

4 June 2010



Independent Reconfiguration Panel

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Appendix One

Independent Reconfiguration Panel general terms of reference

The Independent Reconfiguration Panel is an advisory non-departmental public body. Its terms of reference are:

- A1 To provide expert advice on:
 - Proposed NHS reconfigurations or significant service change;
 - Options for NHS reconfigurations or significant service change;

referred to the Panel by Ministers.

- A2 In providing advice, the Panel will consider whether the proposals will provide safe, sustainable and accessible services for the local population, taking account of:
 - i. clinical and service quality
 - ii. the rigour of involvement and consultation processes
 - iii. the wider configuration of the NHS and other services locally, including likely future plans
 - iv. other national policies, including guidance on NHS service change
 - v. any other issues Ministers direct in relation to service reconfigurations generally or specific reconfigurations in particular.
- A3 The advice will normally be developed by groups of experts not personally involved in the proposed reconfiguration or service change, the membership of which will be agreed formally with the Panel beforehand.
- A4 The advice will be delivered within timescales agreed with the Panel by Ministers with a view to minimising delay and preventing disruption to services at local level.
- B1 To offer pre-formal consultation generic advice and support to NHS and other interested bodies on the development of local proposals for reconfiguration or significant service change including advice and support on methods for public engagement and formal public consultation.
- C1 The effectiveness and operation of the Panel will be reviewed annually.

Appendix Two

Letter to Secretary of State for Health from Cllr Joan Symons, Chair, Cornwall Health and Adults Overview and Scrutiny Committee, 11 December 2009



Rt Hon Andy Burnham MP Secretary of State for Health Richmond House 79 Whitehall London SW1A 2NS

Your ref: My ref: Date: 11 December 2009

Referral to Secretary of State for Health regarding the Reconfiguration of Upper Gastro Intestinal (Upper GI) Cancer Services in the South West

The Health and Adults Overview and Scrutiny Committee for Cornwall Council, using powers in Regulation 4 of the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002, determined at an extraordinary meeting on 10 December 2009 to refer the matter of the transfer of Upper Gastro Intestinal Surgery from Royal Cornwall Hospitals Trust to Plymouth Hospitals Trust to you as Secretary of State for Health.

The Committee is referring this matter on the basis that it is not satisfied that the service change is in the interests of the health service provision in Cornwall, and is therefore specifically referring under Regulation 4(7) of the above regulations.

The Committee were particularly concerned that legal advice had been obtained in July 2008 by the Royal Cornwall Hospitals Trust, and not shared with the Committee. This had indicated that there should have been a full public consultation on the proposals in accordance with Cabinet Office guidelines before the proposal was finalised. It was the view

of the Committee that the decision to transfer Upper GI Surgery had effectively been made before any consultation with the Committee or any public engagement, thus rendering the subsequent process flawed. They were further concerned that this indicated a lack of openness and transparency by the PCT, and that because a full consultation with patients and public on the proposal had not properly taken place, the issues specific to Cornwall had not been properly taken into account.

As a result of this flawed process the Committee were not satisfied that:

- 1) The objective clinical case put forward by the Cornwall and Isles of Scilly Primary Care Trust, Plymouth Hospitals NHS Trust and Royal Cornwall Hospitals NHS Trust was sufficient to outweigh the issues specific to Cornwall.
- 2) That the impact upon patients and their families of travelling lengthy distances from their homes, specifically patients travelling from the West of Cornwall which is a particularly deprived area, had been given sufficient weight.
- 3) The Committee was not convinced that the sustainability or options of a service within Cornwall had sufficiently been explored.
- 4) The Committee was not satisfied that patients, public and other stakeholders were sufficiently involved in the planning of the proposal and looking at other options.
- 5) The Committee noted the decision of Devon County Council on the 19 November 2009 to refer the transfer of Upper GI Cancer Surgical Services from Royal Devon and Exeter NHS Foundation Trust to the Plymouth Hospitals NHS Trust to the Secretary of State for Health, and the impact this might have on the clinical case.

At the extraordinary meeting on 10 December 2009 the following resolution was made:

RESOLVED that the Health and Adults Overview and Scrutiny Committee considered that the proposals for the treatment of upper-gastro-intestinal cancer represented a 'substantial variation'.

RESOLVED that

- i.) The Committee acknowledges the decision of Devon County Council on 19 November 2009 to refer the transfer of Upper GI cancer surgical services from Royal Devon and Exeter NHS Foundation Trust to the Plymouth Hospitals Trust to the Secretary of State for Health and wishes to refer the Cornwall and Isles of Scilly Primary Care Trust decision to the Secretary of State for consideration, on the basis that the committee were not satisfied the decision was in the interests of the community of Cornwall;
- ii.) The Committee acknowledges that if legal advice provided to Royal Cornwall



Hospitals Trust in July 2008 had been shared with elected Members in an open and timely manner, the legal opinion expressed may have influenced the decision taken on 27 April 2009;

iii.) The Committee acknowledges the letter dated 8 October 2008 from the acting Chairman of the Royal Cornwall Hospital NHS Trust to the Chairman of the Cornwall County Council Overview and Scrutiny Committee setting out the formal position of the Royal Cornwall Hospital NHS Trust Board, was not shared with elected Members and may have influenced the decision taken on the 27 April 2009.

I understand that such referrals are passed by you to the Independent Reconfiguration Panel, and I attach for reference the following documents:

- The Report Pack considered by the Committee at the extraordinary meeting on 10 December 2009, which contains the following:
 - Report considered by the Committee which contains a chronology of events
 - Appendix 1 Report of the Cornwall and Isles of Scilly Joint Overview and Scrutiny Committee submitted to the committee meeting on 27 April 2009, which includes the NHS Cornwall and Isles of Scilly Report on Upper GI Engagement and response from NHS Cornwall and Isles of Scilly.
 - Appendix 2 Completed Impact Assessment on the Upper GI Proposals
 - Appendix 3 The Clinical Review
 - Appendix 4 Final Ipsos MORI Report
 - Appendix 5 Framework of Criteria for determining whether proposals are substantial
 - Appendix 6 Health Impact Assessment Report that was submitted to the Cornwall and Isles of Scilly Joint Health and Overview and Scrutiny Committee on 10 October 2008 (plus associated documents appendices)
 - Appendix 7 Report from Cornwall and Isles of Scilly Primary Care Trust on the programme of public engagement submitted to the committee meeting on 15 July 2009 (plus associated document Appendices)
 - Appendix 8 NHS Cornwall and Isles of Scilly Report in respect of duties under Section 242 of the NHS Act 2006 as amended
- A copy of the presentation given by the Cornwall and Isles of Scilly Primary Care Trust at the meeting on 10 December 2009.



- Minutes of relevant Cornwall Health and Adults Social Care Overview and Scrutiny Committee meetings
 - o **27/11/2007**
 - o **20/05/2008**
 - o **15/07/2008**
 - 10/10/2008 (Cornwall and Isles of Scilly Joint Health Overview and Scrutiny Committee)
 - 12/03/2009 (Cornwall and Isles of Scilly Joint Health Overview and Scrutiny Committee)
 - o **27/04/2009**

In addition to the above we will forward the minutes from the extraordinary meeting held on the 10 December 2009 as soon as they are available.

It is recognised that this issue has been before the Committee on a number of occasions since November 2007, there have been a number of seemingly contradictory recommendations; the reasons for the previous decisions are contained in the chronology of the report considered by the Committee on 10 December 2009, and the minutes of relevant meetings.

The current Committee is the newly constituted Committee following the creation of the unitary council for Cornwall – Cornwall Council, and subsequent elections. The strength of public opinion is such that the Committee felt that it should revisit the decision made in April 2009 by the previous Health and Adult Social Care Overview and Scrutiny Committee.

If you require any further information please contact Laura Orton, Senior Policy Officer on 01872 322131 or email <u>lorton@cornwall.gov.uk</u>.

Yours sincerely

by Mons.

Councillor Joan Symons Chairman, Health and Adults Overview and Scrutiny Committee

cc Steve Moore – Acting Chief Executive of Cornwall and Isles of Scilly PCT

Appendix Three

Letter to Secretary of State for Health from Dr Peter Barrett, IRP Chair, containing IRP initial assessment, 21 January 2010



Kierran Cross First Floor 11 Strand London WC2N 5HR

IRP

The Rt Hon Andrew Burnham MP Secretary of State for Health Richmond House 79 Whitehall London SW1A 2NS

21 January 2010

Dear Secretary of State

REFERRAL TO SECRETARY OF STATE FOR HEALTH Referral by Cornwall Health and Adults Overview and Scrutiny Committee Reconfiguration of upper gastro–intestinal (GI) cancer services in the South West

Thank you for forwarding copies of the referral letters and supporting documentation from Cllr Joan Symons, Chairman of the Health and Adults Overview and Scrutiny Committee (HAOSC), Cornwall Council. NHS Southwest provided initial assessment information. A list of all the documents considered in the initial assessment is at Appendix A.

A referral on the centralisation of upper gastro-intestinal surgery in the southwest has also been received from Devon Health and Adults' Services Scrutiny Committee. You asked the IRP separately for advice on that referral and this was provided on 18 January 2010. The advice set out in this letter deals with the issues raised by Cornwall HAOSC only.

The IRP has undertaken an initial assessment, in accordance with our agreed protocol for handling contested proposals for the reconfiguration of NHS services. The IRP considers each



referral on its merits and its advice in this case is set out below. It concludes that this referral is suitable for full review.

Background

In line with the guidance contained in *Improving Outcomes in Upper Gastro-intestinal Cancers* (NHS Executive 2001) an independent review commissioned by the Peninsula Cancer Network (PCN) - conducted by Prof. S Michael Griffin and Mr William H Allum and published in February 2009 - recommended that the NHS develop plans to centralise the oesophago-gastric cancer specialist service for the PCN at the Derriford site of Plymouth Hospitals NHS Trust. The plans would include the transfer to Derriford of upper gastro-intestinal surgery from both Royal Devon and Exeter Hospital Foundation Trust and the Royal Cornwall Hospitals NHS Trust, and were to be implemented with effect from January 2010.

The PCN had previously presented a report to the Cornwall County Council's Health and Social Care Overview and Scrutiny Committee (HSCOSC) in November 2007 setting out proposals for the future provision of specialist cancer services in Devon and Cornwall. The Committee received a further report from Cornwall and Isles of Scilly PCT in May 2008, setting out the case specifically for the reconfiguration of specialist upper GI surgery. The Committee resolved at its May 2008 meeting that the proposals did not represent a substantial variation to services but reversed this decision at its meeting in July 2008. The Isles of Scilly Overview and Scrutiny Committee (OSC) also concluded that the proposals represented a substantial change and consequently a Joint Overview and Scrutiny Committee of Cornwall County Council and Isles of Scilly Council was formed to take forward consideration of the matter. In March 2009, the Joint OSC determined that individual OSCs should consider whether the proposals continued to represent a substantial variation to services.

A new unitary council for Cornwall was established on 1 April 2009, replacing the six district councils and one county council that had previously existed. At its meeting on 27 April 2009, the Cornwall Council HAOSC reviewed the proposals and determined by a majority vote and subject to certain provisos that they did not represent a substantial change to services. NHS planning for the implementation of the centralised service continued throughout 2009.

An extraordinary meeting of the Cornwall Council HAOSC was held on 10 December 2009 to consider "factors that have arisen since this Committee last considered the issue on 27 April..." – notably conflicting evidence about whether full public consultation should have been undertaken. The HAOSC resolved that the proposals for the treatment of upper-gastrointestinal cancer represented a substantial variation and that the matter should be referred to the Secretary of State for Health.

Basis for referral

The HAOSC's referral letter of 11 December 2009 states that referral is made using powers in Regulation 4 of the Local Authority (Overview and Scrutiny Committees Health Scrutiny Functions) Regulations 2002 on the basis that the Committee "*is not satisfied that the service change is in the interests of the health service provision in Cornwall*...".

In particular, "the Committee were not satisfied that:

- 1) The objective clinical case put forward by the Cornwall and Isles of Scilly Primary Care Trust, Plymouth Hospitals NHS Trust and Royal Cornwall Hospitals NHS Trust was sufficient to outweigh the issues specific to Cornwall.
- 2) That the impact upon patients and their families of travelling lengthy distances from their homes, specifically patients travelling from the West of Cornwall which is a particularly deprived area, had been given sufficient weight.
- 3) The Committee was not convinced that the sustainability or options of a service within Cornwall had sufficiently been explored.
- 4) The Committee was not satisfied that patients, public and other stakeholders were sufficiently involved in the planning of the proposal and looking at other options.
- 5) The Committee noted the decision of Devon County Council on the 19 November 2009 to refer the transfer of Upper GI Cancer Surgical Services from Royal Devon and Exeter NHS Foundation Trust to the Plymouth Hospitals NHS Trust to the Secretary of State for Health, and the impact this might have on the clinical case."

IRP View

The Panel notes that:

- the clinical case for centralisation of this service that it will provide better outcomes for patients reflects the relevant national clinical guidance and the recommendations of the independent clinical review commissioned by the Peninsula Cancer Network
- the concentration of services in fewer, larger centres covering greater geographical areas is a feature of other specialised services with the relatively small number of patients travelling further for specialised treatment
- nevertheless, considerable public concern remains about the impact that a centralised service in Plymouth would have in terms of accessibility for isolated communities, particularly those in the west of Cornwall
- concerns have also been raised about the implications of this change on the future of other local services, including for other rare cancers
- the treatment of rare forms of cancer frequently places a significant burden on patients and their carers because of the often prolonged, intense nature of the treatment and



therefore requires an individualised approach

- evidence has been provided of good early engagement by the NHS with relevant OSCs but the issue of continuing public involvement and formal public consultation on the proposals has been contentious
- implementation of the proposals has continued with the changes coming into effect from January 2010

Conclusion

The Panel wishes to consider these issues further and would be willing to undertake a full review if requested.

Yours sincerely

Peter Barrett

Dr Peter Barrett Chair, IRP

Appendix Four

Letter to Dr Peter Barrett, IRP Chair, from Secretary of State for Health, with terms of reference for full review, 15 February 2010

From the Rt Hon Andy Burnham MP Secretary of State for Health



Richmond House

79 Whitehall London SW1A 2NS

Tel: 020 7210 3000

POC1_475513 Dr Peter Barrett Chair Independent Reconfiguration Panel Kierran Cross First Floor The Strand London WC2N 5HR

15 February 2010

Dear Peter

REFERRAL FROM CORNWALL HEALTH AND ADULTS OVERVIEW AND SCRUTINY COMMITTEE (RECONFIGURATION OF UPPER GASTRO INTESTINAL CANCER SERVICES IN THE SOUTH WEST)

I am writing to thank you and your team for providing me with initial advice in relation to the above referral.

Please find attached a copy of my response to Councillor Joan Symons for your records.

I would be grateful if you could now undertake a full review in accordance with the attached terms of reference.

I look forward to hearing from you in due course.

ANDY BURNHAM

From the Rt Hon Andy Burnham MP Secretary of State for Health



Terms of reference

The Panel is asked to advise the Secretary of State for Health by 4 June 2010:

- a. whether it is of the opinion that the changes that have been implemented, based on improving outcomes guidance, with effect from 1 January 2010 provide a safe, sustainable and accessible upper gastro intestinal cancer surgical service for the population it serves, and if not, why not;
- b. on any other observations the Panel may wish to make in relation to the changes; and
- on how to proceed in the best interests of local people in light of (a) and (b) above and taking into account the issues raised by Cornwall Health and Adults Overview and Scrutiny Committee of 11 December 2009.

It is understood that in formulating its advice, the Panel will pay due regard to the principles set out in the Independent Reconfiguration Panel's general terms of reference.

Appendix Five

Letter to editors of local newspapers from Dr Peter Barrett, IRP Chair, 16 February 2010



WC2N 5HR

16 February 2010

For publication

IRP: Have your say on health review

Dear Editor

The IRP, the independent expert on NHS service change, is carrying out a review to consider whether the transfer of upper gastro-intestinal cancer surgery from the Royal Cornwall Hospitals NHS Trust to the Derriford site of Plymouth Hospitals NHS Trust provides a safe, sustainable and accessible service for local people.

The review has been given the go ahead by the Health Secretary, Rt Hon Andy Burnham MP, who asked for the IRP's advice following a referral from the Cornwall Health and Adults Overview and Scrutiny Committee.

As part of our review, we would like to hear from all interested parties in Cornwall including patients, local residents, local authority representatives, interest groups, clinicians and other staff. Please contact us by email at: <u>info@irpanel.org.uk</u> or by calling 020 7389 8055.

It is important that our reviews are open and accountable to local communities. We will therefore publish our conclusions on our website - <u>www.irpanel.org.uk</u> - once they have been considered by the Health Secretary.

Yours sincerely Dr Peter Barrett CBE Chair, IRP

Appendix Six IRP Press Release, 16 February 2010

IRP launches independent health review

The IRP, the independent expert on NHS service change, is launching a review to consider whether changes to upper gastro-intestinal cancer services in Cornwall, which were implemented with effect from 1 January 2010, provide a safe, sustainable and accessible service for the population they serve. The review is taking place following a referral from the Cornwall Health and Adults Overview and Scrutiny Committee.

In January the IRP carried out an initial assessment regarding the transfer of upper gastro-intestinal surgery from the Royal Cornwall Hospitals NHS Trust to the Derriford site of Plymouth Hospitals NHS Trust. The Health Secretary, Rt Hon Andy Burnham MP, accepted the IRP's advice that a full review should be undertaken.

The review will be led by Dr Peter Barrett, Chair of the IRP. Dr Barrett said: "Our job is to consider whether the changes provide the highest possible quality of care for patients. We will be gathering evidence locally to ensure that the recommendations we make are in the best interests of local people. Each review we undertake is unique and it is therefore important that we listen to all sides of the debate to inform our review."

The IRP will now make a number of visits to Cornwall to meet patients, clinicians and other staff. IRP members will also hold a series of meetings to hear directly from a range of interested parties and will visit the NHS facilities in Cornwall and Devon.

People who wish to contact the IRP to share their views as part of the review can do so by calling 020 7389 8055 or by e-mailing - info@irpanel.org.uk

The IRP will make recommendations to the Health Secretary by 4 June 2010 in relation to the changes. The final decision on changes to services in the area will be made by the Health Secretary. ENDS



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IRP
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Appendix Seven

Site visits, evidence gathering sessions and conversations held

2 March and 2 June 2010

IRP Richard Jeavons, Martin Houghton,

Professor Sir Mike Richards, National Clinical Director for Cancer and End of Life Care

8 March 2010

IRP Peter Barrett, Cath Broderick, Brenda Howard, Richard Jeavons, Martin Houghton, Maureen Larkin

Sites visits

HeartSWell Lodge, Plymouth Derriford Hospital, Plymouth

> Crownhill Ward, Cardiothoracic Operating Theatres, Cardiothoracic Intensive Care Unit and High Dependency Unit, Imaging including MDT facilities, Mustard Tree Macmillan Centre

Cape Cornwall Surgery, St Just

9 March 2010

IRP Peter Barrett, Cath Broderick, Brenda Howard, Richard Jeavons, Martin Houghton, Maureen Larkin

Sites visits

West Cornwall Hospital, Penzance
Endoscopy Unit, Outpatient Department, CT Scanner facility
Penzance Heliport
Royal Cornwall Hospital, Truro
Outpatients, MDT facilities, Endoscopy Unit, Tolgos Ward, Main
Operating Theatres, Intensive Therapy Unit, Sunrise Centre

22 March 2010

IRP Peter Barrett, Cath Broderick, Nick Coleman, Brenda Howard, Richard Jeavons, Maureen Larkin

Evidence gathering sessions – Derriford Hospital, Plymouth

Steve Moore, Acting Chief Executive, Cornwall and Isles of Scilly Primary Care Trust (CIOSPCT)

Tracey Lee, Director of Communications and Corporate Governance, CIOSPCT **Siân Dennison**, Associate Director of Commissioning Cancer & Specialist Services CIOSPCT

Nicholas Ball, Non Executive Director – Chair of Audit Committee, CIOSPCT Peter Stokes, Head of Stakeholder Engagement, CIOSPCT



Dr Jon Tilbury, Medical Director, CIOSPCT Felicity Owen, Director of Public Health, CIOSPCT Ann James, Chief Executive NHS Devon formerly Chief Executive of NHS CIOS (2006-2009) Anthony Farnsworth, Chair, Peninsula Cancer Network Simon Rule, Medical Director, Peninsula Cancer Network Dr Gabriel Scally, Regional Director of Public Health, NHS South West Andrew Millward, Director of Communications and Corporate Services, NHS South West Dr Mike Durkin, Medical Director, NHS South West Geoff Upton, Strategic Service Change Manager, NHS South West Peter Colclough, Chief Executive, Royal Cornwall Hospitals NHS Trust Giles Maskell, Director of Cancer Services, Royal Cornwall Hospitals NHS Trust Angela Pedder, Chief Executive, Royal Devon and Exeter NHS Foundation Trust Pete Adey, Deputy Chief Operating Officer, Royal Devon and Exeter NHS Foundation Trust Paul Roberts, Chief Executive, Plymouth Hospitals NHS Trust Lesley Darke, Deputy Chief Operating Officer, Plymouth Hospitals NHS Trust Thea Barlow, Clinical Nurse Specialist (Cancer), Royal Cornwall Hospitals NHS Trust Keith Mitchell, Upper GI Clinical Nurse Specialist, Royal Devon and Exeter NHS Foundation Trust Marilyn Bolter, Upper GI Clinical Nurse Specialist, Plymouth Hospitals NHS Trust Mr Alex Mayor, Medical Director, Plymouth Hospitals NHS Trust Mr Tim Wheatley, Consultant Upper GI Surgeon, Plymouth Hospitals NHS Trust Mr Richard Berrisford, Consultant Upper GI Surgeon, Plymouth Hospitals NHS Trust

Mr Joe Rahamin, Consultant Upper GI Surgeon, Plymouth Hospitals NHS Trust

23 March 2010

IRP Peter Barrett, Cath Broderick, Nick Coleman, Brenda Howard, Richard Jeavons, Maureen Larkin

Evidence gathering sessions – New County Hall, Truro

John Evers, LINk Member June Hackett, LINk Member Rose Woodward, LINk Member Jill Stott, LINk Project Manager (In attendance Angela Minors, PA to June Hackett) Tracey Roose, Chief Executive, Age Concern Cornwall and the Isles of Scilly Ann Lewis, Assistant Director of Transport, Age Concern Cornwall and the Isles of Scilly Joe McKenna, Chairman, Health Initiative Cornwall Dr. Paul Upton, Medical Director, Royal Cornwall Hospitals NHS Trust Elaine Latham, Associate Director, Strategy and Development, Royal Cornwall Hospitals NHS Trust



Cllr Joan Symons, Chairman, Cornwall Health and Adults Overview Scrutiny Committee (HAOSC) Cllr Chris Goninan, Vice-Chairman, HAOSC (In attendance with HAOSC members Laura Orton, Senior Policy Officer Executive and Scrutiny, Karen Jackson, Group Head of Social Care Housing, Litigation, Planning and Highways, Cornwall Council) Cllr Mario Fonk, member HAOSC Cllr Bernie Ellis, member HAOSC Cllr Shirley Polmounter, member HAOSC Cllr John Turner, member HAOSC Cllr Sue Nicholas, member Cornwall HAOSC Jude Robinson, Parliamentary Candidate Labour Party Derek Thomas, Parliamentary Candidate Conservative Party

24 March 2010

IRP Peter Barrett, Cath Broderick, Nick Coleman, Brenda Howard, Richard Jeavons, Maureen Larkin

Evidence gathering sessions – New County Hall, Truro

Mr Paul Peyser, Consultant UGI Surgeon,

Elizabeth Bartlett, group member, Upper GI Cancer Patient Support Group **Rose Woodward**, Chair, Cornwall and Isles of Scilly Cancer Patient and Carer Group **Graham Webster**, steering group member, Keep Cancer Care in Cornwall **Peter Davies**, formerly Interim Chair, Royal Cornwall Hospitals NHS Trust (June 2007 – July 2008)

Dr Philip Dommett, GP and Cornwall and Isles of Scilly Local Medical Committee **Mark Harvey**, Transport Planner, Cornwall Council,

Amanda Fisk, Acting Director of Commissioning, Cornwall and Isles of Scilly Primary Care Trust

25 March 2010

IRP Peter Barrett, Cath Broderick, Nick Coleman, Brenda Howard, Richard Jeavons, Martin Houghton, Maureen Larkin

Sites visits

Wonford Hospital, Exeter

MDT room, Endoscopy Unit, Main Operating Theatres, Intensive Care Unit, High Dependency Unit, Mere Ward, FORCE Cancer Support Centre, Exeter Oncology Centre

Evidence gathering sessions – Wonford Hospital, Exeter

Cllr Richard Westlake, Chair, Devon Health and Adults' Services Scrutiny Committee

Cllr Debo Selllis, Vice Chair, Devon Health and Adults' Services Scrutiny Committee

Janine Gassmann, Scrutiny Officer Health and Adults' Services, Devon County Council



17 May 2010

IRP Cath Broderick, Brenda Howard, Richard Jeavons, Maureen Larkin

Evidence gathering sessions – Torbay Hospital, Torquay

Anthony Farnsworth, Chair, Peninsula Cancer Network
Dr John Isaacs, Chair, Upper GI Peninsula Cancer Network Site Specific Group
Nikki Thomas, Network Nurse Director, Peninsula Cancer Network
John Harrison, Director, Peninsula Cancer Network (from May 2010)
Liz Alsbury, Network Development Director, Peninsula Cancer Network
Tracey Lee, Director of Communications and Corporate Governance, CIOSPCT
Siân Dennison, Associate Director Commissioning, Cancer & Specialist Services, CIOSPCT

18 May 2010

IRP Richard Jeavons, Martin Houghton

Sarah Newton, MP for Truro and Falmouth

21 May 2010

IRP Richard Jeavons

David Land, Senior Policy Adviser, Commission for Rural Communities

Appendix Eight

Information made available to the Panel

Supporting papers

No.	DOCUMENT TITLE		
1	Cornwall HAOSC letter of referral to Secretary of State, 11 December 2009		
2	Cornwall HAOSC Referral Document Pack		
3	Cornwall HAOSC minutes 10 December 2009		
4	Cllr Mario Fonk letter to HAOSC regarding minutes 10 December 2009		
5	Cllr Fonk Opening Remarks to HAOSC, 10 December 2009		
6	Rose Woodward comments on HAOSC minutes 10 December 2009		
7	PCN Board minutes, 14 March 2008		
8	Cornwall HAOSC minutes 27 April 2009		
9	Cornwall/IoS Joint HOSC minutes 12 March 2009		
10	Cornwall/IoS Joint HOSC minutes 10 October 2008		
11	Cornwall County HASCOSC minutes 15 July 2008		
12	Cornwall County HASCOSC minutes 20 May 2008		
13	Cornwall County HASCOSC minutes 27 November 2007		
14	Cornwall Council letter to NHS Cornwall, 23 February 2010		
15	 a. Cllr Fonk email to colleagues re RCHT legal advice, 17 November 2009 b. Legal advice provided to RCHT Board by D Lock, No5 Chambers, July 2008, concerning the duties of public bodies to carry out consultation c. RCHT letter to Cornwall HOSC, 8 October 2008 d. PCT statement re legal advice, 19 October 2009 e. Joint PCT/RCHT letter to HOSC re legal advice, 19 October 2009 		
16	Keep cancer care in Cornwall, Petition Statement		
17	Cornwall Council Local Transport Map showing access to healthcare		
18	Link to interactive map on Cornwall Council website showing 123 electoral divisions in Cornwall http://www.cornwall.gov.uk/default.aspx?page=22116		
19	Cornwall Council travel times a. To Treliske or Derriford by public transport b. To Derriford by car c. To Derriford by public transport d. To Treliske or Derriford by car		
20	Devon HASSC letter of referral to Secretary of State, 20 November 2009		
21	Letter from DH to Devon HASSC, 2 December 2009		
22	Devon HASSC letter to DH, 3 December 2009 plus Appendix		
23	Devon HASSC letter to DH, 9 December 2009		
24	PHT Chief Executive letter to Devon HASSC, 20 November 2009		
25	Devon HASSC minutes, 19 November 2009		
26	Mid Devon District Council letter to DH, 23 December 2009		
27	Devon HASSC letter to NHS Devon, 4 December 2009		
28	NHS Devon letter to Devon HASSC, 24 December 2009		



29	NHS South West - IRP Information Template, 29 December 2009		
30	Report on oesophago-gastric cancer services in Peninsula Cancer Network, Griffin & Allum, February 2009		
31	Review of oesophago-gastric cancer services at RCHT, September 2008		
32	NHS Devon Board meeting papers on upper GI cancer surgery, 22 July 2009		
33	NHS Devon Board minutes of meeting, 22 July 2009		
34	NHS Cornwall/IoS meeting papers of upper GI cancer surgery, 21 July 2009		
35	NHS Cornwall/IoS minutes of meeting, 21 July 2009		
36	Resolutions of OSCs on Upper GI Cancer 2009		
37	Map of south west		
38	Answers to the questions raised by Chairman on behalf of Devon HASSC and email correspondence with SHA regarding Devon HASSC concerns on transfer from Exeter to Plymouth		
39	West Cornwall Hospitals Trust Activity Data 2007-2010		
40	RCH Trust, <i>Our Plans 2010-2014</i> , Clinical Site Development Plan and costing sheet, 22 October 2009		
41	RCH Trust Clinical Site Development Plan & Financially Challenged Trust Capital - Governance and Financial Arrangements, 22 October 2009		
42	RCH Trust Estates Strategy - Report to Board, June 2008		
43	RCH Trust West Cornwall Hospital Development Control Plan, October 2008		
44	RCH Trust St Michael's Hospital Development Control Plan, October 2008		
45	RCH Trust Development Control Plan - Annex A, powerpoint presentation		
46	RCH Trust Treliske Clinical Site Development Plan - Phase 1, November 2009		
47	Striving for Better Outcomes, NHS Cornwall presentation to IRP		
48	The Health of the Population, Annual Report of the Director of Public Health for Cornwall and Isles of Scilly, 2008		
49	Case for change (MORI video for respondents)		
50	South Western Ambulance Service: PTS Activity and Performance, March 2010		
51	A Healthy Future for West Cornwall, NHS presentation, 19 July 2007		
52	CIoS PCT Upper GU patient / stakeholder engagement 2008 - 09		
53	CIoS PCT covering paper on engagement for meeting with HOSC, 15 July 2008		
54	CloS PCT report to HOSC on engagement, 15 July 2008 Appendix 1, Events summary Appendix 2, Biography of members Appendix 3, Healthcare Commission press release Appendix 4, Andrew George MP correspondence Appendix 5, Report from RCHT Appendix 6, The Patient Perspective Appendix 7, Statement from representative, Health Initiative Cornwall Appendix 8, Submission from Keep Cancer Care in Cornwall Appendix 9, G Webster correspondence Appendix 10, Summary of emails		
55	BBC Cornwall report re MORI research 26 June 2009		
56	CIoS Press release re MORI research 26 June 2009		
57	PCN press release re MORI research 26 June 2009		
58	CIoS progress report to PCT Board, 24 March 2010		
59	Specialist Oesophago-Gastric Multidisciplinary Team Operational Policy document		
60	CIoS engagement report to Cornwall HASCOSC and IoS HOSC, 27 April 2009		

Upper GI cancer surgical services in the south west peninsula



61	CIoS/PCN Information Pack: proposals to relocate specialist UGI cancer surgery to improve outcomes for patients from Cornwall and the Isles of Scilly		
62	PCN Next steps in implementing the reconfiguration of specialist cancer services, 16 January 2009		
63	SMDT for oesophago-gastric cancer service specification, Nov 2009 - March 2012		
64	Specialist Oesophago-Gastric Cancer surgery service specification, Nov 2009 - March 2012		
65	Upper GI - core information for PCT Boards, July 2009		
66	Section from HM Government Code of Practice on Consultations, July 2008		
67	List of documents provided (to HOSC) for evidence		
68	Derriford Quality Report: Oesophago-Gastric Cancer Services		
69	PCN Decision Making Pathway, September 2008		
70	Legal advice in form of letter from Capsticks Solicitors to NHS Cornwall and Isles of Scilly, October 2009, setting out position regarding consultation for both the PCT and RCHT		
71	Clarification of the advice given by Capsticks Solicitors to NHS Cornwall and Isles of Scilly, November 2009, concerning the legal position of the PCT regarding consultation.		
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Members of the public who contacted the IRP (emails, letters and phone calls

1	Mrs P Young	
2	Mr C Crocker	
3	Mr L Gate	
4	Mr G Webster	
5	Ms J Stott	
6	Rev C Salter	
7	Ms S Cox	
8	Mr J McKenna	
9	Ms J Breddings	
10	Ms R Woodward	
11	Mr & Mrs H Brett	
12	Mrs J Woodford	
13	Mrs A Lymm	
14	Mr B Grigg	
15	Mr R Judge	
16	Ms B Salmon	
17	I K Norman	
18	Mrs M Cowley	
19	C & A Pearce	
20	Ms S Mills	
21	Mr M Lawrence	
22	Ms J Whiteley	
23	Mr K Stephens	
24	Mrs S Newns	
25	Ms S Williams	
26	Mr N Round	
27	Mr P Davies	
28	Mr W Thomas	
29	Ms M Blundy	
30	Mrs G Baron	
31	Dr P Hillenbrand	



Appendix Nine

Panel membership

* Sub-group members that took a lead in this review
 # Declared a conflict of interest in the referrals and consequently took no part either in the consideration and production of the Panel's initial assessments or of the full review

Chair

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	Peter Barrett*	Chair, Nottingham University Hospitals NHS Trust
		Former general practitioner, Nottingham
Membe	rs	
	Cath Broderick*	Independent consultant on involvement and
	(lay member)	engagement
	Fiona Campbell	Independent consultant specialising in health and social
	(lay member)	policy
	Sanjay Chadha	Justice of the Peace
	(lay member)	Committee Member, Multiple Sclerosis (MS) Society
	Ailsa Claire	Chief Executive
	(managerial member)	Barnsley PCT
	Nick Coleman*	Consultant in Anaesthesia and Intensive Care Medicine
	(clinical member)	University Hospitals of North Staffordshire
	Jane Hawdon	Consultant Neonatolgist
	(clinical member)	University College Hospital, London
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	Nicky Hayes	Consultant Nurse for Older People
	(clinical member)	King's College Hospital NHS Trust
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	Brenda Howard*	Programme Lead
	(managerial member)	Productive Nottinghamshire
		U U
	Nick Naftalin	Emeritus Consultant Obstetrician and Gynaecologist
	(clinical member)	Leicester Royal Infirmary
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Upper GI cancer surgical services in the south west peninsula

	John Parkes (managerial member)	Chief Executive Northamptonshire Teaching PCT
	Linda Pepper (lay member)	Independent consultant on involvement and engagement
	Ray Powles	Head of Haemato-oncology, Parkside Cancer Clinic
	(clinical member)	Former Head of Haemato-oncology, the Royal Marsden Hospital
	Paul Roberts [#] (managerial member)	Chief Executive Plymouth Hospitals NHS Trust
	Gina Tiller (lay member)	Tutor for the University of Northumbria Chair, Newcastle PCT
	Paul Watson (managerial member)	Chief Executive, NHS North East Essex on secondment from East of England SHA
Support to the Panel		

IRP

Richard Jeavons	Chief Executive and Review Manager
Martin Houghton	Secretary to the IRP
Maureen Larkin	Assistant Review Manager

Appendix Ten About the Independent Reconfiguration Panel

The Independent Reconfiguration Panel (IRP) offers advice to the Secretary of State for Health on contested proposals for NHS reconfigurations and service changes in England. It also offers informal support and generic advice to the NHS, local authorities and other interested bodies in the consideration of issues around NHS service reconfiguration.

The Panel consists of a Chair, Dr Peter Barrett, and members providing an equal balance of clinical, managerial and patient and citizen representation.

Further information about the Panel and its work can be found on the IRP Website:

www.irpanel.org.uk