

HEALTH AND ADULT SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE

24 JUNE 2014

PETITIONS

Report from: Barbara Peacock, Director of Children and Adults

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Summary

This report advises the Committee of the petitions presented at Council meetings, received by the Council or sent via the e-petition facility, including a summary of officer's response to the petitioners.

1. Budget and Policy Framework

- 1.1 The constitution provides that petitions received by the Council relating to matters within the remit of an Overview and Scrutiny Committee will be referred immediately to the relevant Director for consideration at officer level.

2. Background

- 2.1 The Director is asked to respond to the petition request within 10 working days. The petition organiser may request to refer the matter to the relevant Overview and Scrutiny Committee if s/he is not satisfied with the answer and has given reasons for their dissatisfaction.
- 2.2 If the petition contains at least the number of signatures equating to 5% of Medway's population (currently 12,675 signatures) it will be debated by Full Council, unless it is a petition asking for a senior Council officer to give evidence at a public meeting.
- 2.3 If the petition contains at least the number of signatures equating to 2% of Medway's population (currently 5,070 signatures) the relevant senior Council officer may give evidence at a public meeting of the relevant Overview and Scrutiny Committee.

- 2.4 A petition may also be submitted through the e-petition facility on the council's website. E-petitions must follow the same guidelines as paper petitions. A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information.
- 2.5 If a petition relates to something over which the Council has no control (for example the local railway or hospital) the Council will consider making representations on behalf of the community to the relevant body. The petition scheme explains that the Council works with a large number of local partners and where possible will work with these partners to respond to such petitions.
- 2.6. A summary of the response to all petitions will also be published on the Council's website.

3. Petition – Delce Medical Centre

- 3.1. A petition, signed by 631 people, was handed in at the last ordinary meeting of the Council by Councillor Mackness, following the suspension of Dr Elapatha, Delce Medical Centre, by the General Medical Council, stating the following:

“Save our doctor

Dr Elapatha

To all patients do not delay!

We are at real risk of losing our GP.

If you do not want to be FORCED into a different practice with multiple GPs and possibly even different surgeries. We must support our Doctor, HELP ME TO SAVE OUR DOCTOR

Please put your name to our petition to keep him”

- 3.2 NHS England, Kent and Medway Local Area Team provided the Council with a response (a copy of which is attached at Appendix A, excluding attachments relating to Dr Elapatha personally), which was forwarded to the lead petitioner. Subsequently the petitioners asked if this Committee would consider the issue even though it relates to a matter over which the Council has no control. The Committee Chairman, Vice Chairman and Labour Group Opposition Spokesperson all agreed to this request.
- 3.3 This Committee has the power to scrutinise matters relating to the planning, provision and operation of the health service in Medway and in so doing must invite comments from interested parties. The Committee may make reports and recommendations to the relevant NHS body or health service provider on any matter it has reviewed or scrutinised under this power requesting a response within 28 days. The Committee may therefore discuss planned provision for patients currently receiving GP services from the Delce Medical Centre and the concerns being raised by petitioners. However it would not be appropriate for the Committee to discuss or seek to influence NHS decisions relating to employment or contractual matters affecting a particular GP.

- 3.4 A request has been received from the lead petitioner to address the Committee and it is suggested that up to five minutes should be allowed in line with previous practice. A representative from the NHS England (Kent and Medway Local Area Team) has been invited to attend to respond to Member's questions.

4. Petition referred to this Committee – Izzatt Day Service

- 4.1. A petition, containing 7 signatures and 10 names and addresses, was handed in at the last ordinary meeting of the Council by Councillor Price seeking the following:

"We the undersigned are a group of multi-cultural, old and sick ladies – many of us are pensioners, and we are all widows – mostly from Chatham with some ladies from Gillingham, Rochester and Strood, who meet as a group on Mondays and Thursdays in Chatham. We pay a small amount and rely on the Council to fund the difference. The day centre provides a clear social need and forms the basis for a number of strong friendships. Without it many of us would simply be lost. Some of us have been meeting here for 20 years. We deplore the summary closure of the Izzatt Day Centre, located at Apni Haveli Venue, 2 Clover Street ME4 4DE in Chatham by Medway Council on 31 April 2014 at very short notice.

We call upon the Council to:

- i) grant a stay of execution
 - ii) carry out a health impact assessment of closing the centre
 - iii) allow us to continue to meet for a period of time to be agreed to allow us to contact other church organisations and look into other alternatives
 - iv) garner the support of other council officers who could look into other possibilities of grant funding for us which may exist to allow this valued day centre to continue"
- 4.2. Under the Council's Petition Scheme the lead petitioner has asked that this Committee should review the matter. Details are as follows:

Subject of petition	Date of receipt and whether paper or e-petition	Response
Petition: Protest against the Closure of the Izzatt Day Service, 2 Clover Street, Chatham, Kent	Handed in at Council on 24 April 2014 (by Cllr Price)	In the response to the petitioner and subsequent correspondence an explanation was provided of the basis upon which the Council had agreed funding of the Izzatt Day Service should cease including the fact that the original objectives were not being met and therefore the funding had been withdrawn. Advice and support has been offered to assist attendees of the Day Service to identify a range other local community groups and venues.

4.2. The Lead Petitioner has been invited to attend the meeting and the Committee may wish to allow the nominated Lead Petitioner to address the meeting for up to five minutes to explain the concerns being raised.

4.3. In accordance with the Council's Petition Scheme the Committee is asked to consider this matter. If the Committee does not believe the petition has been dealt with adequately, it may undertake further investigations, make recommendations to the Cabinet or refer the matter for consideration at a meeting of the Full Council.

5. Director's comments in relation to Izzatt Day Service petition

5.1. The Council funded Izzatt Day Service is due to close on Thursday 19 June 2014. A meeting was held on 12 June 2014 with service users, Council officers and Councillors to discuss ways of supporting the service users to make alternative arrangements.

5.2. Council officers are supporting the service users in exploring access to community transport, free use of a venue and support from volunteers.

6. Comments from the NHS England, Kent and Medway Local Area Team

6.1. Attached as Appendix 1 to this report is the response from NHS England, Kent and Medway Local Area Team to the lead petitioner.

7. Risk Management

- 7.1 The Council has a clear scheme for handling petitions set out in its Constitution. This ensures consistency and clarity of process, minimising the risk of complaints about the administration of petitions.

8. Financial and Legal Implications

- 8.1. The power for the Council to review and scrutinise any matter relating to the planning, provision and operation of the health service in Medway is provided in The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.
- 8.2. Delce Medical Centre. The substantive issues raised regarding Dr Elapatha are a matter for the GMC and are therefore outside the remit of the Overview and Scrutiny Committee by virtue of Chapter 4, Rule 9.3 of the Constitution.
- 8.3. Any legal implications arising from the issues raised by the petitions are set out in the comments on petitions.

9. Recommendation

- 9.1. In relation to the petition referencing Delce Medical Centre the Committee is asked to note the responses from NHS England, Kent and Medway Local Area Team and consider whether to comment further on the provision of primary care in Delce.
- 9.2. Members are asked to consider the petition referral in relation to Izzatt Day Service, as outlined in section 4 of the report.

Background papers

None.

Contact for further details:

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