

AGENDA

SPECIAL COMMUNITIES OVERVIEW & SCRUTINY COMMITTEE MEETING



Overview and Scrutiny

Date: Friday 26 October 2012

Time: 10.00 am

Venue: Maidstone House

Membership:

Councillors: Mrs Blackmore, Brindle, Mrs Joy, D Mortimer,
McLoughlin, Munford, Mrs Parvin, Vizzard and
de Wiggondene

Page No.

1. **The Committee to consider whether all items on the agenda should be web-cast.**
2. **Apologies.**
3. **Notification of Substitute Members.**
4. **Notification of Visiting Members.**
5. **Disclosures by Members and Officers.**
6. **To consider whether any items should be taken in private because of the possible disclosure of exempt information.**

7. **Kent Community Health NHS Trust - Consultation on becoming a Community NHS Foundation Trust**

1 - 24

Interviews with:

Marion Dinwoodie, Chief Executive and colleagues from the
Kent Community NHS Trust.

Continued Over/:

Issued on 18 October 2012

Alison Broom

**Alison Broom, Chief Executive, Maidstone Borough Council,
Maidstone House, King Street, Maidstone Kent ME15 6JQ**

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Maidstone Borough Council

Communities Overview and Scrutiny Committee

Friday 26 October 2012

Kent Community Health NHS Trust - Consultation on becoming a Community NHS Foundation Trust

Report of: Overview and Scrutiny officer

1. Introduction

- 1.1 The Local Government Act 2000 and the Health and Social Care Act 2001 set out statutory functions for local authorities to review and scrutinise matters relating to the planning, provision and operation of health services in the area of its local authority.
- 1.2 The Communities Overview and Scrutiny Committee has a broad remit which includes Health, Partnerships and Community Development. Following her attendance at a public meeting of the Kent Community Health NHS Trust regarding its Consultation on becoming a Community NHS Foundation Trust, the Chairman felt it important that the Committee made a response on behalf of Maidstone Borough Council.

2. Recommendation

- 2.1 The Committee is recommended to:
 - Interview witnesses about areas highlighted within the consultation document to establish the likely effect upon local health services;
 - Identify specific issues in the consultation papers that will impact upon both patients and the provision of services in the local area; and
 - Collate the evidence from the witnesses and discussion of the consultation into clear points to be included in the Committee's response to the consultation. The Committee should seek to make a recommendation in support of one of the three options being proposed.
- 2.2 Areas of questioning could include but are not limited to:
 - The public's confidence and understanding of the services available to them;
 - How will the viewpoint of members of the NHS Foundation Trust be reported upwards to the Board of Governors?
 - To what extent will the Board of Governors have decision-making powers?

- How is the public accountability structure of members and a governors different to what exists now or has done in the past?
- How will the opinions and activity of members and the Board of Governors of the NHS Foundation Trust feed into County level activity such as the Health and Well Being Boards?
- What performance management reporting mechanisms will be in place to enable members and governors to hold the Foundation Trust to account on the delivery of its priorities?
- In terms of communication and engagement with the public, how confident are the Trust of the public's understanding of the services it provides currently and how would it look to improve on this?

3. Background information

3.1 On 30 July 2012 the Kent Community Health NHS Trust launched its consultation on its proposal to become an NHS Foundation Trust (**Appendix A**).

3.2 The Department of Health in its publication, 'A short guide to NHS foundation trusts' explains the differences between NHS Foundation Trusts and existing NHS Trusts:

- They are independent legal entities - Public benefit corporations;
- They have unique governance arrangements and are accountable to local people, who can become members and governors. Each NHS foundation trust has a duty to consult and involve a board of governors (comprising patients, staff, members of the public and partner organisations) in the strategic planning of the organisation;
- They are set free from central government control and are no longer performance managed by health authorities. As self standing, self-governing organisations, NHS foundation trusts are free to determine their own future;
- They have new financial freedoms and can raise capital from both the public and private sectors within borrowing limits determined by projected cash flows and therefore based on affordability. They can retain financial surpluses to invest in the delivery of new NHS services; and
- They are overseen by Monitor.

3.3 The consultation document sets out the Foundation Trust's Vision: "to be the provider of choice by delivering excellent care and improving the health of our communities..."

3.4 Its top four priorities for developing services were decided "by working with patients and families, local GPs and others working in health and social care in Kent." They are:

- To provide community-based services to stop people from becoming unwell;
- To avoid the need for people to have to go into hospital and, if they do require hospital care to provide support so they can leave earlier;
- To provide care which is closer to people's homes; and
- To continually improve patients' experiences of our services.

3.5 The main features of becoming a Foundation Trust highlighted in this consultation are the opportunities for the public, patients and carers, to become involved in the decisions about the Trust and the services provided.

3.6 The Consultation document includes a membership form. It asks all those interested in becoming a member to indicate how they would like to be involved by making a selection from the following list:

- Receive information, e.g. member's newsletter;
- Respond to surveys and questionnaires;
- Be involved in/comment on public information leaflets;
- Attend events;
- Be part of a panel or working group (relevant to your interest);
- Find out more about becoming a governor; and
- Be sent membership forms to recruit family, colleagues, etc, as members.

3.7 Members will then be encouraged to elect a Council of Governors "to represent their view and be responsible for feeding back their comments."

3.8 The Council of Governors will:

- Represent the interests of all members;
- Enable local residents, patients, staff and partners to influence decisions about the development of community services;
- Ensure that members are properly supported;
- Appoint or remove the Trust's Chairman and approve the appointments of Non-executive Directors;
- Approve the appointment of the Chief Executive;
- Be responsible to, and represent, the members by regularly attending Council of Governors meeting; and
- Be supported by the Trust's Membership Officer to keep in contact with members within their own constituency.

3.9 The proposed number of governors is 25 and will be made up of the following:

- Public Governors;

- Staff Governors; and
- Appointed Stakeholder Governors.

4. Impact on Corporate Objectives

4.1 The Committee will consider reports that deliver against the following Council priorities:

- 'For Maidstone to be a decent place to live.'

4.2 The Strategic Plan sets the Council's key objectives for the medium term and has a range of objectives which support the delivery of the Council's priorities.

Consultation on becoming a Community NHS Foundation Trust



*'Become a member and
be part of our future'*

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Letter from Chairman and Chief Executive



David Griffiths
Chairman

Kent Community Health NHS Trust provides NHS health services locally so that you get support and care for you and your family. Care is provided in your own homes and other locations, including Health Clinics, Community Hospitals and Minor Injury Units, Children's Centres and in nursing homes.

We provide services for children and adults to keep you and your family healthy, manage your long-term conditions, and help you to avoid going into hospital. If you do have to go into hospital, we provide care when you have recovered enough to come home so that you don't have to stay in longer than you need to.

We want to become a Foundation Trust because we believe it provides far greater opportunities to involve patients and their carers in decisions about the Trust and the services we provide.



Marion Dinwoodie
Chief Executive

We will have more freedom, for example by being able to invest surplus funds where we believe they can have the greatest impact on improving patient care.

Our application to become an NHS Foundation Trust, and to continue to provide your local NHS services, will only be successful with your support.

As a Foundation Trust we will still be part of the NHS, treating patients according to NHS standards, free of charge, whenever you need us. But we will have a wide membership, made up of local people and Trust staff. We want to talk to you during this summer to see what you think about our future plans and gauge how well you think we currently provide your services.

We want to hear what you think about the plans we have to improve services in the future. We also want to be sure that you agree with the way in which we, as a Foundation Trust, will engage and involve our members and work with our Council of Governors.

We are committed to becoming the best provider of community-based health services for local people. Gaining Foundation Trust status will secure the future for NHS community health services. You can help us to do that by becoming a member and demonstrating your support for our services. As a member you will also be able to help us to perform better in the future by giving us your own ideas. Details about how to do this are in this document.

This document seeks to set out clearly our plans and intentions. However, if you or your organisation or group would like to learn more about us we would be delighted to meet you at one of our public meetings (venues and times appear at the end of this document).

Introduction

The Trust is now one of the largest providers of NHS community health and clinical care in the country. These services are what most people receive in their home or the community and include District Nursing, Health Visitors and a variety of therapists and specialists.

Kent Community Health NHS Trust:

- Provides health services across Kent (except Medway)
- Serves a resident population of 1.4 million
- Provides services from a variety of bases including 12 Community Hospitals, one Walk-in Centre, and people's homes as well as Health Centres and other sites
- Employs approximately 5,400 staff
- Has a current budget of more than £200 million.

We pride ourselves on our values which reflect those of the NHS nationally, and have been agreed with our staff, who constantly strive to uphold them. These are:

- Caring with compassion
- Listening, responding and empowering
- Leading through partnerships
- Learning, sharing and innovating
- Striving for excellence.



Why do we want to become a Foundation Trust?

We believe that being a Foundation Trust will help to ensure that we provide exactly the right services to meet the individual needs of local people.

- Our members will be able to work with us to influence development in future services
- NHS Foundation Trusts have less control from Whitehall and increased local public ownership and accountability
- NHS Foundation Trust status opens the way to significant new freedoms, including access to greater funding options and the ability to invest surplus money in services for the benefit of local people
- Foundation Trust status supports us to achieve our vision to provide excellent care and improve the health of our communities.

As a forward thinking Trust we have always viewed the establishment of a Kent-wide community trust as the stepping stone to achieving Foundation Trust status.

When the Government set out its vision for the NHS it said that all NHS Trusts should be expected to become Foundation Trusts by 2014 or they should become part of an existing Foundation Trust. We want to be authorised as a Foundation Trust in our own right by July 2013.



“We firmly believe that in order to thrive and provide the best care for our patients, community services in Kent need to be managed, led and provided by a Foundation Trust that focuses exclusively on these services”

Our vision for the future

Our vision is very simple – to be the provider of choice by delivering excellent care and improving the health of our communities...

“Excellent care, healthy communities”

Our aim is to provide services for all ages in our local communities which:

- Are local and provided as close to people’s homes as possible
- Respect people’s privacy and dignity
- Are safe and of a high quality, delivered by skilled staff who uphold our values
- Are provided alongside social services and other health services, in a co-ordinated way
- Maintain people’s independence
- Are provided at an early stage to prevent people having to go into hospital unnecessarily.

Working in partnership with our patients, their carers, our members and governors, local GPs, hospital clinicians, local authority colleagues and others we will continue to develop services that achieve the best outcomes for local people. Our teams of staff are located geographically so that services are developed in response to local needs.

We will:

- Deliver services that have safety (including safeguarding vulnerable people) and quality of care as our highest priority
- Tailor services to meet the needs of the individual
- Recruit and retain the very best staff and provide development opportunities which build on their skills and knowledge
- Ensure we build on our successful financial management maximising the amount of money available for direct patient care.

Question 1

Do you agree with our Vision?

Priorities for developing our services

Our top four priorities, decided by working with patients and families, local GPs and others working in health and social care in Kent, are:

One – To provide community-based services to stop people from becoming unwell

Provide services which support and inform local people to help them to improve their wellbeing, take responsibility for their health and increase their life expectancy. These services help people to:

- Stop smoking
- Eat healthily
- Increase activity
- Improve their sexual health
- Support more families and give children the very best start in life.

Two – To avoid the need for people to have to go into hospital and, if they do require hospital care, to provide support so they can leave earlier

- Support people living with long-term conditions to manage their conditions better
- Introduce integrated health and social care services for our community teams to ensure continuous care which is more effective
- Use telehealth/telemedicine that enables remote monitoring to ensure a speedy response to signs of fluctuation in a patient's condition
- Provide excellent palliative care in home settings, and ensure that people have a choice about their treatment towards the end of life and their place of death
- Provide services which allow children with disabilities and serious health conditions to be cared for at home after a period of intensive care in a specialist hospital.



Three – To provide care which is closer to people's homes

Services and care will increasingly be provided in locations that are easily accessible for users and carers:

- Services will be developed to respond to the needs of local people and the requirements of the new commissioners of NHS care
- Support carers and patients so they do not need to travel for much of their healthcare.

Four – To continually improve patients' experiences of our services

- We will develop a single point of access to services, operating 24 hours a day, seven days a week with direct links to interpreting and advocacy
- Involve patients and their carers in decisions about their care and the management of their conditions
- Give patients greater knowledge and confidence to enhance their quality of life
- Continually seek and develop new techniques to improve the quality of care.

Question 2

Do you agree with our top four priorities for service development?

What would be different if we became a Foundation Trust?

By becoming members who elect governors, local people and our staff would have a greater say in the future of our services, working closely with the Trust's Board. Members will have a real opportunity to increase the way they are involved in developing and delivering services that they feel they need by:

- Joining Focus Groups
- Participating in patient experience/satisfaction surveys
- Attending service redesign groups
- Standing for election as a governor
- Attending public meetings and putting views forward
- Supporting your local governor.

Membership

It is completely up to you how much time you give to being a member. We are proposing two categories of membership – Public and Staff.

Membership is open to anyone aged 14 or over, reflecting the age when individuals are deemed to be competent to give their own consent. Members over 16 may vote in governor elections or stand for election as a governor. We will effectively and appropriately communicate with young people to ensure we get their views and listen to their opinions.

Public constituencies

The public constituencies will be defined by the 12 District Council areas within the Kent County Council Boundaries and a Rest of England constituency, which are:

- Ashford Borough Council
- Canterbury City Council
- Dartford Borough Council
- Dover District Council
- Gravesham Borough Council
- Maidstone Borough Council
- Sevenoaks District Council
- Shepway District Council
- Swale Borough Council
- Thanet District Council
- Tonbridge and Malling Borough Council
- Tunbridge Wells Borough Council
- Out of area "Rest of England".

Members of the public will be eligible for membership of the constituency in which they live. Staff are not eligible for membership of the public constituencies.

You cannot become or remain a member of an NHS Foundation Trust if you have been:

- Involved in the previous five years in an act of assault, violence or harassment against any NHS staff or registered volunteers of the local NHS
- Convicted of offences against children or vulnerable adults.

We aim to recruit as many people as possible from our staff and the public to become members of our organisation by the time we are authorised by Monitor, the regulator, to become a Foundation Trust. We also aim to increase membership year on year once we are an established Foundation Trust.

Members will not receive any payment or receive preferential treatment. Local people who choose not to become a member of the Kent Community Health NHS Trust will have the same access to our services, but may not have the same opportunity to help shape them.

Our aim is to ensure that membership represents the people we serve, promote equality and prevent discrimination. We will have an effective and inclusive strategy ensuring we enable everybody to influence the health and social care we provide. This will be guided by our existing commitment to the Equality Act 2010 and all protected groups.

Staff constituencies

Our staff are our greatest asset and it is essential that they play a major role in shaping our future. There will be four staff constituencies in line with our service directorates:

- Services for children, young people and their families
- Adult services
- Health and Wellbeing services
- Corporate services.

Any individual employed by the Trust under a contract of employment will automatically become a member (unless they say that they do not wish to be) provided that:

- They are employed by the Trust under a permanent contract or a contract with a fixed term of 12 months or longer
- They are not directly employed by the Trust but provide services for the Trust on a contract, and have been doing so for at least 12 months.

Question 3

Do you agree with our proposals for public membership?

Question 4

Do you agree with our proposals for staff membership?

Governors

So that decisions are made in the best interest of the people we serve we will encourage the members to elect a Council of Governors to represent their views and be responsible for feeding back their comments.

The Council of Governors will play an important role for the Trust, so we will provide ongoing training, workshops and support for Governors to ensure they are fully aware of the scope of their role, and are fully equipped to carry out their duties.

In order to establish a Council of Governors, elections will be held as required with members aged 16 or over.

The Council of Governors will:

- represent the interests of all members
- enable local residents, patients, staff and partners to influence decisions about the development of community services
- ensure that members are properly supported
- appoint or remove the Trust's Chairman and approve the appointments of Non-executive Directors
- approve the appointment of the Chief Executive
- be responsible to, and represent, the members by regularly attending Council of Governors meetings
- be supported by the Trust's Membership Office to keep in contact with members within their own constituency.

By having a strong membership and Council of Governors, our patients have greater powers to hold the Trust to account.

Council of Governors

The proposed number of governors is 25. The Council of Governors will be made up of the following people.

Public Governors

Public governors will constitute the majority of the Council. The Trust proposes 13 Public Governors, one Public Governor for each of the 12 District Council areas in Kent, and one for the rest of England.

Staff Governors

It is proposed that there will be four Staff Governors. One governor for each service directorate

- Services for children and young people **1**
- Adult services **1**
- Health and Wellbeing services **1**
- Corporate services **1**.

Appointed Stakeholder Governors

In addition, it is proposed that there should be eight Stakeholder Governors who would be representatives of syndicates of partner organisations with which the Trust has strong relationships. They will be drawn from the following groups:

- Kent County Council Governors (Councillor, representatives from Education, Public Health, Social Services) **4**
- Primary Care Trust Governor **1**
- Partnership Governors (University, Police, Council for Voluntary Services) **3**.

Question 5

Do you think we have the right number of Public Governors?

Question 6

Do you think we have the right number of Staff Governors?

Question 7

Do you think we have the right number of Appointed Partner Governors?

Question 8

Do you think there are other partner organisations that should appoint Governors to join our Council?

We want to hear what you think

We welcome your views on our proposals to become an NHS Foundation Trust. The consultation runs from Monday, 30 July 2012 until Friday, 19 October 2012.

You can share your views in a number of ways:

Complete the feedback form included in this consultation document and return it to the freepost address in the envelope provided. No stamp is needed.

Visit our website:

The feedback form can be completed online and submitted electronically at www.kentcht.nhs.uk

Want to know more?

Come along and join one of our public events in various locations across Kent during September and October.

Dates and Venues

September	Location	Venue	Time
5th	Dartford	Fleetdown Community Centre, Swaledale Road, Dartford, DA2 6JZ	2pm to 4pm
10th	Thanet	Millmead Sure Start, Dane Valley Road, Margate, CT9 3RU	2pm to 4pm
12th	Shepway	Hawkinge Community Centre, Heron Forstal Avenue, Hawkinge, CT18 7FP	4pm to 6pm
21st	Maidstone	Aylesford Communiy Centre, 25 Forstal Road, Aylesford, ME20 7AU	4pm to 6pm
28th	Canterbury	St Mary Bredin Church, 59 Nunnery Fields, Canterbury, CT1 3JN	2pm to 4pm
October	Location	Venue	Time
3rd	Dover	Triangles Community Centre, Poulton Close, Dover, CT17 0HL	2pm to 4pm
5th	Tonbridge	The River Centre, Medway Wharf Road, Tonbridge, TN9 1RE	2pm to 4pm
10th	Ashford	Norman House, Beaver Business Park, Beaver Road, Ashford, TN23 7SH	4pm to 6pm
12th	Sittingbourne	UK Paper Leisure Club, Avenue of Remembrance, Sittingbourne, ME10 4DE	4pm to 6pm

Or you can invite us along to one of your own group or community events.

To arrange a meeting contact our Membership Office on 01622 211970.

What happens next?

Once the consultation period has finished we will review all the feedback we have received and this will inform our application to the Secretary of State. Your feedback will need to be received by us by Friday, October 26 to ensure we can consider your comments before we make our final application.

If the Secretary of State supports our application our Trust will then be assessed by Monitor, our regulatory body, to assure themselves we are fit to provide high quality, services that are fit for your needs and will provide you with the very best outcomes.

Question 1

Do you agree with our Vision?

Question 2

Do you agree with our top four priorities for service development?

Question 3

Do you agree with our proposals for public membership?

Question 4

Do you agree with our proposals for staff membership?

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Question 5

Do you think we have the right number of Public Governors?

Question 6

Do you think we have the right number of Staff Governors?

Question 7

Do you think we have the right number of Appointed Partner Governors?

Question 8

Do you think there are other partner organisations that should appoint Governors to join our Council?

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Your contact details (PLEASE PRINT)

Title First name

Surname

Address

Postcode

Home phone number

Mobile phone number

Email address

How would you prefer us to contact you?

(Contacting you by email saves us money)

Email Post SMS Telephone
Textphone/minicom

Your involvement as a member

Please tell us more about how you would like to be involved.

I'd like to... (please tick all that apply)

- receive information, e.g. members' newsletter
- respond to surveys and questionnaires from time to time
- be involved in/comment on public information leaflets
- come to events
- be part of a panel or working group (relevant to your interests)
- find out more about becoming a governor
- be sent membership forms to recruit family, colleagues, etc, as members - please tell us how many forms you would like

Everyone can become a member, but please also tell us if you are one of the following: (please tick any that apply)

Carer Patient
Kent Community Health NHS Trust volunteer

Form continued overleaf

More about you

We ask for this information so that we can be sure we have a good balance of members from all of the communities we serve. We would be grateful if you would complete this section.

Date of birth:* / /

Gender: Male Female Transgender

Do you consider yourself to have a disability?

Yes No Prefer not to say

Your ethnicity:

- White British White Irish Other White
- Black African White & Black African White & Black Caribbean
- Black Caribbean Other Black Chinese
- Indian Pakistani Bangladeshi
- White & Asian Other Asian Other Mixed Background
- Gypsy/Romany Roma Traveller of Irish origin
- Prefer not to say

Your sexual orientation:

Bisexual Gay man Gay woman/Lesbian
Hetrosexual/Straight Other Prefer not to say

Thank you for your support.

If you **do not** wish to be listed on the public register of members please tick here:

* If you are under 16 you can still get involved but you will not be able to vote for, or stand as, a governor. Please ask your parent or guardian to sign here to allow you to be involved:

Relationship to you: Name:

Signature:

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Talk to us

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