

**NORTH YORKSHIRE COUNTY COUNCIL****SCRUTINY OF HEALTH COMMITTEE**

Minutes of the meeting held at Oasis Family Centre, Scarborough on 22 January 2010.

**PRESENT:-**

County Councillor Gareth Dadd in the Chair.

County Councillors:- Val Arnold, Andrew Backhouse, Keith Barnes, John Blackie, Margaret Hulme, Shelagh Marshall and Heather Moorhouse.

District Councillors: David Heather (Craven), Bridget Fortune (Hambleton), Ian Galloway (Harrogate), John Clark substitute for John Raper (Ryedale), Eileen Vickers (Scarborough) and Ruth Sayner (Selby).

Officers: Bryon Hunter (Scrutiny Support) and Jane Wilkinson & Steve Loach (Legal and Democratic Services).

**Present By Invitation:-**

NHS North Yorkshire & York (NHS NY&Y): Melanie Bradbury, Simon Cox Paul Scarborough & North East Yorkshire NHS Trust (SNEY): Richard Sunley, Simon Jones and Teresa Fenech NYCC Adult & Community Services: Michael Hunt North Yorkshire Local Involvement Network (LINK): Leo McGrory.

Apologies for absence were received from District Councillors Rob Johnson (Richmonshire) and John Raper(Ryedale).

In attendance approximately 30 members of the press and public.

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**COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK**

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**19. MINUTES**

That the Minutes of the meeting held on 20 November 2009 to be taken as read and be confirmed and signed by the Chairman as a correct record subject to the deletion in Minute No 14 Quality Accounts of the declaration of a personal interest by County Councillor Keith Barnes.

**20. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman welcomed the return of County Councillor Margaret Hulme as a member of the Committee.

**21. PUBLIC QUESTIONS OR STATEMENTS**

The Chairman announced that members of the public who wished to speak at the meeting would be invited to do so during consideration of the relevant item of business.

**22. COMMUNITY MENTAL HEALTH SERVICES IN SCARBOROUGH, WHITBY AND RYEDALE**

**County Councillor Shelagh Marshall declared a person interest in the following item as a member of the Regional Interest Strategy Group.**

CONSIDERED –

The report of the Head of Scrutiny and Corporate Performance on a review of Older People's Mental Health Services in Scarborough, Whitby and Ryedale. The Review was in response to the National Dementia Strategy For England published on 3 February 2009. The report described the background to the review and the engagement process followed by NHS North Yorkshire & York who were leading the work.

The Committee received a presentation from Mel Bradbury (Assistant Director) NHS North Yorkshire & York. A copy of the presentation slides is in the Minute Book. Key points within the presentation included:

- a demographic profile of dementia across Yorkshire & Humber.
- service priorities identified by Health & Social Care.
- hospital admission numbers and length of stay.
- proposed developments.
- details of the engagement undertaken to date and the outcome.

Members were assured that the proposed service changes were constantly being reviewed in the light of the responses received

County Councillor Andrew Backhouse drew Members attention to the public meeting he had chaired on 14 December 2009 that had discussed future provision. A briefing paper on the outcome of that meeting was appended to the agenda papers. He said that the meeting attended by representatives and family members of service users had been extremely useful. He said that he was not aware of any significant opposition to the review proposals and undertook to keep the Committee informed of the outcome of a further public meeting to be held in March.

In response to a question from the Chairman, Mel Bradbury said that a meeting date of 16 March had been agreed at which details of the draft implementation plan and a breakdown of the funding would be provided. Some details could be shared with Members immediately but more information would be available in March.

Members of the public and Committee Members commented as follows:-

- welcomed the availability of increased capacity of community mental health services especially the provision of weekend cover and equity of access to services.
- expressed concern that the withdrawal of in-patient facilities at Whitby Hospital threatened its future viability.
- following the closure of in-patient facilities at Whitby Hospital asked what plans the PCT had for the future use of the building.
- questioned the sustainability of the support given to families of patients needing acute care transferred from Whitby to Scarborough.
- sought assurances about the future of the Malton unit.

The Committee was informed of the significant spend to upgrade Whitby Community Hospital by the Primary Care Trust and of the redevelopment of the Cross Lane site. Members were advised that the on-going Scarborough, Whitby and Ryedale Strategic Review the subject of a later agenda item would take account of the shape of services provided at Whitby and Malton Community Hospitals.

**RESOLVED –**

- (i) The Scrutiny of Health Committee thanks representatives of the NHS and NHS NY&Y for engaging fully with stakeholders on the proposals to change community and mental health services in the Scarborough, Whitby and Ryedale areas.
- (ii) That the Scrutiny of Health Committee will continue to keep a close watching brief on developments as they unfold arising from the engagement process.
- (iii) That following the stakeholder event on 16 March 2010 a further report on the review is submitted to the Committee.
- (iv) The Scrutiny of Health Committee recommends that mental health in-patient facilities at Whitby Community Hospital remain open until alternative services are fully operational to ensure a seamless transition.
- (v) That a report from NHS NY&Y on the future of Whitby and Malton Community Hospitals and the sustainability of the remaining services at both hospitals is referred to the Committee within the next six months.

**23. DEVELOPMENTS IN THE PAIN CLINIC AND THE MIDWIFE-LED UNIT AT SCARBOROUGH HOSPITAL**

**CONSIDERED –**

The report of the Head of Scrutiny and Corporate Performance on developments with regard to the Pain Clinic and Midwifery Services at Scarborough Hospital following concerns brought to the attention of the Scrutiny of Health Committee.

**Scarborough Pain Clinic**

Richard Sunley, Chief Executive SNEY Trust addressed the Committee. He said that in 2009 NICE had issued guidelines on pain services. The guidelines if implemented would radically change the way pain services were currently provided at Scarborough Hospital. Nationally discussions were currently being held to decide how best to provide pain services.

At a local level the lead consultant for pain services had retired one month ago. Before advertising for a replacement, good practice dictated that the Trust should have regard to the NICE guidelines and the outcome of those national discussions. The current position at Scarborough Hospital was that agreement had been reached with the lead clinician for him to continue in post beyond his retirement on an interim basis. Richard Sunley emphasised that it would be very unwise for the Trust to ignore what was happening nationally when planning local services.

County Councillor John Blackie read out a statement from Dr Jones and Dr Garthwaite both clinicians at Scarborough Pain Clinic. A copy of the statement is in the Minute Book. The clinicians said that the NICE guideline had been widely condemned and criticised and dealt only with back pain. The Scarborough Pain Clinic however treated many other conditions. They also suggested the real reason for the proposals was to curtail their activity in order to save money. It was confirmed

that the Pain Clinic was one of the very few departments at Scarborough Hospital that made a profit.

Richard Sunley assured the Committee that the quality of care provided would always rank above financial considerations.

On behalf of NHS NY & Y Simon Cox said that finance was not the driver for looking at different service models. The NICE guidelines were supported by a lot of evidence and proposed a multi-disciplinary approach which was what the PCT would seek to commission. The PCT could not ignore NICE guidelines and had a duty to spend money on service models that were supported by clinical evidence.

The Committee was addressed by users of Scarborough Pain Clinic and representatives of the Pain Clinic Support Group who said that the services provided by the clinic were widely recognised and much needed. If the clinic had to close it should not do so until replacement services were already in place.

Richard Sunley said that the Trust would continue to await the outcome of the national debate and in the meantime contract negotiations with Dr Jones were ongoing. He anticipated signing a new contract on the current basis by the end of March.

The Committee was advised that if ultimately the PCT required a different service model to be commissioned then there would be a stepped approach. It was anticipated that any preliminary work redesigning services would be completed by the end of June/July followed by a period of public consultation.

The Committee was grateful for the information provided at the meeting and noted the assurances given that the status quo would prevail on an interim basis and that if changes were proposed full public consultation would be undertaken.

Members commented that it was sad that a beacon of such good practice should have to fight for its survival.

#### Mid Wife Led Unit

Richard Sunley, Chief Executive SNEY Trust addressed the Committee. He said that delays in the opening of the new Unit were due to recruitment problems the Trust had experienced when seeking to employ mid-wives. Recruitment of mid-wives was a national problem further compounded by changes introduced to their training/qualification programme.

He was pleased to report that the new Unit now had a full complement of staff and would open for limited hours the following week and be fully operational with effect from 1 April 2010. He gave assurances that there would be phased closure of the community mid-wife service. He emphasised the efforts the Trust had made to recruit staff and refuted suggestions that the service was not safe. It was explained that the reason mid-wives had initially accepted appointments with the Trust and then decided not to go ahead was because the national shortage meant that candidates all had a number of job offers and had chosen to accept the appointment closest to their home.

Members commented that whilst pleased to learn that the new unit was about to open they were nevertheless disappointed by the delays given the level of investment and publicity surrounding its opening. It was suggested that finance was the cause of the delay and not recruitment. If recruitment was the problem Members asked why this had not been made clear in the documentation sent by the Trust to the Secretary of State following the referral by the Committee of the Trust's decision

to close mid-wife led maternity units at Whitby, Malton and Bridlington Community Hospitals. Had they done so the operating life of the periphery units could have been extended.

In response to questions, the Committee was advised that demand for home births was low and therefore no decisions had been taken to increase the number of community mid-wives.

#### **RESOLVED –**

##### Scarborough Pain Clinic:-

- (i) The Scrutiny of Health Committee welcomes the engagement of representatives of Scarborough Pain Clinic with the Committee.
- (ii) The Scrutiny of Health Committee notes the replies to the concerns of Scarborough Pain Clinic by Richard Sunley, Chief Executive SNEY Trust and Simon Cox (NHS NY&Y).
- (iii) That the Scrutiny of Health Committee will continue to keep a close watching brief on developments at Scarborough Pain Clinic.
- (iv) The Scrutiny of Health Committee requires full public consultation to be undertaken should there be any proposed changes to services provided by Scarborough Pain Clinic.

##### Mid-wife Led Unit

- (i) The Scrutiny of Health Committee thanks Richard Sunley and Teresa Fenwick SNEY Trust for their attendance and for providing an explanation of events surrounding midwifery services at Scarborough Hospital.
- (ii) The Scrutiny of Health Committee notes with disappointment the delay in the opening of the new mid-wife led unit at Scarborough Hospital.
- (iii) That SNEY Trust be invited to share with the Scrutiny of Health Committee its Action Plan for bringing the mid-wife led unit at Scarborough Hospital up to full capacity and its future plans for maternity services provided in the three outlying areas.
- (iv) That the Scrutiny of Health Committee takes up the offer of SNEY Trust to visit the new mid-wife led unit at Scarborough Hospital.
- (v) That on an interim basis the three satellite maternity units at Whitby, Malton and Bridlington continue to operate as normal alongside the newly opened mid-wife led unit at Scarborough Hospital to overcome any transition problems.

#### **24. DR FOSTER SURVEY – SCARBOROUGH & NORTH EAST YORKSHIRE NHS TRUST**

##### **CONSIDERED –**

The report of the Head of Scrutiny and Corporate Performance on the results of the Scarborough and North East Yorkshire (SNEY) NHS Trust in the Dr Foster survey, “How Safe is Your Hospital?” carried out in November 2009. The Trust scored 2.06 out of 100 for patient safety and had been labelled the worst in the North of England and the second worst in the country.

The Scrutiny Support Officer said that Members should be careful not to think that the score given for overall patient safety meant that the Trust was proportionately less safe than the other North Yorkshire hospitals referred to in the report. He agreed to take up this reputational point with the Strategic Health Authority.

The Committee was addressed by Richard Sunley, Chief Executive, SNEY Trust. He said that the Dr Foster results had been a great shock and disappointment. During the recent severe weather not one member of staff had telephoned to say they were unable to get to work. This clearly demonstrated their commitment and dedication.

The Committee noted that following payment of a £45,000 joining fee in May 2009 the Trust now received monthly updates from Dr Foster that flagged up immediately any issues. The data was now better understood and the figures for September 2009 had seen a definite improvement with a 10% drop in mortality rates. A clinical review of four service areas had been completed which revealed problems with patient coding and not clinical practices to be the biggest problem. Some improvements to clinical services had been made and the Trust now reviewed Dr Foster data on a weekly basis. Richard Sunley was confident that services at the hospital were much better than had been rated by Dr Foster and that there would be an improvement in the results announced for subsequent years. He acknowledged that the results had affected staff morale and recruitment but that over the winter period activity levels had increased to cope with increased demand and that staff had pulled together as evidenced by their efforts during the recent bad weather.

County Councillor Jane Kenyon a former non-executive member of the hospital's trust board said that hospital bosses were in complete denial about the situation they were in. She said that she had been approached by senior members of staff who agreed with the findings of the Dr Foster survey and who had major concerns. She said there was a breakdown between the management of the hospital and those working to deliver the service. The situation was not helped by the decision of the board to reduce the number of public board meetings to four per annum. She called for a comprehensive staff survey to be undertaken immediately.

Richard Sunley said that management was always willing to talk to staff. The severe winter had created additional pressures. The management team at the hospital had undergone a lot of changes and it would take time for the new team to bed in. He had taken the decision to reduce the number of public board meetings as staff had spent a lot of time preparing for them often for there to be no public attendance. If demand was there he was happy for monthly meetings to be reinstated. Management had that month launched a new leadership walkaround scheme which would see them visiting wards and talking to staff. Despite this many people present at the meeting said not enough was being done to communicate with staff and offer them support. Calls were made for formal internal and external communication structures to be reviewed.

On behalf of NHS NY & York Simon Cox said that the primary care trust was pleased with the response of the Trust to the Dr Foster results and praised the efforts of the management team. As a result of improvements introduced he said that Services at Scarborough Hospital were now much better than they were two years ago.

Some people present at the meeting expressed their frustration at the lack of progress made. The issues discussed at the meeting that day were the same they said as had been raised in the past and called for action not talk.

Richard Sunley said that he was very willing to engage with the Committee.

## **RESOLVED –**

- (i) The Scrutiny of Health Committee thanks the representatives of SNEY Trust for their attendance and for the information they provided to the Committee.
- (ii) That the Scrutiny of Health Committee engages with the Strategic Health Authority to determine a role for the Committee working with SNEY Trust to improve healthcare services at Scarborough Hospital and to ensure that staff are supported throughout this process.
- (iii) The Scrutiny of Health Committee strongly recommends that SNEY Trust undertake a deep seated staff survey and the findings of that survey be reported to the Committee.
- (iv) The Scrutiny of Health Committee notes the measures that SNEY Trust has made in response to the Dr Foster survey to address some of the issues highlighted in the Dr Foster survey.
- (v) The Scrutiny of Health Committee calls upon SNEY Trust to recognise the adverse effect that the Dr Foster survey has had on staff morale and public confidence and to work with the Committee to address these issues.
- (vi) The Scrutiny of Health Committee acknowledges the comments made by the Richard Sunley, Chief Executive (SNEY Trust) with regard to low attendance by members of the public at meetings of the trust board. The Scrutiny of Health Committee calls upon the SNEY Trust to increase its publicity with a view to reinstating regular public board meetings.
- (vii) That a letter of commendation is sent from the Scrutiny of Health Committee to Richard Sunley for distribution to all staff at SNEY NHS Trust recognising their hard work and commitment against a background of the continued difficulties at Scarborough Hospital and especially during the recent adverse weather conditions where staff were exemplary in their attendance.

## **25. SCARBOROUGH, WHITBY AND RYEDALE STRATEGIC REVIEW**

The Committee listened to the personal account of Mr Readman (a member of the public) on events leading to the death of his wife in October 2009. Mr Readman called upon the Committee to examine the effectiveness of protocols between the ambulance service and acute trusts for dealing with emergency patient transfers both to and between hospitals. The Chairman on behalf of the Committee offered Mr Readman his sincere condolences and commended him on his approach to the Committee in very difficult circumstances. The Chairman agreed to take into consideration the points raised by Mr Readman when the Committee scrutinised the findings of the Strategic Review.

The Chairman said that consideration of previous agenda items had taken much longer than anticipated. Consequently there was insufficient time available for the Committee to consider the conclusions coming out from the Scarborough, Whitby and Ryedale Strategic Review. As this was such an important piece of work he suggested that the item was deferred to an additional meeting of the Committee when it could be scrutinised properly. He said SNEY Trust had received a lot of criticism during the meeting which suggested that current systems needed to be redesigned and he hoped this would be addressed by the Strategic Review.

Members of the Committee were in agreement with the suggestion of the Chairman and requested that invitations to attend the additional meeting be extended to representatives of SNEY Trust, NHS NY&Y and the Strategic Health Authority.

## **RESOLVED –**

That consideration of the Scarborough, Whitby and Ryedale Strategic Review is deferred to an additional meeting of the Committee to which representatives of SNEY Trust, NHS NY&Y and the Strategic Health Authority be invited to attend and contribute.

## **26. QUALITY ACCOUNT – SCARBOROUGH AND NORTH EAST YORKSHIRE NHS TRUST**

### **CONSIDERED –**

The report of the Head of Scrutiny & Corporate Performance inviting Members to contribute to the Quality Account (QA) for the Scarborough and North East Yorkshire (SNEY) NHS Trust.

The Committee was addressed by Teresa Fenech who attempted to provide the Committee with an overview of the hospital Registration process and associated regulations. Members objected to her presentation on the grounds that the agenda did not include an item on registration and Members had prior to the meeting received no written information. The meeting had at this point been in progress for in excess of three hours.

It was agreed that Teresa Fenech would forward to the Scrutiny Support Officer details of the priorities the Trust was planning to include in its Quality Account. These would in turn be forwarded to Members for comment.

### **RESOLVED –**

- (i) That information on the priorities identified by SNEY NHS Trust for inclusion in their first year Quality Account and timescale for production be forwarded to the Scrutiny Support Officer for circulation to Members.
- (ii) The Scrutiny Support Officer to draft a response to the annual Quality Account of SNEY Trust on behalf of the Scrutiny of Health Committee based on comments received from Members.

## **27. WORK PROGRAMME**

### **CONSIDERED–**

The report of the Head of Scrutiny and Corporate Performance inviting the Committee to review the content of its Forward Work Programme.

The Scrutiny Support Officer drew Members attention to the meeting with South Tees Hospitals Foundation Trust on 3 February 2010 at 2.00 pm at County Hall Northallerton.

County Councillor David Heather updated the Committee on progress of the elderly persons accommodation scheme at Greenfoot, Settle. He asked the Committee to scrutinise the scheme to ensure that it best meets the needs of the North Craven Community. Members agreed to do so.

County Councillor John Blackie referred to his attendance at the Young People's Overview & Scrutiny Committee the previous week where the non-replacement and reduction in the number of school nurses and health visitors was raised as an issue. Over the past 5 years 68 Health Visitor posts had been lost which had a detrimental

impact on healthcare provision across communities in the county. An example he quoted was the cancellation of baby clinics in the GP surgeries in Aysgarth and Hawes in the Upper Dales. The Chairman acknowledged Councillor Blackie's concerns but said that he did not want to duplicate the work being done by another scrutiny committee. The Chairman agreed to raise the matter with the Chairman of the Young People's Overview and Scrutiny Committee and for the Scrutiny of Health Committee to progress the issue if necessary.

County Councillor Shelagh Marshall said that she intended to provide the Committee with a report on her attendance at a forthcoming rural health conference, in particular a workshop on access to services.

County Councillor Keith Barnes said that he was in contact with the Chairman of the Care and Independence Overview & Scrutiny Committee regarding an issue that had arisen on the Cash For Carers Scheme and in particular continuation of the Harrogate project. He said he would refer the matter to the Scrutiny of Health Committee if a satisfactory resolution could not be found. The Chairman stated he was prepared to add this issue to the Committee's Work Programme provided it did not duplicate the work being done by another scrutiny committee. Indeed, the Chairman considered

Finally the Scrutiny Support Officer drew Members attention to the paragraph in his report on consultation arrangements for changes to GP surgery opening hours. He said that he had been made aware of another instance of the Committee not being consulted. Members agreed to bring forward work on this matter.

#### **RESOLVED –**

- (i) That the content of the report be noted.
- (ii) That an overview of the Greenfoot Elderly Persons Accommodation in Settle be added to the Committee's Work Programme.
- (iii) That the issue of Health Visitor and School Nurse number and the impact on healthcare provision be noted and if appropriate added to the Committee's Work Programme.

JW/ALJ