



Nottingham
City Council



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The Rt Hon. Sajid Javid MP
Secretary of State for Health and Social Care
Department of Health and Social Care
39 Victoria Street
London
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16 March 2022

Dear Secretary of State,

RE: Nottingham University Hospitals NHS Trust

I am writing as Chair of the Nottingham City Council Health and Adult Social Care Scrutiny Committee, in relation to the Committee's concerns about Nottingham University Hospitals NHS Trust (NUH).

As you will be aware, in December 2020, the Care Quality Commission (CQC) published a report which re-rated Nottingham University Hospitals NHS Trust (NUH) maternity services from 'Requires Improvement' to 'Inadequate', along with the issuing of a warning notice.

Then in September 2021, the CQC published a report of an inspection it carried out into how well the Trust is led, alongside some specific service areas in July. Following this inspection, the Trust was issued with a Section 29a warning notice under the Health and Social Care Act 2008 and rated as 'Requires Improvement', with an Inadequate rating in relation to whether services are well-led. Some of the failings identified by the CQC in relation to maternity services were also reflected in its findings of how well the Trust as a whole is led. You will also be aware that NHS England and NHS Improvement and Nottingham and Nottinghamshire Clinical Commissioning Group have jointly established an independent thematic review into Nottingham University Hospitals maternity services, due to report in November 2022. In the Committee's view, these are significant independent judgements about services received by residents of Nottingham City and something that the whole system needs to proactively and rapidly respond to.



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As you will be aware, health scrutiny committees have a role in publicly holding commissioners and providers of NHS funded services to account

for the services that are received by citizens of their area. Since December 2020 the Nottingham City Health and Adult Social Care Scrutiny Committee has taken steps to try to understand the circumstances, encourage and support improvement and publicly hold the Trust to account for the quality and safety of the services that it is providing, particularly in relation to maternity services but aware that the failings identified by the CQC with regards to how the organisation is led will impact on the range of services provided by the Trust. These steps have included:

- Speaking to, and considering information from the Trust, this has included:
 - The Trust's Medical Director, Chief Operating Officer and Acting Chief Nurse, at that time, attending a meeting of the Committee in January 2021 to discuss the CQC's findings in relation to maternity services and actions being taken by the Trust to address identified failings.
 - The Trust's Chief Nurse and Director of Midwifery attending a meeting of the Committee in July 2021 to report on progress.
 - The Trust's Interim Chief Executive, Chief Nurse and Director of Midwifery attending a meeting of the Committee in November 2021 to discuss the CQC's findings in relation to how the organisation is being led and actions being taken by the Trust to address identified failings.
 - The Trust's Interim Chief Executive, Medical Director, Director of Communications and Engagement and Chief People Officer attending a meeting of the Committee in January 2022 to report on progress, with a particular focus on how the organisation is being led and cultural issues.
 - The Trust's Chief Nurse and Director of Midwifery attending a meeting of the Committee in February 2022 to report progress in improving maternity services.
- Considering lived experience of a range of parties, through:
 - Consideration of written information from the Nottingham and Nottinghamshire Maternity Voices Partnership (a group that aims to improve maternity services by putting the experiences of women and their families at the centre).
 - Consideration of information provided by Healthwatch Nottingham and Nottinghamshire.
 - An informal meeting with a parent whose child had died whilst in the care of NUH's maternity services to hear their perspective.
- Speaking to, and considering written information from Nottingham and Nottinghamshire Clinical Commissioning Group.
- Speaking to the NHS England Regional Medical Director for the Midlands.
- Speaking to representatives of trade unions representing employees of the Trust.

- Speaking to and considering written information from the Programme Director and Clinical Lead for Midwifery of the Independent Thematic Review of Nottingham University Hospitals Maternity Services.

Based on the information and evidence available to it, the Nottingham City Health and Adult Social Care Scrutiny Committee is concerned that the Trust has been unable to demonstrate necessary improvement is taking place at sufficient pace to provide the Committee and, most importantly, the citizens of Nottingham with assurance on the safety and quality of services provided.

It is a situation that is causing significant anxiety for the public and service users.

We are aware that others have called for a public inquiry into maternity services. At this time, we do not support that as an approach as we believe the concerns around safety are very much a live issue, and believe that the thematic review is best placed to address these concerns at pace, but we are clear that this cannot carry on. While our Committee will continue to do what it can locally to hold the Trust to account, it is felt that the scale of the issues, and the lack of evidence and assurance to us from the Trust regarding its improvement, means that this needs escalating to yourself, as the Secretary of State with the responsibility for health and the NHS. If the Committee had a similar scale of concern about a substantial change or variation to health services, under legislation the Committee would have the power to refer the matter to yourself as Secretary of State for intervention. In these circumstances, the Committee does not have such a power but such is the concern of the Committee that it felt it had to escalate the matter to yourself.

Given the issues involved, it is the Committee's view that high quality, credible leadership is crucial for driving improvement in the Trust. In recent weeks I have met with the new Chair of the Trust Board and felt reassured by our initial conversation and look forward to working with him in the future. The role of Chief Executive is equally important, and that role has been carried out on an interim basis since July 2021. I seek your support in ensuring that permanent recruitment to this post is concluded as a matter of urgency.

Finally, I would like to draw your attention to the challenges faced by NUH in terms of recruitment. While some of these will be related to the Trust's specific circumstances, challenges in recruiting staff is a message that we hear consistently from all health and social care providers that we engage with. While some action can – and must be taken locally, I am aware that this is not an issue isolated to NUH, or indeed locally in Nottingham or in the East Midlands, this is a national issue. NHS England and NHS Improvement data from December 2021 shows a vacancy rate of 10.3% as at 31 December 2021 within the Registered Nursing staff group, including midwifery, (39,652 vacancies). An increase from the same period in 2020 when the vacancy rate was 9.7% (36,277 vacancies). The data for medical staff vacancies is equally concerning, with a vacancy rate of 9% in the Midlands (2,202 vacancies). You will be aware that the Midlands has a significantly higher vacancy rate than any other region, and than the England average of 5.8%.

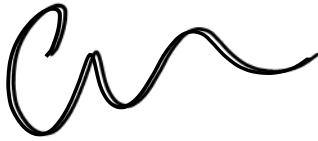


As such, I would be grateful if you could provide details of actions your Department is taking to remedy this issue urgently, including details of a

national NHS Workforce Strategy – which I am aware there has been some confusion over in recent months.

I look forward to receiving your response on these matters.

Yours sincerely



Councillor Georgia Power
Chair of the Nottingham City Council Health and Adult Social Care Scrutiny
Committee

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cc Nottingham University Hospitals NHS Trust
Care Quality Commission
Nottingham and Nottinghamshire Clinical Commissioning Group
Alex Norris, Member of Parliament for Nottingham North
Lilian Greenwood, Member of Parliament for Nottingham South
Nadia Whittome, Member of Parliament for Nottingham East