

## HEALTH AND ADULT SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE

**13 DECEMBER 2018**

### PETITIONS

Report from: James Williams, Director, Public Health

Author: Steve Platt, Democratic Services Officer

#### Summary

To advise the Committee of a petition received by the Council which falls within the remit of this Committee.

#### 1. Budget and policy framework

1.1 In summary, the Council's Petition Scheme requires the relevant Director to respond to the petition organiser, usually within 10 working days of the receipt of the petition by the Council. Overview and Scrutiny Committees are always advised of any petitions falling within their terms of reference together with the officer response. There is a right of referral of a petition for consideration by the relevant Overview and Scrutiny Committee by the petitioners if they consider the Director's response to be inadequate. Should the Committee determine that the petition has not been dealt with adequately it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to Cabinet and arranging for the matter to be considered at a meeting of the Council.

1.2 The petition scheme is set out in full in the Council's Constitution at:

<https://www.medway.gov.uk/downloads/file/2657/401 - council rules>

1.3 Any budget or policy framework implications will be set out in the specific petition response.

#### 2. Background

2.1 The Council's 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.

2.2 Where the Director is able to fully meet the request of the petitioners a response is sent setting out the proposed action and timescales for implementation.

2.3 For petitions where the petition organiser is not satisfied with the response provided by the Director there is provision for the petition organiser to request that the relevant Overview and Scrutiny Committee review the steps the Council has taken, or is proposing to take, in response to the petition.

### **3. Petition referred to this Committee: GP surgeries for the Hoo Peninsula**

3.1 The following petitions have been referred to this Committee because the petitioner organiser, Cllr Freshwater, has indicated that he is dissatisfied with the response received.

3.2 Two petitions were received on 14 September 2018 and included a total of 273 signatures, 85 of which were discounted due to a lack of information.

The supporting statement read:

Medway Council to:

1. Investigate the need for additional GP Services urgently needed for Hoo Village and for all villages on the Peninsula for over 7,000 new residents as set out in the attached petition document.
2. To investigate if Medway Council is fully complying and properly carrying out all Council public health legal duties as set out in the petition document – delegated responsibilities paragraph 6.24 Director of Public Health.
3. That Medway Council requires appropriate reference to be made on all new planning applications to ensure that GP Services are available and sufficient for new residents.

3.3 On 28 September 2018, the Director, Public Health responded to Cllr Freshwater and his letter is attached at Appendix A.

3.4 On 15 October 2018, Cllr Freshwater requested that the matter be reviewed by the relevant Overview and Scrutiny Committee. The request stated:

3.5 “The residents of Peninsula have never doubted the Director of Public Health for Medway’s personal commitment to improve and protect the health and wellbeing of all Medway residents, including Peninsula residents. The Medway Council response to the Petition sets out comprehensive Medway Council information on important health issues for all people being tackled including health inequalities and involvement of the Health and Wellbeing Boards and Joint Strategic Needs Assessment.

3.6 The reply to the petition is deficient as does not make any mention that Medway Council has made any contact with the two Peninsula Medical Practices serving the primary health care services for Peninsula communities or that Medway Council has contacted the NHS to provide answers to the important and specific community health concerns set out in the Petition below:-

3.7 Additional GP Services Urgently Needed for Hoo Village and for all Villages on the Peninsula for over 7,000 New Residents.

- 3.8 Medway Council is aware that GP services at Hoo Village and for the Peninsula have not been properly expanded to meet the health needs for 2,500 new homes built/given Medway Council planning approval. No additional GP have been employed by the NHS to provide appointments or meet the clinical needs of the increased population of approximately 7,000 new residents.
- 3.9 More new housing being completed daily is ever reducing the availability of GP appointments and is not meeting the clinical needs of residents and seriously compromising and having a major effect the ongoing health of a large number of residents contrary to the duties of Medway Council.
- 3.10 Medway Council Planning decisions approving new homes to meet Government targets are seriously compromising Medway Council's public health duties to improve public health including:-
- 3.11 The Council Annual Report on Health has failed to make specific mention to the ever-reducing and ongoing lack of GP services in rural areas is being directly brought about and is the result of Medway Council approving the building of new homes knowing and not caring that insufficient GP services were available.
- 3.12 Medway has a legal duty to improve the health of residents but current actions and lack of GP services are making residents' health worse
- 3.13 Medway Council has a duty to provide information and advice to responsible bodies, including the NHS, with a view to promoting local health care protection - clearly, detailed information on health concerns in rural areas relating to the lack of GP services has not been properly reported and being ignored by Medway Council.
- 3.14 Medway Council is aware that their decisions on new housing are taking away free NHS services to the most vulnerable people living in rural villages on the Peninsula as they are being required to take buses to Hoo Village and many again to Gillingham Surgery. (Family Daily Bus £14.90 if travelling with children over 5 or single adult £7.50 - 3 hour return journey to Gillingham Surgery and 4 hour wait at surgery). Gillingham Surgery is not considered fit for purpose and cannot meet the demands of Medway Rural areas). Such journeys are unreasonable for many disabled people, sick young children and elderly residents who cannot get onto a bus or able to incur such long bus journeys. The majority of taxi services refuse to go to villages. The residents on the Peninsula are being treated differently from residents living in Medway towns.
- 3.15 Medway Council has a formula for projecting and meeting the duties of Medway Council and the population needs increasing each year for school places, social care and childcare service needs. Consequently, residents on the Peninsula are reasonably demanding that Medway Council carries out a detailed investigation and holds urgent discussions with NHS to provide additional GP services to meet the health needs of existing residents and for residents occupying new houses approved by the Medway Council Planning Committee.

3.16 That Medway Council having regard to duties to improve residents health requires appropriate reference be made on all new Planning application to ensure that GP services are available and sufficient for any new residents.”

3.17 In response, the Director Public Health has further commented as follows:

The petitioner has previously been provided with a comprehensive response to the queries raised. This response included a detailed breakdown of the extensive work that Council officers have undertaken in partnership with NHS colleagues to determine population need and help inform NHS planning. Section 3 of the letter sent to the petitioner on the 28<sup>th</sup> of September 2018 highlights the considerable engagement and discussions that have taken place at a number of levels between the local NHS and Medway Council. This dialogue is regular and ongoing and part of the day to day interaction between the council and its close partner NHS Medway CCG.

3.18 The Council is represented at both Member and Officer level at Medway CCG Strategic Estates Group. This forum is responsible for the oversight and development of the local NHS estate strategy. This strategy takes into account future primary care needs across Medway.

3.19 In addition to regular strategic engagement, specialists from the Public Health Department advise NHS colleagues on service reconfigurations. They support commissioning and planning decisions by modelling future demographic changes which the CCG use to shape the Medway Model and inform their estates strategy. Examples of this partnership working are set out in the refreshed Medway Joint Health and Wellbeing Strategy.

3.20 Ensuring all Medway residents have appropriate access to health and care services, is one of the key functions of Medway Council. The Council has just refreshed its Joint Health and Wellbeing Strategy (JHWS).

3.21 One key stated priority within the refreshed JHWS is:  
‘Supporting Medway’s people to realise their potential: improving education, preventing ill-health and providing health and social care services’.  
This refreshed strategy has been agreed by all relevant Council committees and endorsed by Cabinet. The Medway JHWS provides a vision and framework to enable local stakeholders to collaborate and improve the health and wellbeing of local people over the next five year period (2018 to 2023).

3.22 The ‘Medway Model’ is the name given to the initiative currently being used to reshape local out of hospital services. This work includes an assessment of the sustainability and accessibility of primary care services (including GP services).

3.23 In relation to the comments related to the Director of Public Health Annual Public Health Report (APHR). The petitioner has been advised the Director of Public Health is required to produce and publish an independent Annual Public Health Report (APHR). The topic of this 2017/18 APHR was health protection, an area of significant importance to Medway. This report has been produced in line with statutory requirements and agreed by all relevant Council committees.

- 3.24 The petitioner has raised a specific challenge as to whether Medway Council should engage directly with the two GP practices on the Peninsula. It is not clear what this engagement would be for. The Council is not a regulator of GP services, nor is it directly responsible for the commissioning of GP primary care services. The Council through its officers and relevant committees, scrutinises the provision of primary care services and holds commissioners to account. The Care Quality Commission and NHS England, are responsible for the production of any reports assessing the quality of GP services.
- 3.25 It is evident from the consultation and engagement work undertaken to develop the Medway JHWS that Medway Council has been in direct discussion with the NHS Commissioners responsible for GP services across Medway. JHWS workshops were attended by the NHS Medway Director of Primary Care, Clinical Chair and other NHS Medway staff. Attendees of these workshops were involved in free flowing discussions that included how to ensure rural communities had access to appropriate primary care services.
- 3.26 The petitioner raises the issue of needing to understand the health needs of individuals moving into any houses built on the Peninsula. The Medway Joint Strategic Needs Assessment (JSNA) is regularly refreshed, as are locality health profiles for each NHS 'Hub' in Medway. These data sources, combined with analysis of other information, ensure there is a strategic understanding of the health and wellbeing needs of the population of Medway available to all stakeholders.
- 3.27 It would be challenging and resource intensive (and most likely not possible due to General Data Protection Regulations) to ask individuals who purchase a property on the Peninsula (or anywhere in Medway) about their specific health needs.
- 3.28 In summary, Medway Council is not the body directly responsible for the commissioning of GP services. The response to the original petition, set out in detail the extensive and ongoing work the Council, through its officers and members, has had with NHS colleagues about these matters. NHS colleagues have committed to providing the Health and Adult Overview Scrutiny Committee, with a detailed briefing on Medway GP services at committee meeting in January 2019.

#### **4. Risk Management**

- 4.1 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.

#### **5. Financial and Legal Implications**

- 5.1 Any financial implications arising from the issues raised by the petitions will be taken into account as part of the review of these matters.
- 5.2 Overview and Scrutiny Rule 21.1 (xiv) in the Council's Constitution provides that the terms of reference of this Committee include the power to deal with petitions referred to the Committee under and in accordance with the Council's petition scheme.

## **6. Recommendations**

- 6.1 The Committee is requested to consider the petition referral request and the Director's comments at paragraph 3 of the report.

### **Lead officer contact**

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### **Appendices:**

Appendix 1 - Letter of 28 September 2018 from the Director Public Health

### **Background papers:**

None