

**EAST KENT HOSPITALS UNIVERSITY NHS FOUNDATION TRUST**

**REPORT TO:** BOARD OF DIRECTORS MEETING – 26 SEPTEMBER 2014

**SUBJECT:** CHIEF EXECUTIVE'S REPORT

**REPORT FROM:** CHIEF EXECUTIVE

**PURPOSE:** Information

**CONTEXT / REVIEW HISTORY / STAKEHOLDER ENGAGEMENT**

The Chief Executive provides a monthly report to the Board of Directors providing key updates from within the organisation, Monitor, Department of Health and other key stakeholders.

**SUMMARY**

The monthly report from the Chief Executive provides the Board of Directors with key issues related to:

- Recent DH/Monitor bulletins/DH newsletters/CQC briefings
- Kent Pathology Partnership Update
- CQC Visit Update
- Jeremy Hunt: Message to NHS Staff re changing culture
- Jeremy Hunt: Message to NHS Staff re Freedom to Speak Up
- Trust Developments / initiatives
- PLACE Assessments
- Consultations
- Latest Publications

**RECOMMENDATIONS:**

The Board of Directors is asked to note the report.

**NEXT STEPS**

N/A

**IMPACT ON TRUST'S STRATEGIC OBJECTIVES:**

Compliance with notifications from regulatory bodies and policy changes all contribute towards achievement of strategic objectives.

**LINKS TO THE BOARD ASSURANCE FRAMEWORK:**

To enable the Trust to respond in a timely fashion with appropriate information which may affect the Trust's rating with Monitor and the CQC.

**IDENTIFIED RISKS AND RISK MANAGEMENT ACTIONS:**

None

**FINANCIAL AND RESOURCE IMPLICATIONS:**

None

**LEGAL IMPLICATIONS / IMPACT ON THE PUBLIC SECTOR EQUALITY DUTY:**

None.

**PROFESSIONAL ADVICE TAKEN ON ANY NOVEL OR CONTENTIOUS ISSUES:**

None

**BOARD ACTION REQUIRED:**

The Board of Directors is asked to note the report.

**CONSEQUENCES OF NOT TAKING ACTION:**

Failure of the Trust to respond in a timely fashion with appropriate information may affect the Trusts rating with Monitor and the CQC.

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## CHIEF EXECUTIVE'S REPORT

### 1. KEY ITEMS FROM RECENT MONITOR/DH BULLETINS/NEWSLETTERS

#### **FT Bulletin – August 2014**

- Monitor has completed its engagement programme to develop the 2015/16 national tariff payment system. Feedback would be used to develop proposals for a formal consultation in the Autumn 2014.
- Monitor's annual patient level information and costing system data collection began on 1 July 2014 and ends on 3 October 2014. Trusts who are planning to participate are asked to refer to the approved costing guidance which has been designed for use by all NHS staff who are responsible for the production of costing information. Monitor has now published the findings for the 2012/13 collection. This provides a summary of last year's process, participation, and their findings on the quality of the data received. It also outlines how trusts could improve their submissions this year, and areas of potential development for the 2014/15 collection.

#### **FTN Networked – August 2014**

- The FTN and the FTGA have merged in order to deliver a comprehensive governance support service for members. One of the recommendations of the Francis report was that the role of foundation trust governors be expanded. Through merging with the FTGA, the FTN aims to support this through targeted support including development days, networking opportunities, enhanced policy support and high quality member communications. This support will complement GovernWell, the national training programme for foundation trust governors.

### 2. KENT PATHOLOGY PARTNERSHIP UPDATE

The eight workstreams have been active in moving forward the Kent Pathology Partnership project.

- The new interim KPP MD, started in post on 1st September 2014
- Still awaiting final iterations from Beachcroft with the CA
- Progressing well with all the eight work streams; of key note
  - Estates: KPP Board approved.
  - Workforce workstream is progressing.
  - High-level time-line now available
  - KPP Communication plan in its final stage of approval with Project Team

### 3. CQC VISIT

The Trust's action plan will be submitted to the CQC on 23 September 2014. A mid point meeting was held with Monitor and the CQC on 11 September 2014 to discuss progress. An item has been scheduled for the main board agenda which will provide more details and an update on progress against the plan.

During the development of the CQC Improvement Plan, a draft copy was made available to staff and Governors for their feedback. Updated improvement plans will be shared regularly.

#### **4. JEREMY HUNT: MESSAGE TO NHS STAFF ABOUT CHANGING CULTURE IN THE NHS**

Jeremy Hunt has delivered a message to all NHS staff about creating a more transparent culture within the NHS. He has outlined recent milestones including special measures and safe staffing. This includes:

The National Institute for Health and Care Excellence (NICE) published new guidance on safe and efficient nurse staffing levels on hospital wards. The guidance takes account of the best available evidence, draws on the lessons learned in the aftermath of Mid Staffordshire and follows widespread consultation.

Professor Sir Mike Richards, the Chief Inspector of Hospitals, has spoken about the significant improvements in almost all of the 11 trusts that were placed into special measures last summer. The lessons learned from the process include the importance of first-class leadership, proper staff engagement and the value of encouraging organisations to openly acknowledge and address failings. The fundamental change in culture, to one where the NHS listens to and acts quickly on what staff and patients say, is making a real difference. Patient care is now both safer and more compassionate.

The Department of Health also announced we are going to extend this proven inspection regime to adult social care services, to make sure that some of the most vulnerable people in the country are being looked after properly.

#### **5. JEREMY HUNT: FREEDOM TO SPEAK UP**

Jeremy Hunt has issued a letter about the importance of the 'Freedom to Speak Up' review undertaken by Sir Robert Francis QC. This letter outlines the importance of staff being able to work in an environment that encourages and allows them to speak up about patient safety. The full letter is available on the Department of Health website.

As part of this campaign, all NHS workers, organisations, professional bodies and representative groups are asked to take part in the review. Details are available on the Department of Health website.

#### **6. TRUST DEVELOPMENTS / INITIATIVES**

##### **South East's best Apprenticeship Employers**

EKHUFT has been named as one of the South East's best Apprenticeship Employers in the regional final of the National Apprenticeship Awards 2014. The National Apprenticeship Awards, now in their eleventh year, celebrate the success of the country's most exceptional apprentices and Apprenticeship employers.

##### **Learning Disability Awards**

The Trust's Resourcing Manager won the Employer of the Year award at the inaugural Kent Learning Disability Awards for her work leading Bright Futures at QEQM in Margate.

Bright Futures is a partnership project providing work placements to East Kent College students with moderate to severe learning disabilities. Over the last four years it has enabled 10 people to find work of 16 hours or more.

Along with this the Learning Disability Expert Trainer group was also acknowledged at the awards. The group help educate and train East Kent Hospitals staff. Their education sessions bring to life what it means to have a learning disability, and how the smallest adjustments to care can improve patient experience and reduce patient safety events.

## 7. ANNUAL PATIENT LED AUDIT OF HOSPITAL ENVIRONMENTS

The Trust has improved its scores in the annual patient-led audit of hospital environments.

The second annual Patient Led Assessment in Care Environments (PLACE) audits were conducted between May & June 2014, across the three acute sites. The assessment teams consisted of patient representatives and Trust staff on a ratio of 50/50.

The results for the Trust are really positive, with 'cleanliness' and 'condition, appearance and maintenance' both up over 9% on last year to 94.81% and 90.3% respectively. The facilities team have worked hard with you and with our partners Serco to improve our scores and are continuing to look at ways to increase them further through daily audits and availability of appropriate cleaning resources.

Our 'food' scores across the Trust also increased marginally to 91.73%. It is great to see our investment in ward kitchens, wider choice and housekeepers is continuing to improve patients' experience of hospital food.

The one area we saw a drop in scores was in 'privacy, dignity and wellbeing', where we saw a drop of around 5% on the previous year. This has mainly been due to the introduction of new metrics to this category that we need to see improvement on. One of these metrics, patient WiFi, is being introduced this year following approval from the Board. Sally Smith, Deputy Chief Nurse & Deputy Director of Quality, is working with wards to see privacy and dignity metrics improved.

### How do we compare?

We continue to be above average in food, and are closing the gap in cleanliness and condition, appearance and maintenance.

	Cleanliness		Food		Privacy, dignity & wellbeing		Condition, appearance & maintenance	
	2014/15	2013/14	2014/15	2013/14	2014/15	2013/14	2014/15	2013/14
EKHUFT	94.81%	85.53%	91.73%	89.07%	81.97%	86.60%	90.30%	81.38%
National	97.25%	95.74%	88.79%	84.98%	87.73%	88.87%	91.97%	88.75%

## 7. CONSULTATIONS

### Dalton Review 2014: new options for providers of NHS care

In order to generate the evidence and recommendations for the review Sir David Dalton is [seeking information and insight](#) about organisational forms for providers of NHS care: what works best, and what changes are needed to improve the delivery of services. This is an informal engagement of the emerging work of the Dalton Review, and not a formal consultation on recommendations or policy.

**Sustainable development consultation**

The Sustainable Development Unit, which is funded by and accountable to NHS England and Public Health England to work across the NHS, public health and social care system, has launched a consultation on three additional modules for its sustainable development strategy. The strategy was launched in January 2014 and the additional modules relate to: an integrated metrics approach; innovation, technology and R&D; and creating social value.

**Guidance on the fit and proper person requirement for directors and the duty of candour for NHS providers**

[New regulations](#) setting out fundamental standards of care will come into force for all care providers on 1 April 2015. However, two of the new requirements the fit and proper person requirements for directors and the duty of candour should come into force for NHS bodies from October 2014. This consultation from the CQC is on the guidance provided to NHS bodies to comply with those directives.

**NEW: Code of practice: Mental Health Act 1983**

The Department of Health is consulting on planned updates to the implementation code for the Mental Health Act 1983. The code informs Health Practitioners decisions, protects patients' rights and ensure the Mental Health Act is followed and informs families, carers and people who are detained, treated or released under the Act about care and support available during a crisis. The draft Code includes new chapters on the Care Programme Approach; equality, human rights and parity of esteem; mental capacity and deprivation of liberty, and victims.

**Freedom to Speak Up Review**

The Freedom to Speak Up Review was announced on 24 June by the secretary of state for health and is led by Sir Robert Francis QC. It is an independent inquiry into creating the open and honest reporting culture in the NHS. It is looking to interview and survey NHS staff to form an evidence base for the report. The review will make recommendations to the secretary of state for health by the end of November.  
<http://freedomtospeakup.org.uk/>

**European Commission survey on Working Time Directive**

The European Commission has begun its process of seeking information for the five year report on the implementation of the Working Time Directive from all member states, and the Department of Health is providing this regarding health services.

**NHS outcomes framework review**

When the first outcomes framework was published in 2010, the Department of Health indicated that there would be a review of the framework within five years. [This consultation](#) undertakes that review of the NHS outcomes framework for 2015/16, which will be published in the autumn ahead of its implementation from 1 April 2015. A number of improvements are suggested as well as recommendations to better align the framework with social care outcomes and improve the coverage of mental health provision.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/341391/14-07-30\\_NHS\\_Outcomes\\_Framework\\_Stakeholder\\_Engagement\\_Document.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/341391/14-07-30_NHS_Outcomes_Framework_Stakeholder_Engagement_Document.pdf)

**Proposed changes to reform the adjudication of fitness to practise cases**

[This consultation](#) from the GMC and Professional Standards Authority aims to strengthen and protect the separation between the investigation and adjudication functions of the GMC as well as modernising the adjudication process. It will directly address areas including: strengthening the requirement for disclosure of information from doctors and clarifying a number of areas of the Medical Act to make the

procedures and their scope simpler to understand and more transparent. The deadline for responses is 25 September.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/339194/Consultation\\_document.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/339194/Consultation_document.pdf)

### **Guidance on meeting the CQC's Enforcement Powers for all fundamental standards and on healthcare providers**

The guidance in this consultation sets out what providers can do to ensure that they comply with the new regulations and how the CQC will respond and use its enforcement powers to address breaches of regulations. Providers will particularly want to take account of this guidance when applying for registration. Within the new regulations, the duty of candour and the fit and proper person requirements for directors for non-NHS bodies will come into effect from April 2015.

[http://www.cqc.org.uk/sites/default/files/20140725\\_fundamental\\_standards\\_and\\_enforcement\\_consultation\\_final.pdf](http://www.cqc.org.uk/sites/default/files/20140725_fundamental_standards_and_enforcement_consultation_final.pdf)

### **Making health and social care information accessible**

NHS England launched a consultation on the draft information standard, which will tell organisations how they should make sure that patients and service users, and their carers and relatives, can understand the information they are given. This includes making sure that people get information in different formats if they need it, for example in large print, braille, easy read or via email.

<http://www.england.nhs.uk/wp-content/uploads/2014/08/access-info-std-consult-pln-txt.pdf>

## **8. PUBLICATIONS**

### **MONITOR'S LATEST PUBLICATIONS:**

#### **Maternity pathway payment system: guidance for NHS providers and commissioners 2014/15**

Monitor has published guidance outlining which services are included in the maternity pathway payment and how to implement the payment system. It supplements 4A of the National tariff payment system 2014/15.

#### **Supporting NHS providers considering transactions and mergers**

Monitor has published guidance to help NHS providers navigate through transactions such as mergers and acquisitions. All NHS providers considering a merger are asked to contact Monitor early in the planning stages to ensure proposals work well for patients.

#### **Choice Survey Results**

Monitor has published results of a joint survey conducted with NHS England, which asked patients if they were offered a choice of outpatient appointments. The results showed that more than half of the 2,706 patients interviewed were aware of their right to choose between hospitals and clinics but more still needs to be done to promote choice.

#### **Special Measures – 1 year on**

Monitor, the Care Quality Commission and the NHS Trust Development Authority (TDA) have published a report on the progress made by the 11 trusts put in special

measures in July 2013. Joint findings show that improvements for patients were seen in most of the trusts.

### **Annual Reports and Operational Plans**

Monitor has published foundation trusts' annual reports and accounts and operational plans are now available to read on individual foundation trust pages on their website.

### **Publication sources: Integrated Care**

Monitor has a range of resources available on their website that helps to explain what integrated care is, Monitor's role and what this means for foundation trusts and how care can be delivered. Detailed guidance is available in Monitor's publication "Complying with Monitor's Integrated Care Requirements".

### **NHS Foundation trusts' accounts data 2013/14**

Monitor has now published the accounts data for all foundation trusts for 2013/14. This includes staff costs, income and private finance initiative payments. Having this data will allow comparisons of spend compared with other foundation trusts.

### **OTHER PUBLICATIONS:**

#### **Urgent and Long Term Care Review**

Monitor and NHS England published an update on the work Professor Keith Willett is leading to transform urgent and emergency care. The proposals in [Reimbursement of urgent and emergency care: discussion document on options for reform](#) show early thinking on a new approach to paying for urgent and emergency care which, although still some way from formal consultation, would combine a substantial proportion of fixed core funding; a proportion of volume-based funding; and using provider-specific and system-wide quality metrics as eligibility criteria.

**[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/345647/UECreport - August 2014.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/345647/UECreport_-_August_2014.pdf)**

Stuart Bain  
**Chief Executive**