

P-06-1287 Investigate C&V UHB's refusal to keep north Penarth's surgery, allocating patients to distant GPs, Correspondence – Petitioner to Committee, 06.02.22

Deiseb / petition P-06-1287

UHB defaulting on candour

We find the story given in the UHB letter is at variance with the documents disclosed under FoI last August and the report on them we submitted to the Nov. Petition Committee hearing as comments on the Welsh Minister's letter (*PetCttee Response2ElunedMorgan FINAL 01Nov'22*). The UHB's response apparently disregards those documents, which shows disrespect to Committee. Their letter is inconsistent with the FoI documents, particularly over the surgery owners notifying the UHB in August 2021, and saying that the UHB had contracted to pay £31 000 per year rent/mortgage. It shows that Dr Leppik asked the UHB to extend the contract. Their apparent refusal forced her to hand in her own contract with the UHB.

As well as the UHB contracting £31 000/yr to the surgery owners, documents show the UHB had promised or arranged with Dr Leppik to support the GP practice at Albert Road surgery pending its move to the Cogan Hub. Dr Leppik asked the UHB to extend that contract in October, but they apparently refused, though the owners left this open in their August letter. Their delay and then refusal left her with no option but to hand in her own contract with the UHB. The UHB's Primary Care Team put the blame on Dr Leppik for suddenly ending the GP contract as the CHC meeting report shows. The UHB letter likewise contradicts the evidence of our FoI documents. The UHB's refusal to disclose documentation from the PCT's files is of a piece with maintaining the PCT's false story, rather than independently checking it.

Details of the FoI Disclosure and non-disclosure

The UHB delayed responding to our FoI request on May, claimed unclear wording, but did answer on 22 Aug 2022. We reported on the disclosures to the Petitions Cttee. They omitted many documents, in particular from the Primary Care Team and their involvement of the East Vale Primary Care Cluster. We asked for a review of non-disclosure. The UHB acknowledged it on 7 Nov. but have run far over time without sending further documents (see https://www.whatdotheyknow.com/request/closure_of_albert_road_surgery_a)

The Documents disclosed in Aug. show Dr Leppick declined to move to the Cogan Hub in Oct.2018 but agreed a year later with the UHB agreeing to meet the rent/mortgage of £31 000/yr in the interim till the Hub was ready (given as end 2021, Sept.2019 meeting with the Owners). The UHB claimed to the Surgery owners in 2021 that the Cogan proposal was 'in progress'. The owners wrote to the UHB on 26 August 2021 that they would sell the Surgery if the 2019 arrangement was not to be extended. The UHB did not inform Dr Leppik; she received a notice-to-quit on 1st October and immediately contacted the UHB, believing they had an obligation to continue the £31 000/yr.

The UHB say they were caught by surprise by a notification of 27 Sept.2021 The CHC meeting record reports the PCT's LD saying

the sale of the s which did come as a surprise to everyone, and that was to Dr Leppik, that was also to us in the Health Board

yet the UHB's FoI disclosures supplied no record of the Sept notice, nor of contacting Dr Leppik immediately. LD does not explain

- a) why the UHB did nothing when receiving the owners' 26 August email/letter
- b) why the PCT did not inform the CHC till 3 Nov. and did not meet them till 13 Nov.

There was a hint of self blame by the UHB in

Had the UHB better prepared and remained in regular contact with the landlord/Practice, the landlord may not have decided to sell the land. The UHB could have also anticipated ... the landlord selling and should have considered this as a risk to have planned for.

How hollow this reads when The UHB had set the limit of end 2021 in the £31 000/yr Contract and they had failed to act after receiving the 26 Aug. owners' letter.

The UHB had an understanding with Dr Leppik and may have had a formal contract with her as well as with the owners. They pretended they were ready to help with alternative premises, being offered the West House Annex (PTC) and having space in their own vacated offices in adjacent Avon House. Social media reports say they flatly refused to pay for adaptations. The UHB has failed to disclose any documents on the negotiations with Dr Leppik, but they left her with barely 4 weeks to decide and in effect no choice but hand back her GP contract. She notified the UHB by end October.

The news leaked out, so the PCT rushed out their first letter to patients dated 4 Nov. They claimed

....our focus services closer to home...

The Vale Council issued a statement 19 Nov. saying they and the UHB were committed to explore options, but did nothing. The PCT had decided on 4 Nov. with no consultation to distribute patients to other surgeries, despite existing lack of capacity and overloads.

The *Primary Care Plan for Wales* specifies the Cluster has prime role in deciding, with the UHB helping a vulnerable Practice. What happened was the opposite, the UHB forcing closure and telling the Practices in the cluster to take on the patients.

The behaviour of the UHB/PCT is less than candid; they imply blame on Dr Leppik for the sudden closure and talk of her as contractor and independent business. At the CHC meeting, the PCT's head Lisa Dunsford said condescendingly (and dishonestly)

... GP's are independent individuals, so as part of the contract, they are responsible for providing the building so Maxwell, this isn't anything WG would be able to do,

The *Primary Care Plan for Wales* on the contrary established a partnership relationship which the UHB was to facilitate. The primary case Cluster is to lead on decisions, yet the UHB took the decisions over their heads. (Details on the Primary Care Plan are in the SAS Annex below).

They claim they had meetings with Vaughan Gething MS; only one meeting is known (19 Nov.2021) and they have failed to disclose notes of that as we requested. The local East Vale Cluster has hardly operated (the Cluster lead GP blames the UHB) which explains why the UHB did not supply minutes of Cluster meetings to our FoI request. .

We corresponded with Charles (Jan) as chair. He wrote that they'd followed procedures, mentioning the Cluster and stated they'd reviewed other sites but "we believe Cogan is "most appropriate." We requested documents on this review (5th November) but no answer came.

Cogan plan Under Review

The Primary Care Team's lead, Lisa Dunford told the PCT's meeting with the Vale 50+ Forum, they would review locations linked to new plans. Those she said were due out in June 2022, but nothing.

The Minister's letter says:

new build integrated health and care centre for the Cogan area (is) under review.

Board reports continue to say "under" review. We submitted a question to the November Board meeting asking for details of this review and involvement in it, but the Board official squashed it. They promised a written reply, but none came.

The original Cogan decision was subject to public consultation, mostly critical with a major reason being access as in the CHC meeting report. The UHB officials (at the Town Council) said they couldn't delay and had to decide. They didn't consider the WGovt land at Cosmeston and refused to bring it into consideration. Continuing that stance 5 years on cannot be defended; several sites in the Town are now available.

Moreover, Government policy has come out for regenerating town centres and ensuring services being accessible by walking and cycling. Cogan fails on both grounds.

Cllr Neil Thomas (a main contributor at the CHC meeting) repeatedly presses for a minibus to secure access to Cogan, but no-one else supports this as an adequate or efficient solution. The UHB have not pursued it, still less offered to fund it. The UHB hired a London transport consultant who disregarded essential details – working from maps, they did not see the excessive slopes to reach bus and rail stops, they did not see the steps over the railway impeding and preventing physically limited people, and they did not see the poor provision of pavements and road crossings. They badly undercounted the need for car parking spaces. The UHB had no-one local to review their report, expecting the VoG planners to do the work. They asked the UHB to justify only a few new parking spaces and the UHB replied with faulty information from their London consultant.

The PCT's head told the CHC meeting

... we hear what you're saying about transport and that is usually an issue if we do change where services are provided, so I think we certainly do need to look at the transport and ensure that people can get there.

This in fact shows she's not listening about the particular problems of access to Cogan, with slopes too steep under Welsh Govt. active-travel criteria, difficult road crossings, steps to the rail station, difficult car access to the main Windsor Road, severe congestion at times on Cogan's Windsor, over steep walking/cycling routes from Penarth Haven and from Redlands etc. The UHB have been told in detail but don't appear to record objections, even though they can be linked to WGovt policy.

Programme of Wellbeing Hubs is stalled and in trouble

The VoG was to have 3 Hubs, but only Cogan is identified (Cardiff was to have 6). Llantwit Major has been pressing for 3-4 years for the UHB to join in with their Health Centre scheme at a vacant Primary School site, but have been told the UHB cannot decide for another 3 years.

A new-build Wellbeing Centre at Park View (old Ely hospital site) is going ahead but the price soared to £23M compared with ~£10M estimates. The Maelfa Hub is £14M

The UHB planners seem intent on new-build rather than adapting existing buildings. Their "Annex" at Cogan Leisure Centre was to be £10-12M. They now plan a stand-alone 'Hub' at £15-20M.

The £68M programme of 19 *Health and Care Hubs* throughout Wales (under £4M average) was approved in 2017 with Cogan Hub, Maelfa Hub and Pentyrch Surgery listed in C&V <https://businessnewswales.com/68m-unveiled-health-care-hubs/>. £14M per C&V Hub is quite excessive compared with the £4M average. Pentyrch Surgery is now to be closed after a dispute with the UHB - the "Plasdwr" replacement is not close to home and there's no provision for public transport to it. For the UHB to spend on Plasdwr plus Maelfa/Llanederyn (£14M) and now Cogan (over £14M) shows a review is needed on financial grounds. The UHB should count no longer on the 2017 approval of *Health and Care Hubs*.

The UHB letter contradicts the Board papers (see below) and the Minister's "reviews" in saying

We remain committed to this scheme and believe it will provide a fantastic integrated wellbeing centre, incorporating modern fit for purpose primary care services.

Community Diagnostic Centres now have priority

The Health Minister announced this last Easter. The UHB Board papers for 26 January 2023 say:

Diagnostics: work is progressing to finalise proposals for a number of community diagnostic centres to supplement health board capacity. Subject to a successful procurement process, it is anticipated the first facility would come on line in the second quarter of 2023/2024.

Priority for estates and planning resources needs diverting from the stalled Wellbeing Hubs (9 approved in principle in 2019). The UHB seems unable to make this strategic change. Is this related to the UHB being in Special Measures for its planning?

The programme of CDCs is already being implemented, with the first one "on line" within 12 months. This time-scale implies adapting existing buildings. Penarth has suitable town-centre premises, several banks and large shops are recently vacant; the old Police Station is being vacated. The UHB must surely be interested in seizing opportunities as they arise.

C&V UHB's Integrated Medium Term Plan 2022-2025 says (Board papers 26 January 2023)

Wellbeing Hub Penarth - Original scheme under review due to changing requirements of Local Authority

Previous wording has been ... *under review due to changing Board priorities.*

We submitted a question for answer at the Board meeting of 24th November:

Penarth Wellbeing Hub at Cogan

I note this is still under review and is unlikely to proceed. It was to provide premises for two of Penarth's GP Practices and the delay has led to the closure of one Practice and overloaded the other GP surgeries. Would the local Primary Care Cluster be fully involved in the "review" and could it include the possible restoration of a GP surgery to north Penarth, meeting the close-to-home objective?

The officials blocked the question, saying they would answer later in writing. They did not.

What Reviews could and should cover

The Health Minister said the Cogan project is under review.

Review should cover 1) the site at Cogan, being bad for access 2) availability of alternatives in Penarth, including the Albert surgery on which there is a covenant reserving it for health purposes, 3) whether a Wellbeing Hub with little participation of VoG social service, no dental or pharmacy services, no diagnostic services, but over half Penarth's GP patients is appropriate, 4) whether a community diagnostic centre merits priority.

The Review has to be transparent and involve consultation with the public. It needs to include a genuine Equality Impact Assessment covering access to the Cogan Hub, which was never done.

We ask the C'ttee to obtain full info of all the reviews of the Cogan Well-being Hub, including that mentioned by the Health Minister and any strategic review relative to rolling it forward rather than dropping it from the *2022-2025 Integrated Medium Term Plan*

ask the UHB if they are aware of the several premises in central Penarth that could be suitable for a *Health and Care Hub* including a GP surgery and Community Diagnostic Centre.

ask the UHB to justify its refusal to fund GP premises (unlike some other Health Boards) in the light of the 2019 *Primary Care Plan for Wales* (ANNEX below) that requires them to assist GP practices as core principle and sets *Primary Care Clusters* as the key decision-making body.

ask Vaughan Gethin to confirm what meetings he held with the UHB and supply notes from the 19 Nov.2021 meeting

ask the UHB to review their statement in view of documents in the public domain showing they received notice from the owners on 26 August 2021, not 27 Sept 2021 which is said to be a surprise, and that the UHB held the contract with the owners. Is it fair to blame Dr Leppik for closing the practice in the context of the UHB failing to notify her of the 26 August notice and to act to extend the contract, and context of the UHB failure to make the Cogan Hub available by the end of 2021?

ask the UHB if their officials have had proper regard to the Duty of Candour in their handling of information requests, questions to the Board, and writing this statement to the Petitions Committee.

Our Petition asks for a review to include the need for a surgery in north Penarth. The UHB keeps saying - bring services 'close to home' then 'closer to home' but does the opposite for Penarth and Pentyrch. Their response does not comment on Penarth's 'need'. They have not shown support for local surgeries, walkable from many or most homes, but are railroading their 'solution' of surgeries for more than half of Penarth far away at Cogan. The Committee /should press them for evidence of their real commitment to this Welsh health principle.

Ask the UHB to respond to our request for the UHB Board

to consider what can be done to consult with stakeholders with a view to restoring a surgery in north Penarth.

ANNEX Closure of Albert Road Surgery

SavePenarthSurgery group July 2022

Failure by the UHB Primary Care Team to comply with Welsh Government policy

Primary Care Model for Wales.

In presenting this for Cabinet approval in June 2019, the Minister stated

Stable general practice is at the heart of the Primary Care Model.

The model ensures that local health services are stable and can respond to future demands, while support from health boards can help vulnerable GP practices.

This put Health Boards in a supporting role

The **NHS Wales Planning Framework 2019 to 2023**. sets out the principles and specifies working collaboratively through *primary care clusters*.

The Primary Care Model for Wales sets out a whole system approach from a health perspective... timely care and support that is delivered collaboratively by all partners through the primary care clusters.

Instead, we received letters from the PCT telling us what they intended - to allocate numbers of us from Albert Rd surgery to the remaining other surgeries in the cluster and offer remaining surgeries some Health Board funds to assist the transfers.

The **Workforce Planning in Primary Care Guidance and Resource** outlines planning at a locality/cluster level, based on the NHS Wales workforce planning approach applied to primary care. It specifies six stages, with stage 3 *Create a vision and define outcomes*.

In Penarth, the PCT gave their 'vision' in the January 2022 statement with the Vale Council, after the closure of Albert surgery was well underway. There was no reference to the primary care cluster. The PCT declared the future of north Penarth's GP Practice would be in a *Wellbeing Hub* in Cogan.

Not only did the PCT decide the 'vision' of Stage 3, but they also ignored stages 1 and 2 which are:

Understand your population/ healthcare environment and Talk to your stakeholders

The PCT ignored that older people would especially suffer from no local GP surgery in north Penarth, because of mobility limitations. They ignored the Equality Act requirement to

ensure that reasonable adjustments are made to deliver equity of access to healthcare services for all individuals (ref. Equality Act 2010; quoted from the Planning Framework 2019-22 version).

Penarth people had told the UHB in 2020 that 'equity of access' could not be delivered to the Cogan site because of over-steep slopes, difficult and substandard walking and cycling routes, and congested traffic. The UHB failed to get their transport consultants to address this and omitted to conduct an Equality Impact Assessment that would have flagged up the problem. The Practice Cluster and CHC were not consulted, but just Penarth Town Council and the Vale 50+ Strategy Forum as representing stakeholder. The proposed Wellbeing Hub project stalled in part for the 'equity of access' reason.

Conclusion. The PCT strayed beyond their supporting role and disregarded policies and guidance set by the Welsh Government, both over the surgery closure and over deciding our GP services should be at Cogan in the longer term.

The UHB Board needs now to consider what can be done to consult with stakeholders with a view to restoring a surgery in north Penarth. The Senedd Petitions Committee is currently progressing a petition to them on this issue.

Sources:

Primary Care Model for Wales CAB-NW(18-19)02, 2019

gov.wales/sites/default/files/publications/2019-07/cabinet-committee-on-north-wales-paper-06-june-2019.pdf

NHS Wales Planning Framework for 2019-2023, Sept 2019

gov.wales/sites/default/files/publications/2019-09/nhs-wales-planning-framework-2020-to-2023.pdf

Workforce Planning in Primary Care Guidance and Resource

[www.nwssp.wales.nhs.uk/sitesplus/documents/1178/Workforce Planning Guidance and Resource.pdf](http://www.nwssp.wales.nhs.uk/sitesplus/documents/1178/Workforce%20Planning%20Guidance%20and%20Resource.pdf)

