

---

MEETING	HEALTH OVERVIEW & SCRUTINY COMMITTEE
DATE	3 NOVEMBER 2010
PRESENT	COUNCILLORS BOYCE (CHAIR), FRASER, HOLVEY, KIRK, SIMPSON-LAING AND WISEMAN (VICE-CHAIR)
IN ATTENDANCE	ALAN ROSE – YORK HOSPITALS NHS FOUNDATION TRUST HELEN MACKMAN – YORK HOSPITAL GOVERNOR JAYNE BROWN - NHS NORTH YORKSHIRE & YORK GRAHAM PURDY – NHS NORTH YORKSHIRE & YORK MELANIE BRADBURY – NHS NORTH YORKSHIRE & YORK ANNABEL JOHNSON – NHS NORTH YORKSHIRE & YORK GEORGE WOOD – YORK OLDER PEOPLE’S ASSEMBLY KATHRYN GALLON – NORTH YORKSHIRE AIDS ACTION COUNCILLOR FUNNELL COUNCILLOR MORLEY KATHY CLARK – CYC FRANCES PERRY - CYC
APOLOGIES	COUNCILLOR SUNDERLAND

---

## 25. DECLARATIONS OF INTEREST

Members were invited to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. Other than the standing interests no further interests were declared.

## 26. MINUTES

RESOLVED: That the minutes of the last meeting of the Committee held on 22 September 2010 be approved and signed by the Chair as a correct record subject to the following amendment:

Minute 23 – Consultation on the Government White Paper ‘Equity and Excellence: Liberating the NHS’  
Amendment of the preamble prior to the bullet points to read *‘Members confirmed their general support for the Healthy City Board’s consultation responses but also expressed a number of concerns including:’*

## **27. PUBLIC PARTICIPATION/OTHER SPEAKERS**

It was reported that there had been two registrations to speak at the meeting under the Council's Public Participation Scheme. The Chair had also granted one request to speak received from a Council Member.

Representations were received from the Chief Executive of the York Council for Voluntary Services (CVS) in relation to Agenda item 4 (Short Term Measures in Response to Financial Pressures). She referred to the financial support given to the Service by the NHS for which they had a service level agreement of 3 months notice of any variation. She expressed dismay that they had only received 1 months notice of the removal of funding by NHS North Yorkshire and York which they felt was morally wrong and disrespectful to the CVS and their vulnerable clients. She pointed out that the CVS had contracts to meet and the loss, at such short notice, meant that staff could not be given adequate notice resulting in further expense they could ill afford. She went onto refer to longer term issues with the Governments agenda for a 'Big Society', which would give individuals and communities more control over their destinies but leaving the CVS now unable to deliver. The Service felt that negotiations to find savings, similar to that undertaken with NYCC and CYC, would have been a much more acceptable way forward.

A representative of Yorkshire MESMAC, a sexual health charity, also made representations in relation to Agenda item 4 and proposed funding cuts. He stated that the short term measures would decimate their service, which provided HIV prevention advice and a health agenda for the LGBT in York and North Yorkshire. He referred to the background to their services and to those services which would be affected including sexual health work in schools and youth projects, counselling, contact with hard to reach groups, reduction in promotional material and condom/lubricant distribution. He questioned which other group could deliver these services. He concluded by stating that their organisation felt that the way in which the funding was withdrawn and lack of consultation was unlawful.

Councillor Funnell also made representations in respect of this agenda item. She stated that she spoke as a previous employee of the NHS and as a Trustee of the CVS. She pointed out that negotiations should have been undertaken with the voluntary sector to discuss how these cuts could have been made as this funding was crucial to these bodies. The short notice given of the withdrawal of funding was she felt unfair and an explanation was required of how these patient groups, charities and voluntary bodies would be replaced.

## **28. SHORT TERM MEASURES IN RESPONSE TO FINANCIAL PRESSURES**

The Committee received a verbal update from the Chief Executive at NHS North Yorkshire and York on the short term measures being implemented in response to ongoing financial pressures evident within the local health economy.

She thanked the Public Participation speakers for their comments and confirmed that she had only recently received copies of their concerns in writing and by email but that she would be replying shortly. She confirmed that she would also send copies of her replies to Scrutiny Committee members for their information and arrange to meet the various organisations.

She went onto explain the context of the pressures on the organisation with a budget of £1.6b and a potential shortfall of £29m they had had to take a range of measures to ensure the best discharge of resources, which they acknowledged, would affect some incredibly important services. There was £1.6m spent in the voluntary sector alone with contracts amounting to £150k but she acknowledged that the measures would have varying impacts on the bodies concerned. She went onto confirm that it was a matter of fact that they were in breach of the compact with these bodies but not in breach of contract. She explained that the decisions had not been taken lightly but that they had a statutory duty to break even by the end of the year. She pointed out that they received £1,400 per head of population and that they had been consistently overspent but they were fully aware of the impact these measures would have.

Members went onto express their serious concerns at the measures being taken and they questioned a number of points including:

- Had any savings been made within the NHS senior management? It was confirmed that £12m of savings had been made at this level with 60 compulsory redundancies.
- Details of previous debts requested. A debt of £45m had been eradicated two years ago but a further debt of £18m had now been accumulated which when rolled forward amounted to £36m.
- Following earlier recovery plans it now appeared that services were diminishing. Confirmation that the short term recurring measures had been reduced as much as possible and that it was now time to work with the authority to discuss possible further measures to prevent the Board being in a similar position next year.
- Concerns that these were false economies and that 'prevention was better than a cure'. Confirmation that front line services had not been considered and that it had been the infrastructure elements rather than direct care.
- Important that Equality Impact Assessments were carried out in relation to any changes to services, as they would have a varying impact on different communities. Confirmation that no EIA's would be carried out until any changes became permanent.
- Request for reassurances that any future changes in funding would not be made without adequate notice as there were costs to these bodies both in employment contracts and cuts in funding. Acceptance that the NHS were accountable and that if they had had more time different procedures would have been followed.

The Chief Executive confirmed that in their move forward there would be a more strategic review with major changes being made in how healthcare was provided. She stated that she had noted member's observations and

comments and confirmed that she would be happy to return to brief Members of the Committee as further progress was made. <sup>1</sup>

RESOLVED: That the update on the short term measures being implemented in response to ongoing financial pressures within the local health economy be noted.

REASON: To update Members on current health related issues.

Action Required

1. Include update in Committee's work plan.

TW

**29. TRANSFER OF MENTAL HEALTH, LEARNING DISABILITY AND SUBSTANCE MISUSE SERVICES**

Consideration was given to a report from NHS North Yorkshire and York, which updated them on the transfer of Mental Health, Learning and Disability and Substance Misuse Services.

The Assistant Director – Vulnerable People at NHS North Yorkshire and York presented the report. She confirmed that a specification for the tendering of these services had been prepared and the tender process formally launched on 6 August 2010. Thirty-seven 'Expressions of Interest' had now been received in a procurement exercise which had been the largest carried out in the Yorkshire and Humber region. She pointed out that as these expressions were commercially sensitive she was unable to share the information with the Committee at this stage but that these would now be taken to the next stage and the bodies invited to tender. She referred to the challenging timetable outlined on page 13 of her report but confirmed that staff consultation was now well underway.

Members were asked if they had any questions or points to raise in relation to the transfer of services:

- Concern that there should be no break in these vital services.
- Scrutiny Member input? Confirmation that any offers of assistance were welcomed. It was explained that the evaluation of the bids would be confidential, time consuming and require attendees to attend two days training.
- Surprise that the authority were not more involved in the process as there were existing partnership arrangements between the PCT and CYC in relation to Mental Health Services.
- When this exercise had first been discussed it had been confirmed that the status quo was a viable option for the services. Confirmation that from 1 April 2010 national guidance had stated that the PCT were no longer able to be a host provider of these services.
- Some services had already been allocated and merged by other providers e.g. the Joint Equipment Store and Wheelchair Centre. Questioned consultation with patients/users and how this was managed. Confirmation that full consultation had been undertaken

with service users the details of which would be emailed to Members.  
1.

Officers confirmed that discussions would be required with the chosen provider. This was to ensure that the services would be robust but a report would be provided to the Executive Member for Adult Social Services, which could also be provided to the Scrutiny Committee, for their information. <sup>2</sup>.

The Chair thanked the Assistant Director for her update.

RESOLVED: That the update on the transfer of Mental Health, Learning Disability and Substance Misuse Services be noted.

REASON: To update the Committee on the transfer of these services.

Action Required

1. Obtain information and circulate to Committee members. JP
2. As this information becomes available forward to Scrutiny Committee members. KC

**30. PROPOSED SCRUTINY TOPIC ON CARERS**

The Committee considered a report, which asked them to consider whether they wished to undertake a scrutiny review in relation to carers.

The Scrutiny Officer reminded Members that the Committee Chair had suggested that a scrutiny review on carers could be a possible piece of work for the Committee. To aid debate and in conjunction with relevant Officers the new format topic registration form had been completed.

The Chair stated that the last census, had identified over 17,000 carers in the York area over ten years ago and she pointed out that this was likely to be an underestimate. She questioned how many more people had now undertaken this role. She referred to the ageing population and to the impact caring had on individuals who may also have full time jobs or attend school or college. She explained that she was hoping any review would be practical and its findings financially low impact on City of York Council but have a high impact for carers.

The Authority's Carer's Strategy Manager confirmed that caring had a profound impact on carers and that carers top priority was recognition and for the public to be carer aware. She pointed out that carers were a moving population which meant that that they were continually having to identify new carers.

Following further discussion it was

RESOLVED: i) That a cross party Task Group consisting of Councillors Boyce, Holvey and Wiseman be formed to undertake a scrutiny review in relation to carers;

- ii) That the first informal meeting of the Task Group be arranged for Thursday 11 November at 5.00pm preceding with a short presentation followed by scoping and timetabling the review. <sup>1</sup>.

REASON: To address the topic set out in Annex 1 to the report.

Action Required

1. Arrange meeting and schedule work into Committee's work plan.

JP, TW

### 31. WORK PLAN

Consideration was given to the Committee's work plan for 2010/11 together with relevant extracts from the Forward Plan.

The Scrutiny Officer updated Members in relation to changes required and additional work which required scheduling into the work plan including:

- Children's Cardiac Services in the region (1 December 2010) – the consultation on this service had been delayed so would need to be slipped to the January meeting.
- At the last Council meeting Cllr Galvin had asked to attend each of the December Scrutiny Committee meetings to raise the issues facing scrutiny – In view of items already on the work plan for the December meeting defer to January meeting.
- Consultation received on Vascular Services – January meeting
- Carers Review update – January meeting
- Carers Rights (PACE report from LiNKs) – January meeting
- Joint Strategic Needs Assessment reference from Executive – Presentation by the Associate Director of Public Health - January meeting.
- Older People's Strategy (scheduled for Health & Adult Services Decision Session, 21 December 2010) – Confirmation that the Committee would receive an emailed copy of this report. <sup>1</sup>.

The Chair of York Hospitals NHS Foundation Trust updated Members on the recent announcement that the Scarborough Health Board had invited York Hospital to enter into a partnership arrangement for the provision of services. He confirmed that no response had yet been made but that if this proceeded that it would have a significant affect on services in the city. He confirmed that he would provide the Committee with an update at their December meeting.

The Scrutiny Officer reported details of the decisions taken at the Executive meeting the previous day on the Childhood Obesity Scrutiny Review Final Report.

In view of the Committee's workload over the next few months it was agreed to schedule into the plan an additional Scrutiny Committee meeting in January 2011.<sup>2</sup>

RESOLVED: That the work plan be approved subject to the above changes and additions and that copies of the amended plan be emailed to Members for their information.<sup>3</sup>

REASON: In order to progress the work of the committee.

Action Required

1. When available, email Health Scrutiny members copy of Strategy report. KC
2. Arrange additional January 2011 meeting in consultation with members. TW, JP
3. Amend Committee's work plan and email updated copy to members. TW

CLLR B BOYCE, Chair

[The meeting started at 5.00 pm and finished at 6.40 pm].