

**At a meeting of the SOUTH TYNESIDE AND SUNDERLAND JOINT HEALTH SCRUTINY COMMITTEE held in the TOWN HALL, WESTOE ROAD, SOUTH SHIELDS on MONDAY 9 March 2018 at 1.00 pm**

**Present:**

Councillor Rob Dix in the Chair

Councillors (Sunderland) Davison, Snowdon, McClennan, Walker, Heron, Leadbitter and Wright

Councillors (South Tyneside) Dix, Brady, Flynn, Hay, Hetherington, Purvis and Peacock

**Also in Attendance:**

South Tyneside and Sunderland NHS Partnership:

Ms Caroline Latta, Senior Communications and Engagement Locality Manager, North of England  
Commissioning Support

Mr Matt Brown, Director of Operations, South Tyneside Clinical Commissioning Group

Sunderland City Council

Mr Nigel Cummings, Scrutiny Officer

South Tyneside Council

Mr P Baldasera, Strategy and Democracy Officer

**Welcome and Introductions**

Following a brief round of introductions, the Chairman welcomed everyone to the meeting.

**1. Declarations of Interest**

There were no declarations.

**2. Minutes of 8 January 2018**

Agreed: That the minutes of the meeting held on 8 January 2018 be agreed as a true and accurate record of proceedings.

**3. Consideration of the decision by South Tyneside and Sunderland Clinical Commissioning Group's Governing Bodies and the Committee's response**

The chair opened the item by saying that consideration of these changes had been ongoing for over a year over a series 12 formal meetings and many more informal sessions. He said that committee had carefully looked at the evidence and now the CCG governing bodies has

made their decisions on each of the three services, the joint committee now has the power to refer those decisions to the Secretary of State for Health. He re-iterated that this was only an option now the decisions had been made and it had not been within the gift of the committee to do so until this point.

The Strategy and Democracy Officer went through the decisions made by the Governing Bodies of South Tyneside and Sunderland CCGs which were

**Obstetrics and gynaecology services:**

- to approve option 1 for implementation. I.e the development of a free-standing midwifery-led unit (FMLU) at South Tyneside District Hospital (STDH) and a Medically-led obstetric unit at Sunderland Royal Hospital (SRH).
- For implementation to be complete by April 2019

**Emergency Paediatric Services:**

- Approval of option 2 (the development of a nurse-led paediatric minor injury and illness facility at STDH and 24/7 PED at SRH.) but for option 1 (a daytime paediatric emergency department (PED) at South Tyneside) to be implemented as a transitional step towards option 2.
- An amendment to opening hours under each option, from 8pm to 10pm as the closing time.
- Implementation of option 1 to be completed by April 2019
- Implementation of option 2 for likely completion by April 2021

**Stroke Services:**

- Approval of option 1 for implementation. I.e that all acute strokes are directed to Sunderland Royal Hospital (SRH), with the consolidation of all inpatient stroke care at SRH.
- Implementation to be complete by April 2019

Cllr Wright formally asked the meeting to approve referral of all three decisions to the Secretary of State for Health. This was unanimously agreed.

The chair invited comments from members.

Cllr Walker said that the consultation had breached the Gunning Principles in that the outcome was pre-determined from the outset.

Cllr Flynn questioned why the CCG Joint Governing Bodies at their decision making meeting questioned why the Joint Health Scrutiny Committee had criticised the consultation process without the members of the committee being able to respond. In this respect he said that the meeting was a "sham".

Cllr McClellan criticised the article that appeared in the South Shields Gazette the night previous to the meeting in its inference that lives would be at risk if the committee delayed the proposed changes by referring to the Secretary of State. She reminded everyone that commissioning safe services was the responsibility of CCGs. She suggested that there should be a vote of no confidence in the CCGs.

Cllr Anne Hetherington proposed that a vote of no confidence in the CCGs is considered as they have failed to meet their duty of care to the residents of South Tyneside by allowing services to deteriorate to the point that they are now. This was seconded and agreed.

The Chair stated that the Committee had the responsibility for asking the uncomfortable questions of NHS bodies and would continue to do so.

Cllr Wright endorsed Cllr McClellan's comments on the Shields Gazette article and went on to say that she felt that the NHS officers who come to the committee had failed to understand the role of scrutiny in challenging proposed changes and the fact that the committee could not be "dominated" or threatened. Cllr Wright also highlighted the phenomenal amount of work that the Joint Scrutiny Committee had undertaken and that the whole process had been extremely challenging.

Cllr Dix concurred and stated that this had been a very difficult and emotive issue for everyone involved.

Cllr McClellan reminded all that members of the committee undertake their work with no remuneration in contrast to NHS officers who attend the committee. The Chair re-iterated this and said that this work was done in members own time and it was not easy given the complexity of the issues.

Cllr Brady suggested that the way the consultation process had been conducted had eroded the trust that the committee had in the CCGs.

Cllr Hay said that there had been over 500 documents to go through, some of which contradicted each other or contained anomalies. She cited the various different ambulance response time contained in different documents.

Cllr Hetherington pointed to further inconsistencies in the numbers of high risk births that would have to be transferred from South Tyneside DGH to Sunderland Royal Hospital from the various documents and presentations received.

At this point the Chair Allowed Rodger Nettleship from the Save South Tyneside Hospital Campaign to speak. He thanked the committee for the decision to refer.

The Strategy and Democracy Officer (ST) asked the Members that now that they had decided to refer, to consider on which of the four grounds they would wish to do so.

After some discussion it was agreed that this would be on the following grounds

- It is not satisfied with the adequacy of content of the consultation. (criteria 1 in regulations)
- It considers that the proposal would not be in the interests of the health service in its area. (Criteria 3 in regulations )

There then were several comments on issues to be included in the referral including:

- The loss of a consultant led maternity service in South Tyneside (2)
- The possibility of the FMLU becoming unviable (2)
- The loss of a paediatric emergency service in South Tyneside (2)
- The capacity for SRH to cope with the extra demand (2)
- Breaching of the Gunning Principles (1)

- Failure to answer all questions raised during the consultation - particular noting the 14 questions put to the CCGs towards the end of 2017 (1)

The chair told Members that there had been a suggestion by the CCGs that referral could take 6-9 months due to a backlog of referrals being considered by the Independent Reconfiguration Panel (IRP). He said that he had made enquiries of the IRP that week who said that they were only processing two referrals from around the country, one of which had been completed. He concluded that the time to consider the referral would be considerably less than 6 months.

The Strategy and Democracy Officer (ST) explained the process from here was to ratify the decision to refer through the appropriate scrutiny committees in both authorities as the power to refer lies with each. Then the referral will be prepared by officers taking into account what the Members views were in light of all the evidence that had been put to them. This would then be signed off by the Joint Health Scrutiny Committee before being sent to the Secretary of State for Health

**RESOLVED:** That the decisions made by the CCGs in relation to the Path to Excellence consultation, once ratified by South Tyneside Council OSC and Sunderland Health and Wellbeing Scrutiny Committee, are referred to the Secretary of State for Health.

As the Committee was informed that Cllr Norma Wright was to stand down as a Councillor following the local elections in May 2018, Cllr Flynn took the opportunity at this point to thank Councillor Norma Wright for all her work as Co-chair of the Committee stating that she had done an excellent job and hoped that it may be possible for her to have some involvement with the committee in the future.

## **7. Chairman's Urgent Items**

There were no urgent items.