

Item 4: Kent and Medway Specialist Vascular Services Review

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

To: Kent and Medway NHS Joint Overview and Scrutiny Committee, 6 December 2022

Subject: Kent and Medway Specialist Vascular Services Review

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

1. Background

- (a) An NHS review of Vascular Services serving the East Kent and Medway populations commenced in 2014. The broad clinical agreement was that in the long term, an arterial centre (the inpatient hub) should be located in East Kent (subject to consultation). The exact location in East Kent will be determined by the outcome of the East Kent Transformation Programme which is still ongoing. There is therefore a need for an interim solution.
- (b) The proposed interim solution is for a single arterial centre to be housed on the Kent and Canterbury Hospital site, with a non-arterial centre on the Medway Maritime Hospital site. The only treatments affected by this change are urgent treatment and planned overnight surgery. Day surgery will continue to be delivered in the same way it is currently.
- (c) Due to staff shortages at Medway Maritime Hospital, the Abdominal Aortic Aneurism Repair (AAA) service moved to the Kent and Canterbury Hospital in February 2020. Patients continue to receive their assessment at Medway Maritime Hospital, with only AAA intervention and emergency surgery impacted.

2. Joint Scrutiny

- (a) In 2015, both the Medway Health and Adult Social Care Overview and Scrutiny Committee (HASC) and Kent Health Overview and Scrutiny Committee (HOSC) determined that the proposed changes to East Kent and Medway Vascular Services constituted a substantial variation of service. In line with Regulation 23 of the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013, formal scrutiny passed to the Kent and Medway NHS Joint Overview and Scrutiny Committee.

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- (b) The Joint Committee last received an update on 26 April 2022 in which it heard the outcome of a virtual public consultation which had run between 1 February and 15 March. Responses were broadly in favour of the proposal, but key areas of concern were around travel and transport to the Kent & Canterbury Hospital, particularly for visitors of patients.

3. Next Steps

- (a) Specialist Commissioning at NHS England and the Kent and Medway Integrated Care Board (ICB) considered the Decision-Making Business Case on 14 September 2022 and 1 November 2022 respectively and made their final decision. Boards at Medway Foundation Trust and East Kent Hospitals University NHS Foundation Trust also considered the decision during November.
- (b) Regulation 23 (9) makes provision for Local Authorities to refer proposals for substantial developments or variations to the Secretary of State in certain circumstances where a health scrutiny body has been consulted by a relevant NHS body or health service provider on a proposed substantial development or variation.
- (c) The circumstances in which a Local Authority may report to the Secretary of State are where
 - a. the authority is not satisfied that consultation on the proposal has been adequate in relation to content or time allowed, or
 - b. the authority considers that the proposal would not be in the interests of the health service in the area.
- (d) There is also provision to report to the Secretary of State where a decision to implement a substantial health service change or variation has been taken without allowing time for consultation because of a risk to safety or welfare of patients or staff and the local authority is not satisfied the reason given are adequate. This provision would not apply in relation to the Vascular Services review.
- (e) Medway Council and Kent County Council have not delegated the power to make a referral to the Secretary of State to the Joint Committee. This remains a matter for independent determination by each of the Councils. However, the Terms of Reference of the Joint Committee require it to consider whether the proposal for a substantial change to vascular services should be referred to the Secretary of State and if deemed appropriate to recommend this course of action to the two participating local authorities who may each agree to make a referral in line with their respective Constitutions.

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- (f) Current Local Authority health scrutiny guidance issued by The Department of Health states that when exercising the power to make a referral to the Secretary of State, Local Authorities should ensure they are in a position to satisfy the relevant requirements under Regulation 23 to include certain explanations and evidence with the referral and in particular a requirement to ensure that practicable steps have been taken to reach agreement if there is disagreement between the health scrutiny body and the NHS where the health scrutiny comments include a recommendation. This would be a matter for each Council to demonstrate prior to making a referral.
- (g) In determining whether or not to recommend that the two participating Councils consider referral of the proposed relocation of Vascular Services to the Secretary of State, the Joint HOSC should take into account the requirement to provide an explanation of the reasons for recommending the referral and the evidence in support of those reasons.

3. Recommendation

The Committee is asked to consider the decision of the Kent and Medway Integrated Care Board (ICB) and Specialist Commissioning at NHS England regarding the interim solution for the delivery of vascular services in East Kent and Medway, and take one of the following actions:

- a) Support the decision of the Kent and Medway Integrated Care Board (ICB) and Specialist Commissioning at NHS England and make any additional comments the Committee deems appropriate; or
- b) Specify concerns that the Committee has with the decision of the Kent and Medway Integrated Care Board (ICB) and Specialist Commissioning at NHS England and recommend that Medway Council's Health and Adult Social Care Overview and Scrutiny Committee and Kent County Council's Health Overview and Scrutiny Committee consider referral.
- c) Note the report.

Background Documents

Kent County Council (2015) '*Health Overview and Scrutiny Committee (17/07/2015)*', <https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=112&MId=5841&Ver=4>

Kent County Council (2015) '*Health Overview and Scrutiny Committee (04/09/2015)*', <https://democracy.kent.gov.uk/mgAi.aspx?ID=32939>

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Medway Council (2015) '*Health and Adult Social Care Overview and Scrutiny Committee (11/08/2015)*',

<http://democracy.medway.gov.uk/ieListDocuments.aspx?CId=131&MId=3255&Ver=4>

Kent County Council (2016) '*Kent and Medway NHS Joint Overview and Scrutiny Committee (08/01/2016)*',

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=757&MId=6314&Ver=4>

Kent County Council (2016) '*Kent and Medway NHS Joint Overview and Scrutiny Committee (29/04/2016)*',

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=757&MId=6357&Ver=4>

Kent County Council (2016) '*Kent and Medway NHS Joint Overview and Scrutiny Committee (04/08/2016)*',

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=757&MId=7405&Ver=4>

Kent County Council (2016) '*Kent and Medway NHS Joint Overview and Scrutiny Committee (28/11/2016)*', <https://democracy.kent.gov.uk/mgAi.aspx?ID=42591>

Kent County Council (2017) '*Kent and Medway NHS Joint Overview and Scrutiny Committee (12/12/2017)*', <https://democracy.kent.gov.uk/mgAi.aspx?ID=46700>

Kent County Council (2018) '*Kent and Medway NHS Joint Overview and Scrutiny Committee (12/10/2018)*',

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=757&MId=8154&Ver=4>

Kent County Council (2019) '*Kent and Medway NHS Joint Overview and Scrutiny Committee (10/09/2019)*',

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=757&MId=8413&Ver=4>

Kent County Council (2020) '*Kent and Medway NHS Joint Overview and Scrutiny Committee (04/02/2020)*',

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=757&MId=8624&Ver=4>

Kent County Council (2021) '*Kent and Medway NHS Joint Overview and Scrutiny Committee (17/03/2021)*',

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=757&MId=8769&Ver=4>

Kent County Council (2022) '*Kent and Medway NHS Joint Overview and Scrutiny Committee (26/04/2022)*',

<https://democracy.kent.gov.uk/ieListDocuments.aspx?CId=757&MId=9001&Ver=4>

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