

Agenda Item 6

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|  | | THE HEALTH SCRUTINY COMMITTEE FOR LINCOLNSHIRE | |
| Boston Borough Council | East Lindsey District Council | City of Lincoln Council | Lincolnshire County Council |
| North Kesteven District Council | South Holland District Council | South Kesteven District Council | West Lindsey District Council |

Open Report on behalf of Richard Wills,
Executive Director responsible for Democratic Services

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| Report to | Health Scrutiny Committee for Lincolnshire |
| Date: | 17 January 2017 |
| Subject: | Grantham and District Hospital Accident and Emergency Department |

Summary:

On 15 December 2017, the Board of United Lincolnshire Hospitals NHS Trust decided to accept the report of the East of England Clinical Senate, supported by the advice of NHS Improvement, not to re-open Grantham and District Hospital Accident and Emergency Department overnight.

This item invites the Committee to consider the implications of the report by the East of England Clinical Senate. Representatives from NHS Improvement, United Lincolnshire Hospitals NHS Trust and the Lincolnshire Clinical Commissioning Groups have been invited to attend.

Actions Required:

- (1) To consider the implications of the continued overnight closure of Grantham Accident and Emergency Department.
- (2) To determine the Committee's next steps.

1. Background

Overnight Closure of Grantham Accident and Emergency Department

Since 17 August 2016, Grantham Accident and Emergency Department has been closed overnight. Initially, the closure ran from 6.30 pm to 9.00 am, but since March 2017, it has been closed between 6.30 pm and 8.00 am.

At the time of the overnight closure decision in August 2016, it had been agreed that the 24/7 opening at Grantham A&E Department would be restored when sufficient numbers middle grade doctors were in post and there had been no deterioration in the number of consultants. The staffing threshold across the Trust was set at 21 substantive (or long term locum) middle grade doctors, against an overall establishment of 28 middle grade doctors.

Health Scrutiny Committee Referral to the Secretary of State

On 23 November 2016, the Health Scrutiny Committee resolved to refer the overnight closure of Grantham A&E to the Secretary of State for Health, who in accordance with the usual practice asked the Independent Reconfiguration Panel to undertake an initial review of the referral and provide advice. The report of the Independent Reconfiguration Panel (dated 22 March 2017) was published by the Secretary of State on 2 August 2017.

The Secretary of State accepted the Independent Reconfiguration Panel's conclusion that the referral was not suitable for a full review because local action by the NHS with the Committee can address the issues raised. The Independent Reconfiguration Panel's report also stated:

"The time has come for an open and honest appraisal, both of the options for future emergency care delivery at Grantham and more widely across Lincolnshire. An alternative to the current approach is needed that reflects the prospective staffing position for emergency care provided by the Trust. Recognising that the staffing threshold currently required to restore services at Grantham is unlikely to be achieved in a sustainable way, CCGs, as commissioners of these services, must as a matter of urgency work with the local providers (including mental health care and community providers as well as ULHT) and the Health Scrutiny Committee to engage and consult the public across Lincolnshire on current services and what might be achievable and sustainable in the future. Drawing on the work already done for the sustainability and transformation plan for the area, a plan of action for the whole health economy is required that will implement safe and sustainable urgent and emergency services and bring about an early end to the current uncertainty."

Decision of United Lincolnshire Hospitals NHS Trust Board – 7 November 2017

On 7 November 2017, the Board of United Lincolnshire Hospitals NHS Trust considered a report on *Emergency Care* and was advised that the threshold of

21 middle grade doctors across the Trust had been reached, with a combination of substantive and long term locum middle grade doctors. However, it was also reported to the Board that NHS Improvement had asked the ULHT Board to defer the decision on the opening of Grantham A&E, pending a safety review.

The ULHT Board agreed that:

- (1) Subject to the safety review by NHS Improvement the Trust would move to a decision to re-open at the December Trust Board meeting.
- (2) The Trust would continue to work with CCGs and partners to find a more sustainable model.

Report of East of England Clinical Senate

NHS Improvement commissioned the East of England Clinical Senate to undertake the safety review. The Clinical Senate's report: *Review of Accident and Emergency Services At Grantham and District Hospital (United Lincolnshire Hospitals NHS Trust) - Report of Independent Clinical Senate Review Panel – 22 November 2017*, was published as part of the agenda for the ULHT Board meeting on 12 December 2017 and is attached at Appendix A.

The Clinical Senate's report contained five recommendations:

Recommendation 1

- The Panel does not support the reopening of the 24/7 A&E department at Grantham Hospital on the grounds of potential adverse impact on patient safety at A&E Departments at all three United Lincolnshire NHS Trust Hospitals.
- The Panel strongly recommends, on the grounds of patient safety, United Lincolnshire Hospitals NHS Trust Board reconsider its proposal to extend the current A&E service opening hours at Grantham and District Hospital.
- The Panel recommends that the Trust should continue to provide an A&E service at Grantham and District Hospital on the current opening hours of 08.00-18.30, seven days a week until a more definitive long term urgent and emergency care plan was developed and agreed.

Recommendation 2

The Panel recommends that in order to make it clear for patients and the public the type of service available at Grantham and District Hospital A&E Department, the Trust look to re-labelling or re-naming the department, and ensure that it communicates that widely. The panel further recommended that the terminology 'A&E Centre' is not applied to Grantham and District Hospital in any further model.

Recommendation 3

The Panel recommends that the Trust should move to a single A&E team with a focus on standardised clinical pathways and processes across the three sites, removing any unnecessary variation and providing enhanced training opportunities.

Recommendation 4

The Panel recommends that the Trust and CCG have clear alignment with the Lincolnshire STP, developing a system approach to urgent and emergency care, and planned care for patient and the public. The Trust and STP should move to public consultation on an agreed future model as quickly as possible

Recommendation 5

- The Panel recommends that United Lincolnshire Hospitals NHS Trust works with the local the CCG and STP to develop an enhanced communication and engagement strategy to ensure that all stakeholders, the public, patients and local elected representatives have an opportunity to input on the development and decision regarding the final model for urgent and emergency care across the Trust's three sites, and not only for the Grantham site.
- The Panel recommends that the communication and engagement strategy develop plans to ensure that any changes to the designation, opening times and pathways related to emergency care provision are clearly communicated with the public, patients, stakeholders and staff both within the STP footprint and with surrounding STP footprints.

Role of Clinical Senates

In accordance with the Health and Social Care Act 2012, twelve clinical senates were established across England in 2013. Clinical senates to bring together clinicians, health and care professionals, patient and citizen representatives and individuals from organisations involved in and associated with the commissioning and delivery of health and care within their respective area.

The role of a clinical senate is to be a source of independent, strategic clinical advice and guidance to health commissioners and other stakeholders to help them make the best decisions about healthcare for the populations they represent.

The East of England Clinical Senate was commissioned to undertake the independent review of Grantham A&E, as there would have been a conflict of interest if the East Midlands Clinical Senate had done this work.

Decision of United Lincolnshire Hospitals NHS Trust Board – 15 December 2017

The recommendation to the ULHT Trust Board on 15 December 2017 was that it accept the conclusions reached by the Independent Clinical Senate Review Panel and followed its recommendations, which were supported by NHS Improvement. The ULHT Trust Board was strongly advised by NHS Improvement to follow the recommendations in the Independent Clinical Senate Review Panel's report.

On 15 December 2017, the ULHT Board agreed to accept East of England Clinical Senate's recommendation to not change the opening hours of Grantham A&E on the grounds of patient safety. This decision was also in line with NHS Improvement's advice. ULHT issued a statement indicating that it was aware of discussions happening within other bodies including the Health Scrutiny Committee; and the ULHT Board committed to reflect on their recommendations at future board meetings.

In line with the Clinical Senate's recommendations, the ULHT Board also agreed to move to a single A&E team across the three departments and to standardise its systems and processes. ULHT stated that it hoped this would provide better training opportunities for staff and better patient experiences. The ULHT Board also had urged the CCGs to agree at pace a future model on emergency care in Grantham.

Obligations of the ULHT Board

The Chief Executive of ULHT has asked that the Health Scrutiny Committee is made aware of the obligations of the ULHT Board, which were set out in the report to the Board. The Single Oversight Framework / NHS Provider Licence for ULHT states that NHS Trusts are exempt from the requirement to hold the NHS provider licence, but directions from the Secretary of State require NHS Improvement to ensure that NHS Trusts comply with conditions equivalent to the licence as it deems appropriate. This includes giving direction to an NHS Trust where necessary to ensure compliance. The general licence conditions require trusts to have regard to guidance from the regulators.

ULHT Standing Orders state that the Trust has powers to make arrangements for the exercise of functions on behalf of the Trust in each case subject to the restrictions and conditions as the Trust thinks fit or as the Secretary of State may direct.

Decision of Health Scrutiny Committee – 13 December 2017

On 13 December 2017, the Health Scrutiny Committee recorded its disappointment with the recommendations in the East of England Clinical Senate's report and stated that it opposed recommendation 1 on the basis that acceptance of this recommendation would prejudice any future consultation on A&E services at Grantham and District Hospital and the current restricted opening hours would in effect be made permanent; and the consultation exercise would

be based on these restricted opening hours as the status quo, rather than the previous 24/7 service.

The Committee also agreed to request the ULHT Board to defer its planned decision on 15 December in relation to the East of England Clinical Senate report to its next meeting on 26 January 2018, as this would enable the Health Scrutiny Committee to give detailed consideration to the Clinical Senate's report and recommendations at its next Committee meeting on 17 January 2018.

2. Consultation

This is not a direct consultation item. However, consultation is expected on the long term status of Grantham and District Hospital Accident and Emergency, as part of the Lincolnshire Sustainability and Transformation Partnership process.

3. Conclusion

The Committee is requested to consider the implications of the continued overnight closure of Grantham Accident and Emergency Department and to determine the Committee's next steps.

5. Appendices

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| These are listed below and attached at the back of the report | |
| Appendix A | <i>Review of Accident and Emergency Services At Grantham and District Hospital (United Lincolnshire Hospitals NHS Trust) - Report of Independent Clinical Senate Review Panel – 22 November 2017</i> |

6. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Simon Evans, who can be contacted on 01522 55 or simon.evans@lincolnshire.gov.uk