

JOINT CITY AND COUNTY HEALTH SCRUTINY COMMITTEE

15 SEPTEMBER 2009

REPORT OF THE ACTING HEAD OF OVERVIEW AND SCRUTINY (NOTTINGHAM CITY COUNCIL)

EAST MIDLANDS AMBULANCE SERVICE NHS TRUST – FOUNDATION TRUST STATUS

1 SUMMARY

This meeting will be attended by representatives of East Midlands Ambulance Service NHS Trust (EMAS) who will update the Committee on the outcomes of the consultation process for their application for Foundation Trust status.

2 MATTERS FOR CONSIDERATION

The Committee is asked to

- 2.1 consider the outcomes of the consultation process to be presented at the meeting and to consider the quality of the consultation process;
- 2.2 consider whether they would like to receive further information and, if so, when.

3 BACKGROUND AND SUPPORTING INFORMATION

- 3.1 East Midlands Ambulance Service NHS Trust has made an application for Foundation Trust status. The application was made to the East Midlands Strategic Health Authority, prior to an assessment by Monitor, the Foundation Trust regulator, with a decision expected around April 2010. Information on NHS Foundation Trusts can be found at Appendix 1 and the EMAS proposal is attached at Appendix 2.
- 3.2 The Trust has a legal duty to consult the public and the Joint Health Scrutiny Committee on its proposals. It is the role of the Joint Health Scrutiny Committee to both contribute its views to the consultation and to scrutinise the quality of the consultation process itself.
- 3.3 The EMAS consultation period ran from 27 April – 20 July 2009. As well as inviting written comments on their proposals, the Trust held a number of consultation events across the region. The Trust asked a number of key questions in relation to its proposals, which can be found at Appendix 3.
- 3.4 The Joint Health Scrutiny Committee considered its response to the consultation at its meetings on 19 May and 14 July 2009. The Committee did not make any objections to the Trust's application but asked that the Trust take the following points into consideration as they take their application forward:
 - a) That the Trust considers increasing the number of appointed governors from local authorities, as the Committee was concerned

that one local authority representative would not be able to provide sufficient representation for the region.

- b) That the Trust takes steps to ensure that public governors represent the whole of the geographic area covered by EMAS.
- c) The Committee supported the establishment of a separate representative body to enable the views of young people to be represented.

3.5 Representatives of EMAS will attend today's meeting to provide the Committee with an update on the outcomes of the consultation and the progress of their application to date.

3.6 Members of this Committee are asked to consider these outcomes and the quality of the consultation process, as well as what further information they might like to receive to ensure that they fulfill their scrutiny role.

4 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING EXEMPT OR CONFIDENTIAL INFORMATION

None

5 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT

Join us on our journey to becoming an NHS Foundation Trust, East Midlands Ambulance Service NHS Trust

www.monitor-nhsft.gov.uk

www.dh.gov.uk

CONTACT DETAILS

Nancy Barnard
Acting Head of Overview and Scrutiny
Nottingham City Council
The Guildhall, Nottingham

Contact Officer: Kim Pocock

Telephone number: 0115 9154866

Email address: kim.pocock@nottinghamcity.gov.uk

24 August 2009

NHS FOUNDATION TRUSTS

NHS Foundation Trusts are independent, not for profit public benefit corporations with accountability to their local communities rather than Central Government control. While the Secretary of State for Health has no powers of direction over them, NHS Foundation Trusts remain part of the NHS and exist to provide and develop healthcare services for NHS patients in a way that is consistent with NHS standards and principles ie free care, based on need, not ability to pay. Clinical activity for private patients is strictly limited.

NHS Foundation Trusts have greater freedoms and flexibilities than NHS Trusts in the way they manage their affairs, eg

- Freedom from Whitehall control and performance management by Strategic Health Authorities
- Freedom to access capital on the basis of affordability instead of the current system of centrally controlled allocations
- Freedom to invest surpluses in developing new services for local people
- Freedom of local flexibility to tailor new governance arrangements to the individual circumstances of their community

NHS Foundation Trusts have members drawn from patients, the public and staff and are governed by a Board of Governors comprising people elected from and by the membership base.

NHS Foundation Trusts are inspected by the Care Quality Commission (previously the Healthcare Commission, the Commission for Social Care and the Mental Health Act Commission) for compliance with healthcare standards and targets in the same way as all other NHS Trusts. NHS Foundation Trusts are also overseen by an independent regulator called Monitor. Monitor has statutory powers to authorise NHS Trusts as NHS Foundation Trusts, oversee compliance by NHS Foundation Trusts with their terms of authorisation (a set of detailed requirements covering how foundation trusts must operate) and intervene in the event of significant non-compliance with the terms of authorisation and other statutory obligations.



East Midlands Ambulance Service **NHS**
NHS Trust

Join us on our journey

to becoming an NHS Foundation Trust

Consultation document

Monday 27 April - Monday 20 July 2009



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This document has been published by:

East Midlands Ambulance Service NHS Trust

Trust Headquarters

1 Horizon Place

Mellors Way

Nottingham Business Park

Nottingham

NG8 6PY

Tel: 0115 884 5000

Visit us at www.emas.nhs.uk/ft

**If you would like a copy of this document
in large print, audio or in another
language, please call us (0115) 8845254.**

Welcome

I am pleased to welcome you to this document which sets out an exciting new future for the ambulance service in the East Midlands.

My aim is for the East Midlands Ambulance Service to be the best in the country in all that is done by our highly skilled and motivated workforce.



A handwritten signature in black ink that reads "Paul Phillips".

Paul Phillips
Chief Executive
East Midlands Ambulance Service NHS Trust

In broad terms, people now want to take greater ownership of their own health – including the type of care that they receive and how they receive it. We, as an ambulance trust, need to understand such changes and to respond positively.

We need to evolve in tune with the changing needs and expectations of the people we are here to serve. Achieving NHS Foundation Trust status is one of the ways in which we can do this.

The membership, which is so central to the NHS Foundation Trust model, is what will help to ensure the continued

relevance of our Trust over the coming years. A strong membership gives us an ideal opportunity to provide a better service for all our patients.

It means that the Trust will be organised around the needs of the people it is here to serve. Membership can help the organisation to steer its course to a brighter future for all.

I hope that when you have read this document you will feel encouraged to share your views on our proposals by completing and returning the reply sheet. I also hope that you will apply for membership and so join us as we move forward.



01

Introduction

East Midlands Ambulance Service NHS Trust (EMAS) is on a journey to become an NHS Foundation Trust and we want to take this opportunity to invite you to comment on our proposals.



Becoming an NHS Foundation Trust means that we will have a membership made up of staff and public members who can really have an influence on the way our future services are developed and delivered to our local communities. We hope that you will choose to become a member of your local ambulance service by completing

the application form attached - alternatively you can join via our website at www.emas.nhs.uk

This document sets out our proposals on becoming an NHS Foundation Trust and we would like to capture your views in relation to each of our proposals on the attached form.

Please complete the form and return it to us by 5pm on Monday 20 July 2009. You can also comment on our proposals by visiting us at www.emas.nhs.uk/ft

02

About us

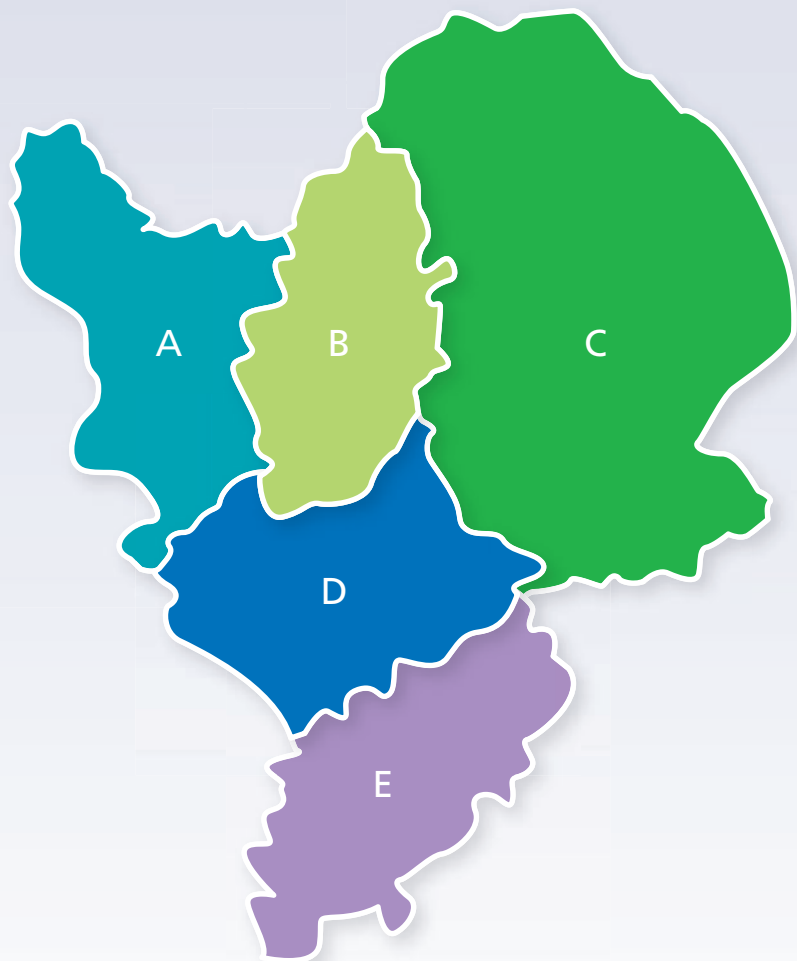
East Midlands Ambulance Service NHS Trust (EMAS) is one of the largest ambulance services in England providing Accident and Emergency (A&E) and Patient Transport Services (PTS) to a resident population of approximately 4.6 million in an area of 6,425 square miles comprising urban and rural localities.

The Trust delivers its services in two Strategic Health Authority (SHA) areas: in East Midlands in its entirety and in Yorkshire and the Humber through coverage of North and North East Lincolnshire.

We have an annual turnover of approximately £150 million and employ approximately 3,200 staff. We strive to provide a first class service to our patients, providing emergency and urgent care as well as patient transport services.



The EMAS Divisions



A - Derbyshire

B - Nottinghamshire

C - Lincolnshire

D - Leicestershire & Rutland

E - Northamptonshire

03

Our vision, values and goals

Our Vision

Our vision states that:

.....
East Midlands Ambulance Service is committed to providing all our patients with access to high quality clinical care and services to ensure the best experience and clinical outcome.
.....

We deliver our vision in all that we do for communities throughout the area we serve, including:

✓ 999 Accident and Emergency Services

We will continue to provide high quality emergency care services through mobile responses to life threatening (Category A) and other emergency (Category B) calls. We will ensure that we meet rising demand for our 999 service.

✓ Urgent Care Services

We will continue to provide, and we will further develop, our health and care services to people who need urgent advice, care, treatment or diagnosis - this includes acting on calls received from GPs.

✓ Patient Transport Services

We will continue to provide the non-urgent transportation of patients to hospitals and clinics for planned healthcare appointments,

driving continual improvement in our quality standards to improve our service to patients.

✓ Emergency planning and preparedness

We are developing our capacity to provide patient care in hazardous situations and will support partner organisations in planning for major contingencies.

✓ Education and training

We will continue to provide clinical and non-clinical education and training to ensure that EMAS' workforce has all the skills required to deliver high quality services at all times.

We aim to be the best in all that we do, and we will achieve this through a highly skilled and highly motivated workforce who deliver high quality services to patients.



Our Values

We believe that our culture should be built on our core values and our staff's behaviours should reflect our core values. Our values have been developed by our staff and underpin everything we do – how we deliver our services and how we work with each other.

The aim of the EMAS values means that we are committed to treating each other and our patients with **respect** and act with **integrity** through doing the right thing for the right reasons.

Where the **contribution** of every member of staff, across the whole organisation, is valued and respected through an ethos of **teamwork**.

And we are focused on our individual **competence** through our aspirations for continual development and improvement.



Our Goals

We want to develop our services so we can provide care that is better tailored to the different needs of our patients, therefore we will be looking at how we can extend the care we offer by building on our strengths – being a high performing healthcare organisation that is mobile and operates across the East Midlands 24 hours day. Our priorities for the next five years are:

- ✓ Embed the principles of clinical leadership by responding appropriately to all our patients - we will continue to improve the care we provide to patients, ensuring they get the right care in the right place at the right time.
- ✓ For those patients with life threatening illnesses or injuries this could be by taking them directly to a specialist centre, however for those patients who do not require an emergency ambulance it may be that we will assess and treat those patients in their own home or give clinical advice over the phone.
- ✓ Engage with our patients, public and staff to inform the shaping of our services - we are keen for our communities to be involved in the planning and delivery of their local ambulance services.
- ✓ Becoming an NHS foundation trust will increase the opportunities for us to work more closely with our communities and partners.
- ✓ Underpin delivery through education, learning and development – we will introduce new ways of working which reflect the priorities of patients, staff and partner organisations.
- ✓ Continue to maintain and improve standards of care and performance - we remain committed to reaching the national targets that are set for us, as cost effectively as possible.
- ✓ Develop a culture built on our core values – we believe that our culture and our staff's behaviour should reflect our core values.

Q1: Do you agree with our vision and our goals?
(Tell us on page 13)

04

What is an NHS Foundation Trust?

An NHS Foundation Trust is a new form of NHS organisation with greater freedom from government control so it can better meet the needs of local communities - making real progress through local control. They remain part of the NHS and are subject to NHS standards, providing care paid for by the taxpayer, to NHS patients.

NHS Foundation Trusts have to be legally constituted, financially sustainable, effectively governed and locally representative. These requirements are essential for NHS Foundation Trusts to be able to operate with sufficient autonomy, to deliver national health priorities and to become increasingly responsive to local needs.

NHS Foundation Trusts have a Council of Governors which is made up of governors that have been elected or appointed from the Trust staff and public membership, meaning that members can actively get involved in developing the future of an NHS Foundation Trust.



05

Why apply to become an NHS Foundation Trust?



NHS Foundation Trust status provides EMAS with a number of key benefits:

✓ Local influence and local accountability

Having a membership open to staff and local people means that they influence and shape what we do and how we do it. In this way we can do what is right for local people.

All EMAS members will be able to play a key role in helping us to achieve NHS Foundation Trust status, membership enables local people to get involved in determining what the Trust does, how and when it does it.

✓ Staff involvement

Staff will become members of EMAS and will have the opportunity to stand for governor if they wish to do so and if successfully elected, will have the opportunity to work alongside public and

partner/stakeholder governors to form the Council of Governors.

✓ Improved planning for a better future

We will be able to plan for a longer period – 5 years plus – so we can be more confident in how EMAS will develop for patients, giving us a clear direction of travel for the organisation.

As an NHS Foundation Trust we will develop closer links with our local communities, giving them the opportunity to tell us what they would like to see EMAS deliver to best suit their needs.

✓ Greater control over our own future

We will have greater freedom to invest surplus funds where they are most needed.



06

How EMAS will operate as an NHS Foundation Trust

Membership

We are aiming to recruit a representative membership drawn from our staff and public. We will work closely with our members to develop our services. Our membership will be divided into public and staff constituencies and these constituencies will hold elections to select governors to represent them.

We do appreciate the fact that not everyone can be involved in everything and not everyone has time for meetings and committees. However, we do want to encourage people to join us who are keen to help us improve.

Benefits of being a member

- ✓ You can be more involved in discussions about our services and how they should be developed.
- ✓ You will be invited to workshops, focus groups and other events to be involved in our plans.
- ✓ You will be able to vote in elections and decide who sits on the Council of Governors.
- ✓ You can stand for election as a governor and become even more actively involved.
- ✓ You will be kept up to date with developments at our organisation through our NHS Foundation Trust newsletter.

We are proposing two elements to our membership – public and staff. Members can only belong to one category and we are proposing that members must be at least 16 years of age. Public membership is open to anyone who lives within the East Midlands, North and North East Lincolnshire areas.

Q2: Do you agree that the minimum age for public membership should be 16?
(Tell us on page 13)

Public membership

We are proposing to have 5 constituencies within the public membership based on the five operational divisions served by the Trust:

1. Derbyshire
2. Leicestershire and Rutland
3. Lincolnshire, North Lincolnshire and North East Lincolnshire
4. Northamptonshire
5. Nottinghamshire.

Q3: Do you agree with our proposed public constituencies?
(Tell us on page 13)



Staff membership

We already seek to value, involve, and develop our staff, who are highly committed to the organisation and its values. We believe that staff membership offers greater involvement in our strategic direction and purpose, and this will reinforce this sense of staff ownership. Staff are eligible to become a member if they have been employed by the Trust for at least 12 months.

Volunteers are also eligible to become members of the staff constituency as they exercise functions for the purpose of the Trust although they are not employed by the Trust itself. EMAS has chosen to include volunteers in the staff constituency as we value the role of volunteers and we are keen to recognise the contribution of volunteers to our organisation. Volunteers are eligible to become a member if they have exercised functions for the purposes of the Trust for at least one year.

Staff and volunteers will automatically be opted in as members with the option to opt out.

Staff and volunteers who are not eligible to become members of the staff constituency will be encouraged to join the Trust as a public member.



We are proposing to have 8 staff constituencies: 5 based on the operational divisions served by the Trust, 1 class for those staff not aligned to a specific division (Corporate Functions), 1 class for EMAS volunteers and 1 for our Control Function:

1. Derbyshire
2. Leicestershire and Rutland
3. Lincolnshire
4. Northamptonshire
5. Nottinghamshire
6. Corporate Functions
7. EMAS Volunteers
8. Control Function.



Q4:

Do you agree with our proposal for staff membership?

Q5:

Do you agree with our intended staff constituencies?

(Tell us on page 13)

Council of Governors

We are proposing that there should be 36 governors on our Council of Governors, made up of a mix of 27 elected governors (19 public and 8 staff) and 9 appointed governors. Members of the staff and public constituencies hold elections to select their governors to represent them. They are joined by two statutory partner organisation governors and seven other partner organisations.

We are proposing to have 8 staff governors (1 from each staff constituency) and 19 public governors (based on the population size of the area they represent).

Governors will work with the Board of Directors to ensure that the views of the local communities and staff play a key role in the delivery of future services. Governors are responsible for appointing the Chairman of the Trust as well as non-executive directors.

The Trust is free to decide the total number of governors on the council, but by law the elected public governors must be in the majority by at least one seat. We are proposing that governors must be at least 16 years of age.



Q6:

Do you think our number and balance of proposed governors will enable the Council of Governors to properly represent the public, our staff and other organisations?

(Tell us on page 13)

Q7:

Do you agree that the minimum age of a governor should be 16?

Q8:

Do you agree with our suggested appointed governors?

Staff Governors (elected)	8
Derbyshire	1
Leicestershire & Rutland	1
Lincolnshire	1
Northamptonshire	1
Nottinghamshire	1
Corporate Functions	1
EMAS Volunteers	1
Control Function	1

Appointed Governors	9
Primary Care Trust (statutory)	1
Local Authority (statutory)	1
Police	1
Fire	1
NHS Mental Health Trust/ NHS Mental Health Foundation Trust	1
NHS Acute Trust/ NHS Acute Foundation Trust	1
Voluntary Organisation	1
Community Out of Hours	1
University	1

Public Governors (elected)	19
Derbyshire	4
Leicestershire & Rutland	4
Lincolnshire, North Lincolnshire and North East Lincolnshire	4
Northamptonshire	3
Nottinghamshire	4

Board of Directors

The Board of Directors will be made up of executive directors and non-executive directors who will be responsible for managing the Trust. The Board of Directors is responsible for both the strategic and operational management of the Trust. It is the Board of Directors that exercises the powers of the Trust and is accountable for its performance across the full spectrum of its activities.

The Board of Directors will be made up of a Chairman, a maximum of 7 executive directors and a maximum of 7 non-executive directors



Q9: Do you agree with our proposals for the Board of Directors?
(Tell us on page 13)

Name change

Once we achieve authorisation we have to include the words 'Foundation Trust' in our name and we are therefore proposing we call the Trust 'East Midlands Ambulance Service NHS Foundation Trust'

Q10: Do you agree with our proposed name change?
(Tell us on page 13)

Getting involved

We will be holding our public consultation from Monday 27 April 2009 to Monday 20 July 2009.

This will be an opportunity for you to have your say and influence the decisions made by the Trust so please let us know what you think of our proposals by Monday 20 July 2009. You can do this in one of the following ways:

By post:

Fill out the form at the end of the document and return it to our free post address

Online:

www.emas.nhs.uk/ft

By email:

foundationtrust@emas.nhs.uk

By telephone:

0115 884 5254

By attending one of our public meetings:

We would like to hear your views on our proposals and have arranged a number of public meetings:

June 2009	Venue	Time
Tue 16th	Best Western Hotel, Normanton Park, Oakham, Rutland, Leicestershire, LE15 8RP	6 pm to 7 pm
Thu 18th	The Peepul Centre, Orchardson Avenue, Leicestershire, LE4 6DP	
Mon 22nd	Corn Market Hall, London Road, Kettering, Northamptonshire, NN15 7QA	
Thu 25th	Lime Tree Hotel, 8 Langham Place, Barrack Road (A508), Northampton, NN2 6AA	
Tue 30th	Assembly Rooms, Market Place, Derby, DE1 3AH	

July 2009	Venue	Time
Thu 2nd	Winding Wheel, Holywell Street, Chesterfield, Derbyshire, S41 7SA	6 pm to 7 pm
Tue 7th	Nottingham Mechanics, 3 North Sherwood Street, Nottingham, NG1 4EZ	
Thu 9th	The Towers, Botany Avenue, Mansfield, Nottinghamshire, NG18 5NG	
Tue 14th	Bentley Hotel and Leisure Club, Newark Road, South Hykeham, Lincolnshire, LN6 9NH	
Thu 16th	The Fenestra Centre, High Street, Flixborough, Scunthorpe, Lincolnshire, DN15 8RL	

- Each meeting will begin with a presentation of our proposals followed by a question and answer session.
- Refreshments will be provided.
- **If you would like to come along to one of our meetings, we would be grateful if you could please confirm your attendance by ringing the Foundation Trust team on 0115 884 5254.**



**East Midlands Ambulance Service NHS Trust
Foundation Trust Status Proposal
Consultation Questions**

Q1:	Do you agree with our vision and our goals? (Page 5)
Q2:	Do you agree that the minimum age for public membership should be 16? (Page 8)
Q3:	Do you agree with our proposed public constituencies? (Page 8)
Q4:	Do you agree with our proposal for staff membership? (Page 9)
Q5:	Do you agree with our intended staff constituencies? (Page 9)
Q6:	Do you think our number and balance of proposed governors will enable the Council of Governors to properly represent the public, our staff and other organisations? (Page 10)
Q7:	Do you agree that the minimum age of a governor should be 16? (Page 10)
Q8:	Do you agree with our suggested appointed governors? (Page 10)
Q9:	Do you agree with our proposals for the Board of Directors? (Page 11)
Q10:	Do you agree with our proposed name change? (Page 12)
Do you have any other comments?	