

# **Title of Report: Recommendations of the Health Care and Wellbeing Scrutiny Committee: Update on outcomes of Care Quality Commission Inspection of Herefordshire and Worcestershire Health and Care NHS Trust**

**Meeting:** Cabinet

**Meeting date:** 27 June 2024

**Report by:** The Statutory Scrutiny Officer

## **Classification**

Open

## **Decision type**

Non-key

## **Wards affected**

(All Wards);

## **Purpose:**

The purpose of this report is to notify the Cabinet of the recommendations from the Health Care and Wellbeing Scrutiny Committee, made at its meeting on 25 March 2024, and to request a response from the executive.

## **Recommendations**

- a) **That the recommendations following the update on outcomes of Care Quality Commission Inspection of Herefordshire and Worcestershire Health and Care NHS Trust, made by the Health Care and Wellbeing Scrutiny Committee at its meeting on the 25 March 2024 be noted.**
- b) **That an executive response to the scrutiny recommendations be prepared for consideration by the Cabinet within two months.**

## **Alternative options**

None proposed; it is a statutory requirement for the Cabinet to be notified and consider reports and recommendations made by a scrutiny committee.

## **Key considerations**

1. Scrutiny committees have statutory powers to make recommendations to the executive, and the executive (Cabinet) has a statutory duty to respond. They may also make reports and recommendations to external decision making bodies.
2. Scrutiny recommendations are addressed to the Cabinet, as the main executive decision making body of the council (or, where appropriate, an external agency).
3. Cabinet is being asked to note the scrutiny report / recommendations and that an executive response to the scrutiny recommendations be prepared for consideration by the Cabinet within two months.
4. The minutes of the meeting of the scrutiny committee provide the record of the scrutiny committee's consideration of the issue and the scrutiny recommendations made during the meeting.
5. The scrutiny committee will be notified of the executive response made in respect to the scrutiny recommendations and may track the implementation of the Cabinet decisions and any actions agreed. This enables the scrutiny committee to track whether their recommendations have been agreed, what actually was agreed (if different) and review any outcomes arising.

### Update on outcomes of Care Quality Commission Inspection of Herefordshire and Worcestershire Health and Care NHS Trust

6. From 6 to 8 June 2023 the CQC conducted a Well Led inspection of the Herefordshire and Worcestershire Health and Care NHS Trust, drawing on one to one interviews with board members, subject matter experts, focus groups and stakeholders. As a result of the inspections, a number of changes were made, including moving the trust's overall rating from good to requires improvement.
7. Following initial feedback from the CQC, the Trust and Herefordshire and Worcestershire Integrated Care Board took the decision to appoint an Improvement Director to lead the development and implementation of an Improvement Plan. Based upon the themes in the CQC report and extensive staff engagement exercise through September and October 2023 which almost 700 staff contributed to, the trust has developed and commenced delivery of two key improvement plans.
8. The Health Care and Wellbeing Scrutiny Committee met with directors of the trust at its meeting on 25 March 2024 to scrutinise both the findings of the inspection report and the trust's two improvement plans.

### Scrutiny Recommendations

9. At the end of its consideration of this issue, the committee made three recommendations to the Cabinet, as set out at Appendix 1 to this report.

### Procedure for Recommendations from Scrutiny Committees

10. Where scrutiny committees make reports or recommendations to the Cabinet, as soon as this has been confirmed, these will be referred to the Cabinet requesting an executive response. This will instigate the preparation of a report to Cabinet and the necessary consideration of

the response, the technical feasibility, financial implications, legal implications and equalities implications etc.

11. Where scrutiny committees make reports or recommendations to full Council (e.g. in the case of policy and budgetary decisions), the same process will be followed, with a report to Cabinet to agree its executive response, and thereafter, a report will be prepared for Council for consideration of the scrutiny report and recommendations along with the Cabinet's response.
12. Where scrutiny committees have powers under their terms of reference to make reports or recommendations to external decision makers (e.g. NHS bodies), where they do this, the relevant external decision maker shall be notified in writing, providing them with a copy of the committee's report and recommendations, and requesting a response.
13. Once the executive response has been agreed, the scrutiny committee shall receive a report to receive the response and the committee may review implementation of the executive's decisions after such a period as these may reasonably be implemented (review date).

### **Community Impact**

14. In accordance with the adopted code of corporate governance, the council is committed to promoting a positive working culture that accepts, and encourages constructive challenge, and recognises that a culture and structure for scrutiny are key elements for accountable decision making, policy development and review. Topics selected for scrutiny should have regard to what matters to residents.

### **Environmental Impact**

15. There are no direct environmental impacts connected with this report or the outcomes it seeks to deliver.

### **Equality Duty**

16. There are no specific equalities impacts.
17. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:
18. A public authority must, in the exercise of its functions, have due regard to the need to –
  - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
19. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

### **Resource Implications**

20. There are no resource implications arising from this report, however, fulfilling the recommendations and considerations outlined in the report may require investment from the council and wider partners.
21. Resource implications should be considered as part of the requested report to Cabinet on the Executive Response to the scrutiny recommendations.

### **Legal Implications**

22. The council is required to deliver a scrutiny function.
23. There are no specific legal implications arising from this report.

### **Risk management**

Risk / opportunity	Mitigation
There is a reputational risk to the council if the scrutiny function does not operate effectively.	The arrangements for the notification of recommendations from the scrutiny committees and agreement of an Executive Response should help mitigate this risk.

### **Consultees**

Chair, Health Care and Wellbeing Scrutiny Committee

### **Appendices**

Appendix 1: Recommendations of the Health Care and Wellbeing Scrutiny Committee: Update on outcomes of Care Quality Commission Inspection of Herefordshire and Worcestershire Health and Care NHS Trust.

### **Background papers**

[Update on outcomes of Care Quality Commission Inspection of Herefordshire and Worcestershire Health and Care NHS Trust](#)

[Care Quality Commission Inspection Report: Herefordshire and Worcestershire Health and Care NHS Trust](#)

[Presentation - Herefordshire and Worcestershire Health and Care NHS Trust improvement plan](#)