

## Questions from councillors to the adults and wellbeing scrutiny committee

13 January 2020

The following question relates to agenda item 7, Minor injury units. The associated documents can be viewed at the following:

<http://councillors.herefordshire.gov.uk/ielIssueDetails.aspx?IId=50032903&Opt=3>

### Question

#### Councillor Paul Symonds, Ross East Ward

Herefordshire Council has the power to refer decisions made by local health service providers to the Secretary of State. One of the grounds for doing this is that the Council has not been consulted about the decision and is not satisfied that the reason given for not consulting the Council is adequate.

In light of this could Wye Valley NHS Trust and CCG explain why the Council should not refer the decision to close the county's minor injury units to the Secretary of State?

### Response

#### Chairperson of the adults and wellbeing scrutiny committee

Thank you for your question. As the question is addressed to the responsible health bodies, the acting Director of Operations of NHS Herefordshire Clinical Commissioning Group (CCG) has provided the following response:

The decision to temporarily close the Wye Valley NHS Trust's Leominster and Ross-on-Wye Minor Injury Units were taken to improve the safety of its A&E Department as a result of plans to address the high volume demand generated in winter months. This decision was taken by Wye Valley NHS Trust, in conjunction with NHS Herefordshire CCG, with oversight by Herefordshire Accident and Emergency Delivery Board. During last 12 months 60,560 patients attended the A&E Department – this is an increase of 5,000 compared to a year ago.

The temporary change has been made under regulation 23 (2) of the s.244 regulations because of a risk to the safety of patients.

If this change did not affect the safety or welfare of patients or staff, and a service change was proposed, then NHS Herefordshire CCG as the local NHS commissioner, would follow the full process as set out by the requirement placed on the NHS to consult the Local Authority under the Local Authority (Public Health, Health & Wellbeing Boards and Health Scrutiny) Regulations 2013 (the 2013 Regulations) of the s.244 NHS Act 2006. This applies to substantial service change proposed to NHS services.

## **Summary of the supplementary question asked at the meeting**

### **Councillor Paul Symonds, Ross East Ward**

The question I would like to ask hinges around the question of significant change. The figures submitted in the papers for this meeting show that there are just under 4,000 potential users of the Minor Injury Units but that was during a year (September 2017 to August 2018) when the MIUs were closed for at least three months in the winter, so I suspect the figures are probably more like 5,000 or possibly more.

Who defines what counts as significant, as the communities served by us would see this as a significant change, and what opportunity is there for Herefordshire Council and other stakeholders to be involved in setting the parameters that define what counts as a significant change?

## **Summary of the verbal response provided at the meeting**

### **Chairperson of the adults and wellbeing scrutiny committee**

The chairperson invited the acting Director of Operations of the CCG to comment, the response is summarised as follows:

There is no legal definition of what substantial or significant change is. The local NHS, in consultation with NHS England, would regard any permanent closure or any change to either location or a reformation of a service as a significant change.

The agenda item on minor injury units / urgent and emergency care goes into the rationale for why we regard this temporary closure [as being] on the grounds of patient safety [which is] under a different part of the regulation. But if we were seeking to make any substantial long term change, we would be seeking the involvement of the local authority in supporting, informing, and influencing us as to how we would proceed. If we were looking to change how we delivered the function of minor injury units, we would come to this committee and outline our proposals and ask you to consider that as part of our consultation.

The chairperson advised that, as the temporary winter closures of the minor injury units impact specifically on the Leominster and Ross-on-Wye wards, the local members would be invited to participate as fully as they wished in the discussion on that agenda item.