

**NHS DORSET CLINICAL COMMISSIONING GROUP
GOVERNING BODY MEETING
REPORT ON NHS CONSTITUTION**

Date of the meeting	20/11/2013
Author	J Green, Head of Corporate Governance
Sponsoring GB member	T Goodson, Chief Officer Presented by S Rastrick, Director of Quality
Purpose of report	To assure the Governing Body that compliance with the NHS Constitution is being met.
Recommendation	The Governing Body is asked to Note the report.
Resource implications	Budgeted
Link to strategic principles	<ul style="list-style-type: none"> • Services designed around patients • Preventing ill health and inequalities • Sustainable healthcare services • Care closer to home
Risk assurance Impact on high level risks	None.
Outcome of equality impact assessment process	EIA completed and Not Applicable
Actions to address impact	N/A
Legal implications	None.
Freedom of information	This report is not restricted.
Stakeholder engagement	Patient representatives are part of the Quality Group which reviews all quality issues in detail. Patient surveys and a range of patient feedback are used to inform the review of the quality of services provided. Patient representatives are included in all procurement activity.
Previous Committees/Governing Body	None

1. Introduction

- 1.1 The NHS Constitution was first published on 21 January 2009. It was one of a number of recommendations in Lord Darzi's report 'High Quality Care for All'. It sets out a ten-year plan to provide the highest quality of care and service for patients.
- 1.2 The Secretary of State for Health, all NHS bodies, private and voluntary sector providers supplying NHS services, and local authorities (in relation to their public health functions) are required by law to take account of this Constitution in their decisions and actions. The Government has a legal duty to renew the Constitution every 10 years.
- 1.3 The introduction of the Health and Social Care Act 2012 has strengthened the legal foundation of the NHS Constitution, and placed new duties on NHS England and Clinical Commissioning Groups to promote it.
- 1.4 As part of the government's initial response to the Francis Report, into the failings at Mid Staffordshire NHS Foundation Trust, the Department of Health changed the NHS Constitution to demonstrate that the NHS's most important value is for patients to be at the heart of everything the NHS does. The Francis Report emphasises the role of the NHS Constitution in helping to create a positive and caring culture within the NHS.
- 1.5 The current Constitution can be obtained from the [Department of Health](#) website.

2. NHS Constitution

What does the NHS Constitution mean for patients and staff?

- 2.1 As well as capturing the 'Purpose', 'Principles' and 'Values' of the NHS, the Constitution brings together a number of 'Rights', 'Pledges' and 'Responsibilities' for staff and patients alike. These "Rights" are enshrined in current law and are legally binding.

NHS Principles

- 2.2 There are seven principles that guide how all areas of the NHS are expected to behave and make decisions. These are:
 1. The NHS provides a comprehensive service available to all;
 2. Access to NHS services is based on clinical need, not an individual's ability to pay;
 3. The NHS aspires to the highest standards of excellence and professionalism;
 4. The NHS aspires to put patients at the heart of everything it does;

5. The NHS works across organisational boundaries and in partnership with other organisations in the interest of patients, local communities and the wider population;
6. The NHS is committed to providing best value for taxpayers' money and the most effective, fair and sustainable use of finite resources;
7. The NHS is accountable to the public, communities and patients that it serves.

2.3 In 2013, following release of the Francis Report, amendments were made to the NHS Constitution. Areas that were amended include:

- patient involvement
- feedback
- duty of candour
- end of life care
- integrated care
- complaints
- patient information
- staff rights, responsibilities and commitments
- dignity, respect and compassion

2.4 There are six shared values:

- Working together for patients.
- Respect and dignity.
- Commitment to quality of care.
- Compassion
- Improving lives.
- Everyone counts.

2.5 There are also a number of rights and pledges for both patients and staff.

CCG Baseline Assessment

2.6 The Corporate Governance Team have conducted a baseline assessment with each directorate in order to review current evidence within the CCG which demonstrates compliance with the NHS Constitution. The information has been captured in a spreadsheet which is available on the Governing Body Portal.

2.7 There is much good practice within the organisation which provides strong evidence to support compliance with the Constitution's Principles, Values, Rights and Pledges. For example:

- The CCG is providing various opportunities for local people to become involved in service review, redesign and change, though the Dorset Health Involvement Network, Locality Involvement Networks and Condition Specific forums, reference groups and panels. Various methodologies are

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also adopted to actively seek views to inform change e.g. surveys, patient stories, view seeking groups, Facebook, etc;

- A Single Equalities Scheme has been adopted, implemented ; monitoring is through the use of the Equality Delivery System;
- The CCG has undertaken a Joint Strategic Needs Assessment as part of the development and implementation of its Local Strategic Plan;
- Service providers have policies in place to ensure appropriate access;
- Contract Monitoring is robust;
- Visits to Provider organisations and Care homes regularly undertaken;
- Patient Safety & Risk Register in place;
- Feedback email address in place;
- Customer Care team in place;
- Staff Development and trainings in place;
- Personal Health Budgets enabling individuals to have more control over the care they receive in place;
- a commitment to making decisions in a clear and transparent way, so that patients and the public can understand how services are planned and delivered;
- The Quality Team provide a commissioning support service which is underpinned by national policy, guidance and recommendations and learning from relevant reports;
- The Quality Framework supports the commissioning of high quality, excellent care for the local population;
- Policies and relevant documents in place.

Communication

- 2.8 The baseline assessment demonstrated that whilst we have lots of areas of good practise and compliance, we are weak in the area of communicating that good practice and compliance widely. We need to '*shout about what we are doing right*'. An example is within Personal Health Budgets. There are a number of patient stories demonstrating how a personal health budget has made a dramatic difference to a patient's life, but we do not publish them. This can easily be done without any breach of confidentiality.
- 2.9 In 2014 the communications and engagement team are to run a campaign to raise awareness of the NHS Constitution. This will include a media release supported by information online and via the CCG twitter account, posters in GP practices to target both patients and staff, information distributed via partner networks and an internal campaign through the staff bulletin and intranet.

Actions Required

- 2.10 The following actions have been identified from the baseline assessment:
- a. New and existing work of each directorate to be linked to the NHS Constitution;
 - b. More work to be done to link evidence to specific areas of the constitution;

- c. Evidence to demonstrate what is in place to support CCG policies. How do we measure the policies by agreeing an audit process;
 - d. Each directorate to demonstrate that they are meeting the constitution;
 - e. Improved communication to the public and staff about how the CCG is meeting the constitution.
- 2.11 To meet the identified actions the Corporate Governance Team propose to bring together a working group. Membership to consist of nominated representatives from all directorates.
- 2.12 Reporting line for this group is suggested to be the Quality Group. Regular reports on progress to be provided.

3. Conclusion

- 3.1 The Corporate Governance Team continue to work towards providing assurance to the Governing Body that compliance with the NHS Constitution is met.

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