

Meeting of the Trust Board in Public

3rd March 2022

Report Title:	Update on Ockenden Immediate and Essential Actions – One Year On
Executive/NED Lead:	Giles Thorpe, Chief Nurse
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Previously considered by:	Performance Assurance (Integrated Assurance) Committee, 23 rd February 2022

Approval

Discussion

Information

Assurance

Purpose of the Report

In January 2021, the Board of Directors received a copy of ESNEFT's completed Assurance and Assessment Tool, demonstrating current compliance and plans for compliance with the seven immediate and essential actions arising from the Ockenden report into maternity services.

From February to June 2021, a project was implemented to progress and meet all the outstanding requirements. More detailed guidance was issued by NHSE/I as to how compliance should be achieved and measured, and ESNEFT's plans were updated to reflect those requirements.

In June 2021, Trusts were required to collate and submit, via an online portal, evidence of all related activities to provide assurance to NHSE/I of progress and current status. Quantitative feedback from NHSE/I on ESNEFT's submission showed that of the 41 expected criteria, 28 were green, 11 amber and 2 red.

ESNEFT's Ockenden action plan comprised 37 actions to address the deficiencies, and as at 14th February 2022, 14 had been closed.

In NHSEI's letter of 14 December 2020, the Assurance Assessment Tool was asked to be used, which includes the recommendations from the Morecambe Bay investigation report and the Ockenden report, to support a discussion at the Trust public Board.

On 25 January 2022 a further letter was received, asking that progress is discussed at the public Board before the end of March 2022.

The expectation is that the discussion will cover:

- Progress with implementation of the 7 IEAs outlined in the Ockenden report and the plan to ensure full compliance,
- Maternity services workforce plans

Ensuring local system oversight of maternity services was a key element in the Ockenden review and therefore Trusts should ensure progress is shared and discussed with your LMS and ICS. Progress must also be reported to your regional maternity team by 15 April 2022.

To support this discussion, an updated version of the assurance and assessment tool is attached, detailing current status and outstanding actions.

The maternity service will continue to progress the outstanding actions, and a new raft of requirements (Ockenden 2) is anticipated in April 2022.

Action For the Board of Directors.		
<ul style="list-style-type: none"> To receive the report for assurance on activities undertaken and underway to support full implementation of the requirements under Ockenden, for onward discussion at the Trust's Board of Directors in line with NHSE/I request dated 25 January 2022. 		
Link to Strategic Objectives (SO)		Please tick
SO1	Keep people in control of their health	<input checked="" type="checkbox"/>
SO2	Lead the integration of care	<input type="checkbox"/>
SO3	Develop our centres of excellence	<input checked="" type="checkbox"/>
SO4	Support and develop our staff	<input checked="" type="checkbox"/>
SO4	Drive technology enabled care	<input type="checkbox"/>
Risk Implications for the Trust <i>(including any clinical and financial consequences)</i>		A failure to ensure that the Trust is compliant with all the Urgent and Immediate Actions as outlined in the Ockenden report, caused by inadequate planning and activity, may lead to pregnant people and their families coming to harm, leading to concerns about maternity services being raised to Trust regulators. This may lead to sanctions being placed against the Trust's license.
Trust Risk Appetite		The Board has a cautious risk appetite when it comes to compliance and regulatory issues. Where the laws, regulations and standards are about the delivery of safe, high quality care, it will make every effort to meet regulator expectations and comply with them and will only challenge them if there is strong evidence or argument to do so.
Legal and regulatory implications <i>(including links to CQC outcomes, Monitor, inspections, audits, etc.)</i>		A failure to ensure that systems and processes are in place to support the safe delivery of maternity services may lead to a breach of the Trust's registration in line with the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014. In particular, this may specifically call into question Regulation 12 Safe Care and Treatment; Regulation 13 Safeguarding service users from abuse and improper treatment, and Regulation 18 Staffing
Financial Implications		Consideration of the Trust being an organisation that can expand and deliver increased services, through bids for capital and increased revenue, may be affected if the Trust cannot evidence the delivery of safe and effective care across all its services.
Equality and Diversity		Due to the nature of maternity services it is recognised that any gaps in service provision will negatively affect pregnant people and their families, and any detriments to their healthcare must be addressed as an urgent priority.