

Councillor Cowan  
Hammersmith & Fulham Council  
Town Hall, King Street  
Hammersmith  
London W6 9JU

27<sup>th</sup> March 2017

Dear Councillor Cowan

We are writing to express our concern at your leaflet 'Save Charing Cross Hospital – stand with us to fight the latest closure plan' (attached), which you circulated with council tax updates to the residents of your borough this month. This material made a number of incorrect and misleading claims about the future of Charing Cross Hospital which is likely to cause significant, unnecessary distress to patients and staff.

As you will be fully aware, there have never been any plans to close Charing Cross Hospital. You will also know that, far from “re-launching” proposals for changes at Charing Cross, the North West London Sustainability and Transformation Plan (STP) made a clear commitment that there will be no reduction in Charing Cross’s A&E department or wider services within the lifetime of the plan (that runs until April 2021). And we recently updated you on a £2.5 million investment in urgent and emergency care services and theatres at Charing Cross.

Like the rest of the NHS, we are working hard to respond to growing and changing demand, especially to support frail and elderly patients with a range of health problems. We also want to continue to offer the residents of NW London the very best in specialist health care, as we do, for example, at the Trust’s dedicated heart attack centre, stroke unit and major trauma centre. And this is all within the context of increasing financial pressure. It’s more important than ever that the NHS and local authorities work closely together to develop better and more integrated ways to help local people stay as healthy as possible and to get fast access to the right care when and where they need it.

As such, we do believe health and care services need to continue to change along the lines set out in the service strategy for NW London, agreed in 2013 following a full public consultation. We made further commitments through the STP that we will work jointly with communities and councils to design new models of care as set out in the strategy and that we will first progress and test new out-of-hospital models before looking to reduce acute hospital capacity.

It is difficult to understand why the Council would choose to spend significant sums of public money fighting ‘closure plans’ that do not exist and when your NHS partners have clearly set out that service changes over at least the next five years will be focused on providing better ways of helping local people stay healthy and avoid unnecessary hospital admissions or long stays.

As such, through this letter, we are raising a formal complaint with you regarding this publicity material and its content which we believe has clearly breached the Code of Recommended Practice on Local Authority Publicity, specifically around objectivity and even-handedness. We request that you stop any further promotion of this leaflet and publicly retract your misleading claims. Further details on the grounds for our complaint are attached.

We will be making this response publicly available as part of the effort now required to reassure residents, patients and our staff that Charing Cross Hospital continues to be a vital part of the Trust and the NHS in NW London, and that we are continuing to invest in its future.

We look forward to your response.

Yours sincerely,



Dr Tracey Batten  
Chief Executive  
Imperial College Healthcare NHS Trust



Clare Parker  
Chief Officer – CWHHE  
SRO – Shaping a Healthier Future

Cc Nigel Pallace, Chief Executive, Hammersmith & Fulham Council  
Marcus Jones MP, Minister for Local Government

## **Details of complaint regarding the Code of Recommended Practice on Local Authority Publicity**

As stated in our response of 27 March 2017, we are raising a formal complaint in relation to your March 2017 publicity leaflet 'Save Charing Cross Hospital – stand with us to fight the latest closure plan' which we believe has clearly breached the Code of Recommended Practice on Local Authority Publicity.

The Code was approved by both Houses of Parliament on 30 March and came into force on 31 March 2011 and applies to all local authorities in England specified in section 6 of the Local Government Act 1986 and to other authorities in England which have that provision applied to them by other legislation. Local authorities are required by section 4(1) of the Act to have regard to the contents of this code in coming to any decision on publicity.

Given your publicity leaflet was clearly branded as being produced by Hammersmith & Fulham local authority, personally signed by you as leader, and distributed by the authority to all households in the Borough, there is no doubt that this is official local authority publicity.

The Code sets out clear guidelines for publicity of this type, which it describes as 'any communication in whatever form, addressed to the public at large or a section of the public'. The Code sets out seven principles for publicity by local authorities, which is that they should be lawful, cost effective, objective, even-handed, appropriate, have regard to equality and diversity and; be issued with care during periods of heightened sensitivity.

We believe your publicity material has breached a number of these principles and in particular:

1. We believe your leaflet breaches clear guidance on producing publicity material which would be perceived by the public as a commentary on contentious areas of public policy as set out in Paragraph 15 of the Code below.

Paragraph 15 (Objectivity): "Local authorities should ensure that publicity relating to policies and proposals from central government is balanced and factually accurate. Such publicity may set out the local authority's views and reasons for holding those views, but should avoid anything likely to be perceived by readers as constituting a political statement, or being a commentary on contentious areas of public policy."

2. We believe your leaflet clearly fails to meet the requirement set out in Paragraph 16 of the Code in regards to objectivity, and use of facts and explanation.
3. We believe your leaflet also breaches guidance that local authorities should not use public funds for the primary purpose of persuading the public to hold a particular view, also set out in Paragraph 16 of The Code below.

Paragraph 16 (Objectivity): "Any publicity describing the council's policies and aims should be as objective as possible, concentrating on the facts or explanation or both. Local authorities should not use public funds to mount publicity campaigns whose primary purpose is to persuade the public to hold a particular view on a question of policy. It is acceptable for local authority publicity to correct erroneous material which has been published by other parties, despite the fact that the material being corrected may have been published with the intention of influencing the public's opinions about the policies of the authority. Such publicity should seek to explain the facts in an objective manner."

4. Your leaflet breaches the requirement around fairness in representation as set out in Paragraph 19 of the Code below. states that 'local authority publicity...should seek to present different positions in relation to the issue in question in a fair manner'.

Paragraph 19 (Even-handedness): "Where local authority publicity addresses matters of political controversy it should seek to present the different positions in relation to the issue in question in a fair manner."

End.

**Councillor Stephen Cowan**

Leader of The London Borough of Hammersmith & Fulham  
The Town Hall, King Street, London, W6 9JU



Dear resident

**Save Charing Cross Hospital – stand with us to fight the latest closure plan**

During the last two years, we have been fighting to save Charing Cross Hospital from proposals to demolish it and replace it with an Urgent Care Clinic that would be just 13 per cent the size of the original hospital.

We commissioned an independent public inquiry led by Michael Mansfield QC that has provided a strong evidence base for why the proposals are wrong. The report, and all the background information on the threat to local services, is on our website at [www.lbhf.gov.uk/hospitals](http://www.lbhf.gov.uk/hospitals)

**But NHS bosses haven't given up yet.** They have re-launched their flawed plan in a new report – the "North West London STP" – and still have the demolition of Charing Cross Hospital and the sale of much of its site as a key part of their scheme. H&F Council has totally rejected this and refused to sign this STP.

**Help us demonstrate the strength of local support to save our hospital**

We need your support more than ever as we campaign to Save Charing Cross Hospital. You can join the campaign by:

1. Speaking with **your friends and neighbours** to make sure as many people as possible understand the threat to their local health services
2. Putting the **poster on the back of this letter in your window**
3. Sharing your own experiences of Charing Cross Hospital by visiting [www.lbhf.gov.uk/hospitals](http://www.lbhf.gov.uk/hospitals)

Best wishes

**Councillor Stephen Cowan**

Leader of The London Borough of Hammersmith & Fulham

*Turn over! The fight to save Charing Cross is at a crucial stage. Please put the poster in your window, and ask your friends and family to join the campaign.*



# **SAVE CHARING CROSS HOSPITAL**

[www.lbhf.gov.uk/hospitals](http://www.lbhf.gov.uk/hospitals)