

HEALTH AND ADULT SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE

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TRANSFORMING MENTAL HEALTH SERVICES IN KENT AND MEDWAY - ERADICATING DORMITORY WARDS

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Summary

The NHS in Kent and Medway is working in partnership to improve mental health services. This includes the eradication of outdated and old-fashioned dormitory wards which compromise patients' safety, dignity, and privacy and have no place in a 21st century mental health system. Following a successful bid for £12.65m of government funding as part of the national drive to eradicate mental health dormitory wards, planning is underway to build a new facility for older adults with mental health issues, including dementia.

Members received a report outlining the 'case for change' underpinning these proposals in March 2021 at which a series of recommendations regarding next steps and consultation were recorded. KMCCG and KMPT representatives subsequently met with a small working group of Members on Wednesday 19th May 2021 to discuss the review of site options including some additional sites identified for review by members within the Medway area (Appendix A). This report includes:

- Further information on the programme timeline to meet the requirements of the capital allocations as set out by DHSC including the assurance process required by NHSEI and plans for the six week formal public consultation requested by the Committee.
- More detail on the process of building design for the new unit, involving service users, and their carers, in the design of the proposed new facilities.
- An outline of parallel plans to redesign community mental health services and an overview of the breadth of mental health support and services available in Medway in addition to inpatient care. These plans demonstrate how a modern mental health service can bring significant benefits to local residents, whatever their needs, circumstances or stage of life.

1. Budget and policy framework

- 1.1. Under the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 the Council may review and scrutinise any matter relating to the planning, provision and operation of the health service in Medway. In carrying out health scrutiny a local authority must invite interested parties to comment and take account of any relevant information available to it, and in particular, relevant information provided to it by a local Healthwatch. The Council has delegated responsibility for discharging this function to this Committee and to the Children and Young People Overview and Scrutiny Committee as set out in the Council's Constitution.

2. Background and detail of report

- 2.1 The NHS in Kent and Medway is working in partnership to improve mental health services. This includes the eradication of outdated and old-fashioned dormitory wards which compromise patients' safety, dignity, and privacy and have no place in a 21st century mental health system. Following a successful bid for £12.65m of government funding as part of the national drive to eradicate mental health dormitory wards, planning is underway to build a new facility for older adults with mental health issues, including dementia.
- 2.2 Providing high-quality and safe accommodation for patients is an integral part of the therapeutic process and has a significant bearing on the experience of patients, their families and loved ones. It is proposed that this new facility for older adults would provide single ensuite bedrooms for 16 patients (rising from 14) at Kent and Medway Health and Social Care Partnership NHS Trust's (KPMT) Maidstone site. To access this government funding and meet the November 2022 national deadline for eradicating dormitory wards, work must begin in October 2021.
- 2.3 The proposed new, purpose-built facility will be available to anyone who needs it wherever they live in Kent and Medway. It will replace the single last remaining mental health dormitory ward, Ruby ward, which is currently operating at Medway Maritime Hospital. The proposed new facility will offer patients greater privacy, easier access to outside space and improved infection control measures, which is an increasingly important concern in light of the COVID-19 pandemic. This proposal is part of local ambitions to provide high-quality and safe accommodation for patients within the context of a programme of wider mental health transformation and the provision of services in the community as well as in a hospital setting.
- 2.4 Kent and Medway Clinical Commissioning Group (KMCCG) and Kent and Medway Health and Social Care Partnership Trust (KMPT) are working together on the proposal for the re-provision of services from Ruby ward and we are committed to ongoing engagement with Medway HASC on the proposals.
- 2.5 The proposal to relocate services currently provided on Ruby ward and construct a new older adults' unit in Maidstone was presented to the Committee at its meeting on Wednesday 17th March 2021. This included the 'case for change' underpinning the proposals and a recommendation for public and stakeholder engagement.

Members voiced concerns about the proposal and agreed the following:

- a) that the proposed reprovision of services from Ruby ward at Medway Maritime Hospital to the Maidstone Hospital site is a substantial variation to services
- b) recommended that a 6-week period of public consultation takes place with this Committee and local people including patients, families and carers who have used the Ruby ward service, to identify alternative sites or solutions to urgently eradicate the Trust's remaining dormitory ward by 2022. [NB – this will involve understanding the impacts of the proposed move (positive and negative) and identify any mitigating actions to urgently eradicate the Trust's remaining dormitory wards by November 2022.]
- c) requested that the CCG and KMPT investigate further potential sites within Medway (Harmony House, Canada House, the Medway ambulance site and Elizabeth House) as possible alternative sites for the new facility and explore further with the Medway NHS Foundation Trust whether a suitable site can be found at Medway Maritime Hospital
- d) agreed that the outcomes of these investigations and discussions be discussed with a small working group of Members.



2.6 This paper has been developed to respond to the recommendations above and update Members on next steps in the development of the proposal.

















3. Overview of process

The proposed new facility

- 3.1 We are not proposing to change the clinical model of care at the new purpose-built facility. We are proposing to provide two additional beds and opportunities for more therapeutic activity in support of rehabilitation. Being able to access good outside space, the opportunity to work with staff and other patients on therapeutic activities, such as cooking and self-care skills, will support patients' recovery and rehabilitation and enable faster discharge back home or into the community.
- 3.2 Early design concepts and ideas for the new unit are in development and patients, carers and staff are already involved in the design of the proposed new purpose-built facility. KMPT have commissioned architectural firm Ryders to work with us on these concepts, recognising their work within the mental health sector to develop facilities that provide a holistic, caring environment for patients and staff.
- 3.3 A slide deck demonstrating the challenges of providing care in the current Ruby ward and the opportunities a new purpose-built facility provides will be shown at the meeting.

Current challenges vs potential benefits

	Ruby Ward		Purpose built unit
	14 beds on an outdated dormitory style ward – lacking privacy and dignity		16 beds in modern, purpose-built accommodation for older adults, with single ensuite bedrooms,

			designed specially around care needs
	First floor location		Ground floor, single storey accommodation
	No easy access to outside space		Attractive, easily accessible garden areas designed to provide patients with places for relaxation, socialising and games.
	Ward not designed for providing care and support for mental health patients – no additional space to offer therapeutic activities and support		Light, airy, calm environment with rooms and areas for therapeutic and rehabilitation activities
	Shared bathroom		Ensuite bathrooms ensuring privacy and dignity as well as larger assisted bathroom areas for more complex patients and presentations
	Small lounge area doubles as a visitor space		Dedicated indoor and outdoor space for visitors, and lounge and outdoor space for patients
	Ward set up makes it difficult to ensure infection control for this cohort of patients		Designed to ensure infection control measures can be put in place with ease
	Discharges into the community/back home are slower because of limited opportunities for rehabilitative activities		Faster discharges as staff have the opportunity to work with patients on rehabilitation to get them ready to go home/back into the community
	Will not meet national guidelines for mental health facilities		Adheres to national policy to eradicate dormitory accommodation for mental health patients, and national guidelines on single, ensuite rooms to improve mental health care for patients

Developing our options and establishing evaluation criteria

- 3.4 Members will recall, following a presentation at your March meeting, how options for a potential location for a new older adults' unit were developed and assessed before and after the confirmation of the capital funding for these proposals. KMPT undertook a thorough and exhaustive search of Medway-based locations against a set of robust evaluation criteria.

Review of additional sites – report to Member working group

- 3.5 At the March meeting, members recommended that KMPT and KMCCG review four additional sites within Medway which were not part of the original review of potential sites. We were pleased to receive these suggestions and have conducted a thorough review of the following sites:
- Canada House in Gillingham
 - Elizabeth House in Rainham
 - Medway Ambulance Station, Star Mill Lane, Chatham
 - Harmony House in Rochester.
- 3.6 The additional site recommendations were reviewed against the evaluation criteria and the results of this review were discussed with the member working group on Wednesday 19th May 2021. The report, including the evaluation criteria, is attached as Appendix A and this includes the additional assurance sought by the Committee that there is no available space for the unit at Medway Maritime Hospital.
- 3.7 Unfortunately, the sites put forward did not meet our evaluation criteria and our preferred way forward remains building the new facility on KMPT's Maidstone site.

Planning for consultation

- 3.8 We are in the process of planning for a six-week formal public consultation as requested by the Committee, including consultation as per our legal duties with the Committee directly. Our current working timetable is that this would commence in the late summer/early autumn of 2021. This would enable commissioners to make a final decision on the future of the service that has to date been provided on Ruby ward and meet the deadline for starting the construction of the proposed new unit in October 2021 if that is the outcome of commissioners' decision-making. Further detail about our consultation plans is in section 5 below.

Pre-consultation engagement

- 3.9 In addition to our ongoing dialogue with Members, we are undertaking a programme of pre-consultation engagement with key stakeholders and audiences. This includes (note: this is not an exhaustive list but aims to give an overview of activity):
- Ongoing work with patients, families and carers on the design of the proposed new purpose built older adults' unit
 - Engagement and communication with staff across KMPT
 - A report to Kent HOSC at their meeting on 10th June 2021 (a verbal update on the outcome of this meeting will be provided to the Committee on 15 June)
 - Review of engagement work undertaken by KMPT and KMCCG with relevant patient cohorts
 - Planning for briefing and engagement sessions with stakeholders including voluntary and community sector organisations, local MPs and councillors,

Healthwatch Medway and Healthwatch Kent, local patient representative groups linked to KMPT and KMCCG.

NHSE/I assurance process

- 3.10 We are working with our regulators, NHS England and NHS Improvement, to take our proposals through the national assurance process for service change. This will involve their ongoing support to ensure the proposals adhere to due process and meet the five tests for service change. It will include two formal panel meetings with regional representatives including clinical experts. At the centre of the assurance process is the pre-consultation business case (PCBC) outlining our case for change, the evidence and information we have considered as we have developed our proposals and how we evaluated the potential options for the provision of the services currently provided in Ruby ward in the future. We will also be required to submit a consultation plan, consultation document, and respond to requests for information and evidence which underpin our proposals.
- 3.11 NHSE/I colleagues have indicated that the assurance process for this proposal, recognising the tight timescales we are working within, will be proportionate to the scale of the proposed changes but with no loss of rigour when it comes to scrutinising and assuring these plans.

Business case development and additional supporting information

- 3.12 As part of this process, we will develop our business case, and commission additional information and evidence to support its development. This information will be published in due course. It will include:
1. An **'integrated impact assessment'** to look at the impact of proposed changes on:
 - health outcomes
 - health and care services and staff
 - the groups of people who are protected by equalities law
 - deprived communities
 - travel and access for local people
 - sustainability and the environment.
 2. **Travel time analysis** to understand the impact of the proposed move to a new purpose built facility in Maidstone on patients, families and loved ones, as well as staff.

Context - a modern mental health service for Medway

- 3.13 This proposal is part of local ambitions to provide high-quality and safe accommodation for patients within the context of a programme of wider mental health service transformation. While there will always be a need for inpatient beds, a 'modern mental health service' will ensure that people have access to a

comprehensive range of community-based services to support the majority of their mental health needs. There is well-established community provision within Medway and our plans for the future are based on ensuring that the clinical pathway for each individual patient or service user meets their care and treatment needs.

3.14 Members asked for more information about these local ambitions as well as on existing and planned mental services and support for Medway residents. We are pleased to provide this in the report **‘Transforming Mental Health and Dementia Services in Kent and Medway’** which Members are receiving at this meeting.

4. Risk management

4.1 There are no risks to Medway Council arising directly from this report.

5. Consultation

5.1 The Committee has requested that we undertake a six-week period of public consultation with local people including patients, families and carers who have used the Ruby ward service as well as staff and stakeholders. As per our legal duties we will also consult directly with the Committee.

Consultation approach – statutory duties and legislation

5.2 We have developed a consultation plan which ensures we will deliver effective patient and public engagement as part of our obligations and legal duties under:

- the five tests for service change laid down by the Secretary of State for Health and Social Care and NHS England
- the National Health Service Act 2006 (as amended by the Health and Social Care Act 2012)
- the Equality Act 2010.

5.3 We would welcome your feedback on the draft consultation plan (see Appendix B) and on how you would like to be directly consulted with during the formal consultation period. Depending on the final timings of consultation and recognising that there is no meeting of the Committee scheduled for August, we will provide a mid-consultation written briefing to members to keep you up to date with how the consultation is progressing. We would welcome a formal or informal face-to-face briefing at this time if members would like to have one.

5.4 You will see that a comprehensive and proportionate consultation is being planned, with an emphasis on how the proposals will impact on the current and recent users of Ruby ward services, their families and loved ones. Staff will also be engaged and consulted. We will seek Healthwatch Medway and Healthwatch Kent’s feedback on our consultation plan and work with them to gain their insights and assistance on

ensuring that relevant groups and networks are aware of the consultation and can respond to it.

Engagement with Kent Health and Overview and Scrutiny Committee (HOSC)

- 5.5 An update paper on the dormitory ward eradication proposals is being taken to the Kent Health Overview and Scrutiny Committee (HOSC) on 10th June 2021. Members are being asked for their views on how the plans to relocate Ruby ward services might impact on the local Kent population and whether HOSC considers the outline proposals to be substantial variation of service for Kent residents. We will give a verbal update of the discussion to HOSC during the meeting on 15th June. Should HOSC agree that this constitutes a substantial variation, scrutiny would move to a Joint Kent and Medway Health Overview and Scrutiny Committee.
6. Financial implications
 - 6.1 There are no financial implications to Medway Council arising directly from the recommendations of this report.
7. Legal implications
 - 7.1 Provision for health scrutiny is made in the Local Authority (Public Health, Health and wellbeing Boards and Health Scrutiny) Regulations 2013 and includes a requirement on relevant NHS bodies and health service providers (including Public Health to consult with local authorities about any proposal which they have under consideration for a substantial development of or variation in the provision of health services in the local authority's area. This obligation requires notification and publication of the date on which it is proposed to make a decision as to whether to proceed with the proposal and the date by which Overview and Scrutiny may comment.
 - 7.2 Where more than one local authority has to be consulted under these provisions those local authorities must convene a Joint Overview and Scrutiny Committee for the purposes of the consultation and only that Committee may comment.
 - 7.3 The legislation makes provision for local authorities to report a contested substantial health service development or variation to the Secretary of State in certain circumstances, after reasonable steps have been taken locally to resolve any disagreement between the local authority and the relevant responsible person on any recommendations made by the local authority in relation to the proposal. The circumstances in which a report to the Secretary of State is permitted are where the local authority is not satisfied that consultation with the local authority on the proposed substantial health service development or variation has been adequate, in relation to content or time allowed, or where the authority considers that the proposal would not be in the interests of the health service in its area.
 - 7.4 Revised [guidance](#) for health service Commissioners on the NHS England assurance process for service changes was published in March 2018. The

guidance states that broadly speaking, service change is any change to the provision of NHS services which involves a shift in the way front line health services are delivered, usually involving a change to the range of services available and/or the geographical location from which services are delivered. It also says that any proposed changes should be aligned to Sustainability and Transformation Partnership (STP) Plans.

- 7.5 The NHS England guidance acknowledges that the terms “substantial development” and “substantial variation” are not defined in the legislation. Instead commissioners and providers are encouraged to work with local authorities to determine whether the change proposed is substantial thereby triggering a statutory requirement to consult with Overview and Scrutiny. The Council has developed a template to assist the Committee in determining whether a proposed change is substantial.
- 7.6 That assessment concludes that this proposal is considered to be substantial change of service for Medway residents.
- 7.7 The NHS England guidance also states that public consultation, by commissioners and providers is usually required when the requirement to consult a local authority is triggered under the regulations because the proposal under consideration would involve a substantial change to NHS services.
- 7.8 However, public consultation may not be required in every case, sometimes public engagement and involvement will be sufficient. The guidance says a decision around this should be made alongside the local authority.
- 7.9 Should the decision be to undertake public consultation, best practice is for the consultation period to be 6 to 12 weeks in most cases, and the Government’s non-binding Code of Practice on Consultations refers to a period of 3 months.

8. Recommendations

8.1 Members are asked to:

- **Note** the progress made to date in developing our proposals for eradicating outdated dormitory accommodation for mental health inpatients in Kent and Medway and constructing a proposed new purpose-built facility
- **Note** the formal assurance process that we are undertaking with NHSE/I
- **Discuss and give feedback** on our draft plan for formal public consultation
- **Determine and agree** how members want to be directly consulted, depending on the timing of the formal public consultation and recognising that HASC does not officially meet in August
- **Note** plans for further investment and improvement in community mental health services and the current mental health services and support on offer for Medway residents

- **Continue to work closely and engage** with commissioners and KMPT as we seek to successfully eradicate dormitory accommodation for mental health patients in Kent and Medway.

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Appendices

Appendix A: report to HASC member working group assessing additional Medway sites
Appendix B: draft consultation plan

Background papers

None