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NHS Independent Scrutiny Consultation  
Freeport NATN452  
Healthcare Policy and Strategy Directorate  
St Andrews House  
Edinburgh  
EH1 0DR

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**Scotland National Office**

\*Submitted by email\*

22 January 2008

Dear Mr Isaac

#### **INDEPENDENT SCRUTINY CONSULTATION RESPONSE**

Thank you for the opportunity to comment on the proposals for the introduction of independent, external scrutiny of proposals for major change in NHS services in Scotland.

BMA Scotland supports the emphasis on the need for meaningful consultation and debate regarding priorities and redesign of services across the NHS in Scotland, both with those who use the services and those who provide them. Changing demographics, working time regulations and new developments in diagnosis, treatment and care continue to add to the challenge of balancing public expectations, patient safety, evidence based care and equity of access and provision within finite resources.

It seems that despite the duty placed on NHS Boards to undertake full public consultation on service changes, this is not always being achieved to the satisfaction of patients, staff or the public. BMA Scotland would welcome the introduction of measures which would result in increased public confidence in the way that proposals are developed with regard to service changes, particularly where difficult decisions may have to be made.

BMA Scotland agrees that, of the three possible options outlined in the consultation, an expert panel has the potential to provide the most effective way to provide independent scrutiny. We believe that the panel should assess the proposals regarding options for service change on the basis of the safety, sustainability, evidence-base and value for money of NHS Boards, as indicated in the consultation. The Board should be provided with an opportunity to provide additional information to support their case, if necessary and appropriate. If alternative evidence based perspectives from patient or public groups are to be considered by the panel, due notice must be given to interested parties regarding the process for submission of evidence and a similar robustness applied in the examination of this evidence.

With regard to the composition of the expert panel and a lay majority, BMA Scotland believes that panel members should be selected on the basis of the skills and experience required, and the ability to inspire public confidence. While we have no objection to a lay chair, it should be noted that the one example of a successful panel-led review cited in the consultation document was chaired by Professor Andrew Calder, a clinical expert in obstetrics and gynaecology. If the panel is to be composed of a majority of lay members, the panel should have the opportunity, if required, to call on medical experts with no direct interest or involvement in local NHS service changes to ensure that all members fully understand the clinical

**Scottish Secretary:** Martin Woodrow  
**Chief Executive/Secretary:** Tony Bourne

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implications of any changes. In order to maintain the independence and neutrality of the panel, no member should be an active member of any political party.

The findings of the panel must be made public if the process is to increase public confidence in decision making and should be available as part of the wider public consultation on the final proposals for service change by the NHS Board.

Finally, any funding required for the establishment and support of such panels should be additional to funding currently provided to the NHS and should be administered by a national body such as the Scottish Health Council or Scottish Government Health Directorates.

Yours sincerely,

A handwritten signature in black ink that reads "Martin Woodrow". The signature is written in a cursive style with a distinct loop at the end of the last name.

Martin Woodrow  
Scottish Secretary