

TABLED ITEM 13

FULL COUNCIL – 24 MARCH 2014

Motion E – Amendment by the Liberal Democrat Group

Proposed by Cllr Wilson and seconded by Cllr Beacham

(Struck through words to be deleted and underlined words to be inserted)

This Council believes:

- Clause 119 of the Government's Care Bill will, in exceptional cases help to turn around failing hospitals.
- ~~is a major change in Government policy on reconfiguration that will allow the Health Secretary to make major changes to hospitals above the heads of local people and local clinicians~~
- ~~Clause 119 is not only taking decision making powers away from local commissioners but shortchanging patients. The Francis report was clear that we need to find better ways of hearing the patient voice.~~
- As a result of the large deficit run-up by the last Government and the PFI deals that many hospitals are now bound by ~~Given the financial pressures on many NHS organisations~~ face financial pressure ~~as, the special administration process is likely to be used on an increasing basis in the future, raising the prospect of the Secretary of State forcing hospital closures over the heads of local communities~~
- There is sometimes a need to make changes to local services., ~~but the TSA route is the wrong way to do this. It is a dramatically wrong solution to a very real problem.~~

This Council notes:

- Liberal Democrats in parliament have expressed some concerns about some parts of the clause as originally proposed. Changes have been made to the clause following a Lib Dem amendment by Paul Burstow MP.
- Under the current Government, ~~£2.7 billion has been cut~~ there have been cuts to from local council budgets for adult social care as a consequence of the large deficits run-up by the last Labour Government. ~~and the system is now close to collapse. Charges for vital care services, like home help and meals on wheels,~~

are increasing fast and preventative services have all but disappeared in many areas.

- Clause 119 amends arrangements put in place in 2009 by the Labour Government called Trust Special Administration (TSA).
- ~~The Institute for Fiscal Studies says “Once adjusted for age, the NHS is being cut by 9% between 2010 and 2019. Suffering five years of annual 4% “efficiency saving” cuts, with the same for another five years to come; it has a £30bn funding gap.”~~
- ~~Clause 119 gives the Secretary of State sweeping powers to make changes at successful hospitals, by extending the powers of the Trust Special Administrator to make recommendations affecting Trusts outside of the failing Trust to which it has been appointed. Even the highest performing, financially healthy hospitals can be closed by administrators if a neighbouring trust is failing.~~
- ~~The High Court ruled that the Secretary of State did not have the power under existing legislation to implement major changes at Lewisham hospital, on the recommendation of the TSA at the neighbouring South London Healthcare Trust. Following the legal ruling they introduced an amendment to the Care Bill to make clear that the TSA can make recommendations affecting other trusts.~~
- ~~The British Medical Association has said that the clause as it stands could become an avenue for “backdoor” reconfiguration being allowed as part of the failure regime and that it “was introduced without full consultation and has significant implications, which have not been thought through.”~~
- ~~Jeremy Taylor, National Voices (representing patients’ groups) said “We think that this is wrong in principle and likely to be counterproductive in practice”~~
This council also notes that:
 - As a result of a Liberal Democrat amendment put forward by Paul Burstow MP, equal weight will be given to the views of each involved hospital trust, staff and commissioners. Crucially, plans must have agreement of all relevant local health commissioners.
 - The Liberal Democrats locally have already successfully campaigned for £7.6 million of extra health funding for Haringey. They continue to fight for fairer funding for health so that Haringey gets similar funding to neighbouring inner London boroughs.

This council further notes that as a result of action by the Liberal Democrats a raft of checks and balances will be introduced to the TSA process to make sure that changes to local hospital services are not made without local people being able to have their say. These include:

- Ministers gave Parliament the assurance that everything possible will be done to help any potentially failing hospital to sort out their difficulties so that the TSA is only ever used in rare and extreme circumstances after all other options have been tried
- There will be an exhaustive process of action to tackle failure before it gets to such a crisis point. Failing hospitals will be supported by the rest of the NHS through inspections, action plans, mentoring support and changes of management where necessary
- Councils must be consulted as the representatives of local people – it is important to note that as a result of Lib Dem pressure in government, local councils have a stronger say in local health services than they ever did before.
- Strengthened patient and public involvement through the inclusion of the local Healthwatch in the process
- Also as a result of the changes agreed at Report Stage of the Care Bill, TSAs will have to consult with NHS Trusts and their staff and with commissioners (CCGs) of any affected NHS organisations.

This Council resolves:

- To write to the Secretary of State for Health, Jeremy Hunt, to outline the Council's concerns about Clause 119 and to ask that he urgently reconsiders this issue.
- To work with the Local Government Association on this issue.
- To write to Haringey's two local MPs asking them to continue the fight for fairer health funding for Haringey to ensure that Haringey receives funding at the same level as inner London boroughs.

Amended motion to read as follows:

This Council believes:

- Clause 119 of the Government's Care Bill will, in exceptional cases, help to turn around failing hospitals.

- As a result of the large deficit run-up by the last Government and the PFI deals that many hospitals are now bound by many NHS organisations face financial pressure.
- There is sometimes a need to make changes to local services.

This Council notes:

- Liberal Democrats in parliament have expressed some concerns about some parts of the clause as originally proposed. Changes have been made to the clause following a Lib Dem amendment by Paul Burstow MP.
- Under the current Government, there have been cuts to local council budgets for adult social care as a consequence of the large deficits run-up by the last Labour Government.
- Clause 119 amends arrangements put in place in 2009 by the Labour Government called Trust Special Administration (TSA).

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