

MEETING	PUBLIC BOARD MEETING 20 February 2019
Agenda Item Paper Number	4 CM/02/19/04
Agenda Title	Executive Team's report to the Board
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PURPOSE OF PAPER:

This is a paper for the Board to **note**.

Introduction

The report this month provides an update on the following matters:

1. Appointments to the Executive Team
2. Market Oversight update – Advinia Health Care Warning Notice
3. Detention of children and young people with learning disabilities and/or autism inquiry
4. Kark review of the fit and proper persons test
5. Correspondence with Health Select Committee
6. Regulating new technology and innovation in care
7. Recent publications
8. Upcoming publications
9. Information and cyber security risk

Chief Executive's report
1. Appointments to the Executive Team

Steve Field is due to leave his post shortly and we have recently confirmed Dr Rosie Benneyworth as Chief Inspector of Primary Medical Services and Integrated Care (incorporating the function of Chief Inspector of General Practice which was set out in Schedule 1 (3A) of the Health & Social Care Act 2008).

Debbie Westhead was appointed Chief Inspector of Adult Social Care on an interim basis following the departure of Andrea Sutcliffe CBE. We have recently announced that Kate Terroni will be taking up the position permanently in May.

Mark Sutton has been appointed as Chief Digital Officer.

Chief Inspector of Adult Social Care's report

2. Market Oversight update – Warning Notice Issued Against Advinia Health Care

On 22 January 2019, a Warning Notice under Section 29 of the HSCA 2008 was sent to Advinia Health Care Ltd ('Advinia') due to the non-provision of material financial information relating to a legal dispute with BUPA. Without this information, CQC Market Oversight ('MO') were unable to fully discharge its responsibilities. On the same date, all English LAs were also sent a copy of the Warning Notice along with a covering letter explaining why it had been issued and detailing the fact that it was not a Stage 6 Notification. On 24 January 2019, CQC MO received the requested information from Advinia and a Notice of Compliance with Warning Notice was circulated to all LAs and previously circulated organisations on the same date.

Chief Inspector of Hospital's report

3. Detention of children and young people with learning disabilities and/or autism inquiry

Dr Paul Lelliott, Deputy Chief Inspector for Hospitals (and mental health lead) gave evidence at the Joint Committee on Human Rights in Parliament on Wednesday 9 January, as part of its inquiry into 'Detention of children and young people with learning disabilities and/or autism inquiry'. The session covered our new thematic looking at restraint, prolonged seclusion and segregation. Paul gave evidence alongside Ray James from NHS England. The Committee has yet to publish its report.

4. Kark review of the fit and proper persons test

On Wednesday 6 February the Department of Health and Social Care published an independent review by Tom Kark QC, into how effectively the Fit and Proper Persons Requirement (FPPR) "prevents unsuitable staff from being redeployed or re-employed". The review recognises the difficulty faced by NHS bodies required to meet the Fit and Proper Persons Requirement (FPPR) and CQC in operating within the limitations of the current regulatory framework.

The report makes a number of important recommendations aimed at strengthening the FPPR process so that it better meets the needs and expectations of people using services, providers and regulators. This includes

specific recommendations for us. We support the recommendations of the review and will be working with the Department of Health and Social Care and partner organisations to take this work forward.

Chief Inspector of Primary Medical Services' report

Nil report.

Chief Operating Officer's report

Nil report.

Executive Director of Strategy and Intelligence's report

5. Correspondence with Health Select Committee

Following a meeting between Ian Trenholm and Dr Sarah Wollaston MP, Chair of the Health and Social Care Select Committee, Chris Day, Director of Engagement, wrote to Dr Wollaston to outline our current position on the local system review programme and share information she had requested. As is normal practice for the Committee, this correspondence was subsequently published¹.

6. Regulating new technology and innovation in care

In September last year we were awarded £500,000 from the Department for Business Energy and Industrial Strategy (BEIS)'s Regulators' Pioneer Fund to explore how we can work with providers to encourage good models of innovation. The set-up of the team and programme is now underway. It will look at what good looks like in how organisations are implementing and developing innovative or new technologies (including how organisations manage risks). It will also explore options for what 'regulatory sandboxing' could look within CQC's purpose and statutory functions, to engage earlier with providers deploying innovative approaches in a collaborative and controlled safe space. The programme will include both research and options development followed by testing over the next year, before potential implementation.

Alongside this work, we are continuing work to support our inspectors so they can give consistent assessments of the impact of new technology on the quality of care. We are also continuing to develop our engagement with the public, providers, other regulators and developers of new technologies, to support our wider objective to encourage improvement and innovation in care.

¹ <https://www.parliament.uk/documents/commons-committees/Health/Correspondence/2017-19/Letter-from-Chris-Day-CQC-Local-Systems-Reviews-23-01-19.pdf>

7. Recent publications

'Declare Your Care' campaign

On Tuesday 19 February, we launched our 'Declare Your Care' campaign; a new year-long, multi-channel national cross sector campaign encouraging people to share their experiences of care with us.

This is the national launch and throughout the year we will focus on four key population groups known to us to have lower awareness of CQC.

- Long Term Conditions - late February
- Black, Asian, and Minority Ethnic - June
- Children and Young People - September
- Learning Disability – November

Maternity survey results

On Tuesday 29 January, we published the results of the 2018 Maternity Survey. This was a national survey of more than 17,600 women who gave birth between 1 and 28 February 2018. Nationally, the results show that many women had a good experience, particularly in relation to interactions with staff and emotional support during pregnancy. However, the results also highlight concerns around continuity of care, choice and access to information and support after giving birth. This is the sixth survey of its kind that CQC has carried out to help trusts better understand the experiences of women using maternity services. The results are also used by CQC as part of our wider monitoring of hospital services.

8. Upcoming publications

Human rights approach

At the end of February, we plan to publish an update to our 2014 approach to human rights in inspection on our website. The update reflects findings from our online provider community, "co-production groups" (involving national organisations, people who use services and providers) and our colleagues.

Learning from deaths

We conducted a review in 2016 looking at the way NHS trusts review and investigate the deaths of patients in England, resulting in the report 'Learning, candour and accountability'. As a result, DHSC established a Learning from deaths programme board to oversee the implementation of the recommendations which issued national guidance for NHS trusts in April 2017.

In Spring we will publish a report looking at what early progress has been made since April 2017. This report aims to provide NHS trusts with examples of good practice from which they can learn by comparing to their own practice and from the approaches taken to make progress.

9. Information and cyber security risk

In January, the Board held an in-depth seminar to inform itself about current cyber security risks, including in health and care. The Board confirmed its ongoing role in assuring CQC's own information and cyber security preparedness and resilience.