

To:	Trust Board		
From:	CHIEF EXECUTIVE		
Date:	31 January 2013		
CQC regulation:	ALL		
Title:	MONTHLY UPDATE REPORT – JANUARY 2013		
Author/Responsible Director: Chief Executive			
Purpose of the Report: To update the Trust Board on topical issues.			
The Report is provided to the Committee for:			
Decision		<input type="checkbox"/>	
Discussion		<input type="checkbox"/>	
Assurance		<input checked="" type="checkbox"/>	
Endorsement		<input type="checkbox"/>	
Summary / Key Points:			
<ul style="list-style-type: none"> • Key Issues – the Chief Executive will report orally at the meeting • The Mid-Staffordshire NHS Foundation Trust Public Inquiry • Monitor Publications/Consultations • Review of Urgent and Emergency Services in England • Improving Energy Efficiency in the NHS : £50M Capital Improvement Initiative 			
Recommendations:			
The Trust Board is invited to receive and note this report.			
Previously considered at another corporate UHL Committee? No			
Strategic Risk Register:		Performance KPIs year to date:	
N/A		N/A	
Resource Implications (eg Financial, HR): N/A			
Assurance Implications:			
The report aims to assure the Trust Board on a number of topical issues.			
Patient and Public Involvement (PPI) Implications: N/A			
Stakeholder Engagement Implications: N/A			
Equality Impact: N/A			
Information exempt from Disclosure: N/A			
Requirement for further review? Monthly report to each Trust Board meeting.			

UNIVERSITY HOSPITALS OF LEICESTER NHS TRUST

REPORT TO: TRUST BOARD

DATE: 31 JANUARY 2013

REPORT BY: CHIEF EXECUTIVE

SUBJECT: MONTHLY UPDATE REPORT – JANUARY 2013

1. KEY ISSUES

1.1 The Chief Executive will report orally at the meeting on key issues concerning the Trust's present and projected performance.

2. THE MID-STAFFORDSHIRE NHS FOUNDATION TRUST PUBLIC INQUIRY

2.1 The Mid-Staffordshire NHS Foundation Trust Public Inquiry has confirmed that Robert Francis QC will deliver his final report to the Secretary of State for Health on 5th February 2013, and publish it on 6th February 2013 ahead of the report being laid before Parliament on the same day.

2.2 A report will be submitted to the Board on 28th February 2013, following publication of the final report.

3. MONITOR PUBLICATIONS/CONSULTATIONS

Draft Enforcement Guidance – Consultation Document

3.1 On 18th December 2012, Monitor published draft guidance explaining the action it can take to enforce compliance with the (forthcoming) Provider licence and other regulatory obligations on Providers and others required to provide Monitor with information needed to perform its functions. It sets out the proposed process for prioritising issues, deciding on the action to take and seeking input from stakeholders on Monitor's proposed actions.

3.2 The document is Monitor's consultation on draft guidance which sets out the general approach to exercising its enforcement powers in relation to potential and actual breaches of the licence, and other regulatory obligations.

Amendments To Applying For NHS Foundation Trust Status – Guide For Applicants (January 2013)

3.3 On 8th January 2013, Monitor published the above-mentioned document updating its guidance for Trusts applying for NHS Foundation Trust status.

- 3.4 This latest guide, which supersedes the July 2010 edition, takes note of changes resulting from the Health and Social Care Act 2012, and provides a range of updates and clarifications to Monitor's process.
- 3.5 Key changes include:-
- a requirement to provide a letter of representation prior to Monitor's authorisation decision which confirms that all relevant information has been provided to Monitor;
 - the introduction of Monitor's ability to require external reviews of service performance or governance arrangements in certain circumstances;
 - a requirement to submit all reports and peer reviews (including drafts) commissioned either internally or externally covering governance arrangements at the Trust or the quality of service at the Trust within the last two years.
- 3.6 A further update to the guide will be made in Spring 2013 to reflect additional changes resulting from the 2012 Act and also Monitor's consultation on the Risk Assessment Framework, which will replace the Compliance Framework later in 2013/14.
- 3.7 Any changes which may result from the Mid-Staffordshire NHS Foundation Trust public inquiry will be incorporated into the guidance as necessary.

Draft Risk Assessment Framework : Consultation Document

- 3.8 Monitor's new powers cover a wider range of Providers of NHS services, and consequently its Compliance Framework is being replaced with a new regulatory tool, the Risk Assessment Framework. This new framework will enable Monitor to make a more specific assessment of the risk of financial failure, not only by NHS Foundation Trusts but also by any commercial or third-sector Providers from whom key NHS services are commissioned. It also describes how Monitor will continue to oversee the governance of Foundation Trusts.
- 3.9 The draft Risk Assessment Framework describes Monitor's proposed approach to assessing risk in two areas of the licence:-
- the continuity of services licence condition 3, which requires all NHS Providers to ensure they remain a going concern;
 - the Foundation Trust governance licence condition 4, which lays out Monitor's definition of good governance and only applies to Foundation Trusts.
- 3.10 The consultation and its appendices describe the:-

- annual and in year monitoring processes for NHS Foundation Trusts and other Providers of Commissioner requested services;
- composition of a rating to assess the risk to the continued delivery of NHS services (the continuity of services risk rating);
- composition of a rating to assess governance at NHS Foundation Trusts;
- frequency and scope of reviews of governance at NHS Foundation Trusts;
- how Monitor will use the above to assess issues of compliance with the relevant aspects of the licence.

3.11 The Trust will keep in close touch with the responses to the consultation documents identified above being prepared by the NHS Confederation and FT Network, respectively.

3.12 Provision will be made in the Trust Board's Development Programme for briefings on Monitor's new role and the revised regulatory framework.

4. REVIEW OF URGENT AND EMERGENCY SERVICES IN ENGLAND

4.1 On 18th January 2013, the NHS Commissioning Board announced that it is to review the model of urgent and emergency services in England.

4.2 The review, led by Medical Director Sir Bruce Keogh, will set out proposals for the best way of organising care to meet the needs of patients.

4.3 The review team will work with clinical commissioning groups to develop a national framework 'offer' to help them ensure high-quality, consistent standards of care across the country.

4.4 In announcing the review, the NHS Commissioning Board stressed that local commissioning will be at the heart of the review, which follows the Board's commitment in its recent planning guidance.

4.5 The review's terms of reference will be published shortly and the Commissioning Board plans to publish emerging principles for consultation in the Spring.

5. IMPROVING ENERGY EFFICIENCY IN THE NHS : £50 MILLION CAPITAL IMPROVEMENT INITIATIVE

5.1 On 23rd January 2013, the Department of Health announced an intention to establish a £50M capital fund in 2013 for the NHS to improve energy efficiency across the NHS, supporting organisations to

further achieve energy and carbon reductions as set out in the NHS Carbon Reduction Strategy for England.

- 5.2 Projects that are successful in securing funds will help the Department of Health in the development of best practice guidance and evidence for further use across the NHS and to demonstrate what is being achieved in pursuit of the NHS Carbon Reduction Strategy.
- 5.3 The Trust is registering its interest in bidding to access the fund which will award grants for new and innovative projects to improve energy efficiency and reduce the carbon footprint of the NHS by reducing energy usage, carbon emissions and improving resilience to climate change.

6. **RECOMMENDATIONS**

- 6.1 The Trust Board is invited to receive and note this report.

John Adler
Chief Executive

24th January 2013