

**HEALTH AND WELLBEING OVERVIEW AND SCRUTINY COMMITTEE**

DATE: 17 OCTOBER 2017

**PROPOSED CHANGES AT ROTHBURY COMMUNITY HOSPITAL****Report of:** Democratic Services Manager**Cabinet Member:** Councillor Veronica Jones, Adult Wellbeing and Health**Purpose of report**

The decision of the NHS Northumberland Clinical Commissioning Group (“the CCG) taken at its Joint Locality Executive Board meeting on the 27th September 2017 was to permanently close the inpatient ward at Rothbury Community Hospital and shape existing services around a Health and Wellbeing Centre on the hospital site. This proposal is regarded by the CCG as a ‘substantial variation’ to the provision of health services within the county of Northumberland and the decision has been referred to this Committee for final consultation and consideration under the prevailing secondary legislation and, in effect, to accept or support the decision of the CCG or to refer the matter to the Secretary of State for his consideration

This report intends to clarify the role of the Committee in scrutinising this decision, taking into consideration the background information and evidence, the results of the consultation and the financial and operational implications.

**Recommendations**

Members are asked to consider, in accordance with their powers under the relevant legislation:

- a) Whether the consultation with this Committee in relation to the proposal in respect of Rothbury Community Hospital has been adequate in relation to the content or the amount of time allowed; and
- b) Whether the Committee considers that the proposal would not be in the best interests of the health service in Northumberland.

- c) Whether, if either of these issues is of concern to the Committee, it believes that it has sufficient evidence in support of that concern to make a referral to the Secretary of State for Health on behalf of the Council.

### **Key issues**

In order to come to a decision, there are a number of issues that members should be mindful of:

- There is a duty on NHS bodies to consult on a 'substantial variation' of services by ensuring there is meaningful and ongoing engagement with service users in developing the case for change and in planning and developing proposals;
- Local engagement with the community should take place from an early stage on the options that are developed;
- In considering substantial variation proposals, the Committee must recognise the resources within which the NHS operates and should therefore take into account the effect of the proposals on sustainability of services as well as their quality and safety.
- All potential service changes are subject to a level of NHS England assurance prior to the start of the formal consultation period. This is to ensure the deliverability, safety and legality of such changes as well as ensuring that there are no adverse consequences for patients and other health and care providers. Due to the scope of the proposals, NHS England set out proportionate assurance arrangements with the CCG which included national reconfiguration tests and finance, capacity and process assurances.

If after consideration of the available evidence members are reassured that the consultation with this Committee in respect of the proposal has been adequate in relation to the content or time allowed and that the proposal would not adversely affect health services in Northumberland, then it can be implemented by the CCG, with an expectation of ongoing liaison with the Committee.

If however, the Committee

- is not satisfied with the adequacy of the content of the consultation with it;
- is not satisfied that sufficient time had been allowed for consultation with it;
- considers the proposal would not be in the best interests of the health services in Northumberland; or
- has not been consulted.

then the option is open to them to refer the matter to the Secretary of State for Health for consideration.

Any referral must contain certain information or evidence and the Committee will be expected to provide very clear evidence-based reasons for the referral including:

- an explanation of the proposal;
- reasons for making the referral;
- evidence in support of these reasons;
- if the reason was inadequate consultation, the reasons the committee is not satisfied of its adequacy;
- If the referral is because the committee feel the proposal is not in the best interests of the health service in its area, a summary of evidence considered, including any evidence of the effect or potential effect of the proposal on the sustainability or otherwise of the health services in the area:
- an explanation of any steps that the committee have taken to try and reach agreement with the CCG or Trust:
- evidence that the Committee has complied with the requirements which apply where a recommendation has been made by them or where no comments have been made on the proposal.

In forming a view about whether it has been adequately consulted about the proposal, the Committee will need to bear in mind that it has received previous reports about the matter, and has not resolved to raise concerns.

When considering the impact of the proposal on the health services in Northumberland and on the sustainability of health services, the Committee will need to consider the evidence presented by the CCG in its report that the temporary closure of the inpatient beds at Rothbury, which has now been in place for more than a year, has caused no significant problems for the delivery of health services.

### **Background and timeline**

- In Summer 2016 the Community Hospital Steering Group considered the use of beds in Community Hospitals across Northumberland, taking into account medical advances, national and local drivers and financial and operational pressures;
- Due to continued low use of the beds at Rothbury the Trust, with the CCG's agreement, decided that in-patient admissions to the hospital be temporarily suspended in September 2016;
- The CCG carried out a review and, together with the Trust, undertook a public engagement exercise including 3 drop in sessions at Rothbury Hospital;
- The findings were presented to a public meeting held 17 November 2016 to which over 200 public attended;
- Key findings were:
  - Low bed usage over the past 3 years; meaning that the skills and expertise of nursing staff are not maximised;
  - Increase in care in the community;
  - Small numbers going into long term care homes;
  - No negative impact on patients accessing services since the suspension;
  - Engagement feedback focussed on loss of resource in a rural area and concerns around future options.
- The CCG's Joint Locality Executive Board considered the range of options available in December 2016 and January 2017, including:

- Re-open 12 inpatient beds and no change to service;
- Develop a combined use of beds, sharing beds across health and social care, including end of life beds;
- Develop the 12 beds as long term nursing and/or residential care beds;
- Permanent closure of the 12 beds;
- Permanent closure of the 12 beds and shape existing services around a health and Wellbeing Centre on the hospital site,

and decided to consult on a preferred option of permanent closure of the 12 inpatient beds and shape existing services around a Health and Wellbeing Centre on the hospital site in Rothbury.

- The CCG subsequently undertook a comprehensive period of public consultation from 31 January to 25 April 2017;
- This Committee was informed on 28 February, 2017 of the position and comments were invited online and on paper consultation documents which had been made widely available in local community facilities. Members were advised of the consultation methodology and response to date;
- 90 people attended a public meeting on 16 February, 2017. Four drop in sessions were arranged and HealthWatch were fully involved in assisting contact with hard to reach groups. It was noted that constructive suggestions had been received from residents about other possible uses of the facility;
- The Health and Wellbeing Board were also informed of the consultation process on 9 February 2017;
- In June 2017, the Joint Locality Executive Board and Governing Body met to consider:
  - the outcome of the consultation,
  - confirm that the NHS England assurance process had been met and
  - demonstrate that resources were being used efficiently, effectively and economically.
- This Committee received a presentation from the CCG on 27 June and were also addressed by Mrs Scott, co-ordinator of the Save Rothbury Hospital Campaign Group. The Campaign Group was formed in September, 2016 following the suspension of the 12 beds at the Community Hospital. Their petition calling for the ward to be reopened had been signed by over 5000 people. It was agreed that the points raised during the meeting would be taken into account in the process.
- The County Council, at their meeting on 5 July, 2017 considered a Notice of Motion submitted by Councillor Steven Bridgett and after discussion voted on an amendment to the Motion which was subsequently agreed. The decision was:

(1) Northumberland Clinical Commissioning Group will shortly be considering whether to confirm its consultation proposal to remove the twelve inpatient beds at Rothbury Community Hospital; and

(2) the Council's Health and Wellbeing Overview and Scrutiny Committee will have the opportunity to consider any decision taken by the Clinical Commissioning Group at a meeting in October, and that if the Committee is not convinced by the evidence supporting a decision, it has the power to refer the matter to the Secretary of State using the powers given to it under the Statutory Instruments No. 218, The Local

Authority (Public Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, Part 4, Section 23, Paragraph 9.

- The decision to permanently close the beds and shape existing services around a Health and Wellbeing Centre on the hospital site was agreed at a meeting of the NHS Northumberland CCG's Joint Locality Executive Board held in public in September 2017. Draft notes of that meeting are attached.

The report of the Clinical Commissioning Group (CCG) circulated with the agenda for this meeting and accessed on the following link,

<http://www.northumberlandccg.nhs.uk/wp-content/uploads/2017/09/20170915-Rothbury-Community-Hospital-Decision-Making-Report-with-appendices-.pdf>

outlines the full range of issues considered by NHS Northumberland CCG's Joint Locality Executive Board when deciding the future arrangements at Rothbury Community Hospital, including:

- Why inpatient admissions at the hospital were temporarily suspended in September 2016 and the steps undertaken to identify potential options for services that could be delivered at the hospital in the future;
- Feedback from the consultation process which took place from 31 January to 25 April 2017, together with emerging themes, responses and proposed actions;
- What services could be included in a Health and Wellbeing Centre;
- How national service change tests have been addressed;
- Financial implications;
- The impact on other local health and care services following the temporary suspension of inpatient services.

The 'Save Rothbury Hospital' Campaign Group's submission can be accessed at the following link:

<http://www.northumberlandccg.nhs.uk/wp-content/uploads/2017/01/Appendix-Bi-Report-from-SRCH-Campaign-Group.pdf>

It outlines in detail what it perceives are flaws in the CCG's justification for the proposal, and proposes an alternative in which the inpatient beds would remain open. The alternative would have higher costs to the NHS than the CCG's proposal.

**Both of these documents were circulated to members of the Committee on 4 October in order to give sufficient time for detailed consideration given the amount of information contained within them.**

## Implications

<b>Policy</b>	no direct implications for NCC
<b>Finance and value for money</b>	no direct implications for NCC
<b>Legal</b>	no direct implications for NCC
<b>Procurement</b>	no direct implications for NCC
<b>Human Resources</b>	no direct implications for NCC
<b>Property</b>	no direct implications for NCC
<b>Equalities</b> (Impact Assessment attached) Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	no direct implications for NCC
<b>Risk Assessment</b>	no direct implications for NCC
<b>Crime &amp; Disorder</b>	no direct implications for NCC
<b>Customer Consideration</b>	As per Consultation Process
<b>Carbon reduction</b>	no direct implications for NCC
<b>Wards</b>	The proposal will primarily affect the electoral division of Rothbury ie the Wards of Glanton, Edlington, Longframlington, Longhorsley, Elsdon, Harbottle and Glanton Wards, however, could have implications for the wider health services across Northumberland.

## Background papers:

Minutes of the Care and Wellbeing Overview and Scrutiny Committee of 28 February 2017

Minutes of the Health and Wellbeing Overview and Scrutiny Committee of 27 June 2017

Minutes of the health and Wellbeing Board of 9 February 2017

Substantial Variations and Developments of Health Services : Centre for Public Scrutiny  
Department of Health Guidance June 2014: Local Authority Health Scrutiny.

Minutes of the County Council Meeting of 5 July 2017.

Report of the CCG dated September 2017

Report of the Save Rothbury Hospital Campaign Group dated April 2017

**Report sign off.**

***Authors must ensure that officers and members have agreed the content of the report:***

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