

Meeting / Committee:	Board of Directors	Meeting Date:	29 July 2014
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This paper is for:	Action/Decision	Assurance x	Information
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Title:	Update on enforcement agreed with Monitor
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Purpose:	The purpose of this report is to provide a monthly update to the Board of Directors on actions undertaken to comply with the enforcement action agreed with Monitor.
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Summary:	<p>In July 2014 the trust agreed a number of actions with Monitor, the national regulator of NHS Foundation Trusts, to ensure the organisation is compliant with its licence to operate.</p> <p>The actions relate to clostridium difficile, financial sustainability and governance.</p>
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Prepared By:	Caroline Parnell	Presented By:	Prof. Tricia Hart Chief Executive
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Recommendation:	The Board of Directors is asked to note the content of the update.
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Implications	Legal x	Financial	Clinical	Strategic x	Risk & Assurance x
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**UPDATE ON ACTION TO ADDRESS ENFORCEMENT ACTIONS AGREED WITH MONITOR
JULY 2014**

	Required action	Timescale	Lead	Status/ update
	Clostridium difficile			
1.	Develop a clostridium difficile action plan to return to compliance with trajectory on a sustainable basis	To be agreed with Monitor	R. Holt	Developed plan Dec 2013 to be amended following feedback from Mark Wilcox and prior to submission to Monitor
2	Get external assurance on the plan and actions with advisor to be agreed with Monitor. Plan to include metrics and KPIs	To be agreed with Monitor	R. Holt	
3	Implement action plan	To be agreed with Monitor	R. Holt	
4	Get assurance from external advisor (to be agreed with Monitor) that the plan has been fully implemented.	To be agreed with Monitor	R. Holt	
5	Report to Monitor on progress	Monthly	R. Holt	
	Financial sustainability			
6	Develop and submit a financial recovery plan that returns the trust to a sustainable COSRR 3 position within 3 years.	To be agreed with Monitor	C. Newton	
7	Plan to include analysis of the causes of the deterioration in financial performance in 2013-14 and steps to be taken to address deterioration		C. Newton	Auditors commissioners to review actions leading up to deterioration in financial position
8	Implement actions in the financial recovery plan		C. Newton	

	Required action	Timescale	Lead	Status/ update
9	Appoint a transformation director to support delivery	To be agreed with Monitor	D. Jenkins/T. Hart	Interviews on 18 and 24 July
10	Report on implementation of financial recovery plan	Monthly	C. Newton	
	Board governance			
11	Commission a board governance and leadership review from external advisor (to be agreed with Monitor) focusing on board leadership, effectiveness, capacity and capability and identify failings that led to financial and operational failures.	To be agreed with Monitor	D. Jenkins/T. Hart	Confirmed with Monitor 3 potential providers. Initial discussions held, scope for review developed and awaiting feedback from Monitor prior to tender process.
12	Develop a board governance and leadership action plan agreed with external advisor and Monitor.	Within a month of review completion	D. Jenkins/T. Hart	
13	Implement board governance and leadership action plan	To be agreed with Monitor	D. Jenkins/T. Hart	
14	Obtain external assurance that plan has been fully implemented	To be agreed with Monitor	D. Jenkins/T. Hart	
15	Report on implementation of plan	Monthly	D. Jenkins/T. Hart	
	Further governance requirements			
16	Ensure sufficient and effective board management and clinical leadership capacity and capability as well as appropriate governance systems and processes to comply with enforcement undertakings		D. Jenkins/T. Hart	
