

~~DRAFT ONLY~~ - suggested draft of reply to P Gray KCAB. Thoughts for discussion.

Dear Mr Gray

I refer to your letter dated 17<sup>th</sup> January addressed to all members of the K-LINK Steering Group. The Group has ~~perused and~~ discussed your letter and has authorised me, as the properly elected Chair, to reply on their behalf.

You attached the first 4 pages of the letter from the Royal Borough of Kingston dated 15<sup>th</sup> January and signed by Ms C Fitzgerald, Head of the Strategy and Performance Division which explained the changes that RBK require to enable the LINK in Kingston to deliver the requirements of the agreement between the parties which, of course, does not include the LINK which has been established under Statute.

All the members of the Steering Group agree with the contents of the letter from RBK. The LINK has endeavoured to persuade KCAB as "host" to perform in the manner now required but has been prevented from developing by the lack of performance on the part of the "host" in this role which is accountable to the LINK as set forth in the 2007 Act, the statutory instruments, the regulations from the Secretary of State for Health and the guidance issued by the NHS Centre for Public Involvement.

The LINK has provided detailed evidence both to you as "host" and to RBK about the lack of performance and has demonstrated what it expects from the "host" but so far has been rebuffed and accused of being at fault. There is no doubt that matters could have been dealt with better by both parties but because of the constant rebuttals by the "host" the LINK has been unable to deliver the results generally expected by Parliament and the people of Kingston who expressed interest in the activities of the LINK. What the LINK (through the Steering Group) had hoped for from all the recent exchange of correspondence and meeting on 10th November 2008 is that KCAB, as "host", would begin to work in partnership with the LINK and establish a modus operandi to achieve all that has been outlined above and in the agreed Constitution as the governance document.



Unfortunately you appear to be under the misapprehension that the LINK and the properly elected Steering Group are under the authority of KCAB and RBK. As an independent body accountable to the people of Kingston and the Secretary of State you cannot dictate that the Steering Group has no authority in respect of the LINK (viz your second paragraph in the letter of 17<sup>th</sup> January). The reverse is the case. The "host" is accountable to the LINK for LINK activities and to RBK for contract performance.

It may be necessary for the LINK to convene a general meeting in due course to address our concerns about the in effectiveness of KCAB as "host" to date but until then the Steering Group will continue in its current form. If RBK, as the awarder of the contract of service delivery to KCAB, decides to determine the contract that, of course, is for them to decide and the Steering Group would support that course of action but believe that is measure of last resort..

The Steering Group is determined to serve the people who elected it on their behalf and until now had hoped that a reconciliation between the "host" and the LINK could be achieved so that both parties could move forward with a defined programme of work and general activities but your letter makes this a difficult goal to achieve. However, the Steering Group is still willing to explore every avenue to continue to work with KCAB and hope that you will withdraw the ultra vires statement and contact us with a proposal for us to work together in partnership..

We await your response with interest and hope that it will be positive. I am copying this letter to :

All members of the Steering Group

RBK (C Fitzgerald)

M Alexander NALM

The Chair of RBK Health Overview Panel

Edward Davey Member of Parliament

Yours sincerely

Sandra Berry (Mrs)

Chair-KLINK Steering Group