Meeting	Health and Adult Social Care Policy and Scrutiny Committee
Date	20 October 2015
Present	Councillors Doughty (Chair), Cuthbertson (Vice-Chair), S Barnes, Cannon, Craghill and Richardson

33. Declarations of Interest

Members were asked to declare any personal, prejudicial or disclosable pecuniary interests which they might have in respect of the business on the agenda.

Councillor S Barnes declared his standing personal interest in agenda item 5) Bootham Park Hospital Closure, as he worked for Leeds North Clinical Commissioning Group, who commissioned mental health services in Leeds. Councillor Cannon asked that her standing interest as a patient of York Hospital be removed from the list as she was no longer a patient.

No other interests were declared.

34. Minutes

Resolved: That the minutes of the meetings held on the 10 September and 16 September 2015 be signed and approved by the Chair as correct records.

35. Public Participation

It was reported that there had been four registrations to speak under the Council's Public Participation Scheme.

The first speaker, Dr Bob Adams, a former senior consultant psychiatrist at Bootham Park Hospital, spoke in regards to the closure of Bootham Park Hospital. He felt that the quality of care offered from staff was not at fault but that Leeds and York Partnership NHS Foundation Trust could not remove the ligature points. Furthermore,

the layout of the hospital was old fashioned and the previous Primary Care Trust had suffered from too many re-organisations. He questioned where were the plans for the refurbishment of Bootham Park. He felt that Bootham Park Court a vacant site next to the hospital could be used as a new facility instead of Bootham Park.

Amanda Griffiths spoke about how the closure had displaced outpatient services and affected other service users. This had in turn meant that GP referrals to secondary mental health services were being declined and it was now difficult to access any level of mental health care in the York area. She felt that poor governance, lack of staff and poor transparency had destroyed Bootham Park Hospital and the focus should be on urgent repairs and reopening the beds at the current building rather than on the construction of a new hospital.

Joanne Lazenby felt that the important location of Bootham Park Hospital should not be underestimated. The Air Ambulance landed in the grounds as it was situated next to York Hospital. She felt that if a new hospital was built on the outskirts of the city many would not want to attend. Her sister was a patient at Bootham Park and stated that she felt that it was safe. She felt that a modern extension should be attached to the old buildings.

Chris Brace, who spoke on behalf of York Older People's Assembly, felt that cumulative policies of successive governments and the Health and Social Care Act had contributed to the problems encountered at Bootham. He accepted that there would not be an immediate solution but asked that the Vale of York Clinical Commissioning Group (CCG), the new provider (Tees, Esk and Wear Valleys NHS Foundation Trust) and the local MPs work together. He also asked the Committee to consult widely both publicly and professionally.

36. Care Quality Commission Report for York Teaching Hospital NHS Foundation Trust

In view of the lengthy discussion on the Bootham Park Hospital Closure item, which had been considered before this item, it was;

Resolved: The item be deferred until the meeting.

Reason: To enable for full and proper consideration to take place by the Committee.

37. Bootham Park Hospital Closure

Members received a report alongside annexes which provided them with information around the closure of Bootham Park Hospital and the future of mental health services in York.

In his introduction the Chair informed all those present that the Committee had been repeatedly reassured that plans were in place and that risks were being managed. He informed them that papers had not been received from all organisations involved, however since the publication of the agenda, Members had received a timeline of events from the Vale of York Clinical Commissioning Group (CCG). *(This was republished with the agenda following the meeting).*

Representatives from the Care Quality Commission (CQC), Leeds and York Partnership NHS Foundation Trust (LYPFT), Tees, Esk and Wear Valleys (TEWV) NHS Foundation Trust, Vale of York Clinical Commissioning Group (CCG) and NHS Property Services Ltd gave their own short presentations to the Committee.

<u>Care Quality Commission</u>

It was noted that in September 2014 Leeds and York Partnership NHS Foundation Trust had been the first Trust to be inspected using the new CQC inspection methodology. A programme of action had been agreed with the Trust following an earlier inspection of Bootham Park Hospital but not all areas of concern had been addressed. The CQC spoke to the Trust and partners at a Quality Summit about how these issues could be addressed. The CQC were assured that the Trust would work against an action plan but there was expected to be slippage in some areas, and the CQC received a letter in August 2015 from Leeds and York Partnership NHS Foundation Trust and Tees, Esk and Wear Valleys (TEWV) NHS Foundation Trust about the continued slippage and that they would provide more information to the CQC Inspectors.

The reasons given for the unannounced inspection in September 2015 were;

- The quality of the environment in Ward 2- there was a stench of dead rats.
- Staffing issues.
- Water temperatures were not being regulated, on Ward 6 this varied from 52-56C
- Necessary maintenance had not taken place.

- Safety of the patients.
- Concerns over Legionella in Wards 1 and 2.
- Patients in Ward 6 had not moved to Cherry Tree House at the time of the inspection.

The Chair asked if the CQC felt it was the Trust's responsibility to deal with call alarms, ligature points and fittings. They confirmed this. They added that they saw that some but not all of the ligature points had been put right.

CQC stressed that they did not close Bootham Park Hospital but Leeds and York Partnership asked for its registration be removed as it was transferring services as a location.

One Member asked what would need to be done to get inpatient services back at Bootham Park Hospital. The CQC responded that they would need to know what would be in place to provide a safe service. They would need to know what the new provider would do to make the building compliant. At the time of registration they did not have that plan. They would expect that the building would meet the latest guidance about an acute hospital.

The Committee were informed of interim measures that had been put into place following the September inspection. There had been a site visit of the Section 136 suite and staff from Bootham Park Hospital had been relocated.

<u>Leeds and York Partnership NHS Foundation Trust</u>

The Chief Executive confirmed to the Committee that Leeds and York Partnership NHS Foundation Trust were not in control of the buildings and were reliant on colleagues to develop long term options. He stated that the Trust had kept the CQC up to date and had written to them regarding their concerns and this in part had led to the inspection of Bootham Park and the closure. He apologised to all those who had been affected by the closure of Bootham Park Hospital.

The Chief Operating Officer stated that it was the Trust's responsibility to deliver the action plan along with the Vale of York CCG and NHS Property Services.

The Chief Nurse informed the Committee that in regards to staffing issues that had been highlighted in the action plan, staff had been moved from Leeds. In terms of infection control, these particular issues related to mildew on the walls and required intervention from Estates

and it was not systematic. However, the legionella was systemic and they felt NHS Property Services as the landlord were responsible.

One Member questioned Trust Officers about the water system, the lines of sight and the ligature points and asked whether they knew what was needed and whether they could deal with it. They also asked what was their monitoring process for this.

In response, it was reported that;

- Modifications were made to increase the lines of sight in Ward 1 and 6 with the use of CCTV in line with the action plan given to the CQC.
- Remedial work was carried out to remove the ligature points resulting from the architecture of the building. Some structural ligature points still existed but these were due to be modified or removed where possible.
- York Teaching Hospital NHS Foundation Trust had carried out the maintenance on the water system and did not notify the Trust about the temperature of the water, however the water temperatures had also not been tested by the staff.

One Member queried if the Trust's actions of de-registering the hospital had forced the system's hand.

In response the Chief Executive stated that the Trust had communicated concerns to the CQC. They had considered plans to move patients to Peppermill Court but were assured remedial work to Bootham was possible.

In reply to a question to reasons for the slippages identified in the inspections, the Director of Nursing felt that NHS Property Services did not have the full information about the estate when they took it over.

<u>Vale of York Clinical Commissioning Group and Tees, Esk and Wear Valleys NHS Foundation Trust</u>

The Chief Clinical Officer from Vale of York Clinical Commissioning Group gave a short presentation to the Committee. He firstly apologised for the situation. Secondly he informed them that;

- In April 2013 when the contract was awarded to Leeds and York Partnership NHS Foundation Trust additional money had to be put into it.
- In September 2014 a procurement programme started to redesign mental health services.

- In July 2014 a mental health summit took place with partners in attendance, which agreed for an interim measure for a much safer hospital. But alongside this to progress a new facility.

  The Director of Operations from Tees, Esk and Wear Valleys (TEWV) NHS Foundation Trust gave an update on the current mental health provision for Bootham patients. She stated that;

  - 10 individuals had been moved.
  - No adults could be admitted in York but most would be moved to Roseberry Park in Middlesbrough or West Park in Darlington.
  - There was a cohort of staff at Roseberry Park that formed a discharge and liaison team renamed York Liaison.
  - The staff who were working on wards were now working in crisis teams and home treatment.
  - More staff had been instituted for street triage.
  - Seven individuals had to receive care at Section 136 suite at Harrogate.
  - There were plans for ECT, as an interim through York Hospital.

  She added that they wanted reinstate services around a Section 136 suite which would need estate works, to look at outpatients and to look at a safe area at Bootham. Peppermill Court would be a sustainable option as there would be 24 beds there. She highlighted that these would be interim arrangements and needed to be put in place before a new hospital in 2019.

  <u>NHS Property Services</u>

  The Regional Director from NHS Property Services explained to the Committee that they performed the estate function of the former Primary Care Trust. He felt that the reasons for the slippages were because it could not be made fit for purpose in the long term, the levels of data received from the Primary Care Trust and York Teaching Hospital NHS Foundation Trust and the nature of this information. Work at Bootham were also interlinked with other sites such as Cherry Tree House. This led to delays in the transfer of patients.

  In response to a question about interim solutions that had been put in place to overcome the concerns identified, the Committee were informed that high ligature points had been removed in December 2014 and the ones which had been observed in the inspection were in non patient areas, but these were not always secured. The water system had been replaced in December 2014 and there had been

additional work carried out in ward areas, which could only be done in a managed way when the wards were not occupied.

Questions from Members included;

- How many people now were without individual crisis plans in place?
- Were TEWV providing carers and family with free travel on demand to the alternative locations?
- Why was Bootham Park considered fit for purpose in the short term?

The Director of Operations from Tees, Esk and Wear Valleys NHS Foundation Trust reported that they still needed to work through the crisis plans with the individuals involved but community teams had checked detail and there was a single point of access for developing the crisis plans. It was confirmed that if a patient turned up at the wrong centre they would be transported to the correct place by taxi. A carer would be entitled to claim for transport via a claim form.

In response to the question about why Bootham Park was considered fit for purpose in the short term, it was considered that it was safer to keep patients in the city rather than moving them outside of the city.

Councillor Stuart Barnes asked all those in attendance if they would oppose a call from Rachael Maskell MP for an inquiry / investigation into to the Bootham Park Hospital closure. No one opposed the call and welcomed an investigation.

Another Member asked what had happened to those patients who had moved from inpatient care into home treatment and if the Committee could have some data on this. The Director of Operations from TEWV confirmed that data was being collected and that they would be happy to provide case studies. It was also suggested that this could be a dashboard item for those people out of area who were receiving social care.

Resolved: (i) That the content of report, its annexes and information provided by Officers be noted.

(ii) That work be undertaken with Vale of York CCG and Tees, Esk and Wear Valleys NHS Foundation Trust to rapidly identify an interim solution in York for inpatient services previously provided at Bootham Park Hospital.

(iii) That work be undertaken with Vale of York CCG and Tees, Esk and Wear Valleys NHS Foundation Trust in the development of longer term plans for new, purpose-built mental health inpatient facilities for service users from York and the Vale of York.

(iv) That a request be made to the Secretary of State for an inquiry/investigation into the circumstances surrounding the closure of Bootham Park Hospital.[1]

Reason: So that the people of York and the Vale of York are not deprived of acute mental health inpatient services.

Action Required

1. To write a letter to the Secretary of State informing him of the Committee's support for an inquiry/investigation into the closure of Bootham Park Hospital.	SE

38. Work Plan 2015-16 and potential scrutiny review

Consideration was given to the Committee's work plan for the municipal year and a potential scrutiny review topic on Bootham Park Hospital.

Discussion took place around the number of items for the November meeting and it was suggested that a second meeting be scheduled to deal with the business to try and avoid lengthy meetings. The Committee agreed for a second meeting to take place in December.

Resolved: (i) That the work plan be noted.

(ii) That an additional meeting be organised.

Reason: To ensure that the Committee has a planned programme of work in place.

Councillor P Doughty, Chair
[The meeting started at 5.30 pm and finished at 8.45 pm].