

Horton Health Overview and Scrutiny Committee
27th November 2020

Secretary of State Referral Cover Report

1.0 Referral

1.1 The Horton HOSC met on 19th September 2019 when it unanimously agreed to refer the CCG Board decision to create a single specialist obstetric unit for Oxfordshire (and its neighbouring areas) at the John Radcliffe Hospital and establish a Midwife Led Unit (MLU) at the Horton General Hospital, for the foreseeable future, back to the Secretary of State on the following two requirements:

- Regulation 23(9)(a) – consultation on any proposal for a substantial change or development has adequate in relation to content.
- Regulation 23(9)(c) - the decision is not in the best interests of the health service or local residents.

1.2 The referral letter was sent to the Secretary of State on 2nd December 2019. A copy of the letter and associated supporting evidence has been included as Appendix 1 to this report:

Number	Information
Appendix 1	Referral letter
Appendix 1a	Minutes of the Horton HOSC (from Sept 2018 to Sept 2019 – including DRAFT minutes of the meeting held on 19 th Sept 2019)
Appendix 1b	Obstetric-Led Unit Research conducted by a) HHOSC and b) Keep the Horton General Campaign Group
Appendix 1c	Condition Report on the Horton General Hospital, as presented to the Community Partnership Network
Appendix 1d	Text file copy of the email sent to Nick Graham on 10 th June 2019 regarding the weighting of options
Appendix 1e	Appendix 2 of the Chairman's report Addenda from 19 th September, highlighting the research on impacts of anxiety in pregnancy

2.0 Response

2.1 A response to the referral letter was received on 15th September 2020, this has been included as Appendix 2. It notes the Secretary of State's conclusion that it did not constitute a valid referral.

2.2 The Chairman wrote back to the Minister on 22nd September 2020, urging them to reconsider and pass the matter on to the Independent Reconfiguration Panel. A copy of this letter is included as Appendix 3.

3.0 Judicial Review

- 3.1 Advice has been sought on the prospect of a judicial review on the Secretary of State's decision. Detailed information on this advice and recommended next steps have been included as Appendix 4.