

Patient and Public Engagement Committee 2020/2021

Date of Meeting:	14 January 2021
Agenda Item:	4.6
Subject:	Pennine Acute Trust Transactions Engagement
Reporting Officer:	Kimberley Williams
Aim of Paper:	To provide PPEC members with an update on engagement for the Pennine Acute Trust Transactions

Governance route prior to PPEC	Meeting Date	Objective/Outcome
Governing Body	Select date of meeting.	Click to Select
Audit Committee	Select date of meeting.	Click to Select
Strategic Place Board	Select date of meeting.	Click to Select
Integrated Commissioning Board	Select date of meeting.	Click to Select
Locality Engagement Group	Select date of meeting.	Click to Select
Patient and Public Engagement Committee	Select date of meeting.	Click to Select
Quality and Safeguarding Committee	Select date of meeting.	Click to Select
Remuneration Committee	Select date of meeting.	Click to Select
Clinical and Professional Advisory Panel	Select date of meeting.	Click to Select
Primary Care Commissioning Committee	Select date of meeting.	Click to Select
Information Governance Management Group	Select date of meeting.	Click to Select
Other	Click here to enter text.	

Patient and Public Engagement Committee Resolution Required:	For Information Only
Recommendation	Click here to enter text.

Link to Strategic Objectives	Contributes to: (Select Yes or No)
SO1: To be a high performing CCG, deliver our statutory duties and use our available resources innovatively to deliver the best outcomes for our population.	Yes
SO2: To deliver on the outcomes of the Locality Plan in respect of Prevention and Access (Prevention and Self Care)	No
SO3: To deliver on the outcomes of the Locality Plan in respect of Neighbourhoods & Primary Care (Getting help in the Community)	No
SO4: To deliver on the outcomes of the Locality Plan in respect of In Hospital - Planned (Getting more help)	No
SO5: To deliver on the outcomes of the Locality Plan in respect of In Hospital - Urgent Care (Getting more help)	No
SO6: To deliver on the outcomes of the Locality Plan in respect of Children, young people and families	No
SO7: To deliver on the outcomes of the Locality Plan in respect of Mental Health	No

Risk Level: (To be reviewed in line with Risk Policy)	Not Applicable
Comments (Document should detail how the risk will be mitigated)	Click here to enter text.

Content Approval/Sign Off:	
The contents of this paper have been reviewed and approved by:	Not applicable
Clinical Content signed off by:	Not applicable
Financial content signed off by:	Not applicable

	Completed:
Clinical Engagement taken place	Not Applicable
Patient and Public Involvement	Not Applicable
Patient Data Impact Assessment	Not Applicable
Equality Analysis / Human Rights Assessment completed	Not Applicable

Executive Summary
Report attached.

PAT Transactions – A New Ownership Model: Information for HMR CCG PPEC - 21 December 2020

Background

On 1 April 2021, it is planned that the [Bury](#), [Rochdale](#) and [Oldham](#) sites and services of The Pennine Acute Hospitals NHS Trust (PAT) will legally be acquired by [Salford Royal NHS Foundation Trust \(SRFT\)](#) as part of the [Northern Care Alliance NHS Group \(NCA\)](#) and [North Manchester General Hospital](#) will legally be acquired by [Manchester University NHS Foundation Trust \(MFT\)](#) - at which point PAT will formally be dissolved as an NHS trust.

These plans, known as the 'PAT Transactions', have been put in place to support the future clinical, financial and workforce sustainability of acute hospital services in the North East sector (North Manchester, Bury, Rochdale and Oldham) and across Greater Manchester. It is a formal process involving Pennine Acute Hospitals NHS Trust (PAT), Salford Royal NHS Foundation Trust (SRFT) and Manchester University NHS Foundation Trust (MFT) which is being led by [NHS England and Improvement \(NHSEI\)](#) supported by [Greater Manchester Health and Social Care Partnership \(GMHSCP\)](#).

Case for Change

In 2016, The Pennine Acute Hospitals NHS Trust was rated 'Inadequate' by the Care Quality Commission (CQC) following its first ever inspection of the Trust's services. As a result, Sir David Dalton, then Chief Executive of SRFT, was appointed to take over as Interim Chief Executive and measures were put in place in order to improve standards of care as well as clinical, operational and financial performance across the Trust. In 2017, NHS Improvement (NHSI) reviewed potential long-term solutions for the future sustainability of PAT. This concluded that the preferred option was to disaggregate PAT into two lots, with Manchester University NHS Foundation Trust (MFT) acquiring North Manchester General Hospital (NMGH) as part of plans for a single hospital service across the city of Manchester and Trafford, and SRFT acquiring the remaining sites. This led to both organisations moving to preferred acquirer status.

Where Are We Now?

Under the management of Salford's leadership team, Pennine Acute's standards of care and CQC rating continued to improve year-on-year, from 'Inadequate' in 2016 to overall 'Good' in 2019.

On 1 April 2020, two interim management agreements came into effect, marking an important stage for the Transactions:

- Bury & Rochdale Care Organisation (operating as two separate care organisations since November 2020), Oldham Care Organisation, Diagnostics & Pharmacy and the majority of Corporate Services, continue to be managed by SRFT and the Care Organisation leadership teams, as part of the NCA Group.
- North Manchester Care Organisation is now managed by MFT.

This interim arrangement means that SRFT and MFT are currently responsible for managing the respective parts of Pennine Acute but the management agreement contracts do not constitute a formal legal transaction. Until 1 April 2021, PAT remains the employer for staff with a PAT contract of employment and PAT also continues to exist as a statutory NHS organisation, employer and service provider.

Why It Is Happening: Aims and Objectives

Whilst many improvements have been made, there are limitations of a management contract. Through acquisition, SRFT and MFT will be able to drive and embed improvement to a greater degree. In line with that, the Transactions are being delivered in order to:

- Help support and complement local integrated healthcare plans
- To better meet the population health needs of local communities
- Strengthen community support
- Deliver more care closer to home
- Maximise the use of estates on the PAT footprint
- Support acute hospital services
- Strengthen the delivery of both acute and community based services

In achieving this we aim to see:

- Improved population health
- Improved patient experience
- Improved quality of care
- Improved finances
- Improved staff experience
- Improved education and training
- Improved operational performance

Governance

Pennine Acute Trust Board

In order to ensure the statutory transactions are delivered to schedule, a Pennine Acute Trust Board was re-established on 1 April 2020, to oversee the implementation of the Transactions and hold MFT and SRFT to account for delivery of the management agreements. The Board holds no responsibility for the day-to-day management of services which remains the responsibility of MFT and SRFT under the interim management arrangements – an approach which is enabling staff to focus on continuity of care, patient safety and service delivery across all sites.

Transaction and Disaggregation Committee and Transaction Oversight Board

Oversight of the PAT Transactions programme, including the work of all associated clinical, HR, IM&T, patient pathway and financial workstreams and processes, is also provided through a weekly Transactions and Disaggregation Committee. Membership of the Committee includes the PAT Executive Team and the Transaction Directors of MFT and SRFT. A further level of scrutiny and oversight is provided by the Transactions Oversight Board. Led by NHSEI, membership of the Oversight Board includes the North West Regional Director, North West Medical Director, North West Finance Director and Provider Transformation Director of NHSEI; the Chief Officer and Finance Executive Lead of GMHSCP as well as the Chief Executives, Transaction Directors and Finance Directors of PAT, MFT and SRFT.

Joint Health Overview and Scrutiny Committee

The PAT Chief Executive and PAT Transactions Director continue to report on programme progress to local council leaders across the North East sector on a quarterly basis through the Joint Health Overview and Scrutiny Committee (JHOSC) for Pennine Acute Hospitals NHS Trust. The next meeting is scheduled for 19 January 2021.

Patient Services: Continuity of Care

This process is about change of employer: the public and patients who receive care and treatment across PAT hospitals will not be affected by these arrangements as services will continue 'as is' from 1 April 2021. Services will be provided by the same staff, in the same locations – there is no intention that staff will need to move sites as a result of the Transactions.

When the Transactions are complete, MFT and SRFT intend to continue with their plans to improve the way patients receive care, and to ensure that the resources and expertise that we have are being shared and used in the best possible way. They will also continue to

implement previously agreed GM-wide service reconfiguration programmes such as 'Healthier Together'.

Stakeholder Engagement

Patient and Public Engagement

As patient services will be unaffected by the PAT Transactions and will remain the same at the point of access, there is no statutory requirement to hold a public consultation. However, members of the public and patient representatives continue to be kept regularly informed of programme progress through the FT member and Council of Governor meetings of MFT and SRFT (which also includes shadow PAT members), as well as the NCA's quarterly magazine, [The Loop](#). Information on how patient data is stored and shared between, PAT, MFT and SRFT has been published as part of the privacy notices on PAT and the acquirers' websites and a dedicated [PAT Transactions information page](#) has been set-up on the PAT website, providing clear mechanisms for enquiry and feedback.

To ensure the public continue to be reassured about access to healthcare services, appropriate public and patient communication and engagement around the plans for PAT hospitals and services will increase, where required, as we get closer to the date of the Transactions. This will include, for example, a notification of the change in service provider being included in hospital and community service appointment letters as appropriate.

Engagement with Healthwatch

Engagement with Healthwatch on the PAT Transactions programme to date has predominantly been through the NCA Healthwatch Partnership Board which has had to be stood down due to COVID since March this year. MFT has also kept local Healthwatch fully informed of the proposed Transactions and associated plans for NMGH, holding quarterly meetings with Healthwatch Manchester. A written PAT Transactions update briefing was issued to all NES Healthwatch organisations in early November and a follow-up briefing is planned for the end of January. Arrangements are also currently being made by the NCA to reinstate the Healthwatch Partnership Board in early 2021.

On 17 December 2020, in line with regulations set-out in the National Health Service Act 2006 and as directed by the Department of Health and Social Care, PAT commenced a formal consultation with all local Healthwatch organisations (Healthwatch Manchester, Healthwatch Oldham, Healthwatch Rochdale, Healthwatch Bury and Healthwatch Salford) on the statutory Transactions. However, those organisations are not required to canvas the opinion of the patients and public they represent as, for the reasons stated above, this is not part of a public consultation. The consultation is running for six weeks and will formally close on 28th January 2021. The responses will be analysed and a report will be submitted to the Department of Health and Social Care for consideration by the Secretary of State in early February 2021. The Secretary of State for Health will consider the report before making the order to formally transfer all PAT property, liabilities and staff to SRFT and MFT and officially dissolve Pennine Acute Hospitals NHS Trust on 1 April 2021.

Engagement with Trade Unions

PAT, MFT and SRFT are committed to partnership working with recognised trade unions throughout the Transactions programme to ensure staff are involved in shaping the decisions that affect them in the workplace and we greatly value the positive contribution a constructive partnership approach with them has had on the process to date. Staff-side representatives have been kept fully informed of developments with the Transactions and have been directly involved in the associated staff alignment and transfer process. This has happened in a number of ways, including through weekly meetings on a local level with staff-side representatives and on a regional level with full-time officers.

Staff alignment discussions will be completed with all 10,000 PAT staff this month (December), so we will be able to confirm whether staff will be employed by MFT or SRFT, once Pennine ceases to exist on 1 April 2021. A formal consultation period with staff-side representatives commenced on 14 December 2020 and will run until the end of January 2021. In addition to covering the transfer and dissolution orders, this is a formal consultation on the “measures” – the technical arrangements for staff to transfer to either MFT or SRFT in accordance with either [‘TUPE’ \(Transfer of Undertakings Protection of Employment\)](#) or [‘COSoP’ \(Cabinet Office Statement of Practice\) procedures](#). The outcome of that consultation will also be reported to the Secretary of State.

Engagement with GM Mayor and MPs

Direct engagement with local MPs and the GM Mayor on the Transactions programme has continued, as appropriate, through the acquiring trusts’ (SRFT and MFT) existing public affairs engagement programmes, in addition to the weekly meetings held by GMHSCP Chief Officer, Sarah Price. A dedicated Transactions programme update briefing was issued in early November to all MPs representing constituencies on the PAT footprint. No queries have been raised in response to date. The next briefing is to be issued in January.
