

**HEALTH SCRUTINY PANEL**

**10 AUGUST 2009**

**THE GOVERNANCE OF THE SOUTH TEES HOSPITALS  
FOUNDATION TRUST – ATTENDANCE OF THE CHIEF EXECUTIVE**

**PURPOSE OF THE REPORT**

1. To introduce the Chief Executive of the South Tees Hospitals NHS Foundation Trust, in attendance at today's meeting to speak about the governance of the Trust, following its move to Foundation Trust status.

**RECOMMENDATIONS**

2. That the Panel notes the content of the briefing received at today's meeting.
3. That the Panel considers whether it would like to consider this matter further, and if so, how it would like to progress the matter.

**CONSIDERATION OF REPORT**

4. As Members will be aware, the South Tees Hospitals NHS Foundation Trust is responsible for the management of James Cook University Hospital and recently became a Foundation Trust. The following bold text outlines some information on Foundation Trusts and how they differ from a NHS Trust.

**“They are not directed by Government so have greater freedom to decide their own strategy and the way services are run;**

**They can retain their surpluses and borrow to invest in new and improved services for patients and service users; and**

**They are accountable to their local communities through their members and governors, their commissioners through contracts, Parliament and to Monitor as their regulator.**

**NHS foundation trusts can be more responsive to the needs and wishes of their local communities – anyone who lives in the area, works for a foundation**

**trust, or has been a patient or service user there, can become a member of the trust. These members elect the board of governors”<sup>1</sup>**

5. The Panel has previously heard that upon becoming a Foundation Trust, the governance requirements of organisations develop and become more complex. Further, it has been said that Board Members have public, legal and regulatory responsibilities that are more onerous than NHS Trusts.
6. It is precisely this change and development in the role of the Board in a Foundation Trust that the Panel has expressed an interest in hearing about. The Panel has expressed an interest in gaining a better understanding of how the governance of a Foundation Trust differs from NHS Trusts and understanding in greater detail the new framework that the Trust Board now operates in.
7. To that end, the Chief Executive of the Trust will be in attendance at today’s meeting to discuss such matters with the Panel. It is anticipated that the Chief Executive will initially outline his views on the principal differences between NHS Trusts and Foundation Trusts, with specific reference to the additional responsibilities and obligations placed on a NHS Trust when it becomes a Foundation Trust. Following that, Members are invited to ask any questions felt pertinent and consider whether they would like to gather anymore information on this topic.

## **BACKGROUND PAPERS**

8. Please see the website [www.monitor-nhsft.nhs.uk](http://www.monitor-nhsft.nhs.uk) for general information about Foundation Trusts.

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<sup>1</sup> <http://www.monitor-nhsft.gov.uk/home/about-nhs-foundation-trusts/what-are-nhs-foundation-trusts>