
Health Overview & Scrutiny Committee

24th January 2011

Report of the Assistant Director Legal Governance & ICT

Children's Cardiac Surgery Services – National Review

Summary

1. This report seeks the Committee's views on the potential significance of any proposals/recommendations arising from the national review of Children's Cardiac Services. Further information is at Annexes A & B to this report (available online).
2. This report also seeks the Committee's nominations for representatives to serve on a Joint Regional Health Overview and Scrutiny Committee as appropriate.

Background

3. The NHS is reviewing how it delivers congenital heart services to children in England and Wales. Children's Cardiac Services are currently delivered in 11 centres across England and the expected proposal from the review (currently due to be published in January 2011) is to reduce the number of centres offering these procedures and create fewer but larger centres to deliver them.
4. There have been several delays in the review process (explained in Annex B to this report) however the proposals are expected imminently and will be followed by a 3-month period of public consultation.

Substantial Variation

5. Health Scrutiny powers around service reconfiguration are focussed on the impact of any proposed change/development and the robustness of any associated consultation arrangements.
6. The Department of Health Guidance on Health Scrutiny (published in July 2003) provides assistance to Health Overview & Scrutiny Committees by setting out some guiding principles when considering the nature of proposed service changes and/or developments.
7. The guidance states that, in considering whether proposals are substantial. Consideration should be given to the general impact of any change on patients, carers and the public who use or have the potential to use a service. Specifically, it is suggested that the following should be taken into account:

- **Changes in accessibility of services** – both reductions and increases on a particular site
- **Impact of proposal on the wider community** – including the economic impact and other issues, such as transport and regeneration.
- **Patients affected** – changes may affect the whole population or a small group (patients accessing a specialised service). If change affects a small group it may still be regarded as substantial, particularly if patients need to continue accessing that service for many years.
- **Methods of service delivery** – altering the way a service is delivered may be a substantial change.

Delegation Of Health Scrutiny Function And Joint Committees

8. The regulations governing Health Scrutiny also allow local authorities to delegate their overview and scrutiny functions to another local authority. This can occur where one authority believes that another authority would be better placed to consider a particular local priority and the latter agrees to exercise the function.
9. The regulations also allow two or more local authorities to appoint joint committees to exercise the scrutiny function of those participating authorities, where deemed appropriate.
10. Furthermore the regulations also allow the Secretary of State (for Health) to make directions to local authorities to establish joint committees. Such direction is likely to be made when requiring the establishment of a joint committee to consider (and respond to consultation on) any substantial service variation or development, where those services are provided to areas that span more than one overview & scrutiny committee.
11. To help Overview & Scrutiny Committees across the Yorkshire & Humber region respond to issues that effect the whole region a protocol for Joint Health Scrutiny was drafted and is attached at Annex C to this report. At the time of writing all but one local authority in the Yorkshire & Humber region have formally adopted the protocol. York adopted the protocol in October 2008.
12. The protocol includes issues associated with the size of any joint committee (determined by the number of participating authorities), establishing the terms of reference and matters relating to chairing and supporting any joint committee.
13. Assuming that forming a joint committee is required and/or established, in line with the attached protocol it should be noted that Leeds City Council is likely to take the lead role in terms of chairing and administering any joint committee.
14. As such arrangements are being made to provide a briefing session for all Health Overview & Scrutiny Chairs (or their nominee) in January 2011. In

addition draft terms of reference are being prepared in anticipation of a joint committee being established.

Consultation

15. As the national review proposals are not yet publicly available consultation has mainly taken place through the Health Scrutiny Regional Officers Network with elected Members in York having been updated on delays and developments via e-mail.

Options

16. Members can:
 - Choose to offer a view on the likely substantive nature of the review proposals/recommendations
 - Indicate whether they wish to take part in any regional joint scrutiny that may take place and if so;
 - Nominate a maximum of four Members to represent the City of York Council on any regional joint health scrutiny committee

Analysis

17. It is not yet known where any new centres dealing with Children's Cardiac Services will be however Members should be aware that currently Leeds Teaching Hospitals NHS Trust is the only provider of such surgical services in the Yorkshire & Humber region.
18. Whilst the final consultation documentation has not yet been released Members should consider whether they feel that changes described in Annexes A & B are likely to constitute a substantial variation to service, if so they are then asked to nominate a maximum of four Members to represent the City of York Council on any regional joint health scrutiny committee.
19. It is important that Members have a clear understanding of the implications the proposed service changes will have on the residents of York. This Committee has an opportunity to have a voice and express its views in relation to the proposed service changes and any impact that these may have on the residents of York. It is therefore important that if Members feel that the changes will have a positive impact for York and generally support them that they express these views through the consultation exercise equally as much as if they feel that they will have a negative impact. To this end Members are advised to take part in any joint scrutiny that may be undertaken in order that their views can be heard.

Corporate Strategy 2009/2012

20. This report is linked to the 'Healthy City' aspect of the Corporate Strategy 2009/2012

Implications

21. There are no known implications associated with the recommendations within this report.

Risk Management

22. There is a risk that if Members choose not to respond to any consultation or take part in any joint scrutiny committee their views will not be heard.

Recommendations

23. Members are asked to:

- Offer a view on the likely substantive nature of the review proposals/recommendations and;
- Indicate whether they wish to take part in any regional joint scrutiny that may take place and if so;
- Nominate a maximum of four Members to represent the City of York Council on any regional joint health scrutiny committee

Reason: In order that the Committee's voice is heard in relation to the national consultation on Children's Cardiac Surgery.

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Report Approved

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Specialist Implications Officer(s) None

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

None

Annexes (online only)

- Annex A** Safe & Sustainable Children's Heart Surgery – A Briefing
Annex B Review of Children's Heart Surgery Services in England: An Update
Annex C Yorkshire & Humber Joint Health Scrutiny Protocol