

Meeting:	Wiltshire County Council Health Overview and Scrutiny Committee
Title:	Great Western Hospital Foundation Trust Bid
Executive Summary:	<p>The paper updates the Overview and Scrutiny Committee as to the progress of the application for Foundation Trust Status by the Great Western Hospital, Swindon.</p> <p>The first paper on our Foundation Trust bid was presented to the OSC in September 2007. This paper updates the OSC as to the outcome of the consultation and progress to date.</p>
Recommendations/decisions required:	To note.
Legal implications:	A NHS Foundation Trust is a public benefit corporation which is authorised in compliance with the National Health Service Act 2006.
Impact upon patients:	Membership will allow the Trust to develop as a locally accountable organisation which delivers health care services that reflect the needs of our local communities
Impact upon carers:	Carers will, by membership of the Foundation Trust, be able to influence strategy and direction of the Trust.
Consultation/Communication undertaken	The Trust has completed its public consultation regarding our plans for FT status which included consultation on aspects of the Constitution.

Lyn Hill-Tout, Chief Executive
Swindon and Marlborough NNS Foundation Trust

1.0 Introduction

1.1 What is a Foundation Trust?

A Foundation Trust is a new type of NHS organisation. It employs NHS staff, treats NHS patients, free of charge, maintains NHS principles and remains a public sector organisation. This paper will explain Swindon and Marlborough NHS Trusts bid to become a Foundation Trust and provides an update on the paper presented to the Wiltshire Health Scrutiny Committee on 20th September 2007.

1.2 An Independent Legal Entity

A Foundation Trust is an independent legal entity with greater freedom to manage its own affairs, with a Board of Directors acting as a corporate Board, and a Council of governors elected by the membership.

It has certain freedoms; freedom from the Strategic Health Authority control but still subject to national standards and performance targets; freedom in the way the Foundation Trust may plan and make decisions. With freedom comes constraint: Foundation Trusts may not withdraw from providing services without obtaining commissioner support and /or ensuring alternative provision is available. If a PCT wishes to purchase a particular service on behalf of its population that service must be provided unless there are clear clinical reasons why they should not. A Foundation Trust may not neglect their responsibilities to the NHS or give priority to private patients.

1.3 Independently regulated.

Foundation Trusts: are

- Authorised by, accountable to and regulated by an independent regulator - Monitor,
- Awarded a licence to operate under terms of authorisation which outline core services and regulations
- Required to maintain the same quality standards as other NHS organisations
- Required to have independent inspections such as those by the Healthcare Commission.

1.4 Better and more inclusive governance

Foundation Trusts are membership organisations. They must have

- Local ownership and involvement through governors and members who represent patients, carers, the local community, stakeholders and staff
- A Council of Governors who have key responsibilities including the appointment of the Chair, Non Executive Directors and the external auditors and approving the appointment of the Chief Executive
- Greater quality and transparency in governance

Through membership and the Board of Governors we aim:

- To Increase and improve communication with stakeholders
- To form stronger links formed with local people of Wiltshire and Swindon
- To ensure that the needs of local people will be at the heart of what the organisation does.

1.5 Financial freedoms

Foundation Trust status will enable us to manage our own finances and budgets through:

- Binding contracts with commissioners
- Greater financial flexibility
- Ability to generate and retain surpluses and reinvest them in services for the benefit of the organisation
- Ability to borrow money to fund capital and service developments
- The protection of NHS assets. It is not about privatisation.

1.6 Organisational Freedoms

The benefits include

- The ability to make decisions at a local level
- The freedom to develop services in a more timely, appropriate and responsive way to meet the needs of patients
- Local decision making on capital investments to improve services and increase capacity
- The ability to start new capital projects more quickly

2.0 **Timetable**

The following table shows the expected timetable to authorisation.

July	22/07/08	Membership	Governor Election Results
August 08	1 st August 08	Strategic Health Authority	Application to Department of Health
	August	Chair	Sessions for Governors elect with Chair
September	Monitor to confirm start date - 6 week review expected	Monitor	Monitor Review and assessment of application
September and October		Membership Secretary	Governor Induction sessions
December 2008	1 st December 2008	Monitor	Authorisation.
	1 st December 2008	Board Secretary	First Council of Governors
2009			Council of Governors meetings

The Monitor assessment phase lasts for over approximately 12 weeks. It includes

- The Trust submits its application to Monitor. This contains :
 - the Business plan and financial model
 - Constitution and governance submissions
- An Assessment of Application. This includes
 - Interviews with Trust
 - Review of robustness of financial model assumptions
 - Interviews with external stakeholders
- A Board to Board Meeting. The Trust Board is interviewed by Monitor's Board.

3.0 Commissioner Update.

The basis of our application to Monitor is the Integrated Business Plan (IBP) and long term financial model. The activity assumptions contained in our business plan have been reviewed with our lead commissioners - Wiltshire and Swindon Primary Care Trusts - so that the IBP correlates with the plans of the PCTs.

Useful feedback has been received from our Primary Care Trusts and we look forward to ensuring our strategic plans are aligned in order to bring about improvements in public health.

4.0 Outcome of Foundation Trust Consultation

In the previous report to Wiltshire Overview and Scrutiny Committee, the outcome of the consultation had not been finalised. The following is a summary of the responses we received.

About the Public Consultation

4.1 Dates of public consultation

Started: 9th July 2007
Finished: 30th September 2007

4.2 Public Meetings

Location	Attendance
Chippenham	4
Devizes	18
Malmesbury	4
Marlborough	23
Swindon	1
Swindon	9
Trowbridge	3

4.3 Stakeholder Meetings Attendance

Pewsey Health and Social care Forum	15
Swindon Age Concern Board	11
Swindon Borough Council Health OSC	20
Swindon Cancer Services User Involvement Group	8
Swindon PCT	16
Thamesdown Rotary Club	18
Trust PPI Forum	9
Wiltshire County Council Health OSC	25
Wiltshire PCT	18

4.4 Staff meetings

Description	Attendance
Academy team	12
Admin and clerical staff Meetings	27
CAMHS team	19
Carillion Health Staff	35
Community Sisters team	8
Finance department x 2	38
Head and Neck Team	7
Human resources team	13
IM&T team	12
Nursing sisters team	8
Occupational Health team	9
Open sessions for all staff x 6	86
Senior medical team	22
Theatre Senior Staff	14
Women's & Children's Secretarial Tam	10
Wren Ward	12
Total	332

4.5 Information giving sessions / Public shows and events attended

We have given out information on the streets of Swindon, Chippenham, Devizes, and Marlborough. We also held information giving sessions at local employers such as the headquarters of the Nationwide Building Society, and at local major supermarkets.

We attended various shows and fetes in the area;

- West Wiltshire Show in Trowbridge (27 July 2007)
- Swindon Mela (28 July 2007)
- Wroughton Classic Car Show (4 August 2007)
- Wotton Bassett festival (5 August 2007)
- Wanborough Show (18 August 2007)
- Hullavington 999 Show (9 September 2007)
- Recruitment Fair in Swindon (20 September 2007)

Several hundred people were spoken to and given information at the above events.

In addition information was given out at the Great Western Hospital Open Day held on 15 September 2007 – with around 350 members of the public attending.

We have also talked about our Foundation Trust bid on local radio stations Brunel FM, BBC Radio Wiltshire, BBC Radio Swindon and on our Hospital Radio. Articles have appeared in all local papers.

4.6 Community/voluntary group meetings

Discussions have been held with the community groups listed below in the form of introductory meetings or presentations to them.

Age Concern
Cancer User Group and Affected by Cancer Support Group
Christian Coalition group
Ecumenical Council
Octobus Project Swindon
Scope
Swindon Borough Council Community Partnership Group
Swindon Borough Council Youth Services
Thamesdown Rotary Club
Swindon Interfaith Group
Clivey Project
Swindon Voluntary and Community Forum
Wiltshire Disabled Coalition
Women's Institutes in the area

Numbers of people contacted through these mediums have been estimated to be 300-400.

4.7 Hard to Reach Groups

To ensure that "hard to reach communities" received information and could respond to the consultation relevant stakeholder groups and individuals in these communities were approached and provided with details of the consultation. This included community groups representing old and young communities and BME populations.

As an example, the Clivey Project is a charity working with and supporting young people in Swindon – particularly those living in Swindon's deprived areas. The charity was fully briefed about our consultation and will continue to be an important way for the Trust to access views and opinions from young people in Swindon.

Information was also made available in Libraries and GP Surgeries and The Westlea Housing Association included information within their newsletter. We also gave out information on high streets of local towns and in local supermarkets.

4.8 Information sent out

16,000 consultation documents were distributed. These included a feedback form which included eleven consultation questions. In addition to being given out at all of the events listed above, these were also sent to:

Local MPs
Local Health bodies (including PCTs and neighbouring Trusts)
Local Media
Libraries within catchment area
GP Surgeries within catchment area
Parish, Borough and County Councils
Major local employers
Community Groups
Other Stakeholders recorded on Trusts Stakeholder List

Consultation documents were available around the hospital for patients, visitors and staff. The full range of consultation documents was also made available through our website.

The Trust used existing communication channels to raise awareness of the consultation internally - including the staff intranet, site communications, posters around the hospital and staff briefings.

A 10 metre banner was displayed at the entrance to the Great Western Hospital site, advertising the consultation. In addition, 5 banner displays were erected in the atrium to the Great Western giving more details on the consultation.

Our Annual Report also included details of the FT application.

4.9 Number of formal responses received

Hardcopy using proforma provided as part of the consultation exercise	119
Others in hardcopy – letters etc	7
On website	0
By email	3
By telephone	4
By fax	0
By text	0
Verbally at public meetings	*
Others	*162

Summary of Consultation responses

Name	Broadly in favour	Broadly Opposed	Main Issue raised
Wiltshire PCT	Yes		Support the application and will work with the Trust on its completion. Keen to work on care nearer to the home agenda with the Trust
Swindon PCT	Yes		PCT is keen to see the Trust achieve FT status and be a key player in the delivery of our vision for excellence in Swindon. Agreement with consultation proposals.
Swindon Borough Council Health Overview and Scrutiny Committee	Yes		The wish for the Trust to have an effective network for patient and public involvement, to ensure views are used to shape service delivery and that there are mechanisms in place to actively learn from feedback including complaints. They are enthusiastic about the greater local accountability Foundation Trust status will bring.
Wiltshire County Council Health Overview and Scrutiny Committee	Yes		Supportive of the proposals but think that age 12 is too young for members and that there is a big PR slant to the strategic objectives. Would like to see development of stand alone midwife led maternity services.
Michael Wills MP for North Swindon	Yes		Broadly supports the objectives – as local MP thinks it sounds exciting and

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			is happy to see our objective to become the best performing hospital in England
Pewsey Community Area Health and Social Care Forum	Yes		Supportive of the proposals but think that age 12 is too young for members and that the geographical boundaries for membership are too broad. Would like to see more Wiltshire Governors.
Swindon Trade Union Congress		Yes	Believe that the consultation should have been about whether or not the Trust becomes a FT. Believe that FT status is first step of privatising the NHS and oppose competition between trusts for patients.
Swindon GMB Union		Yes	Same concerns as the TUC submission
Fyfield Parish Council	Yes		No significant comment.
Lydiard Tregoz Parish Council	Yes		No significant comment.
Heywood Parish Council	Yes		Age concern. Requirement for a clinical background staff member on the Council?
Lyneham and Bradenstoke Parish Council	Yes		No significant comment.
Melksham Without Parish Council	Yes		No significant comment.
Pewsey Parish Council	Yes		Concern over access to services from rural parts of Wiltshire.
Chirton Parish Council	Yes		Age 12 too young for members
Collingbourne Ducis Parish Council	Yes		Age too young. Swindon over-represented on Council of Governors.
Cherhill Parish Council	Yes		No significant comment.
Sutton Benger Parish Council	Yes		No significant comment.
Wroughton Parish Council		Yes	They felt it was not a true consultation process as the public had no option as to be able to stop the trust going for FT status. Concerns as to setting up competition between neighbouring Trusts detrimental to patient care.
Edington Parish Council	Yes		No significant comment.
Christian Malford Parish Council	Yes		Staff membership should be opt-in
Urchfont Parish Council	Yes		Membership should be restricted to 20 miles from Swindon. Age 12 is too young for membership. Worried on competition between health bodies.
Haydon Wick Parish Council	Not expressed	Not expressed	Concerned about Trusts competing for patients.

119 Pro-forma consultation feedback forms were received. These were assessed and logged onto an in-house Access database and the feedback analysed. This feedback is noted in the table below which shows the percentages in favour of or opposed to.

Question area	In favour	Against
Do you agree with our aims, promise and values?	87%	8%
Do you agree with our strategic objectives?	86%	8%
Do you agree with the proposed geographical areas for public membership?	72%	19%
Do you agree with our proposed age limit of 12 for membership?	49%	42%
Do you think our proposals for staff membership are the right ones?	81%	11%
Do you agree with the proposals for our Council of Governors?	76%	12%
Do you think we have the right number of governors for each community and group?	67%	12%
Do you agree with our proposed arrangements for the Board of Directors?	76%	9%

The overwhelming tone of the responses was supportive and positive. The responses received demonstrate enthusiasm for the greater local accountability that FT status will bring and for public membership.

Specific issues in regards to community services, such as the closure of a local minor injuries unit by Wiltshire PCT were raised in some responses from members who were confused as to who offered which service in the local area.

Some minor issues and objections were also raised in response to specific personal experiences or the reputation of the hospital as perceived through media reports.

Negative comments received were often related to whether FT status would mean more layers of management being required by the Trust.

As a whole though negative responses received were minimal and where it was it tended to be specific to personal experience.

The main areas that attracted critical comments are listed below. However it has to be reported that as a whole people were happy with the Trusts proposals as they stand.

Issue	Trust's response
The age limit of membership being set at age 12. Would parental influence diminish their	This is the single constitutional proposal that received the greatest critical comment. Trust

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<p>input? Do they really have enough life experience to make decisions?</p>	<p>Board debated the feedback to this issue at its October meeting and agreed to maintain a minimum age of 12 for membership. The Trust feels that it is appropriate for the children who use our services to have a say in how we deliver those services. Potential abuse of the system by a small number of parents shouldn't be allowed to prevent the Trust from doing the right thing. We will work with the Electoral Reform Society to ensure that we do everything that we reasonably can to ensure fair Governor Elections.</p> <p>However we do recognise that we will need to review and further develop our communication and engagement with younger members. This will be addressed as part of our membership development strategy.</p>
<p>Is Foundation Trust status a way of privatising the NHS – will we still adhere to Department of Health standards</p>	<p>Foundation Trusts are fully part of the NHS with a legal duty to provide a comprehensive range of services free at the point of need. National Targets will still need to be met and FTs have a legal duty of partnership. We have continually communicated this message throughout the consultation.</p>
<p>How much was the consultation and bid process and publicity etc costing</p>	<p>We have allocated a one off cost of 300k towards our Foundation Trust application. Of this 30k was used for publicity and producing materials for the consultation phase.</p>
<p>Why are we consulting when we know the government say we have to make the change anyway</p>	<p>We have explicitly stated throughout that the consultation was not a vote on whether we became a Foundation Trust, but was a consultation on our proposals surrounding our future strategic direction and how the FT would operate.</p>
<p>The catchment area of the trust being expanded – will this effect care being given to current patients and will it put too much pressure on staff</p>	<p>As referenced in our business plan we only look to increase our catchment area within those specialities where we have capacity to do so safely and efficiently.</p>
<p>Why was Thames Valley Chamber of Commerce represented on the Board of Governors</p>	<p>It was explained to all commenting on this that this was in fact the local chamber despite then name suggesting it was out of our geographical area. We are keen to engage local employers and businesses.</p>
<p>How will our PFI status effect our bid</p>	<p>We have stated that the additional levels of fixed costs associated with our PFI status present particular financial challenges for the Trust in terms of our application; however the excellent hospital environment in which we operate is an asset and a strength.</p>

One of the questions asked during the Consultation was “What one thing would you like to see us achieve within our first 3 years as a Foundation Trust? The key areas raised in response to this question are listed below with the Trusts response.

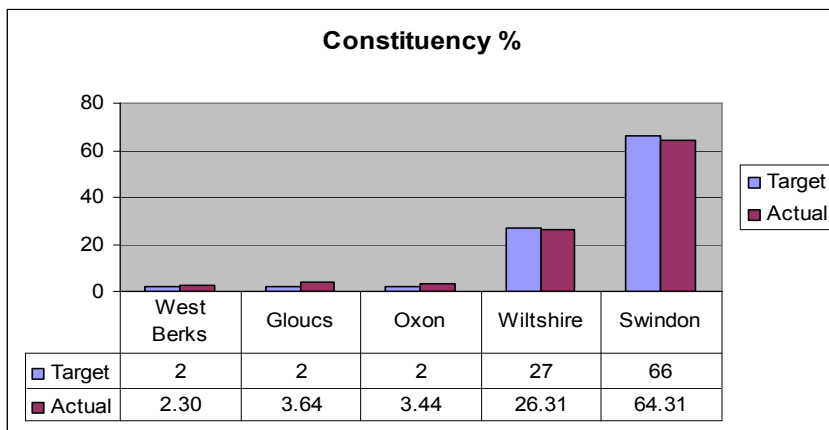
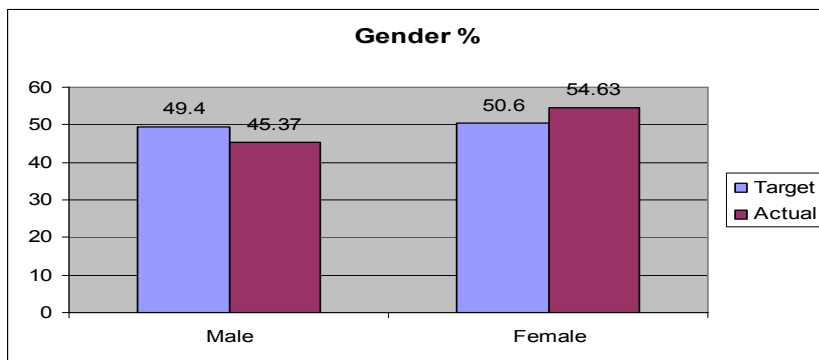
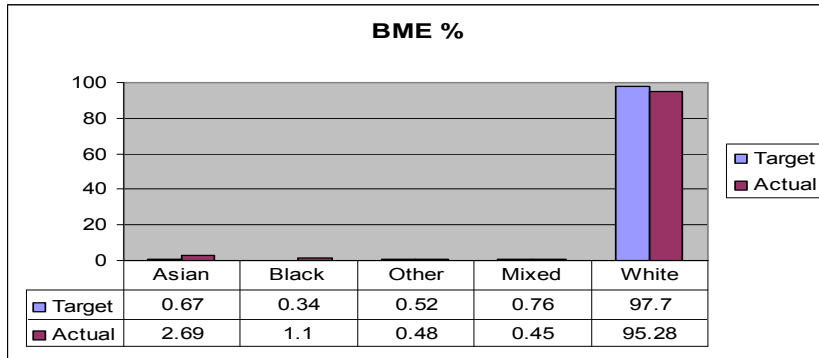
Issue	Trust's response
Reductions in Waiting Times	This issue is addressed within our Business Plan. We are committed to delivering national access targets and will explore areas where we can exceed national waiting times targets.
Provide easy access to your services for those patients who live further away from the hospital, including those in more rural areas.	As part of our business plan we are looking at providing more clinics in communities that have difficulty accessing the Great Western Hospital. We will also continue to invest in subsidizing bus routes and work with local councils on these issues.
Evening and weekend clinics and operating	The Trust is committed to improving access to services and, although currently there are no specific plans in place for providing more clinics and operating outside of normal hours – we are reviewing this.
Improve the way staff communicate with patients within the Hospital.	We will review staff education and training to ensure we focus on this issue.
Improve the image of the Trust portrayed through the local Media.	The Trust will ensure this area is addressed through its future Communication Strategy.
Reduce Infection Rates	An action plan is already in place to ensure the Trust complies with best practice and national guidance in this area. Infection Prevention and Control will continue to be given a very high priority within the Trust.
Reduce Car Parking Charges	A proposal regarding car parking charging will be presented to Trust Board. This proposal is unlikely to recommend a reduction in total car parking charges but will recommend a fairer structure of charges.

4.10 What were the main areas attracting support locally?

- Greater local accountability through membership and governors
- The opportunity for the public to be able to offer feedback and comment
- The comparatively small size of the proposed Council of Governors
- The proposed geographical make up of the Council of Governors
- Staff supported the proposal for an “opt-out” arrangement for staff membership (including the proposal for Trust volunteers and Carillion Health staff who work at the Trust to be included within the staff constituency)

5.0 Membership Update

As described in the membership a strong and vibrant membership will be key to the success of the Foundation Trust. Our membership as of 4th July stands at **6725** and analysis of the Membership is as below.



5.2.1 Governors

The Council of Governors will consist of 19 governors elected from the following constituencies.

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Public Governors (elected)	10
Swindon	5
Wiltshire	3
Oxfordshire, Gloucestershire and West Berkshire	2
Staff Governors (elected)	3
Appointed Governors	6
Swindon Primary Care Trust	1
Wiltshire Primary Care Trust	1
Swindon Borough Council	1
Wiltshire County Council	1
Swindon and North Wiltshire Health and Social Care Academy	1
Thames Valley Chamber of Commerce	1
Total	19

The nomination forms for governors have been received by the Electoral Reform Services. There will be two contested constituency elections; one in Wiltshire and one in Swindon. In Wiltshire 14 members are standing for election for the 3 Governors from Wiltshire. The results of the election are due on 22nd July 2008.

6. Conclusion

Swindon and Marlborough NHS Trust is en-route to achieving Foundation Trust Status. We believe that the opportunity this gives the Trust to work more closely with the constituents of our catchment area will greatly enhance the service we are able to offer. The feedback from the public consultation was favourable offering further local support for our application.