

## **HEALTH SCRUTINY AND PERFORMANCE PANEL**

**Thursday, 4 October, 2012 at 6.00 p.m.**

**Conference Room, Council House, Walsall**

### **Panel Members Present**

Councillor M. Longhi (Chair)  
Councillor O. Bennett  
Councillor M. Flower  
Councillor E. Russell  
Councillor H. Sarohi  
Councillor V. Woodruff  
Councillor D. Maul  
Councillor D. Barker  
Councillor R. Burley

### **Officers present**

Paul Davies, Executive Director (Social Care & Inclusion)  
Andy Rust, Head of Vulnerable Adults and Joint Commissioning Unit  
John Batchelor, Local Health Watch Co-ordinator  
Lloyd Haynes, Finance Manager  
Richard Kirby, Chief Executive Walsall Healthcare Trust  
Ben Reid, Hospital Trust Chairman  
Nikki Gough, Scrutiny Officer

The Chairman welcomed all attendees to the meeting.

### **Apologies**

Apologies were received for the duration of the meeting from Councillors T. Oliver, J. Rochelle and D. James.

### **Substitutions**

No substitutions were received for the duration of the meeting.

### **Declarations of interest and party whip**

Councillor V. Woodruff declared an interest as an employee of Walsall Healthcare NHS Trust.

### **Local Government (Access to Information) Act, 1985**

The Chairman advised that the public were to be excluded from the private session during item 9.

### **Minutes**

The minutes of the previous meeting were noted.

## **Resolved**

That the minutes of the meeting held on 24 July 2012, copies having previously been circulated be approved as a true and accurate record.

### **Walsall Manor Hospital Foundation Trust Status (notice of motion - Council 9<sup>th</sup> July 2012)**

The Hospital Trust Chairman explained that the Healthcare Trust welcomed the debate and patient involvement. The panel were informed that this was not the privatisation of the Hospital and that there were existing Foundation Trusts functioning well.

The Chief Executive presented to the panel (tabled). It was emphasised that Foundation Trusts were part of the NHS and treated NHS patients. A key distinction of Foundation Trust status was that it would mean that it would be accountable to locally elected people. The application was based on a five year plan, and was currently entering assessment stage. The application would go to Monitor in early 2013, with a decision being made in spring/summer 2013. The Governance of the Hospital was explained, and the panel were informed that 13,000 people had signed up to be members of the Healthcare Trust. The Healthcare Trust had a five year integrated business plan which included redeveloping the hospitals A and E department and ITU. The Chief Executive stated that a number of improvements in various areas had been achieved, and this gave the Hospital a good platform to take the Foundation Trust status forward.

Councillor P. Smith asked to speak against Foundation Trust status and the Chairman agreed. Councillor P. Smith put forward his views in opposition to Foundation Trust status and raised concern on a number of performance issues that were detailed in the Trust Board minutes from September. The Trust Chairman stated that Board meetings were open to the public and attempted to be open and accountable. He stated that regionally hospitals had been incredibly busy for the period July and August, and as a result performance had been affected.

The Chief Executive clarified that the hospital is currently owned by the Department of Health and foundation trust status would hand this over to Walsall. It was also clarified that foundation trust status is government policy and if the Trust fails to become a foundation trust, it is probable that the responsibility for the running of the healthcare trust would be vested in a neighbouring foundation trust.

The Chairman invited contributions from the public, and the following discussion followed; -

- Concern regarding the future of the NHS was raised, and the effect of Government cuts on Walsall Healthcare Trust in the coming years.
- If Walsall Healthcare Trust does not achieve foundation Trust status it may be taken over by a neighbouring hospital, which is not desirable for the people of Walsall.
- Assurance was sought from the Chief Executive and the Chairman that there would not be a significant increase in private treatment in the future,

The Chairman of the Trust stated that the Healthcare Trust is aware of the likely constraints on funding, and that the Trust had a robust plan that would survive

despite the restrictions on funding. The five year plan, had been submitted to Monitor, and there was nothing in this business model which included expanding private treatment at the hospital.

- The process of appointing members, the number of members, and the representation of the people of Walsall was discussed. Including the continuation of recruitment to membership, and how this would be sustained. It was suggested that the Councils electoral services were contacted to discuss distribution of information to residents.

The Chairman of the Trust stated that the Trust could only succeed if it could represent its population. It was hoped that the membership would continue to grow.

- Elected members were asked to take the issue of hospital funding to their respective parties.

The Chairman stated that the issue of healthcare was high on everyone's agenda, and the NHS was a massive priority and national treasure.

- A question on payment for clinical negligence was raised

The Chairman stated that these can be historical claims, dating back many years. The claims are funded through an insurance scheme.

- A Member asked what impact the foundation trust had on the PFI initiative.

The Chairman of the Trust stated that in effect there would be no impact, although it was acknowledged that it was a huge financial burden.

In response to a question from a member, it was the hospitals understanding, that the SHA were happy with the application so far.

Mr Clifton Lemond was invited to speak to the panel as a local UNISON representative. The panel were informed that the local branch of UNISON and staff side had agreed to support the Trusts application from foundation trust status. This was because the alternative was to be taken over by someone else and in this case Walsall would suffer. However, Mr Lemond added that when the hospital achieved foundation trust status UNISON would be working hard to maintain the terms and conditions of employees.

The meeting was adjourned for ten minutes.

The meeting commenced at 7.50pm

### **Quarter one finance report**

Officers presented the pooled learning disability budget, Members were informed that this had historic cost pressures and had an overspend of £1.5 million. Details of this were contained within the report (annexed). The ICE budget had a small under spend which was carried forward.

The date of the next meeting was confirmed as 13 November 2012 at 6pm.

The Health Scrutiny Panel moved into Private session, all members of the public were asked to leave the meeting.