

HEALTH AND ADULT SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE

23 JUNE 2015

MEDWAY NHS FOUNDATION TRUST

Report from: Barbara Peacock, Director of Children and Adults

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Summary

This report has been requested to enable the new Chief Executive, Lesley Dwyer, to attend her first meeting, with the Chair of the Trust, Shena Winning, and the Chief Operating Officer, Morag Jackson, to update the successive Committee on progress against the implementation plan put in place following the inspections by the Care Quality Commission.

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 (MFT) Medway Maritime Hospital. The inspection on 23-25 April last year 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 1 May 2014 was unannounced. The report from that inspection on 1 May 2014 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. This was considered by the

Committee, together with the MFT Improvement Plan at a special meeting of this Committee on 6 August 2014. A copy of the Improvement Plan is attached as Appendix 1.

- 2.2. At its next meeting on 30 September 2014 the Committee considered a Care Quality Commission report from a further unannounced inspection of the Accident and Emergency Department at Medway Maritime Hospital on 27 and 28 July 2014, together with an update on the improvement plan being taken forward by Medway Foundation Trust. The Committee was advised of a proposed review of access to emergency and urgent care across North Kent. It was agreed that any proposals for changes arising from this review are subject to statutory consultation by the Clinical Commissioning Group (CCG) with this Committee under regulation 23 of the Local Authority (Public Health, Health and Wellbeing Boards and Scrutiny) Regulations 2014. The regulations require the CCG (and other 'responsible persons') to consult Overview and Scrutiny on any proposal for a substantial development or variation in the provision of the health service in Medway.
- 2.3. On 30 September the Committee was also notified that the Inspectors had since carried out a further unannounced inspection of the emergency department (on 26 August) and had taken further action. The report from that further CQC inspection on 26 August – representing a more up to date view of the department – was published on 26 November. The latest report from CQC is referred to in paragraph 3 below.
- 2.4. Non-Elective care pressures have continued at Medway NHS Foundation Trust (MFT) across 2014/15. A tripartite approach from Monitor, the Clinical Quality Commission (CQC) and NHS England is in place to monitor actions and support improved performance. Whole system working across providers and commissioners in Medway and Swale is coordinated via the Medway and Swale Executive Programme Board.
- 2.5. At the meeting held on 27 January 2015 the Committee considered a report which updated Members on delayed discharges and winter pressures planning.
- 2.6. Since that meeting a new Chief Executive, Lesley Dwyer, has been appointed and both she and the Chair, Shena Winning, will be present at the meeting to update on progress. A progress report is attached as appendix 2 to this report.

3. Care Quality Commission (CQC) Inspection

- 3.1 A further CQC Inspection was conducted at MFT on 9 December 2014. The results of this inspection are now attached as appendix 3 to this report.

4. Risk Management

- 4.1. There are no specific risk implications for Medway Council arising directly from this report.

5. Legal and Financial Implications

- 5.1. 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, 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.
- 5.2. 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.
- 5.3. 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.

6. Recommendations

- 6.1 That the Committee consider the report and question the Chief Executive and Chair of Medway NHS Foundation Trust on the update provided.

Background papers:

None.

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