

NHS DORSET CLINICAL COMMISSIONING GROUP
GOVERNING BODY
NHS CONSTITUTION REPORT

Date of the meeting	18/11/2015
Authors	J Green - Head of Information Governance/Customer Care
Sponsoring Clinician	Dr P French – Locality Chair for East Bournemouth
Purpose of Report	To assure the Governing Body that progress is being made in achieving the requirements of the NHS Constitution
Recommendation	The Governing Body is asked to note the report.
Stakeholder Engagement	All staff via the Directorate representatives.
Previous GB / Committee/s, Dates	N/A

Monitoring and Assurance Summary

This report links to the following Strategic Principles [delete as necessary]	<ul style="list-style-type: none"> • Services designed around people • Preventing ill health and reducing inequalities • Sustainable healthcare services • Care closer to home 		
I confirm that I have considered the implications of this report on each of the matters below, as indicated:	Yes [e.g. ✓]	Any action required?	
		Yes Detail in report	No
All three Domains of Quality (Safety, Quality, Patient Experience)	✓		✓
Board Assurance Framework / Risk Register	✓		✓
Budgetary Impact	✓		✓
Legal / Regulatory	✓		✓
People / Staff	✓		✓
Financial / Value for Money / Sustainability	✓		✓
Information Management & Technology	✓		✓
Equality Impact Assessment	✓		✓
Freedom of Information	✓		✓
I confirm that I have considered the implications of this report on each of the matters above, as indicated	✓		

Initials: JG

1. Introduction

- 1.1 The NHS Constitution (NHS C) 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 introduction of the Health and Social Care Act 2012 has strengthened the legal foundation of the NHS C, and placed new duties on NHS England and Clinical Commissioning Groups to promote it. The current Constitution can be obtained from the [Department of Health](#) website.
- 1.3 The Information Governance Team continue to work with staff to promote the NHS C and with Directorates to ensure that evidence of compliance is provided and evidenced.

2. Report

- 2.1 An internal audit was carried out in June 2015 on the level of evidence available to demonstrate that the CCG is compliant with the NHS Constitution. The final report was submitted on 29 July 2015, and the overall finding was 'reasonable assurance'. The actions required are detailed below.
- 2.2 There has been minimal progress in the work on the NHS Constitution since February 2015. This has been due to a staff vacancy in the IG/Customer Care Team and the requirement for the CCG to meet legislative deadlines. The IG/Customer Care Team are also heavily involved with external projects such as Better Together.
- 2.3 Although there has not been regular meetings, the Head of IG and the IG Officer have met with all directorate representatives individually with the exception of Finance and Information. Two of the representatives are new to the NHS Constitution and a considerable amount of work from the IG Officer was required.

Report Recommendations and Actions Taken

Recommendation1

- 2.4 The Head of Information Governance to re-convene the NHS Constitution Working Group to assess the position that the representatives are at, progress the actions outstanding for the group and consider the actions from this report.

Action Taken:

A meeting of the NHS Constitution Working Group took place on the 29 September.

Recommendation 2

- 2.5 The Head of Performance Intelligence to complete the template with the information from the finance, performance and contracting teams referenced to the NHS Constitution elements.

Action Taken:

Completed template provided to the Senior Audit Manager by the Head of Performance. This requires work to meet the requirements. The Head of IG to discuss with the Head of Performance.

Recommendation 3

- 2.6 The NHS Constitution Working Group staff representatives responsible for Continuing Healthcare, Primary Care Co-commissioning, System Resilience and the Better Together Programme to update their directorate templates with NHS Constitution evidence for these areas.

Action Taken:

The IG Officer is working with CHC to ensure they complete their evidence. Primary Care Co-Commissioning, Better Together and System Resilience sit within the Service Delivery Directorate and therefore this will be covered by the representative for that Directorate.

The Head of Information Governance (IG) is a member of the Better Together IG Group and can provide relevant evidence.

Recommendation 4

- 2.7 The NHS Constitution template to be completed by the Design and Transformation directorate, with reference to the existing work in place for the Clinical Services Review.

Action Taken:

There is a completed template for the CSR design phase. A representative has been identified by the Director of the Design and Transformation Team who attended the September meeting.

Recommendation 5

- 2.8 The Head of Information Governance to utilise the information in the performance reports with the details of the 'measurable targets' for narrative in the quarterly Quality Group reports and Annual Report on the NHS Constitution.

Action Taken:

The Head of IG to discuss with the Head of Performance Intelligence and the IG Officer. Timescale: end of November 2015.

Recommendation 6

- 2.9 The NHS Constitution Working Group to review the revised NHS Constitution once it has been finalised to assess the impact of the work required.

Action Taken:

This took place at the meeting on 29 September 2015. Areas within the NHS C that have been altered as a result of the review 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.

As part of the government's initial response to the report into the failings at Mid Staffordshire NHS Foundation Trust, the Constitution has been altered to reflect the following:

“the 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.

Further additions to the amendments are:

- to give greater prominence to mental health;
- response to the Francis Enquiry;
- the inclusion of the Armed Forces Covenant and the implications;
- accessing open and honest data.

The working group will review all evidence to include the changes as highlighted.

Recommendation 7

- 2.10 The Head of Information Governance, in conjunction with the Governing Body Secretary, to update the Governing Body and Committee paper frontis sheets with a reference to the NHS Constitution so that all papers presented state the elements of the NHS Constitution that it refers to and a comment on whether the work demonstrates adherence or breach.

Action Taken:

Head of IG/Customer Care discussed with the Governing Body Secretary who considers that this is already referenced via the Legal / Regulatory section. The Senior Audit Manager to discuss with the Governing Body Secretary.

2.11 In addition the audit identified two further reputational actions:

- the Public Relations lead to consider providing engagement and communications leads with a 'script' on the NHS Constitution for inclusion in meetings with patients and public to raise awareness;
- the NHS Constitution Working Group to review the actions from the Patient Association National Survey, consider those that are relevant and incorporate tasks within the action plan of the group.

Action Taken

To be completed by 30 November 2015.

3. Conclusion

- 3.1 The recommendations from the audit report are fair and accurate. Work on promoting the NHS Constitution, and the collection of evidence has not progressed as quickly as previously. An improvement in work flow is expected from September and beyond.
- 3.2 The Information Governance Team continue to work towards providing assurance to the Governing Body that compliance with the NHS C is met.

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Date : 02 November 2015

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APPENDICES	
Appendix 1	Assurance Review of the NHS Constitution Arrangements