

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, 2 December 2021

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 the Kent and Medway CCGs.

1) Introduction

- a) The programme of work under consideration for this item has been in development for a number of years. In November 2017 the NHS announced a 'medium list' of two potential options and has been working since then on developing these options. The shortlist of options was announced on 16 January 2020.
- b) The two options 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) The Committee received its last formal update on 17 March 2021. The report highlighted ongoing work on the Pre-Consultation Business Case (PCBC), the status of the capital allocation and the assurance process.
- d) The written update was noted, but the "Chair explained that he would like to know whether assurance had been received from NHS England about the £400m of funding, and if not, whether the Committee could offer any assistance in securing this. In addition, the Chair requested clarity on the viability of the Quinn Estates proposal and said that a bond would be required to eliminate any future viability issues from the developer."

2) Letter to the Secretary of State

- a) In September 2021, the Chair of the Kent and Medway JHOSC asked Rachel Jones from the Kent and Medway CCG for an update about the Programme. It was explained that an application for capital funding had been submitted to the Department for Health and Social Care with results expected around

Item 7: East Kent Transformation Programme

Spring 2022. Due to the significance of the application, the Chair felt it might be helpful for a letter of support from the Joint HOSC (who is formally responsible for scrutiny of the programme).

- b) With this in mind, a letter was drafted and shared with members of the JHOSC ahead of today's meeting. The letter is attached as an appendix to this covering note.
- c) Subject to agreement by the Committee today, the letter will be sent to the Secretary of State after this meeting.

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 2013¹ the Kent and Medway NHS Joint Overview and Scrutiny Committee (JHOSC) is meeting for the first time of this issue. The JHOSC may:
 - make comments on the proposal;
 - require the provision of information about the proposal;
 - 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.

¹ 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.

Item 7: East Kent Transformation Programme

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 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

RECOMMENDED that:

- i. The Committee note the report; and
- ii. Agree that the letter of support (Appendix A) be sent to the Secretary of State at the conclusion of today's meeting.

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>

Item 7: East Kent Transformation Programme

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>

Contact Details

Kay Goldsmith
Scrutiny Research Officer, KCC
kay.goldsmith@kent.gov.uk
03000 416512