

TITLE OF REPORT: Dunston Hill Proposals - Substantial Variation and Development**REPORT OF: Sheena Ramsey, Chief Executive
Mike Barker, Strategic Director, Legal and Corporate Services,
Caroline O'Neill, Strategic Director, Community Based Services**

Summary

The report sets out the Committee's role in considering proposals from an NHS body / provider which are considered to constitute a "substantial development of the health service in the area or a substantial variation in the provision of a service". In this case the proposals relate to an exit strategy for St Bede's Day Care Services and the Younger Persons Dementia Unit currently operating from the Dunston Hill Site and provided by Gateshead Health NHS Foundation Trust.

Background

1. The National Health Service Act 2006, as amended by the Health and Social Care Act 2012 confers health scrutiny functions on local authorities. These functions may be delegated to an existing health overview and scrutiny committee and the Council has delegated these functions, to this OSC.
2. Regulation 23 of the Local Authority (Public Health, Health and Wellbeing boards and Health Scrutiny) Regulations 2013 requires NHS Bodies and health service providers to consult a local authority about any proposal which they have "under consideration" for a substantial development of or variation in the provision of health services in the local authority's area.
3. Where a health scrutiny body has been consulted by a relevant NHS body or health service provider on substantial developments or variations, the health scrutiny body has the power to make comments on the proposals by the date (or changed date) notified by the body or provider undertaking the consultation.
4. Where a health scrutiny body's comments include a recommendation and the consulting organisation disagrees with that recommendation, that organisation must notify the health scrutiny body of the disagreement. OSCs and health bodies must take all practicable steps to achieve a local

resolution within a reasonable period of time before a referral to the Secretary of State can be made.

5. Where a health scrutiny body has not commented on the proposal or has commented but without making a recommendation, it must notify the consulting organisation as to its decision as to whether to refer the matter to the Secretary of State, and if so, the date by which it will make a decision on whether to refer the matter to the Secretary of State.

Circumstances and Content of Referrals to Secretary of State

6. Where a health scrutiny body has been consulted by a relevant NHS body or health service provider on a proposed substantial development or variation it may refer the matter to the Secretary of State in the following circumstances.

- It is not satisfied with the adequacy of content of the consultation.
- It is not satisfied that sufficient time has been allowed for consultation.
- It considers that a proposed change is not in the best interests of the health service in its area.
- It has not been consulted and it is not satisfied that the reasons given for not carrying out consultation are adequate.

7. Where a health scrutiny body makes a referral to the Secretary of State there must be clear evidence based reasons for that referral and the regulations now require that such referrals include:-

- An explanation of the proposal to which the report now relates
- An explanation of the reasons for making the referral
- Evidence in support of these reasons.
- Where the proposal is referred because of inadequate consultation, the reasons why the health scrutiny body is not satisfied of its adequacy.
- Where the proposal is referred because there was no consultation for reasons relating to safety or welfare of patients or staff, reasons why the health scrutiny body is not satisfied that the reasons given for lack of consultation are adequate.
- Where the health scrutiny body believes that proposals are not in the interests of the health service in its area, a summary of the evidence considered, including any evidence of the effect or potential effect of the proposal on the sustainability or otherwise of the health service in the area.
- An explanation of any steps that the health scrutiny body has taken to try to reach agreement with the relevant NHS body or health service provider.
- Evidence that the health scrutiny body has complied with the requirements where a recommendation has been made.

- Evidence that the health scrutiny body has complied with the requirements which apply where a recommendation has not been made, or where no comments have been provided on a proposal.

Proposals

8. Gateshead Health NHS Foundation Trust has commenced the development of an exit strategy for the two services it currently has operating from the Dunston Hill Site following ongoing concerns regarding the sustainable use of the Dunston Hill Site. The attached proposals are referred to this Committee for comment as it is considered that they represent a substantial variation and development to the provision of health services in the borough. The Trust has carried out engagement with service users, staff, carers and key stakeholders regarding the proposals.
9. The Trust 's proposals will involve:-

St Bede's Day Care Services

This service no longer being provided on the Dunston Hill Site. The service would be temporarily suspended until a best practice model could be offered in line with national guidance and current patients would be referred/signposted to alternative services to ensure their ongoing needs are met.

Younger Person's Dementia Service

This service no longer being provided on the Dunston Hill Site. The current service model would be retained and relocated within Gateshead. Initial proposals are to re-locate the service to Bensham Hospital, which is already occupied by other mental health services, and is less than three miles away.

Appendix 1 to the report sets out further details regarding the proposals.

Appendix 2 to the report provides further details shared with members of the OSC on the Site Visit on 5 October 2018 to the Dunston Hill site. The information covers the current day service provided on the Dunston Hill site; assessments and outcomes for St Bede's day care services; the review of regional and national specialist day care services and regional exemplars of co-located Specialist Day Care Services.

The Chair of the OSC will provide feedback on the site visit, supported by other councillors attending the visit.

The OSC will be provided with a verbal update at the meeting on feedback on engagement with service users regarding the proposals and actions taken to mitigate potential negative impacts on service users where concerns have been raised.

10. In considering the adequacy of the consultation with the OSC and whether or not the proposals are in the interests of the local health service it would be appropriate for the OSC to consider the following:-

- Drivers for change - national / regional / local developments.
- Details of any anticipated improvements to service provision as a result of the proposals.
- Information on how Gateshead service users /carers have been or will be consulted / involved in the development of the proposals and over what timescale.
- Whether the content of the consultation with Gateshead service users and carers has been adequate and allowed sufficient time for feedback.
- Feedback from the consultation with Gateshead service users / carers
- Transport / Access issues - including to proposed alternative service locations
- Impact of financial considerations / effect of the proposals on the sustainability of NHS services as well as their quality and safety.

Recommendations

11. The Committee is asked to:-

- a) Comment on the proposals under consideration.
- b) Indicate whether it is satisfied with the adequacy of the consultation by Gateshead Health NHS Foundation Trust.
- c) Indicate whether it is satisfied that the proposals outlined in relation to St Bede's Day Care Services and the Younger Person's Dementia Service, currently based at Dunston Hill, are in the interests of the local health service in the area.

Contact:- Angela Frisby Ext 2138