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**OXFORDSHIRE  
COUNTY COUNCIL**

**CHIEF EXECUTIVE'S OFFICE**

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**Oxfordshire Joint Health Overview and  
Scrutiny Committee**

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My ref:

Your ref:

Date: 26 January 2011

This matter is being dealt with by Roger Edwards	Direct line 01865 810824
	Email: <a href="mailto:roger.edwards@oxfordshire.gov.uk">roger.edwards@oxfordshire.gov.uk</a>

Dear Sonia

**Chipping Norton Community Hospital**

The following relates to concerns expressed by the Chipping Norton & District Hospital Action Group, by West Oxfordshire District Council and by other people in the Chipping Norton area relating to the staff terms and conditions of employment at Chipping Norton Hospital.

As you will know, the Oxfordshire Joint Health Overview and Scrutiny Committee (HOSC) was given undertakings in both 2005 and 2007 with regard to the employment of nursing staff at Chipping Norton Community Hospital. Namely that:

1. To enable staff at the Hospital to decide which choice was better for them as individuals, they would be given the option of whether to remain as NHS employees and be seconded to the Orders of St John (OSJ) for a period of 3 years, or alternatively to transfer under TUPE to the OSJ
2. The PCT would not indicate a preference with regard to the above options
3. In the event that an NHS employed staff member was to leave during the 3 year period, then their replacement would be placed on NHS terms and conditions for the remainder of the 3 years
4. At the end of the 3 year period, members of staff who had chosen secondment would be given the option of transferring to the OSJ or continuing to work for the NHS at a different site. No member of staff would be forced to transfer to the OSJ at any time
5. At the close of the 3 year period a full and open review would take place with:
  - a. all evidence being made public
  - b. all interested parties being given the opportunity to put forward their views
  - c. cognisance being taken of those views

6. There was an expectation that there would be continuing Section 242 (formerly section 11) consultation throughout the 3 year period

The HOSC was disappointed to hear that the PCT is considering not implementing the agreement in relation to item 3 above and has stated that any new appointments during the three year period would be automatically to OSJ. If that were to happen it would plainly be against both the spirit and the letter of the previous agreements.

This matter was raised by us when Peter Skolar and I met you in December. At that time you said that you would be seeking advice from the Treasury. I would be grateful if you would let me know what advice you have received and whether it has influenced the decision on staff appointments. Our understanding is that both the Treasury and the Department of Health have said that there is no legal imperative for new staff to be appointed to the OSJ. It would also be helpful to know what other criteria have been used in deciding on this course of action.

The HOSC expects that the PCT would abide by the agreements made previously. Consideration would have to be given to referring the matter to the Secretary of State if the agreement was to be set aside unilaterally.

I look forward to your reply.

Yours sincerely

Councillor Susanna Pressel  
Acting Chair of the Oxfordshire Joint Health Overview and Scrutiny Committee

The Oxfordshire Joint Health OSC comprises councillors from Oxfordshire's County, District and City Councils as well as co-opted members of the public