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Independent Reconfiguration Panel  
6th Floor  
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9<sup>th</sup> November 2017

Dear Panel

**Rothbury Community Hospital, Northumberland:  
*Referral to the Secretary of State for Health by Northumberland  
County Council***

I am writing to you on behalf of the Save Rothbury Community Hospital Campaign.

The Referral Documentation includes two documents prepared by the *SRCH Campaign*. These are entitled

1. *'Response to the proposed changes at Rothbury Community Hospital April 2017'* and
2. *'Report to the Health and Wellbeing Overview and Scrutiny Committee of Northumberland County Council - Analysis of the Decision Making Report of NHS Northumberland Clinical Commissioning Group'*.

These documents outline our Campaign's response to the proposal of the CCG to close permanently all 12 beds in Rothbury Community Hospital and to create a Health and Wellbeing Centre in that building, and also its views on the Decision-Making Document which was considered by a meeting of the CCG's Joint Local Executive Board on 27th September, 2017.

We understand that you will be first carrying out an Initial Assessment and that you do not normally accept further documentation/evidence at this stage.

However new and additional circumstances and evidence arose at the meeting of the County Council's Scrutiny Committee on 17th October 2017.

I hope, therefore, that you might find it helpful to have the Save Rothbury Community Hospital's view on some of the CCG's changes of evidence and its inconsistencies which it put forward at the Scrutiny meeting. This information clearly could not be added to the Referral document, so thank you for considering this letter alongside it.

### **1. Health and Wellbeing Centre**

Please see page 7 and 32 of our *Report to Scrutiny*.

At the Scrutiny Committee Meeting on (17.10.17), the three month implementation period for the Centre was not mentioned. The proposed Health Visitor was not mentioned. Instead, the Committee was told that the Centre would be developed *over a period of years* and that *no decisions had been made about its use*. The CCG's Reports also indicated that no funding had been allocated to cover any capital or revenue cost at such a Centre.

### **2. NHS Rule 5**

Please see page 19 of our *Report to Scrutiny*

At the Meeting, the CCG said that it *had* had regard to the Rule, but did not specify *how* it had done so. We can find no evidence that it has taken note of the Rule.

As you know, it is clear from the Court proceedings in R (on the application of Cherwell District Council & others) v Oxfordshire Clinical Commissioning Group that Rule 5 **does** apply to the Rothbury circumstances and that, consequently the CCG should have produced a credible plan to improve performance without affecting patient care before the beds can be closed. That case demonstrated that a reliance upon care in the community *is not a plan*. No other plan has been produced.

### **3. Respite Care – 'under-occupancy' figures?**

The CCG has consistently stated that the NHS does not provide respite care. However, the CCG admitted at the Scrutiny Committee that the Northumbria NHS Trust **has** been providing privately-funded respite care in the hospital. Such an action has now cast even more doubt on the reliability of the NHS bed usage statistics at the hospital produced by the CCG.

#### **4. Healthwatch**

When asked, the CCG reported to the Committee that Healthwatch had been fully engaged from the outset. The CCG, however, did not produce, or refer to, the attached letter from Healthwatch dated 5th October 2017. You will see the letter is highly critical of many aspects of the CCG's proposals and its consultation procedures.

#### **5. Finance**

Please see page 8 of our *Report to Scrutiny*

It seems the figure of £500,000 has been transferred out of the CCG's finances in 2016/17, despite the beds only being unused for 7 months of that financial year. We are sure you will want to hear a full and accurate explanation for this.

#### **6. Consultation with the Scrutiny Committee**

Please see page 9 of the *Minutes of the H&WBOS Committee*

The CCG failed to have any consultation whatsoever with the Scrutiny Committee before the meeting on 17th October 2017. At this meeting, the CCG argued that it did not have to consult the Scrutiny Committee before the suspension of the use of the beds in September 2016. As you know, this is incorrect as a matter of law - See *R(Morris) v Trafford Healthcare Trust*.

We are aware that the Regulations indicate that 'consultation' is unnecessary only if the use of beds has to be suspended because of an emergency such as a viral infection or severe staff shortage. In such cases, a Scrutiny Committee needs only to be informed of the reason for the suspension. However, as you know, there was no emergency at Rothbury.

#### **8. Catchment area of the hospital**

The Consultation Document showed a catchment area for the Rothbury Community Hospital on a map and stated that the premises 'provide a range of services for people in the town and surrounding area'. Yet at the Scrutiny Meeting, the CCG sought to argue that the proposals for the closure of the beds and the establishment of a Health and Wellbeing Centre were for the benefit of the *whole of Northumberland and not merely for the populations of the catchment area*.

#### **9. Patient difficulties**

The CCG has emphasised that it there have been no difficulties for patients since the use of the beds was suspended. However, the Team

has many examples of patients who have experienced a variety of problems. We hope that we, and the patients themselves, will be given an opportunity to explain these to the Panel. Some of these cases are extremely upsetting.

#### **10. Other questionable assertions from the CCG.**

The CCG also gave several other pieces of misinformation to the Committee relating, for example, to travel facilities and health statistics.

We hope that you will agree with us that all of the above matters need detailed objective examination. The CCG cannot be allowed to make, and to have accepted, general bland unsubstantiated statements without challenge and a thorough examination. We passionately believe that the health needs of our elderly and vulnerable friends and neighbours in Coquetdale are far too important for that. We need to be listened to. We trust the IRP. We welcome an independent view.

#### **A plea for a full review**

Our Campaign Team believe that the only way that these matters can be factually and truthfully resolved is through a rigorous examination of all of the evidence at a full IRP Review.

We hope very much that you will agree with this opinion. If the IRP does arrange for a full review, the Team would like very much to comment on all of the above additional items. There are many members of our community who would also welcome the chance to tell you their stories about how the closure of the ward has affected them and their loved ones.

#### **Our Member of Parliament**

The Member of Parliament for the Berwick upon Tweed Parliamentary Constituency, Anne Marie Trevelyan, feels strongly that 'further action taken locally' will not be able to resolve this situation. Like us, she hopes you will feel it necessary to go to full IRP review.

#### **The Community of Coquetdale**

The Parish Councils and local organisations within Coquetdale, such as the Hospital League of Friends, the Women's' Institutes, the Mothers' Union, and the Churches, are all in agreement that we need an independent panel to look at our situation. Please note the signatures of representatives of the organisations attached to this letter.

Thank you very much for taking the time to read this additional

information. We appreciate that it is unusual to receive further information at this stage, so we would be very grateful if you will consider what we have to say in this letter.

With all good wishes and thank you.

Yours sincerely

***Katie Scott***

**Co-ordinator, Save Rothbury Community Hospital Campaign**