

SCOTTISH HOSPITALS INQUIRY

OPENING STATEMENT ON BEHALF OF LOTHIAN HEALTH BOARD (KNOWN AS NHS LOTHIAN)

FOR THE HEARING COMMENCING ON 20 SEPTEMBER

1. INTRODUCTION

- 1.1. This Opening Statement is produced on behalf of NHS Lothian with reference to Direction 3 issued by the Scottish Hospitals Inquiry.
- 1.2. At the time of writing, NHS Lothian has not seen the evidence that will be before the Inquiry during the hearing commencing on 20 September 2021. It is understood that the purpose of the hearing is to allow patients to give evidence about their experiences and that the Inquiry will not be seeking a direct response to that evidence from NHS Lothian.
- 1.3. NHS Lothian will not try to anticipate and address in advance the evidence that individual patients may give. Any inconvenience or distress that may have been caused to patients and their families is very regrettable. NHS Lothian will listen carefully to patients' evidence and will take the opportunity to learn from it. However, unless requested to do so by the Inquiry, it is not anticipated that NHS Lothian will seek to comment on the specific evidence that is placed before the Inquiry.
- 1.4. In these circumstances, the purpose of this Opening Statement is twofold. Firstly, it provides a brief narrative of the events that occurred at or around the time the Royal Hospital for Children and Young People (the "RHCYP") and the Department of Clinical Neurosciences (the "DCN"; an adult service) were due to open. Secondly, it provides some detail on the steps taken by NHSL to ensure that patient care was not compromised.

2. DELAYS TO THE COMPLETION OF THE NEW HOSPITAL

- 2.1. NHS Lothian wishes to reiterate its sincere apology to all those who were inconvenienced, concerned or disappointed by the delayed opening of the new facility.
- 2.2. The "**new hospital**" (the RHCYP and the DCN) was due to open at Little France from Tuesday, 9 July 2019. Testing carried out in late June 2019 by IOM, a specialist ventilation consultancy commissioned by NHS Lothian, identified that there were only four (instead of 10) air changes per hour in some of the bedrooms in Paediatric Critical Care.
- 2.3. NHS Lothian's executive team was first made aware of this ventilation issue on the evening of Monday, 1 July. Meetings and discussions took place, both internally and externally with Scottish Government and its agencies over the course of the next two days to assess the implications of this discovery.
- 2.4. NHS Lothian recognised that the Emergency Department, Critical Care and Paediatric Inpatient Services would need to remain for the time being at the Royal Hospital for Sick Children at Sciennes Road (the "**RHSC (Sciennes)**").
- 2.5. During 4 July, Scottish Government made the decision that the new hospital would not open on 9 July and that no services would move, from either RHSC (Sciennes) or the DCN at the

Western General Hospital. The Scottish Government took the lead in communicating this decision on the day, both internally and externally.

- 2.6. It is important to note that, as part of the originally scheduled move on 9 July, the Emergency Department (Minor Injuries and A&E) at the RHSC (Sciennes) was to close its doors. This is significant because it is only these urgent care services that are unscheduled with patients attending unannounced. All other services are accessed by way of planned appointments. This means that the location where patients should present themselves is contained in their appointment letters.
- 2.7. When the decision to delay the opening of the new hospital was taken, it was important that this distinction between emergency services and scheduled appointments was addressed in communications both with patients and with the public in general. Accordingly, direct communication was required with patients (or their families) who had scheduled appointments in order to give them details of their new appointment location (and time, if applicable). By contrast, in relation to the general public, the priority for communications was to raise awareness that, in an emergency, they should continue go to the RHSC (Sciennes) to access Minor Injuries or A&E services.
- 2.8. So far as the DCN is concerned, all access is scheduled or by means of clinical referral. DCN patients were not due to begin attending the new hospital until the week commencing 15 July and the number of patients scheduled to attend that week was lower than normal due to planned consultant annual leave.

3. STEPS TAKEN BY NHS Lothian IN RESPONSE TO DELAY

- 3.1. Following the decision of 4 July not to open the new hospital, NHS Lothian took the following steps to mitigate the impact of the decision.

(i) Identifying the affected patients

- 3.2. NHS Lothian immediately undertook to identify all RHCYP and DCN patients who had outpatient appointments or scheduled procedures booked. For Children's Services, patients could be scheduled up to eight months in advance. In the DCN, patients could be scheduled up to three to four months ahead. All of these patients were the focus of direct patient communication.

(ii) Contacting the affected patients

- 3.3. The RHCYP had just over 5,000 outpatient appointments and 330 theatre procedures scheduled throughout July, August and September 2019. The process of contacting patients prioritised those with the most imminent appointments. Patients were contacted by phone and this process continued, following date order. It was explained to those contacted that they should not attend their appointment or procedure at the new hospital but instead attend the existing facilities, i.e. the RHSC (Sciennes) and the DCN at the Western General Hospital (the "**DCN (WGH)**"). All Children Service's patients with appointments in July were contacted by phone within two to three weeks. All DCN patients were contacted by phone within two to three weeks.

(iii) Issuing revised appointment letters

- 3.4. Revised appointment letters were also issued notifying patients of the new location of their appointments. It was NHS Lothian's strategy to retain the original date and time of appointment with only the location changed. In the vast majority of cases, this was achieved.

(iv) Patient reminders

3.5. The practice of calling patients and their families to remind them of their appointments was also initiated. These calls ensured that patients and families were aware of the need to attend the existing facilities as opposed to the new hospital.

(v) Telephone helpline

3.6. A telephone helpline for patients and their families was set up to address any concerns that patients/families may have had in relation to the delayed opening of the new hospital. The helpline went live on 5 July 2019 and formally closed on 5 January 2020. It was staffed seven days a week: Monday to Friday from 8am to 10pm; and Saturday and Sunday (including Christmas Day 2019 and New Year's Day 2020) from 9am to 5pm. There were a total number of 139 calls to the helpline during these six months. Thereafter, a helpline was operated by Children's Services staff. Calls were minimal and the helpline gradually ceased to be used.

(vi) Staff attendance at the new hospital

3.7. Staff were based at the new hospital to identify any patients who attended the site incorrectly and to direct them to the existing facilities. Patient transport was reserved and on standby for this purpose should it have been required.

3.8. Services at the existing facilities were flexible to accommodate any patients who mistakenly attended the wrong location to ensure they were able to access the care they required.

(vii) Advertising

3.9. As soon as the decision on 4 July 2019 had been taken, work began immediately to inform the public that they should continue to attend the Emergency Department at the RHSC (Sciennes). The paid advertising campaign that had been running to promote the opening of the new hospital and, in particular, the move of A&E services to the new RHCYP was cancelled. The NHS Lothian website and corporate media accounts announced that the move to the new hospital had been delayed. The radio campaign that had been running to promote the opening of the new hospital was switched to advertise the delay.

(viii) Media

3.10. NHS Lothian has a standard protocol for sign-off on all proactive media releases and reactive media statements. On 4 July 2019, an additional step was added to this protocol for all media communications relating to the new hospital. This required that all media releases and statements, once cleared by NHS Lothian, be submitted to the Scottish Government for clearance by the Cabinet Secretary. Access was via the Scottish Government's health communications team who would pass the proposed release or statement up the line to policy colleagues and then on for final clearance by the Cabinet Secretary herself. This procedure was initially extended for two weeks, but then on the Scottish Government's direction it was continued indefinitely for all matters relating to Children's Services and DCN. It ceased once the new hospital was occupied on 23 March 2021.

(ix) Results

3.11. As a result of mitigation measures adopted by NHS Lothian, out of over 5,000 children's scheduled care appointments, fewer than twenty patients attended the wrong hospital site over a period of months. However, these patients were signposted to the correct hospital, offered transport if required, and were seen by the relevant clinician.

3.12. Approximately eight to 12 DCN patients attended the wrong site. All of these patients had been informed of the change and many had previously confirmed they were to attend the

DCN (WGH), but on the day attended at the new facility. Contract taxi transfers were arranged for those who did not have their own transport.

4. CONTINUED OCCUPATION OF EXISTING FACILITIES AFTER JULY 2019

- 4.1. Following the decision not to move to the new hospital in July 2019, an action plan of improvement works was initiated to upgrade the existing facilities at the RHSC (Sciennes) and the DCN (WGH). The action plan also extended to generally improving the environment for patients, their families and staff. This work commenced in September 2019.
- 4.2. In October 2019 Health Improvement Scotland carried out an unannounced inspection of the RHSC (Sciennes) and the DCN (WGH) between 22 and 24 October 2019. A very positive report was published in January 2020.

5. CONCLUSION

- 5.1. It is obviously regrettable that the issues with the new hospital were identified at such a late stage in the project and so close to the planned opening date. NHS Lothian is keen to assist the Inquiry in trying to determine why that was the case and what lessons can be learned to prevent that happening in any future public infrastructure projects.
- 5.2. It is also acknowledged that the timing of the decision not to open the new hospital will have caused inconvenience and concern to some patients. However, NHS Lothian believes that the actions taken following discovery of the problems ensured that the quality of patient care and safety was not put at risk and any inconvenience to patients was minimised.

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06 September 2021