



Health Select Committee
4th October 2006

**Report from the
Director of Policy & Regeneration**

Wards Affected:
ALL

**CNWL Mental Health NHS Trust:
Foundation Trust Application- Consultation**

1.0 Summary

1.1 This report gives details of the Central and North West London (CNWL) Mental Health NHS Trust's application to become an NHS Foundation Trust.

1.2 As part of its formal consultation process the Trust seeks the views of the local Overview & Scrutiny Committees within each of the effected local authorities. This consultation period ends on 23rd October 2006.

2.0 Recommendations

2.1 That this committee agree the key points of its response to the Trust's consultation.

2.2 That the Chair of the Committee formally responds within the consultation deadline (by 23rd October 2006).

3.0 Detail

3.1 Health Select Committee Role

Section 7¹ of the Health and Social Care Act 2001 places a specific duty on local NHS bodies to consult their local Overview & Scrutiny Committee when they are considering proposals which involve any 'substantial development or variation' in health services.

¹ *Health and Social care Act 2001(c.15), Part 1- National Health Service*

3.2 Local NHS bodies are required to provide Overview & Scrutiny Committees with information that they may 'reasonably require' to carry out their functions and to respond to written reports within 28 days.

3.3 Section 11² of the Health and Social Care Act 2001 states that local NHS bodies have a duty to make arrangements to involve and consult patients and the public in service planning and operation, and in the development of proposals for changes that affect health and healthcare.

- not just when a major change is proposed, but in ongoing service planning;
- not just in the consideration of a proposal, but in the development of that proposal; and
- in decisions about general service delivery, not just major changes.

3.4 The NHS bodies should consult both the HOSC and the local authority executive, as key local stakeholders and representatives of the public.

3.5 Foundation Trusts

The Health and Social Care (Community Health and Standards) Act 2003 established NHS Foundation Trusts as independent public benefit corporations modelled on co-operative and mutual traditions.

Foundation Trusts exist to provide and develop services for NHS patients according to NHS principles and standards and are subject to NHS systems of inspection. Ownership and accountability is transferred from central government to the local community, via the Foundation Trust.

Foundation Trusts have greater freedoms and independence. The Department of Health states that establishing such trusts has three main purposes:

- i. To devolve more power and responsibility to the local level so that NHS hospitals are better able to respond to the needs of patients, improving access to higher quality services and incentivising innovation.
- ii. To devolve accountability to local stakeholders including NHS patients and staff, Trusts operating governance arrangements that give local stakeholders and the public, more opportunities to influence the organisation and its strategic development.
- iii. To support patient choice by increasing the plurality and diversity of providers within the NHS.

3.6 Central and North West London Mental NHS Trust- Application

The Trust provides mental health and substance misuse services to the following London Boroughs; Brent, Ealing, Hammersmith & Fulham, Harrow, Hillingdon, Hounslow, Kensington & Chelsea, and City of Westminster.

² *Ibid.*

- 3.7 Details of the Trusts services, catchment area, and the rationale for foundation trust status can be found in “*Our application to become a NHS Foundation Trust: Consultation Document*” which is attached to this report **(Appendix A)**.
- 3.8 Dr Peter Carter (Chief Executive), John Vaughan (Foundation Trust Lead), Trevor Shipman (Director of Finance), and David Dunkley (Head of Brent Adult Mental Health Services) will attend this meeting to present the details of the application and the current consultation to the committee.

Appendices

Appendix (A) “Letter to Cllr Clues, Chair of the Health Select Committee”, 15th September 2006.

Appendix (B): “Our application to become a NHS Foundation Trust: Consultation Document”, Central and North West London Mental NHS Trust, August 2006.

Appendix (C) “Application for Foundation Trust Status: Overview of Service Development Plans 2006-2011”, September 2006.

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