

HEALTH AND ADULT SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE

6 AUGUST 2014

MEDWAY NHS FOUNDATION TRUST – CQC INSPECTION

Report from: Barbara Peacock, Director of Children and Adults

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Summary

This report advises the Committee of the findings of the Care Quality Commission (CQC) Inspection of Medway NHS Foundation Trust Medway Maritime Hospital published in July 2014 and sets out the initial response from Medway NHS Foundation Trust. The Acting Chief Executive and the Chairman of Medway NHS Foundation Trust will be present to respond to Members' questions.

1. Budget and Policy Framework

1.1. Under the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 the Council may review and scrutinise any matter relating to the planning, provision and operation of the health service in Medway. In carrying out health scrutiny a local authority must invite interested parties to comment and take account of any relevant information available to it. The Council has delegated responsibility for discharging this function to this Committee and to the Children and Young People's Overview and Scrutiny Committee as set out in the Council's Constitution.

2. Background

2.1. On 23-25 April and 1 May 2014 the Care Quality Commission (CQC) undertook a comprehensive inspection of Medway NHS Foundation Trust Medway Maritime Hospital. The inspection on 23-25 April was an announced inspection and was carried out because the Trust was rated as high risk in the CQC's intelligent Monitoring system and the trust had been placed into 'special measures' in July 2013 following a Keogh review. The subsequent inspection on 1 May 2014 was unannounced. The report from that inspection was released on 10 July 2014 and rated the hospital, overall, as inadequate. The CQC rated the hospital good for being caring but stated that improvement was required in providing effective care and being well led. The safety of the hospital and being responsive to patients' needs were rated as inadequate.

- 2.2. Attached as appendix 1, to this report is a short update/draft action plan produced by Medway NHS Foundation Trust (MFT) in response to the findings of the CQC Inspection. Appendix 2 is the press release written by MFT to coincide with the release of the inspection report Appendix 3 is a copy of the full Care Quality Commission (CQC)'s inspection report dated 8 July 2014. Appendix 4 is the slide presentation from a Quality Summit held on 4 July 2014.
- 2.3. The Acting Chief Executive of Medway NHS Foundation Trust, Dr Phil Barnes, and the Chairman of the Trust, Christopher Langley will be present to respond to Members' questions and to introduce the Trust's draft action plan.
- 2.4. In addition a representative from Monitor, as the regulator for NHS Foundation Trusts, has been invited to attend the next scheduled meeting of this Committee on 19 August 2014 to provide assurance to the Committee in relation to its role to ensure:
- independent NHS foundation trusts are well-led so that they can provide quality care on a sustainable basis;
 - essential services are maintained if a provider gets into serious difficulties.

3. Risk management

- 3.1. There are no specific risk implications for Medway Council arising directly from this report.
- 3.2. The Council is responsible for improving health outcomes as measured by the Public Health Outcomes Framework and does this in partnership with the NHS. Failure to address the findings of the CQC report could impact adversely on improving local health outcomes.

4. Legal and Financial Implications

- 4.1. It is anticipated that a small part of the performance element of the 'Better Care Fund' will be dependent upon meeting targets around emergency admissions to the hospital. Failure to meet the target would not mean that this funding was lost to Medway, but it would be diverted from the 'pooled budget' and passed to the CCG to meet the unbudgeted activity within the acute sector. The specific details around this have yet to be agreed at a national level.
- 4.2. Under the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 the Council may review and scrutinise any matter relating to the planning, provision and operation of the health service in Medway. In carrying out health scrutiny a local authority must invite interested parties to comment and take account of any relevant information available to it, and in particular, relevant information provided to it by a local Healthwatch organisation. The Council has delegated responsibility for discharging this function to this Committee and to the Children and Young People's Overview and Scrutiny Committee as set out in the Council's Constitution. The Committee may make reports and recommendations to relevant NHS bodies

and health service providers who can be required to respond formally within 28 days of a request for a response.

- 4.3. Recently published Department of Health guidance to support Local Authorities and their partners to deliver effective health scrutiny (published June 2014) emphasises the primary aim of health scrutiny is to strengthen the voice of local people, ensuring that their needs and experiences are considered as an integral part of the commissioning and delivery of health services and that those services are effective and safe.
- 4.4. The guidance states that local authorities will need to satisfy themselves that they keep open effective channels by which the public can communicate concerns about the quality of NHS and public health services to health scrutiny bodies. In the light of the Francis report local authorities are advised in the guidance to consider ways of independently verifying information provided by relevant NHS bodies and relevant health service providers – for example, by seeking the views of local Healthwatch.

5. Recommendations

- 5.1. The Committee is asked to
 - a) consider the findings of the CQC Inspection of Medway Maritime Hospital and the initial response from Medway Foundation Trust;
 - b) agree that the Acting Chief Executive, Medway NHS Foundation Trust is invited to attend the Committee meeting on 30 September 2014 to bring forward full details of the Trust's action plan in response to the findings set out in the CQC inspection report;
 - c) note a representative from Monitor has been requested to attend the 19 August 2014 meeting; and
 - d) formally request Healthwatch Medway provide the Committee with feedback from users of the hospital for independent feedback on their experiences as the improvement actions are implemented.

Background papers:

None.

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