

## Item 7: CQC inspection update for Medway Foundation Trust

By: Kay Goldsmith, Scrutiny Research Officer

To: Health Overview and Scrutiny Committee, 4 March 2021

Subject: CQC inspection update for Medway Foundation Trust (written update)

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Summary: This report provides the Committee with background to the agenda item.

**There will be a supplementary paper from Medway Foundation Trust once the Care Quality Commission publishes their report on 25 February 2021.**

This is a written briefing only and no guests will be present to speak.

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### 1) Introduction

- a) The Care Quality Commission carried out an unannounced inspection of Medway Maritime Hospital's emergency care pathway and emergency department on 14 December 2020. Subsequently the regulator has issued a Section 31 notice (possible urgent enforcement actions) and a Section 29A (letter of intent).
- b) The enforcement notices were highlighted in the agenda papers for Medway Foundation Trust's Board of Directors meeting on 4 February 2021<sup>1</sup>.
- c) The Care Quality Commission are publishing the report of their findings, including where improvements are required, on Thursday 25 February. Therefore, a supplementary paper will be published to this agenda once that has happened.

#### **What is a Section 29A warning notice? <sup>2</sup>**

- d) The CQC can serve a warning notice under section 29A of the Health and Social Care Act 2008 when it identifies concerns across either the whole or part of an NHS Trust or NHS Foundation Trust and it determines there is a need for significant improvements in the quality of healthcare.

#### **What is a Section 31 notice? <sup>3</sup>**

- e) If the CQC has reasonable cause to believe that unless it acts a person may or will be exposed to harm, they may give notice in writing under Section 31 of the Health and Social Care Act 2008 to the provider.

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<sup>1</sup> Medway NHS Foundation Trust, <https://www.medway.nhs.uk/downloads/publications/board-papers/PAPERS-Trust-Board-in-Public-04.02.21.pdf>

<sup>2</sup> Care Quality Commission, Section 29A warning notices for NHS trusts and NHS foundation trusts, <https://www.cqc.org.uk/sites/default/files/20170210-guidance-on-section-29a-warning-notices-final.pdf>

<sup>3</sup> The Health and Social Care Act 2008, section 31.

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- f) The Provider has been invited to update the Committee on its action plan following the issuing of the notices.

**2) Recommendation**

RECOMMENDED that the Committee consider and note the report.

**Background Documents**

None

**Contact Details**

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