

Item 7: East Kent Transformation Programme

By: Kay Goldsmith, Scrutiny Research Officer to the Kent Health Overview and Scrutiny Committee

To: Kent and Medway NHS Joint Overview and Scrutiny Committee, 3 November 2023

Subject: East Kent Transformation Programme

Summary: This report invites the Kent and Medway NHS Joint Overview and Scrutiny Committee to consider the information provided by NHS Kent and Medway.

1) Introduction

- a) The East Kent Transformation Programme was established to improve outcomes for patients, make East Kent Hospitals an exciting place to work and provide modern, fit for purpose hospitals.¹
- b) Proposals were shortlisted to two options, which are:
 - i. Two site emergency department model with William Harvey Hospital as the Major Emergency Centre
 - ii. One site emergency department model with Kent and Canterbury Hospital as the Major Emergency Centre
- c) Detailed in a Pre-Consultation Business Case (PCBC), both options have been assessed as requiring the same level of financial investment from the NHS (£460 million), but the second option includes private investment.

2) Previous scrutiny

- a) The Committee received its last formal update in April 2022, when it was informed about the application for capital investment of £460 million that had been submitted to the Department of Health and Social Care (DHSC) under the Government's New Hospital Programme October 2021. Whilst a decision was pending, the project team were undertaking market testing around the two options to ensure both were viable before public consultation commenced.
- b) Local clinicians were clear that a successful capital application was required before any formal consultation took place.
- c) In May 2023, the Government announced the names of the five hospitals that would be rebuilt under the Programme – East Kent was not included on the list.

¹ Kent and Medway Integrated Care System,
<https://www.kmhealthandcare.uk/transformation-projects/east-kent>

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- d) The NHS has been invited to attend today's meeting and provide an update on the next steps following the unsuccessful funding bid.

3) Joint Scrutiny

- a) Regulation 23 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 requires relevant NHS bodies and health service providers to consult a local authority about any proposal which they have under consideration for a substantial development or variation in the provision of health services in the local authority's area. This obligation requires notification and publication of the date on which it is proposed to make a decision as to whether to proceed with the proposal and the date by which Overview and Scrutiny may comment.
- b) The Medway Health and Adult Social Care Overview and Scrutiny Committee (HASC) considered the proposals relating to Transforming Health and Care in East Kent on 16 October 2018. They determined that the reconfiguration constituted a substantial variation in the provision of health services in Medway.
- c) The Kent Health Overview and Scrutiny Committee (HOSC) considered the item on 21 September 2018. The Committee also deemed the changes to be a substantial variation in the provision of health services in Kent.
- d) In line with Regulation 30 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013² the Kent and Medway NHS Joint Overview and Scrutiny Committee (JHOSC) the JHOSC may:
- make comments on the proposal;
 - require the provision of information about the proposal; and
 - require the relevant NHS bodies and health service providers to attend before it to answer questions in connection with the consultation.
- e) The legislation makes provision for local authorities to report a contested substantial health service development or variation to the Secretary of State. This only applies in certain circumstances and the local authority and relevant health body must take reasonable steps to resolve any disagreement in relation to the proposals.
- f) The JHOSC may consider whether the reconfiguration should be referred to the Secretary of State under regulation 23(9) of the 2013 Regulations. The

² When NHS bodies and health services consult more than one local authority on a proposal which they have under consideration for a substantial development of or variation in the provision of health services in the local authorities' areas, those local authorities must appoint a Joint Overview and Scrutiny Committee (JHOSC) for the purposes of the consultation.

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Committee must recommend a course of action to the relevant Overview and Scrutiny Committees.

- g) The JHOSC cannot itself refer a decision to the Secretary of State. This responsibility lies with the Kent County Council HOSC and/or the Medway Council HASC.

4) Recommendation

- a) The JHOSC is invited to note the report.

Background Documents

Kent County Council (2018) '*Health Overview and Scrutiny Committee (27/04/2018)*', <https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=112&MId=7846&Ver=4>

Kent County Council (2018) '*Health Overview and Scrutiny Committee (08/06/2018)*', <https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=112&MId=7918&Ver=4>

Kent County Council (2018) '*Health Overview and Scrutiny Committee (20/07/2018)*', <https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=112&MId=7919&Ver=4>

Kent County Council (2018) 'Health Overview and Scrutiny Committee (21/09/2018)', <https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=112&MId=7921&Ver=4>

Medway Council (2018) 'Health and Adult Social Care Overview and Scrutiny Committee (16/10/2018)', <https://democracy.medway.gov.uk/mgAi.aspx?ID=19800>

Kent County Council (2020) 'Kent and Medway Joint NHS Health Overview and Scrutiny Committee' (06/02/2020), <https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=757&MId=8624&Ver=4>

Kent County Council (2020) 'Kent and Medway Joint NHS Health Overview and Scrutiny Committee' (28/09/2020), <https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=757&MId=8675&Ver=4>

Kent County Council (2021) 'Kent and Medway Joint NHS Health Overview and Scrutiny Committee' (17/03/2021), <https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=757&MId=8769&Ver=4>

Kent County Council (2021) 'Kent and Medway Joint NHS Health Overview and Scrutiny Committee' (02/12/2021), <https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=757&MId=8940&Ver=4>

Kent County Council (2022) 'Kent and Medway Joint NHS Health Overview and Scrutiny Committee' (26/04/2022), <https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=757&MId=9001&Ver=4>

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