

Report Title: **The Laurels PMS Practice – Proposal by Haringey TPCT to Develop Services**

Report of: **Chair of Overview and Scrutiny Committee**

Wards(s) affected: **St. Ann's, Seven Sisters, Tottenham Green**

Report for: **Non-Key Decision**

1. Purpose

To inform Members of the Committee of proposals to develop services at the Laurels PMS practice and approve the setting up of a small panel of non Executive Members to look at these in detail and respond to the consultation thereon.

2. Recommendations

- 2.1 That the Committee appoint a small panel of non Executive Members, to be chaired by the Chair of the Committee, to consider the proposals to develop services at the Laurels.
- 2.2 That the Chair and Opposition Spokesperson be delegated responsibility to approve the response to the consultation by the Committee.

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4. Reasons for any change in policy or for new policy development (if applicable)

Not applicable

5. Local Government (Access to Information) Act 1985

The background papers relating to this report are:

GP Provision in Derbyshire – outcome of appeal; DHN Briefing 30/8/2006

These can be obtained from Robert Mack – Principal Scrutiny Support Officer on 020 8489 2921, 7th. Floor, River Park House

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6. Report

- 6.1 Haringey TPCT have advised the Committee of its intention to extend and improve the primary care services provided at the Laurels Healthy Living Centre, St Ann's Road, N15 and have also sought the Committee's views as to the proposed consultation arrangements. The process undertaken by the TPCT will include seeking, by way of procurement, an alternative primary care provider for the Laurels PMS Practice based there.
- 6.2 The Laurels Healthy Living Centre has been the subject of recent debate at the Committee and the TPCT has reported on its efforts to improve and extend services there. The Centre accommodates two GP practices, one of which - The Laurels PMS Practice - is directly managed by the TPCT.
- 6.3 The TPCTs Primary Care Strategy has identified the Laurels as one of its Neighbourhood Health Centres from which the TPCT wishes to deliver extended hours primary care services. The TPCT, as part of its Investment Strategy, has therefore decided to extend and improve the services provided by the Laurels PMS Practice. This is aimed to take effect from April 2009. In specific terms, this will include:
 - 12-hours opening (0800 – 2000) 7 days a week;
 - Pre-booked appointments & a walk-in service for registered patients; and
 - Walk-in service for people not registered at The Laurels.
- 6.4 In so doing, the TPCT will also comply with the Department of Health requirement for each PCT to establish a "GP-led Health Centre" by April 2009.
- 6.5 There are approximately 5,500 or so patients registered with the Laurels PMS Practice and it is envisaged that they will benefit from extended hours opening and walk-in access to their clinicians, as well as access to the range of other services now available at The Laurels, such as phlebotomy.
- 6.6 The TPCT intends to consult with patients and other stakeholders during October. In addition, all patients registered with the practice have already been written to advising them of the intended change in service. In addition, notices have been displayed within the Laurels Healthy Living Centre and two meetings for patients are to be held.
- 6.7 Under current Department of Health rules and in order to comply with EU law, the TPCT is required to seek a provider for this service by way of open procurement.

As such, local GP practices will be open to apply as will GP out-of-hours co-operatives other social enterprises or independent sector providers. The TPCT acknowledges the fears expressed by some people that this represents “privatisation of the NHS” and has been asked if it can restrict eligible providers to local GPs. The TPCT has sought advice on this and is unable to accede to it.

- 6.8 The procurement process is lengthy, rigorous and prescriptive. In order to comply with the DH deadline of April 2009, the TPCT has already had to publish an advertisement of the vacancy to prospective providers. The TPCT has stated that it would welcome views from the Committee as to how it can incorporate local stakeholders and their views in the procurement and selection process.
- 6.9 Case law has established the obligation of the TPCT to consult when putting local services out to tender. However, this consultation would be under the Trust’s general obligations under Section 242 of the National Health Service Act 2006. This is the general legal duty that has been placed on the NHS to consult and involve service users. It must be stressed that this is *not* the legislation applying to “substantial variations” to local health services (Section 7 of the Health and Social Care Act 2001). In particular, a change of provider cannot in itself be considered to be a significant change to local services. Consultation under Section 242 carries no right of referral to the Secretary of State and there is no obligation on NHS bodies to comply with views received although there is encouragement them to respond appropriately.
- 6.10 Members of the Committee visited the Centre on 3 September and have indicated their wish to have specific input into the consultation. In order to provide the necessary time to look at the proposals in detail and receive the input of local stakeholders, including appropriate ward Councillors, it is proposed that a small panel of Members be appointed by the Committee on its behalf. This would be chaired by the Chair of the Committee. It is envisaged that this would meet once and provide feedback on behalf of the Committee. The Committee is asked to approve these arrangements and the membership of the Panel. In addition, the Committee is asked to delegate responsibility for approving the final comments on the proposed changes to the Chair of the Committee and the opposition spokesperson in order to meet with the Trust’s consultation deadlines.

7. Legal and Financial Implications

- 7.1 There are no obvious financial implications for the Council. The legal implications have been described above in the body of the report.

8. Chief Financial Officer Comments

- 8.1 There are no direct financial implications for the Council arising from the proposals to develop services at the Laurels PMS practice.

9. Head of Legal Services Comments

Comments will be available at the meeting.

10. Equalities Implications

- 10.1 Particular health inequalities exist within the Borough and these are pronounced in the east of the Borough. Members may wish to ensure that the new arrangements for the PMS practice at the Laurels facilitate better access to services for all sections of the community.