

# FT Bulletin

21 March 2014

Issue 79

# Monitor

Making the health sector  
work for patients

## Welcome to the March edition of Monitor's FT Bulletin.

This bulletin is sent to foundation trust chief executives, chairs, trust secretaries, finance, medical and nursing directors and the Foundation Trust Network. Click on the links below to jump straight to the relevant sections of the bulletin.

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## For action

### Chief Executives: review your responsibilities under the NHS Act 2006

The NHS Act 2006 designates the chief executive of an NHS foundation trust as the accounting officer. The [accounting officer memorandum](#) sets out the accounting officer's responsibilities under the Act, and his or her further duty of being a witness before the Committee of Public Accounts. This is to deal with questions arising from accounts or from reports made to Parliament by the Comptroller and Auditor General under the National Audit Act 1983. **[The memorandum](#) was updated this month to make minor updates to terminology.**

### NHS Foundation Trust Annual Reporting Manual 2013/14

We have updated [the NHS Foundation Trust Annual Reporting Manual](#). It provides guidance on producing your annual reports and accounts.

### RTT cross border activity in the Risk Assessment Framework – clarification

We want to ensure you are clear about the standards we use as part of our assessment of governance at NHS foundation trusts, and to stress that the data you report to us should be aligned with data reported to NHS England and other national bodies.

As set out in the [Risk Assessment Framework](#), we use a limited set of national access and outcome objectives as part of our assessment of governance at NHS foundation trusts. None of the indicators are developed by us, but reflect those specified in, for example, the *NHS Outcomes Framework*, the *NHS Constitution* and the *Mandate to NHS England*. This means providers are held to a single and clear set of standards by all bodies. While the purpose for which the standards are used may differ, the standards themselves are the same. We therefore ask NHS foundation trusts to report to us in accordance with those nationally-defined standards.

### Cross-border activity

Some NHS foundation trusts, particularly those located near the Scottish and Welsh borders,



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have queried whether patients from non-English commissioners should be included in their access targets submissions for, for example, the 18 weeks Referral to Treatment Times (RTT) target. 'Non-English commissioned activity' is excluded from the publication of RTT data, and from any assessment of the performance of NHS organisations against the English waiting time standards. You should therefore report to us compliance (or otherwise) with the same standards against which you submit for NHS England reporting (ie what you are commissioned to provide by English CCGs). This is to ensure trusts report against a consistent standard.

We would like to reiterate that while the RTT standards in England only apply to patients who reside in England or are registered with an English GP, hence the clarification above, we would not expect any NHS foundation trust to leave patients waiting longer for treatment simply because they are registered with a GP from elsewhere within the UK. If you have any practical concerns about this, please contact your relationship manager.

### We're moving to GOV.UK - how would you like to see our digital content develop?

All government and arm's length bodies are required to move to GOV.UK and close their current websites. We'll be moving later in the spring and now is an opportunity for you to let us know how you would like to see our online content develop, including the *FT Bulletin*.

[Let us know by answering a few questions here](#). If you have any questions about our move to GOV.UK, please email [Rachel.Purkett@Monitor.gov.uk](mailto:Rachel.Purkett@Monitor.gov.uk)

### Our move to GOV.UK— your trust portal web address will not change

Although our website will soon be moving to GOV.UK, **please note: this will not change your trust portal address**, which is <http://portal.monitor-nhsft.gov.uk/trusts/MARSID>.

'MARSID' is the unique code we use to identify your foundation trust. You can find this code in the correspondence you receive from provider regulation or from any monitoring templates you have been sent. If you have any questions about this, please contact your relationship manager.



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### Change to process for collecting responses to standard questions on quarterly performance

As part of our quarterly monitoring process, we ask about your financial and operational performance. Last quarter, for the first time, we asked you to respond through an online survey. This significantly reduced the time spent analysing your responses and provided data which can be more readily analysed compared to previous quarters.

Thanks to the 142 trusts who provided submissions. Your responses help inform our understanding of both financial and operational risk at your foundation trust. Please note this is an obligatory element of the quarterly monitoring process.

80% of trusts were either neutral or leant towards the survey being convenient. We will therefore use an online survey to collect responses from now on, and should have addressed the initial teething problems. A summary of the comments you shared with us about the survey and our responses is now available on your trust portal.

#### Next quarter...

For the next quarter, on your foundation trust portal, you will find a pdf of the online survey questions, instructions, answers to your frequently asked questions and the email address where the web-based survey should be sent. You still have five working days to complete the survey. Any questions? Please contact [compliance@monitor.gov.uk](mailto:compliance@monitor.gov.uk).

### Check the latest Accounts and FTCs process guidance issued this month

The latest guidance for foundation trusts relating to the accounts and FTCs process and Alignment Project is available on our website [here](#).



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### Procurement efficiency: nominate a NED to support NHS effort by 28 March

In February, Dr Dan Poulter, Minister for Health, and David Bennett, Monitor's Chief Executive, wrote to you about the ambitious plans to help NHS providers deliver £1.5 – £2 billion procurement efficiency savings by the end of 2015/16.

To support boards in giving more attention to the management of their non-pay spend a package of support to help Non-Executive Directors (NEDs) is being developed. The Department of Health is also holding a Summit for NEDs on NHS Procurement in May. To ensure that your nominated NED receives information on the support being developed and their invitation to the Summit, please confirm the name of your nominated NED. Email Elena Terraneau at [nhsprocurement@dh.gsi.gov.uk](mailto:nhsprocurement@dh.gsi.gov.uk) by **Friday 28 March**.

### Nominations for 2015 UK honours round

In a [letter to foundation trust chairs](#) this month, our Interim Chairman, Baroness Joan Hanham, highlighted the "importance of the honours system in recognising the achievements of ordinary people who do extraordinary things". You can nominate candidates from within the health and care sector for the 2015 UK honours round, up to **Monday 31 March 2014**. Email your nomination forms to [honours@dh.gsi.gov.uk](mailto:honours@dh.gsi.gov.uk)



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### **Transformative ideas for the future NHS: to consider in your plans**

Along with NHS England and the NHS Trust Development Authority; we have published [this document](#) to encourage debate about how the NHS can change models of care to provide better services in the future. The report contains potentially transformative options that local health economies may wish to consider as they prepare their five-year plans.

### **What the sector is saying**

The document results from the recent [NHS Futures Summit](#) which gave NHS leaders and health policy experts the opportunity to discuss and share their ideas. We interviewed contributors and delegates at the Summit to pose the question: "How do we ensure that our health service is capable of meeting the health needs of the future?"

[Watch the interviews on YouTube.](#)

### **The payment system: our plan to make this do more for patients**

Having published the national tariff for 2014/15, Monitor and NHS England have turned to potential improvements to the payment system in 2015/16 and beyond.

The main context for our work over the next year is the need for new and sustainable patterns of care that can do more for patients. Read more [here](#).

### **National Audit Office report**

According to a new report from the National Audit Office, Monitor has achieved value for money in regulating NHS foundation trusts and has generally been effective in helping trusts in difficulty to improve. Read more [here](#).



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## Publications

### Quality Assurance Department review of the 2012/13 audits of foundation trusts

The findings from our commissioned review of the 2012/13 audits of foundation trusts have been published on our website [here](#).

### Report on the proposed merger of the pathology services of two NHS trusts

We reviewed a proposal to merge the pathology services of Brighton & Sussex University Hospitals NHS Trust and Surrey & Sussex Healthcare NHS Trust on behalf of the NHS Trust Development Authority (NHS TDA). We concluded that a proposal put forward to join pathology services in Sussex is unlikely to have a negative effect on patients. Read our report on this [here](#).



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## Events

### Taking place next week...

#### **Mental Health Network Annual Conference - 26 March**

Come and talk to us at our stand at this important conference looking at the Future of Mental Health. Find out more about the event [here](#).

#### **Commissioning LIVE - 26 March**

We are speaking and exhibiting at Commissioning Live in London as part of our continuing commitment to work with commissioners to ensure patients receive the best possible care. Find out more [here](#).

### Development opportunity – secure your place today

#### **Chair/ CEO Board Induction day – 19 June**

If you didn't get a place on our March CEO/Chair induction day, please join our session on 19 June 2014. To book your place or to be kept informed of future dates, email [mel.baldwin@monitor.gov.uk](mailto:mel.baldwin@monitor.gov.uk).

The Chair/CEO Board induction sessions are for newly appointed chairs and chief executives of NHS foundation trusts who have not had prior experience of our authorisation process. Content includes:

- Our new role: including an overview of pricing and competition
- The NHS foundation trust legal framework
- The regulatory regime: including the *Risk Assessment Framework* and enforcement processes
- Current issues in the NHS
- Quality and quality governance
- Foundation Trust governance, including working effectively with governors

We continue to evaluate these sessions and receive excellent feedback. This is also a great opportunity for you to meet and network with new colleagues.



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### **Complaints cases subject to litigation, inquests and other serious investigations – clarification of position from DH**

The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 removed a specific exclusion included in the 2004 Complaints Regulations which prevented a complaint being considered if the complainant stated in writing that they intended to take legal action. Complaints in these circumstances must now be handled in accordance with the 2009 Complaints Regulations. Some NHS organisations are routinely putting the investigation of a complaint on hold if legal action is mentioned. This is not acceptable. Find out more [here](#).

### **Secretary of State for Health message to NHS staff on supporting compassionate care**

The Secretary of State for Health confirmed his “top priority remains to support you in creating a more patient-centred, compassionate NHS.” This month, he wrote to all trusts to reiterate how strongly he feels that staff should be able to raise any concerns about patient care and safety. Read more [here](#).

### **Leadership Alliance for the Care of Dying People: update before Liverpool Care Pathway ends in July**

Last year, the Leadership Alliance for the Care of Dying People was established to lead and provide a focus for improving the care for patients nearing the end of life and their families. The Alliance formed following the [independent review of the Liverpool Care Pathway](#), which recommended the Pathway (that had been used to varying standards to manage end of life care) be phased out.

To give as much notice as possible to health and care professionals to support planning before the Liverpool Care Pathway is phased out in July 2014, [the Alliance has published this statement](#). This also updates on the Alliance’s work so far.



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## Getting in touch

### Monitor update: our monthly newsletter

Read the March edition of our [corporate newsletter here](#).

Find previous editions on [our website here](#).

### Our latest job opportunities

For more information or to apply, please visit our recruitment website [joinmonitor.com](http://joinmonitor.com)

### Queries or feedback

If you have any queries about the information in this bulletin, please contact your Relationship Manager at Monitor.

### News alerts

Monitor's news update service is a convenient way for you to receive relevant information direct to your inbox. Click [here](#) to subscribe.

### Publications

All of our publications are available to download from the [publications section](#) on our web



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