

KENT COUNTY COUNCIL

HEALTH OVERVIEW AND SCRUTINY COMMITTEE

MINUTES of a meeting of the Health Overview and Scrutiny Committee held in the Council Chamber, Sessions House, County Hall, Maidstone on Friday, 12 October 2007.

PRESENT: Mr M J Fittock (Vice-Chairman), Mrs C Angell, Mr A R Chell, Mr B R Cope, Mr A D Crowther, Mr J Curwood, Mr D S Daley, Ms A Harrison, Mr J F London (Substitute for Mr G A Horne MBE), Mr M J Northey (Substitute for Mrs S V Hohler), Dr T R Robinson, Mrs E D Rowbotham, Mrs P A V Stockell (Substitute for Lord Bruce-Lockhart) and Mr R Tolputt.

OTHER MEMBERS PRESENT: Mr G K Gibbens (Cabinet Member for Public Health).

ALSO PRESENT Mr R Appadoo, Patient and Public Involvement Forum representative; Mr G Bridgland, Staff Officer to the Cabinet Members for Public Health and Adult Social Services; Mr J A Ogden (Chairman, Kent County Council, Standards Committee and non-Executive Director of West Kent Primary Care Trust).

IN ATTENDANCE: Dr D Turner, HOSC Research Officer and Mr P D Wickenden, Overview, Scrutiny and Localism Manager.

UNRESTRICTED ITEMS

Mr M J Fittock, Vice-Chairman presiding

53. Lord Bruce-Lockhart

RESOLVED that a letter should be sent to Lord Bruce-Lockhart on behalf of the Committee expressing the best wishes of the Committee to him for a speedy recovery following his recent operation.

54. Urgent Business - Outbreaks of Clostridium Difficile within Maidstone & Tunbridge Wells NHS Trust

(1) The Vice-Chairman sought and gained the approval of the Committee to briefly discuss as urgent business the report published on Thursday, 11 October 2007 by the Healthcare Commission on the outbreaks of Clostridium Difficile within the Maidstone and Tunbridge Wells NHS Trust. The Chairman expressed the Committee's sympathy to all those families affected by this investigation. He said that the Committee would not debate this issue in great detail but he would be inviting the spokesman for each political group to make a brief statement. The Chairman proposed that this investigation should be the subject of a full debate at the Committee's next meeting on Friday, 9 November 2007. This proposal was unanimously supported by all Members of the Committee.

(2) The Overview and Scrutiny Manager summarised the contents of an email received from Lord Bruce-Lockhart the previous evening to all Members of the Committee. In this email Lord Bruce Lockhart expressed his wish for the Committee

to robustly look at this issue in depth. He asked that the Committee should receive a full copy of the official report.

(3) He added that the Committee should establish a robust and thorough procedure to monitor improvement made by the Maidstone and Tunbridge Wells NHS Trust. He said that the County Council should ensure that patient and family relatives concerns about the NHS can be logged and monitored perhaps through the new Local Involvement Network (LINK) and the County Council's Call Centre.

(4) The Overview and Scrutiny Manager made available to all those Members of the Committee present a full copy of the report.

(5) The Chairman informed the Committee that arrangements had been made by the Overview and Scrutiny Manager for the three spokesmen and the Overview and Scrutiny Manager to meet with the interim Chief Executive, Mr Glenn Douglas, at the Maidstone and Tunbridge Wells Trust headquarters on Monday, 15 October 2007.

(6) Dr Robinson informed the Committee of the background to a series of conversations which were taking place between the West Kent Primary Care Trust and the Leader and Chief Executive of the County Council with regard to the support that the County Council could give to assist in the re establishment of public confidence in the Maidstone and Tunbridge Wells NHS Trust.

RESOLVED that the health and safety of patients attending hospitals across Kent and Medway should be the subject of a full and detailed discussion with all interested stakeholders at the meeting of the Committee on Friday, 9 November 2007.

55. Minutes - 7 September 2007

(Item 3)

RESOLVED that the minutes of the meeting held on Friday, 7 September 2007 are correctly recorded and that they be signed by the Chairman.

56. Matters Arising

Restructure and refocusing the Committee

(1) The Overview and Scrutiny Manager informed the Committee that one of the issues outstanding from the Committee's last discussion was whether or not the Committee was appropriately named as its work was not purely about the National Health Service. The legislation was clear that it was intended to be about Health in its broadest context. He added that the establishment of a Local Involvement Network (LINK) would be concerned with the NHS but also social care as well.

(2) The Overview and Scrutiny Manager added that across the country most Scrutiny Committees were known as Health Overview and Scrutiny Committees. The Committee noted that there were potential implications for the terms of reference for the Committee and the inter relationship with other Policy Overview Committees. The Committee were therefore asked whether they agreed to the renaming of the Committee to become the Health Overview and Scrutiny Committee subject to the ratification of the County Council in view of the changes which may be required to the terms of reference of other Committees and the County Council's Constitution.

(3) The Overview and Scrutiny Manager also informed the Committee of discussions he had had with Mr Fittock (Vice-Chairman) and Dr Robinson who is acting as the Conservative Spokesman but not as yet with Mr Daley, the Liberal Democrat Spokesman, about other potential items of business for the Committee. These included the review of health services nationwide as well as the one in London entitled "A Picture for Health", the review of haemophilia services where the London Borough of Croydon were taking the lead.

(4) The Overview and Scrutiny Manager also referred the Committee to two specific meetings which had been arranged prior to Lord Bruce-Lockhart's hospitalisation in which the spokesmen for each of the political groups would now attend. The first was a meeting on Monday, 15 October 2007 when the spokesmen would meet with the Chairman of the Patient Public Involvement Fora to discuss the new operation of the Committee and how working together it could be made more effective. The second was in line with the recommendations of the Committee at its meeting on 7 September when the spokesmen of the political groups would meet with the elected Members and senior officers of all the other local authorities across Kent to consider the possibility of formal delegation of some of the scrutiny powers to Borough and District colleagues, revision to the protocols agreed by all local authorities across the geographical County of Kent for the operation of Health Overview and Scrutiny agreed by the Kent Association of Local Authorities prior to the establishment of the Committee November 2001.

RESOLVED that the Committee recommend to the County Council that its name be changed from the NHS Overview and Scrutiny Committee to the Health Overview and Scrutiny Committee and the ongoing work to restructure and refocus the Committee be noted.

57. Re-provision of NHS supported accommodation in Kent

(Item 4 - Report by Sue Gratton, Joint Planning & Development Manager, Learning Disability Services, Eastern & Coastal Kent PCT). Also in attendance were Margaret Howard, Director of Commissioning and Provision - West Kent, Kent County Council, Lynne Selman, Director of Citizen Engagement and Communications, Eastern & Coastal Kent PCT and Julia Ross, Director of Civic Engagement, West Kent PC.

(1) The White Papers "Valuing People" and "Our Health, Our Care, Our Say" made it clear that people with learning disabilities should enjoy the same rights as other citizens and should no longer have to live within the National Health Service. The latter White Paper includes a deadline of 2010 by which the National Health Service should stop providing long-term residential support. Recent reports of the Health Care Commission in Cornwall and in Merton and Sutton in Surrey highlighted the deficiencies of the National Health Service residential support which had led to a national audit of all such services.

(2) A commissioning plan had been developed setting out a programme to transfer the support currently provided by the National Health Service across Kent to independent providers with a development path to create a wider range of housing and support officers to meet peoples person centred plans. This plan aims to be consistent with the wider strategy in Kent to reduce the reliance on residential care.

(3) Members asked a range of questions relating to the proposals for the formal consultation which was about to start. The Committee expressed concern that they

had not had an opportunity to see the communication plan which was not attached to the report as the report indicated setting how the Primary Care Trusts and the Project Team intend to capture all stakeholders views.

(4) The Committee also noted that the Department of Health had recently advised that £175m of capital was to be made available over the next three years to assist the NHS campus closure programme across England.

(5) The Project Team were currently working on a bid for some capital finance to take the programme forward across Kent.

(6) The Committee were unanimous that it is important that the aims of the review were fully achieved to:-

- (a) meet the aims of valuing people with learning disabilities so that it was:-
 - Person focussed
 - Choice and control
 - Support independence
 - Inclusion and fulfilling lives
- (b) transfer support out of NHS provision/NHS managed services
- (c) base resources on needs
- (d) reduce reliance on residential care and increase support
- (e) develop and diversify market
- (f) be consistent with and enable Kent County Council strategy of reducing reliance on residential care in Kent
- (g) carry out the programme of work in partnership with all interested partners
- (h) transfer commissioning to Kent County Council; and
- (i) be cost neutral to the Primary Care Trusts and Kent County Council for the resultant provision.

RESOLVED that the spokesman on the Committee consider how it should respond to the formal consultation process which was about to commence.

58. Local Delivery Plans for Eastern and Coastal Kent and West Kent Primary Care Trusts

(Item 5 - Report by Julia Ross, Director of Civic Engagement, West Kent PCT and Lynne Selman, Director of Citizen Engagement and Communications, Eastern & Coastal Kent PCT)

(1) The Committee received the early drafts of the frameworks for the two respective Local Delivery Plans for the Eastern & Coastal Kent and West Kent Primary Care Trusts. There were slight differences in the approach taken to the Plans by each Primary Care Trust.

(2) After a range of questions the Committee agreed that it would return to the Local Delivery Plans at their January meeting when costings and further detail were available.

RESOLVED that consideration of the Primary Care Trusts Local Delivery Plans with costing attached should be considered at the NHS Overview and Scrutiny Committee meeting on 11 January 2008.

59. LINKs update

(Item 6 – report by Martyn Ayre, KCC Senior Policy Manager)

(1) The Committee received a report setting out recent developments regarding the establishment of a Local Involvement Network (LINK) for Kent which complemented the previous report to the Committee on 20 July 2007. The Committee were reminded that there are two elements to the County Council's role in establishing a LINK for Kent and this is being mirrored in the way implementation is being undertaken. They were:-

- (a) The County Council's role is to stimulate wider public interest in the creation of a LINK and there is a major programme of work to be conducted over the next three to four months which is primarily concerned with public and stakeholder engagement; and
- (b) The procurement process to be conducted. This is being progressed with colleagues from Care Management Services Strategic Procurement Group.

(2) The tendering process will need to be open and transparent and comply with all relevant competition legislation. The Department of Health guidance indicated that the Health Overview and Scrutiny Committee within the Local Authority has a role in scrutinising how the contracting process is to be undertaken and ensuring that best value is achieved. This needs to be seen in the context that the letting of the contract will constitute a key decision which will be published in the County Council's forward plan of key decisions.

(3) The Committee noted that oversight of the project would be undertaken by a Project Steering Group chaired by Graham Gibbens, Cabinet Member for Public Health, which included Kevin Lynes, Cabinet Member for Adult Social Care, a non-executive director from each Primary Care Trust, Lord Bruce-Lockhart, Chairman of the Health Overview and Scrutiny Committee together with Mark Fittock and Dan Daley, the Vice-Chairman and the Liberal Democrat Spokesman. On a day-to-day basis implementation of the project would be managed through a project team comprising senior officers from Children, Families and Education, Adult Social Services and Chief Executives, as well as the Primary Care Trust Directors of Civic Engagement and the Overview and Scrutiny Manager.

(4) The Committee noted that the draft regulations for the operation of a LINK had recently been published. Detailed comments on the draft regulation would be made by the County Council before they are finalised. Of particular interest was the clause relating to "view rather than inspect".

RESOLVED that the report be noted and progress reports be made periodically to this Committee on the establishment of a LINK for Kent.