'Edwards Cathy'; Courtney, Steven; 'McKay Neil'; Turnbull, Mark

Subject: RE: Letter from Jeremy Glyde dated 17 August 2012

Dear Cllr Illingworth

Please find attached the website document register. In your email of 17 August, you asked about the link that was broken, the link is here:

http://www.specialisedservices.nhs.uk/library/30/Childrens_Heart_Surgery_in_England_The_Need_For_Change.pdf

It's document no 2 on the list.

Best wishes

Zuzana

Zuzana Bates

Direct Line: 0207 932 3771

Email message 32 no attachments

From: Illingworth, Cllr John

Sent: 29 August 2012 10:33

To: Zuzana Bates

Cc: Jeremy Glyde; 'andy.buck@rotherham.nhs.uk'; 'Edwards Cathy'; Courtney, Steven; 'McKay Neil'; Turnbull, Mark

Subject: RE: Letter from Jeremy Glyde dated 17 August 2012

Dear Zuzana

Thank you for the electronic version of the document register and for the amended link to the "Need for Change" document. These are certainly helpful, but I continue to have some difficulties in reconciling the various documents, and in following some of the links on the Specialised Services website, which has been considerably reorganised in recent weeks. This process is not aided by the widespread occurrence of excessively long document titles, and by the occasional use of "forbidden" characters such as "/" in some of the titles. Some of these unusual constructs are completely incompatible with Windows XP. They may be truncated by Windows 7 *and stored with a different title to the original document.*

The Specialised Services website also contains some careless mistakes, which cause confusion and delay to users. For example, the documents "Congenital_Cardiac_Services_Workshop_June_2009___Report.pdf" and "Congenital_Cardiac_Services_Workshop_June_2009___Delegate_List.pdf" both refer to a meeting that apparently took place in 2006, rather than 2009, and the report provided was amended and updated in 2008. Please could I have the original 2006 version? Some children's neurological papers seem to have found their way into the cardiac sections.

Fortunately this is easy to detect, but it makes me wonder whether there might be errant cardiac documents lurking in other sections of the website?

The Specialised Services website is important because it has become the primary route whereby Safe and Sustainable communicates and interacts with the public. It compares unfavourably with leading medical websites, such as [NICE](#), [Lancet](#), [BMJ](#), [NIH](#) or [NEJM](#), which are generally clearer and easier to use. It even compares badly with local authority websites using the “modern.gov” system to report council and committee proceedings. This is scarcely rocket science – all that users need are the relevant documents / meetings published promptly in date order, with a good search engine to locate the required material. This has not yet been achieved by Specialised Services, and there is an implication in the present site that key papers have always been available to the public when we know that this has generally not been the case.

I am concerned that there are relevant documents on the Specialised Services website that record the “Standards” process, which do not appear in your master list. Please could these be added with their individual publication dates?

Please can you also provide a reconciliation between the 14 *numbered* options mentioned in the “New Vision for Children’s Congenital Heart Services in England” and the twelve options considered on 4 June 2012? How many permutations in total have been considered by the steering committee – please can we see the full list?

JHOSC may wish to provide feedback on the website and the public engagement process, so I repeat my original request for a full list of all the relevant documents that includes a detailed publication history and all the individual publication dates. We need to see how the website has changed over time.

Please will you re-consider your decision on the individual Kennedy scores? We are not satisfied by the explanations given to date and we would like to see how each assessor graded each individual institution on each criterion, in addition to any “consensus” scores. I want to perform a statistical analysis of the assessment process.

John Illingworth

Email message 33 no attachments

From: Illingworth, Cllr John

Sent: 31 August 2012 10:30

To: Zuzana Bates

Cc: Jeremy Glyde; 'andy.buck@rotherham.nhs.uk'; 'Edwards Cathy'; Courtney, Steven; 'McKay Neil'; Turnbull, Mark

Subject: Chidren's Heart Surgery: full disclosure

Dear Zuzana

I have been working through the numerous documents that have been released since 4 July 2012, reading them, removing duplicates, sorting them into chronological order and cross-referencing them. I have also found it helpful to drastically shorten the titles to correspond with normal working practices using websites and Microsoft Office.

It is apparent that there has not as yet been anything remotely approaching a full disclosure in relation to Safe and Sustainable and the JCPCT. Scrutiny by JHOSC can only work properly if there is measure of trust between the parties, and if there is full disclosure and openness about the decision making process. Sadly this ideal was not achieved by Safe and

Sustainable in the years preceding the decision on 4 July 2012, and despite the large number of documents subsequently released it is still not being achieved.

I do not accept that Legal Advice should be removed before JCPCT documents are disclosed to JHOSC. We would be happy to receive such advice in confidence, and we will hear it in private if you desire, but JHOSC should always be aware of the full picture, "warts and all".

We do not appear to have all the reports and papers considered by the Steering Committee. Agendas and minutes refer to numerous "attached" papers which have not apparently been disclosed. This makes the reasoning very difficult to follow, and it is difficult to know whether or not we have all the relevant information available to us. Please can we have copies of all the reports and papers that were attached to the agendas?

The Terms of Reference for the Steering Committee (or Steering Group) appear to have been an afterthought. What was the creation date for this document, when was it approved, when was it published, and has it been amended at any stage?

It appears that in addition to the Steering Committee, there was also a Secretariat which may or may not have been the same as the Advisory Group. Please can we see all the relevant materials relating to the Secretariat and the Advisory Group?

John Illingworth

Email message 34 no attachments

From: Illingworth, Cllr John

Sent: 03 September 2012 17:08

To: 'Zuzana Bates'

Cc: 'Jeremy Glyde'; 'andy.buck@rotherham.nhs.uk'; 'Edwards Cathy'; Courtney, Steven; 'McKay Neil'; Turnbull, Mark

Subject: RE: Children's Heart Surgery: full disclosure

Dear Zuzana

Further to my message last week, I can offer the following list of documents that are definitely missing from the Safe & Sustainable website and the paper bundles supplied to date:

Date	Document
2008-12-01	Steering Group 1 Reports
2009-04-29	Standards Working Group 1 Reports
2009-05-29	Steering Group 2 Reports
2009-06-09	Standards Working Group 2 Reports
2009-07-23	Standards Working Group 3 Reports
2009-10-06	Steering Group 3 Reports
2009-11-11	Standards Working Group 4 Reports
2010-01-19	Steering Group 4 Reports
2010-02-10	Standards Working Group 5 Reports
2010-04-29	Steering Group 5 Reports
2010-07-07	JCPCT 1 Agenda & Reports
2010-07-15	Steering Group 6 Reports
2010-07-28	JCPCT 2 Agenda & Reports
2010-09-01	JCPCT 3 Agenda & Reports

2010-09-28	JCPCT 4 Agenda & Reports
2010-10-14	Steering Group 7 Reports
2011-01-06	Steering Group 8 Reports
2011-01-11	JCPCT 5 Agenda & Reports
2011-01-27	Steering Group 9 Reports
2011-02-16	JCPCT Meeting in Public Reports & Minutes
2011-06-30	JCPCT 6 Agenda & Reports
2011-07-12	Steering Group 10 Reports
2011-07-27	JCPCT 7 Agenda & Reports
2011-09-13	Steering Group 11 Reports
2011-10-25	JCPCT 8 Agenda & Reports
2011-11-17	JCPCT 9 Agenda & Reports
2011-12-14	JCPCT 10 Agenda, Reports & Minutes
2012-02-15	Steering Group 12 Reports
2012-02-22	JCPCT 11 Agenda, Reports & Minutes
2012-04-23	JCPCT 12 Agenda, Reports & Minutes
2012-06-12	JCPCT 13 Agenda, Reports & Minutes

My list above may not be complete, because there are various shadowy sub-groups (such as the Advisory Group, Secretariat and the Health Impact Assessment Steering Group) that are mentioned in the existing documents that you have already supplied, and it is not clear what roles some of these groups played. Please can you help me with this?

I have Terms of Reference for some of these shadowy groups, but these documents are often undated, so it is not clear if or when they were adopted or came into effect. Please could you supply this information if it is to hand? This might be clearer if I had complete sets of Agenda, Reports and Minutes for each meeting, as would normally be the case for Scrutiny of Local Authority decisions. If you were to visit the Leeds City Council website at <http://democracy.leeds.gov.uk/uuCoverPage.aspx?bcr=1> and then browse through the various meetings, you could see how these things are normally done at Leeds, and at hundreds of other local councils across the country that use the modern.gov system. The information that I am seeking is standard practice, and nothing out of the ordinary.

Please can you tell me when the "revised" Kennedy Scores were first considered by the JCPCT? I repeat my request for details of the scores awarded by each individual Kennedy Panel Member, for each criterion at each of the sites that the Panel visited and assessed.

I have corrected the typographical error in my earlier message below.

John Illingworth

Email message 35 no attachments

From: Illingworth, Cllr John

Sent: 07 September 2012 08:51

To: 'Zuzana Bates'

Cc: 'Jeremy Glyde'; 'andy.buck@rotherham.nhs.uk'; 'Edwards Cathy'; Courtney, Steven; 'McKay Neil'; Turnbull, Mark

Subject: RE: Children's Heart Surgery: full disclosure

Dear Zuzana

I am distressed to discover that JCPCT have already shared the requested documents with others, but not with JHOSC.

This is completely unacceptable. JHOSC is the statutory body that should scrutinise the JCPCT decisions, but we cannot complete this process without a full disclosure by JCPCT. As I have previously pointed out, the information that we are seeking is no more than a local authority would routinely disclose to the public on their civic website without the need for any special application.

Please can I also remind you that we are still waiting for a response to questions (1) and (3) in my message of 17 August 2012?

When we finally receive this information, we shall still require time to read and analyse it, and to share it with the other members of JHOSC. We need to give our members reasonable notice of the meeting, and to publish our agendas and reports one week in advance. The reluctance of JCPCT to release this non-confidential material is delaying the entire Scrutiny process.

John Illingworth

Email message 36 attachments M, N, O & P

From: Hannah Weaver [mailto:Hannah.Weaver@london.nhs.uk]
Sent: 10 September 2012 16:30
To: Illingworth, Cllr John
Subject: JCPCT minutes

Dear Cllr. Illingworth

Please find attached JCPCT minutes as requested. Jeremy will write to you in full tomorrow in regards to the point raised in your emails.

Regards

Hannah

Hannah Weaver

PA / Project co-ordinator

Email message 37 attachments M, N, O & P

From: Illingworth, Cllr John
Sent: 10 September 2012 16:59
To: Hannah.Weaver@london.nhs.uk
Cc: Mulherin, Cllr Lisa; 'Jeremy Glyde'; 'andy.buck@rotherham.nhs.uk'; 'Edwards Cathy'; Courtney, Steven; 'McKay Neil'; 'Zuzana Bates'
Subject: JCPCT minutes

Dear Hannah

Thank you very much for these 2012 minutes, which are greatly appreciated, but I have to remind you that JHOSC are seeking a far more comprehensive disclosure than has so far been achieved. In particular, we would like to see agendas and reports, as well as minutes, in the manner that is now customary for local authorities throughout the entire country.

I wrote previously on 31 August, 3 September and 7 September (messages attached) detailing exactly what we are still seeking, and I had written previously on 17 August to point out apparently serious discrepancies in some of the information published by JCPCT.

We are still waiting for a response to most of these inquiries. As I wrote previously, I am hugely dismayed to learn that a much fuller disclosure has apparently been made to a local charity who are contemplating legal action, than the disclosure that JCPCT has made to the statutory body that is expected to review their work.

John Illingworth

Email message 38 attachment Q

From: Hannah Weaver [mailto:Hannah.Weaver@london.nhs.uk]

Sent: 11 September 2012 15:08

To: Illingworth, Cllr John

Subject: Safe and Sustainable

Dear Cllr. Illingworth

Please find attached a letter from Jeremy Glyde

Regards

Hannah

Hannah Weaver

PA / Project co-ordinator

Email message 39 attachment R

From: Courtney, Steven

Sent: 18 September 2012 09:42

To: McKay Neil

Cc: Jeremy Glyde; Andy Buck; Edwards Cathy; Zuzana Bates; Illingworth, Cllr John; Mulherin, Cllr Lisa; jamie.coulson@bbc.co.uk; Editor YEP letters; 'Sharon Cheng'; jenniferworton@barnsley.gov.uk; mike.gibbons@bradford.gov.uk; councillor.rgoldthorpe@calderdale.gov.uk; Cllr. C. Funnell; ajrevill@hotmail.co.uk; cllr.bhall@yahoo.co.uk; councillor.brown@hullcc.gov.uk; elizabeth.smaje@kirklees.gov.uk; peggy.elliott@nelincs.gov.uk; cllr.jeanbromby@northlincs.gov.uk; cllr.jim.clark@northyorks.gov.uk; shaukat.ali@rotherham.gov.uk; mick.rooney@sheffield.gov.uk; brhodes@wakefield.gov.uk; tony.revill@doncaster.gov.uk

Subject: RE: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Importance: High

Dear Sir Neil,

Please find attached a letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber)).

Should you have any queries and/or need any additional information, please do not hesitate to contact me.

Kind Regards

Steven Courtney
Principal Scrutiny Adviser

Email message 40 no attachments

From: Illingworth, Cllr John

Sent: 21 September 2012 14:28

To: Jeremy Glyde

Cc: Hannah Weaver; andy.buck@rotherham.nhs.uk; Zuzana Bates; Courtney, Steven; 'McKay Neil'; MP (Members of Parliament); Councillors All; jenniferworton@barnsley.gov.uk; mike.gibbons@bradford.gov.uk; councillor.rgoldthorpe@calderdale.gov.uk; Cllr. C. Funnell; ajrevill@hotmail.co.uk; cllr.bhall@yahoo.co.uk; councillor.brown@hullcc.gov.uk; elizabeth.smaje@kirklees.gov.uk; peggy.elliott@nelincs.gov.uk; cllr.jeanbromby@northlincs.gov.uk; cllr.jim.clark@northyorks.gov.uk; shaukat.ali@rotherham.gov.uk; mick.rooney@sheffield.gov.uk; brhodes@wakefield.gov.uk; tony.revill@doncaster.gov.uk

Subject: Disclosure of Children's Heart Surgery Papers

Dear Mr Glyde

Thank you for your letter dated 11 September, and many of your points are accepted at this end. Unfortunately, however, there are still some unresolved issues about disclosure and open government. Since Health Scrutiny is a Local Government function, we feel that the Local Government rules on publication and disclosure should apply.

Local Authorities conform to section 100 in the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985. Very similar provisions were enacted in the Local Government Act 2000, and subsequent secondary legislation in a long series of Statutory Instruments. The essence of these provisions is that in most cases the **General Public** can see Agendas, Reports, Background Papers and Minutes of meetings, which generally must be held in public with seven days notice in advance. As a result, all the papers for each and every meeting are routinely published on our Civic websites one week in advance, and the unconfirmed minutes follow as soon as they are available, usually within a couple of days of the meeting. Confidential items are excluded, but a valid reason must be published as to why they are confidential, and this can be challenged.

Special rules apply to Overview and Scrutiny Committees, which can normally see **all the papers** that relate to a decision that they are scrutinising. The committee members decide what is relevant and what they need to see.

In the present case, such importance has been attached to the "quality" scores from the Kennedy Panel that we need to see each individual score from each individual panel member, for each individual assessment criterion, for each individual hospital. You have never denied having this information, and we would like to see it. It is not a question as to whether the JCPCT members saw these figures. Maybe they should have asked for them, but whether or not they saw them, we would like to see them.

On 3 September 2012 I requested a list of papers that I had identified from reading the minutes already supplied. This list is reproduced again below. Only a few of these documents have so far been disclosed, and we would like to see them all. We want to see the Agenda, the Reports (plus any background papers) and the Minutes for each and every meeting that took place. I shall be taking this up with the Information Commissioner and with our Leeds and Yorkshire MPs, who may decide to request the same information by way of Written Parliamentary Questions.

Date	Document
2008-12-01	Steering Group 1 Reports
2009-04-29	Standards Working Group 1 Reports
2009-05-29	Steering Group 2 Reports
2009-06-09	Standards Working Group 2 Reports
2009-07-23	Standards Working Group 3 Reports
2009-10-06	Steering Group 3 Reports
2009-11-11	Standards Working Group 4 Reports
2010-01-19	Steering Group 4 Reports
2010-02-10	Standards Working Group 5 Reports
2010-04-29	Steering Group 5 Reports
2010-07-07	JCPCT 1 Agenda & Reports
2010-07-15	Steering Group 6 Reports
2010-07-28	JCPCT 2 Agenda & Reports
2010-09-01	JCPCT 3 Agenda & Reports
2010-09-28	JCPCT 4 Agenda & Reports
2010-10-14	Steering Group 7 Reports
2011-01-06	Steering Group 8 Reports
2011-01-11	JCPCT 5 Agenda & Reports
2011-01-27	Steering Group 9 Reports
2011-02-16	JCPCT Meeting in Public Reports & Minutes
2011-06-30	JCPCT 6 Agenda & Reports
2011-07-12	Steering Group 10 Reports
2011-07-27	JCPCT 7 Agenda & Reports
2011-09-13	Steering Group 11 Reports
2011-10-25	JCPCT 8 Agenda & Reports
2011-11-17	JCPCT 9 Agenda & Reports
2011-12-14	JCPCT 10 Agenda, Reports & Minutes
2012-02-15	Steering Group 12 Reports
2012-02-22	JCPCT 11 Agenda, Reports & Minutes
2012-04-23	JCPCT 12 Agenda, Reports & Minutes
2012-06-12	JCPCT 13 Agenda, Reports & Minutes

The JCPCT decision has caused enormous upset and distress in Yorkshire, and one way or another we are determined that there will be proper Scrutiny of this decision and the process whereby it was reached.

John Illingworth

Email message 41 no attachments

From: Illingworth, Cllr John

Sent: 22 September 2012 09:14

To: 'Jeremy Glyde'

Cc: 'Hannah Weaver'; 'andy.buck@rotherham.nhs.uk'; 'Zuzana Bates'; Courtney, Steven; 'McKay Neil'; MP (Members of Parliament); Councillors All; 'jenniferworton@barnsley.gov.uk'; 'mike.gibbons@bradford.gov.uk'; 'councillor.rgoldthorpe@calderdale.gov.uk'; 'Cllr. C. Funnell'; 'ajrevill@hotmail.co.uk'; 'cllr.bhall@yahoo.co.uk'; 'councillor.brown@hullcc.gov.uk'; 'elizabeth.smaje@kirklees.gov.uk'; 'peggy.elliott@nelincs.gov.uk'; 'cllr.jeanbromby@northlincs.gov.uk'; 'cllr.jim.clark@northyorks.gov.uk';

'shaukat.ali@rotherham.gov.uk'; 'mick.rooney@sheffield.gov.uk';
 'brhodes@wakefield.gov.uk'; 'tony.revill@doncaster.gov.uk'
Subject: Disclosure of Children's Heart Surgery Papers - 2

Dear Mr Glyde

There is a further issue arising out of your letter dated 11 September.

I originally wrote to you on 17 August 2012 pointing out some serious discrepancies in table 4.2 on page 68 in the published version of the Health Impact Assessment (HIA). This report went through 25 iterations before reaching its final form. This table shows the gain or loss in patients using particular hospitals under each option. If these calculations were performed correctly each row of the table should sum to zero. Early versions of the table satisfied this test, but the later ones do not.

This error was not present in versions 5 – 19 of the report as outlined in the tabulation below. I have added two columns on the right, showing the HIA version number and the sum of columns 2 to 10 in each row. The upper block of figures (in blue) was used from July 2011 to October 2011. Each row sums to 1, which is close enough to zero when rounding errors are taken into account. The error originated in version 20 when the additional options E to L were gradually introduced and it has propagated through all the subsequent iterations of this report. The lower block of figures (in red) was produced from November 2011 onwards, and it is obvious that they do not add up.

Table 4.2: Increased volumes of paediatric cardiac procedures by hospital network

Option	B'ham	Bristol	Leeds	Leicester	Liverpool	London	Newcastle	Oxford	So'ton	HIA revision	checksum cols 2 : 10
A	-91	160	-316	189	55	187	149	-108	-224	05 - 19	1
B	162	81	-316	-225	55	-71	270	-108	153	05 - 19	1
C	162	160	-316	-225	55	227	270	-108	-224	05 - 19	1
D	97	160	320	-225	9	227	-255	-108	-224	05 - 19	1
A	-72	144	-338	186	48	212	161	-21	-313	20 - 25	7
B	124	113	-338	-214	48	-82	288	-21	175	20 - 25	93
C	167	144	-338	-214	48	251	288	-21	-313	20 - 25	12
D	103	144	347	-214	-11	251	-271	-21	-313	20 - 25	15
E	167	144	-338	-214	48	251	288	-21	-313	20 - 25	12
F	103	144	347	-214	-11	251	-271	-21	-313	20 - 25	15
G	60	86	347	-214	-11	-82	-271	-21	175	20 - 25	69
H	-73	144	-338	186	48	212	161	-21	-313	20 - 25	6
I	-89	86	-338	186	48	-121	161	-21	175	21 - 25	87
J	80	-336	-338	186	49	22	161	-21	274	22 - 25	77
K	-73	144	282	282	-11	67	-271	-21	-313	23 - 25	86
L	-73	144	282	282	-11	67	-271	-21	-313	23 - 25	86

You claim in your letter that this is a minor typographical error, but it seems to me that it is altogether more serious. This substantial error affects every row of table 4.2, in multiple versions of the report. It is not a constant amount, but varies from one row to the next. This suggests to me that there is something fundamentally wrong with the calculated numbers of patients attending each hospital under the various options. This information is absolutely crucial to the assessment performed by JCPCT.

The JHOSC expects a very detailed explanation for this error, which back tracks through all the antecedent tables, and explains exactly how this error originated, why it escaped

detection, and which other conclusions might have been affected by it. At the very least it suggests some very sloppy error checking by the authors of the report, and calls into question the reliability of other conclusions that they might have reached.

Had the JCPCT proceedings been conducted with greater openness then this error would in all likelihood been detected and corrected at a much earlier stage. It is over a month since we first pointed it out. We look forward to receiving a very detailed explanation without further delay.

John Illingworth

Email message 42 attachment S

From: Hannah Weaver [mailto:Hannah.Weaver@london.nhs.uk]

Sent: 26 September 2012 13:36

To: Illingworth, Cllr John

Subject: Letter to Cllr. Illingworth

Dear Cllr. Illingworth

Please find attached a letter from Jeremy Glyde

Regards

Hannah

Hannah Weaver

PA / Project co-ordinator

Email message 43 attachments S & T

From: Illingworth, Cllr John

Sent: 27 September 2012 11:42

To: 'Jeremy Glyde'

Cc: 'Hannah Weaver'; 'andy.buck@rotherham.nhs.uk'; 'Zuzana Bates'; Courtney, Steven; 'McKay Neil'; MP (Members of Parliament); Councillors All; 'jenniferworton@barnsley.gov.uk'; 'mike.gibbons@bradford.gov.uk'; 'councillor.rgoldthorpe@calderdale.gov.uk'; 'Cllr. C. Funnell'; 'ajrevill@hotmail.co.uk'; 'cllr.bhall@yahoo.co.uk'; 'councillor.brown@hullcc.gov.uk'; 'elizabeth.smaje@kirklees.gov.uk'; 'peggy.elliott@nelincs.gov.uk'; 'cllr.jeanbromby@northlincs.gov.uk'; 'cllr.jim.clark@northyorks.gov.uk'; 'shaukat.ali@rotherham.gov.uk'; 'mick.rooney@sheffield.gov.uk'; 'brhodes@wakefield.gov.uk'; 'tony.revill@doncaster.gov.uk'

Subject: Disclosure of Children's Heart Surgery Papers - 3

Dear Mr Glyde

Thank you for your letter of 26 September 2012. I am grateful for your offer to discuss this on the telephone, but there is such need for clear thinking about these problems that I prefer to discuss them in writing.

I take your point that much of the presentation to JCPCT on 4 July differed from your published documents. This is part of the problem: we only have your published documents, but on the decision day we were treated to an ephemeral slide show, some of which has not apparently been published, which was very difficult to read from the hall, which differed

significantly from your published reports, and which is now completely impossible to analyse and verify.

There is no dispute between us about the dangers of occasional practice. This risk applies to all clinical procedures and has been generally accepted throughout the medical and scientific literature for the last twenty years or more. There is likely to be a huge improvement going from 3 to 30 cases per year, and a measurable effect moving from 30 to 300, but most experts would agree that moving from 300 to 3000 cases per year is unlikely to be worthwhile. Other countervailing effects apply to very large centres: long retrieval times, family disruption, communication difficulties, expense, muddle and general inconvenience will inevitably result in a decline in performance when provision is concentrated onto a few very large sites.

We are all in favour of evidence-based medicine, but we lack good evidence about the optimum size of clinical units. In addition to social and geographic confounders, researchers have reported that individual hospitals, surgical teams and surgeons all affect overall performance, and many of these effects are likely to vary over time. Administrators and practitioners retire and eventually die, organisations are re-structured, buildings are replaced, techniques change...

In these circumstances it seems best to focus on long-term considerations such as population density and major infrastructure, and not to be distracted by short term effects that may no longer be relevant within the lifetime of this project.

When analysed in this way, the decisions by JCPCT and its advisors seem irrational and inexplicable. As we have seen in recent days, road and rail connections to Newcastle are long, limited and liable to disruption. Why should anybody prefer a unit in Newcastle which is remote from major population centres and 50% of the hinterland is in the North Sea, with a small number of staff and vital facilities split between different sites, over a unit in Leeds at the centre of a major conurbation, with good road and rail connections, with a larger number of staff and all the facilities and expertise concentrated on one site?

We are unable to follow your logic, however it appears that your organisations attempts to measure "quality" do not really measure quality at all, but focus instead on a series of irrelevant factors that are difficult to quantify and may be completely untrue. JCPCT decision making appears to have been compromised by sloppy arithmetic and poor quality control. Insufficient precautions were taken to minimise the effects of individual bias, and the assessment was conducted under conditions of needless secrecy, with insufficient exposure to public criticism and debate.

In these circumstances, and bearing in mind the nature of our challenge, absolute openness is required on your part, complete disclosure of every part of the decision-making process. You are not achieving this, not even nearly, and instead JCPCT processes seem secretive, devious, and with standards of disclosure that fall far below those routinely achieved across most of the public sector. To be blunt, the National Specialised Commissioning Group and the JCPCT look to us remarkably like an old boys' club.

I wrote to Sir Neil Mckay on 5 July 2012 as follows:

"As outlined in my previous letter, given the continued assurance you have provided around formally responding to the report and recommendations put forward by the Joint HOSC, I was surprised that there was no specific consideration of this at yesterday's meeting. I was particularly curious to see no formal consideration of the alternative configuration put forward by the Joint HOSC. I would be grateful if you could confirm at what point JCPCT members

actually considered the Joint HOSC's report and agreed its associated response to it. I would be particularly grateful if you could confirm at what point the alternative configuration model was considered and, seemingly, dismissed. In so doing, I would be grateful if you could provide information on the detailed scoring and consideration that the alternative configuration received – as this was clearly not evident at yesterday's meeting."

We do not appear to have received a clear answer to this question. Did the JCPCT ever properly consider the JHOSC report, or was it dismissed out of hand by the steering committee without discussion by the JCPCT? Please can we see the relevant agenda, reports and minutes?

I continued in my letter of 5 July:

"As Chair of the Joint HOSC I would also ask you provide the agendas, reports and minutes of any (formal or informal) meeting of the JCPCT and its secretariat, associated with the drafting and agreement of the Decision-Making Business Case document. In my view, such information may form a key part of the Joint HOSC's consideration of yesterday's formal decision and the processes leading up to it."

This information is required for the JHOSC to discharge its statutory responsibilities. I have to say that the response to my inquiry by the JCPCT Secretariat has been downright poor. Disclosure has been slow, grudging and incomplete. It has compared very badly with my experience of local authority routine publication (which on occasion can be less than perfect) and to my mind falls well below the publication standards that the NHS has set itself. Most of this material is non-confidential and easy to identify. This material should have been immediately disclosed under the Freedom of Information Act, and it is my intention to proceed to a formal complaint to the Information Commissioner about your decisions.

In particular, we do not yet have a full set of JCPCT agendas and minutes, **and we have very few of the JCPCT reports**, other than those which were disclosed at the Meetings in Public. I am not even certain whether I have a full set of papers from the first Meeting in Public, because some of these were re-published for the second meeting in public, but I am not convinced that they all were. I would be obliged if you could supply a schedule of these documents from the first public meeting, so that I can properly check.

You wrote as follows in your letter of 11 September 2012:

"10. Papers from the Steering Group and Standards Group

The JHOSC's powers apply to the scrutiny of a decision (in this case, that made on 4 July 2012) which is made by the decision maker (in this case, the JCPCT). The powers do not extend to scrutinising third party groups, such as a separate advisory group. The outputs of the Steering Group relied upon by the JCPCT in the decision making process were published in full as appendices to the Decision Making Business Case on 4 July and are thus available to you, and minutes of the Steering Group meetings have been published on our website since April 2009. I do not agree that the terms of reference for the Steering Group were an „after thought“; the minutes record how the terms of reference were revised between 2008 and 2010 to reflect the changing role of the Steering Group in view of the establishment of the JCPCT in 2010."

With respect, it appears to me that parts of your assertion above not completely true. There are many relevant documents that were not published on 4 July 2012. Whether or not the JHOSC has a statutory right to see these papers (and I believe that it does) none of them are

confidential and they should all have been immediately disclosed under the Freedom of Information Act. There are indeed some documents on your website that date back to 2009, but the internal dates on these electronic documents show that they were not all published contemporaneously but some were added long after the event. Even now the papers relating to recent decisions are not being kept up to date.

It is apparent that considerable discussion and policy making has taken place outside the JCPCT, which frequently seems to have operated as a rubber stamp. I have spent many hours studying those documents that have been published on the Safe and Sustainable website and I have attached an Excel spreadsheet that identifies those meetings that were probably relevant, where we need to see copies of the agendas and the minutes, **plus any relevant reports**. Some I agree have already been disclosed, and these are identified on the spreadsheet, but most of them have not. Had you promptly sent us all the information that we initially requested, we might, perhaps, have managed with a shorter list. We have seen very few of the reports to the main committees, and we also require the reports to the JCPCT steering committee and its various advisory groups.

There is no need to send us printed documents, and we would be happy to receive this information in electronic form. It would greatly improve the trust and respect that should exist between our organisations if you could send me all the desired information, including the individual Kennedy scores, without any further delay.

John Illingworth

Email message 44 attachment U

From: Illingworth, Cllr John

Sent: 27 September 2012 23:08

To: 'Jeremy Glyde'

Cc: 'Hannah Weaver'; 'andy.buck@rotherham.nhs.uk'; 'Zuzana Bates'; Courtney, Steven; 'McKay Neil'; MP (Members of Parliament); Councillors All; 'jenniferworton@barnsley.gov.uk'; 'mike.gibbons@bradford.gov.uk'; 'councillor.rgoldthorpe@calderdale.gov.uk'; 'Cllr. C. Funnell'; 'ajrevill@hotmail.co.uk'; 'cllr.bhall@yahoo.co.uk'; 'councillor.brown@hullcc.gov.uk'; 'elizabeth.smaje@kirklees.gov.uk'; 'peggy.elliott@nelincs.gov.uk'; 'cllr.jeanbromby@northlincs.gov.uk'; 'cllr.jim.clark@northyorks.gov.uk'; 'shaukat.ali@rotherham.gov.uk'; 'mick.rooney@sheffield.gov.uk'; 'brhodes@wakefield.gov.uk'; 'tony.revill@doncaster.gov.uk'

Subject: RE: Disclosure of Children's Heart Surgery Papers - 3

There is a typographical error in the Excel spreadsheet that I attached to my earlier message which affects the dates of two JCPCT meetings in 2012. A corrected version is attached. A JCPCT meeting was scheduled for 14 December 2011 but we have not received any papers for this meeting, and we do not know whether it actually took place.

John Illingworth

Email message 45 attachments removed

From: Courtney, Steven

Sent: 02 October 2012 16:20

To: 'david.nicholson@dh.gsi.gov.uk'

Cc: 'Mb-sofs@dh.gsi.gov.uk'; 'bruce.keogh@dh.gsi.gov.uk'; Illingworth, Cllr John; Mulherin, Cllr Lisa; 'jamie.coulson@bbc.co.uk'; 'Editor YEP letters'; 'jenniferworton@barnsley.gov.uk'; 'mike.gibbons@bradford.gov.uk'; 'councillor.rgoldthorpe@calderdale.gov.uk'; 'Cllr. C. Funnell';

'ajrevill@hotmail.co.uk'; 'cllr.bhall@yahoo.co.uk';
'councillor.brown@hullcc.gov.uk'; 'elizabeth.smaje@kirklees.gov.uk';
'peggy.elliott@nelincs.gov.uk'; 'cllr.jeanbromby@northlincs.gov.uk';
'cllr.jim.clark@northyorks.gov.uk'; 'shaukat.ali@rotherham.gov.uk';
'mick.rooney@sheffield.gov.uk'; 'brhodes@wakefield.gov.uk';
'tony.revill@doncaster.gov.uk'

Subject: RE: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Dear Sir David,

Please find attached a letter from Cllr. John Illingworth, Chair (Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber)) and the associated enclosure.

<< File: 12_10_02 Sir David Nicholson.doc >> << File: 12_10_02 Sir David Nicholson enclosure _ missing agendas reports and minutes.xls >>

Should you have any queries and/or need any additional information, please do not hesitate to contact me.

Kind Regards

Steven Courtney
Principal Scrutiny Adviser

Email message 46 attachments V & W

From: Courtney, Steven

Sent: 02 October 2012 16:47

To: david.nicholson@dh.gsi.gov.uk

Cc: Mb-sofs@dh.gsi.gov.uk; bruce.keogh@dh.gsi.gov.uk; Illingworth, Cllr John; Mulherin, Cllr Lisa; jamie.coulson@bbc.co.uk; Editor YEP letters; jenniferworton@barnsley.gov.uk; mike.gibbons@bradford.gov.uk; councillor.rgoldthorpe@calderdale.gov.uk; Cllr. C. Funnell; ajrevill@hotmail.co.uk; cllr.bhall@yahoo.co.uk; councillor.brown@hullcc.gov.uk; elizabeth.smaje@kirklees.gov.uk; peggy.elliott@nelincs.gov.uk; cllr.jeanbromby@northlincs.gov.uk; cllr.jim.clark@northyorks.gov.uk; shaukat.ali@rotherham.gov.uk; mick.rooney@sheffield.gov.uk; brhodes@wakefield.gov.uk; tony.revill@doncaster.gov.uk

Subject: RE: RE: Letter from Cllr. John Illingworth (Chair, Joint Health Overview and Scrutiny Committee (Yorkshire and the Humber))

Dear Sir David,

Please see the original message below.

There appears to have been some problems with the delivery of the previous e-mail due to some protection on the original documents. This has been removed and the documents re-attached.



12_10_02 Sir David Nicholson.d...



12_10_02 Sir David Nicholson e...

Should you have any queries and/or need any additional information, please do not hesitate to contact me.

Kind Regards

Steven Courtney
Principal Scrutiny Adviser

Email message 47 attachment X

From: Hannah Weaver [mailto:Hannah.Weaver@london.nhs.uk]
Sent: 10 October 2012 11:21
To: Illingworth, Cllr John
Cc: 'neil.mckay@eoe.nhs.uk'; 'Andy.buck@rotherham.nhs.uk'
Subject: Safe and Sustainable
Importance: High

Dear Cllr. Illingworth

Please find attached a letter from Jeremy Glyde

Regards

Hannah

Hannah Weaver
PA / Project co-ordinator

Email message 48 no attachments

From: Zuzana Bates [mailto:Zuzana.Bates@nsct.nhs.uk]
Sent: 11 October 2012 09:42
To: Illingworth, Cllr John
Cc: Jeremy Glyde; Hannah Weaver
Subject: Safe and Sustainable

Dear Councillor Illingworth

I understand that you called Hannah yesterday afternoon and made two requests for information. The response is below:

1. JCPCT: The JCPCT did not meet formally in December. Members received a verbal update on emerging analysis of options and related legal issues. No decisions were made at this meeting.
2. HIA Steering Group membership: The letter was sent to you from Jeremy in the morning on 10 October in response to this request that you made in a phone call to Hannah on 8 October. This letter explains that Jeremy already clarified in a letter to you of 11 September that the membership of the group and its terms of reference were published as Appendix L of the Decision Making Business Case on 4 July.

Best wishes

Zuzana Bates
Project Liaison Manager
Zuzana.Bates@nsct.nhs.uk

Email message 49 attachment Y

From: Jeremy Glyde [mailto:Jeremy.Glyde@london.nhs.uk]
Sent: 25 October 2012 15:29
To: Illingworth, Cllr John
Subject: Agreed Minutes JCPCT Meeting 04-07-12

Dear Councillor Illingworth

I attach the minutes of the JCPCT meeting on 4 July, which have been agreed by the JCPCT.

Jeremy

Email message 50 no attachments

From: Illingworth, Cllr John
Sent: 29 October 2012 01:46
To: 'Jeremy Glyde'
Cc: 'Hannah Weaver'; 'andy.buck@rotherham.nhs.uk'; 'Zuzana Bates'; Courtney, Steven; 'McKay Neil'; MP (Members of Parliament); Councillors All; 'jenniferworton@barnsley.gov.uk'; 'mike.gibbons@bradford.gov.uk'; 'councillor.rgoldthorpe@calderdale.gov.uk'; 'Cllr. C. Funnell'; 'ajrevill@hotmail.co.uk'; 'cllr.bhall@yahoo.co.uk'; 'councillor.brown@hullcc.gov.uk'; 'elizabeth.smaje@kirklees.gov.uk'; 'peggy.elliott@nelincs.gov.uk'; 'cllr.jeanbromby@northlincs.gov.uk'; 'cllr.jim.clark@northyorks.gov.uk'; 'shaukat.ali@rotherham.gov.uk'; 'mick.rooney@sheffield.gov.uk'; 'brhodes@wakefield.gov.uk'; 'tony.revill@doncaster.gov.uk'
Subject: Minutes and outstanding requests for information

Dear Mr Glyde

Thank you very much for the minutes from 4 July 2012, which almost complete my set. The only remaining gap in my collection of JCPCT minutes is the first meeting in public on 16 February 2011, where the agenda has been published, but I cannot find any corresponding minutes. I would be most grateful if you could help me with this.

You may be pleased to learn that Leeds City Council recently remedied the various defects in the JHOSC minutes published on the Leeds City Council website. A full set are now available from <http://democracy.leeds.gov.uk/ieListMeetings.aspx?CId=793&Year=2012> I apologise for the Council's delay in publishing this information, which in our case includes the full set of reports as well as the agendas and minutes.

I would like to re-iterate my request for a full set of JCPCT **reports**, for all of the 14 meetings which took place in private. I do not believe that any of these reports are confidential, and they should all be available to the public under the Freedom of Information Act. If you are not prepared to make them available, please could you tell me which exemption you rely on under the Freedom of Information Act?

In my letter to Sir Neil McKay dated 5 July 2012, I wrote:

As Chair of the Joint HOSC I would also ask you provide the agendas, reports and minutes of any (formal or informal) meeting of the JCPCT and its secretariat, associated with the drafting and agreement of the Decision-Making Business Case document. In my view, such information may form

a key part of the Joint HOSC's consideration of yesterday's formal decision and the processes leading up to it.

Very little of this information has so far been provided, despite my numerous requests to see it. In avoidance of doubt, it certainly includes all the agendas, minutes and **reports** to the JCPCT Steering Committee, and to the Standards Working Group, and also to the Health Impact Assessment (HIA) Steering Group. In some cases we have minutes but no reports, but for the Health Impact Assessment we have nothing at all beyond the numerous incremental drafts of the HIA itself. I find this particularly disappointing because your published Terms of Reference for the HIA Steering Group include at section 2.5 Secretariat the duties of the **Project Coordinator**:

- *Ensure the provision of a secretariat function that supports the HIA Steering Group in:*
 - *distributing the papers for each meeting, at least five working days in advance*
 - *preparing the minutes and distributing them within 10 working days of the meeting and **disseminating them on the project website**. All relevant papers, including minutes, once ratified, may be circulated by members and will be published on the NHS Specialised Services website unless they are clearly marked confidential.*
 - *submitting the minutes and reports to the JCPCT as appropriate and when relevant.*

It is plain that the original intention was to publish these records from the HIA Steering Group, and that the public were misled in the published JCPCT consultation documents. Please could you explain why these HIA Steering Group records have not been published as your team originally envisaged?

It also appears to me that your publication of the proceedings of the NCS Expert Panel is woefully inadequate. The Consultation Document published in July 2011 contains some scores at Appendix 2, but there is no justification for any of these figures, which appear to have been plucked from the air to support the Panel's stated view that these nationally commissioned services should remain at their present locations. Please could we see a detailed breakdown showing exactly how these scores were determined, for each of the competing institutions?

I have also previously requested a full set of minutes for the National Specialised Commissioning Group (NSCG), the National Commissioning Group (NCG) and the Advisory Group for National Specialised Services (AGNSS). In each case partial sets of minutes have been published on the Safe & Sustainable website, but these are clearly incomplete. I realise that these committees were re-structured in the light of the Carter Review in 2006, but there appear to have been significantly more meetings than those reported and I should like to see a full set. You may recollect that Sir Bruce Keogh's letter dated 29 May 2008 makes the NSCG responsible for the reorganisation of paediatric cardiac surgery. These minutes are therefore plainly relevant, and we know that the reorganisation was discussed in these fora. Please can we also see copies of any relevant reports? Please can you in any event provide a full list of NSCG, NCG and AGNSS meeting dates?

Finally I need hardly remind you of our numerous requests to see the individual scores prepared by each of the Kennedy Panel Assessors under each of the assessment criteria for each of the institutions that they assessed. Please can we see these detailed scores, or at

least a valid reason for your refusal that would meet the requirements of the Freedom of Information Act? People are starting to doubt whether this assessment ever took place, at least in the form described in the Kennedy documents. Please will you confirm or deny whether you actually hold this requested information, as provided in the Freedom of Information Act?

I am truly sorry that we have reached this apparent impasse. It will be very difficult for the public or politicians from all political parties to have any confidence in the Safe & Sustainable Review until comprehensive details are made available. I sincerely hope that you will reconsider your earlier decisions.

John Illingworth

Email message 51 attachment Z

From: Hannah Weaver [mailto:Hannah.Weaver@london.nhs.uk]

Sent: 31 October 2012 15:26

To: Illingworth, Cllr John; Jeremy Glyde

Cc: 'andy.buck@rotherham.nhs.uk'; Courtney, Steven; MP (Members of Parliament); Councillors All; 'jenniferworton@barnsley.gov.uk'; 'mike.gibbons@bradford.gov.uk'; 'councillor.rgoldthorpe@calderdale.gov.uk'; 'Cllr. C. Funnell'; 'ajrevill@hotmail.co.uk'; 'cllr.bhall@yahoo.co.uk'; 'councillor.brown@hullcc.gov.uk'; 'elizabeth.smaje@kirklees.gov.uk'; 'peggy.elliott@nelincs.gov.uk'; 'cllr.jeanbromby@northlincs.gov.uk'; 'cllr.jim.clark@northyorks.gov.uk'; 'shaukat.ali@rotherham.gov.uk'; 'mick.rooney@sheffield.gov.uk'; 'brhodes@wakefield.gov.uk'; 'tony.revill@doncaster.gov.uk'

Subject: RE: Minutes and outstanding requests for information

Dear Cllr Illingworth

Please find attached the minutes for the JCPCT meeting held in public on 16.02.11

Regards

Hannah

Hannah Weaver

Direct Line: 0207 932 9128 Internal Ext: 3128