

HEALTH AND ADULT SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE

30 SEPTEMBER 2014

MEDWAY NHS FOUNDATION TRUST – CQC INSPECTION

Report from: Barbara Peacock, Director of Children and Adults

Author: Rosie Gunstone, Democratic Services Officer

Summary

This report is to enable the Committee to be updated on progress following the special meeting of this Committee held on 6 August 2014. The new Chair of the Trust, Shena Winning, will attend to present her vision for the Trust. This will be followed by an update on progress from the Acting Chief Executive. A representative from Monitor will also be in attendance to respond to Member questions in particular in relation to the support Monitor will be giving to the Trust.

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. A full record of the wide range of comments made at the special meeting is contained in the record of the meeting earlier on the agenda. The Acting Chief Executive will verbally update on this action plan at the meeting.
- 2.3. In addition a representative from Monitor, as the regulator for NHS Foundation Trusts, has been invited to attend this meeting 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 and comment on the vision of the new Chair of the Trust;
- b) receive the update provided by the Acting Chief Executive of the Trust, to seek assurances in particular on any areas of concern and to ;
- c) put any questions to the representative of Monitor attending the meeting.

Background papers:

None.

Lead officer:

Rosie Gunstone, Democratic Services Officer

Tel: (01634) 332715

Email: rosie.gunstone@medway.gov.uk