

## **Agenda Item 5: Questions, Representations and Statements of Case:**

The following questions have been received in accordance with the Scrutiny Procedure Rules (Part 4E) Rule 10 of the Constitution, but were received after the agenda had been printed.

### **Question 1** from Ms Jean Burbridge

The law requires commissioners and providers to involve the public when making changes to the provision of NHS healthcare. NHS bodies discharge this duty by carrying out consultations. There is no legal definition of service change but broadly it encompasses any change to the provision of NHS services, usually involving a change to the range of services available and/or the geographical location from which services are delivered. Not only is a change in service location being proposed in UHL's full business case, but it is a change in the location of a **core** service, that is, one on which numerous other services depend and one where change has significant ramifications for the rest of the hospital. **Why did UHL consider it possible to proceed without a full public consultation and will the committee ensure that this omission is rectified and recommend that full public consultation takes place?**

### **Question 2** from Giuliana Foster

"Why has UHL been planning to close level 3 intensive care at the Leicester General Hospital since at least 2015 and yet still not consulted the public?"

### **Question 3** from Ms E Brenda Worrall

Given the recent ruling by The High Court (HHJ Jarman QC sitting as a High Court Judge) in quashing a decision by the Corby Clinical Commissioning Group over failure to undertake public consultation, is there a danger that the local NHS could find itself on the wrong side of the law if it proceeds to remove services as important as level 3 intensive care from Leicester General Hospital without full public consultation? A legal challenge will be costly in time, money and reputation. I therefore urge you to recommend full public consultation.

### **Question 4** from Ms Warrington

"Why is the NHS undertaking to consult the public on 'our plans for acute reconfiguration' (Next Steps to Better Care in Leicester, Leicestershire and Rutland, August 2018 p40) but is not consulting the public on the reconfiguration of intensive care and other services such as kidney services now?"