

### Appendix 3 Outline Protocol on Receipt of a Referral to the Secretary Of State

- 1 The Department of Health (DH) will keep the Independent Reconfiguration Panel (IRP) informed of actual or potential referrals, and advise the Panel when a contested proposal has been referred to the Secretary of State for Health (SofS).
- 2 On receipt of a referral from a local authority to SofS, DH will contact NHS England and request additional information to enable the IRP to carry out an initial assessment of the referral. This information should be provided by NHS England within **two weeks** of request. NHS England may seek the assistance of the relevant NHS decision-making body/ies where appropriate.
- 3 The minimum information required for the IRP to carry out an initial assessment is:
  - information requested in the IRP *initial assessment template* comprising:
    - names and addresses of relevant organisations
    - a map in electronic format of the relevant area
    - a description of the proposals with a chronology of events and NHS England view
    - basic background information as outlined in the template
    - supporting documentation including the consultation document, papers for the NHS body decision-making meeting, and a record of that meeting
    - lead contacts at NHS England, NHS decision-making body/ies, contesting body/ies
  - the referral letter and supporting documentation
- 4 Once the above information has been received, DH will write to IRP requesting an initial assessment of the contested proposal and enclosing the supporting information.
- 5 The IRP will provide an initial assessment in **20 working days** of receiving the DH request and supporting information. IRP members will consider whether or not the referral is suitable for full IRP review.
- 6 *Decision that referral is not suitable for full IRP review:*
  - the Panel sets out its reasons and, where possible, makes recommendations on further action to be taken
  - SofS replies to local authority, copied to NHS England, advising of decision and future action – IRP advice is published on website (usually around one month after submission)
- 7 *Decision that referral is suitable for full IRP review:*
  - IRP and DH agree specific terms of referral based on IRP general terms of reference and appropriate timetable (usually **60 working days** though a longer timescale may be required depending on the circumstances)
  - SofS writes to IRP confirming *terms of reference*
  - Panel consideration of the case including written evidence, site visits, interviews with key stakeholders, determination of advice and writing of Panel's final report (usually 60 working days)
  - IRP submits its report to SofS
  - SofS replies to local authority, copied to NHS England, advising of decision and future action – IRP advice is published on website (usually around one month after submission)