

Paul Miller
Acting Chief Executive
Avon and Wiltshire Mental Health
Partnership NHS Trust

3 July 2012

Dear Paul,

**Tripartite Formal Agreement (TFA) Stage One Escalation meeting – Avon
and Wiltshire Mental Health Partnership NHS Trust**

Further to our useful escalation meeting on 31 May 2012, I am writing as agreed to record the main details we discussed. I have, at Annex 1, provided an overview of the whole conversation.

As you are aware, the Trust having been red rated for six consecutive months in TFA monitoring, has triggered the first stage of the escalation process. The aim of the meeting was to discuss issues, get clarity and an agreement on the way forward for Avon and Wiltshire Mental Health Partnership NHS Trust achieving Foundation Trust (FT) status.

Following discussion we identified the following issues that need to be resolved:

- Board leadership issues – *and appointing substantively to vacant Non-Executive and Executive posts*
- the management style and culture;
- improved clinical engagement in decision making; and
- poor commissioner/stakeholder relationships.

Thank you for the frank exchange of information in the meeting, which was helpful to gain a better understanding of the issues your Trust is facing.

After listening to the details and the timing of your commissioner review, I proposed that we wait until September for the stage two escalation meeting with David Flory, Senior Responsible Officer of the FT pipeline and Sir Ian Carruthers, Strategic Health Authority Cluster (SHA) Chief Executive, at which point we would be able to take the various reviews into account and take a considered view of next steps. This would also allow you time to work on the

cultural issues and propose a realistic TFA date. I advised that you needed to come to that meeting having shared a new draft TFA, supported by your SHA and commissioners.

I hope this accurately reflects our discussion, but if you have any queries please feel free to contact either Angela Lamb (angela.lamb@dh.gsi.gov.uk) or me in the first instance.

With reference to Annex 1, please come back to me if you feel I have misrepresented or omitted anything material from our discussion.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M Kershaw', with a large, sweeping flourish extending to the right.

MATTHEW KERSHAW
DIRECTOR OF PROVIDER DELIVERY

CC:
David Flory;
Sir Ian Carruthers;
Nick Yeo; and
Lisa Manson.

Annex 1.

Your TFA had a formal submission date of 1 December 2011 and you did not submit to this agreed plan.

I explained the purpose of a stage 1 escalation meeting was to understand and resolve issues affecting your journey towards FT status.

I invited you to explain the reasons for the delay.

You explained that there had been two *Independent* Homicide Enquiry reports published in November 2011 which led to your failure to submit. The SHA had then commissioned an independent review into the Trust's response reports and broader Board governance in January 2012.

This review looked at the governance and management arrangements at the Trust on behalf of the SHA. It was received and accepted by the Trust Board on 27 April 2012. The review found the Trust was centralist in style, with improvement required in clinical engagement and poor relationships with stakeholders. The key issue was one of management style and approach and there have been changes in Board leadership. *There have been board leadership changes following the report.*

Your Board had agreed an action plan in relation to this review which was supported by the SHA. There has now been some very open dialogue with commissioners. Users and carers have participated in and co-produced those parts of the action plan related to putting users and carers at the centre of everything the Trust does. Staff and clinicians have contributed to a wide range of actions within the plan, building on previous discussions and work from October 2011. The action plan has been developed with Trust Strategic Business Unit Service and Clinical Directors.

You are focussed on decentralisation and expanding and refocusing the Senior Management team and developing the Executive Team as a more strategic body. You have reviewed executive portfolios and are making leadership changes internally to better involve clinicians in decision making. You are now undertaking preparatory work with the Board prior to the Governance Assurance Framework assessment.

You noted that the Trust has a history of stepping in and out of the FT process due to homicide reports. Now you are making significant cultural and governance changes you expect to be able to progress.

You told us that the Swindon Primary Care Trust Cluster Chief Executive Officer was reviewing your service specifications to ensure there is joined up clarity in relation to all local commissioner plans. All seven of your commissioners are supportive of this work

You anticipate that by the end of August 2012 there will be a much clearer picture with commissioners overall and there will also have been an

opportunity for the new management culture and approach to work. Both of these will be needed to help plan your new Long Term Financial Model. You expect to be able to make decisions on your Integrated Business plan by early Autumn when all Board positions are filled and the Local Health Economy strategy is finalised.

Your initial thoughts are that September to December 2013 would provide a good date for TFA submission (with an option to bring forward to earlier in 2013). You will be seeking senior support from the SHA to help you work on this.

After listening to the details I explained that this was the precursor to a second stage meeting in September once various work was completed and would include agreeing a new TFA date. I proposed that we wait until September for the stage two escalation meeting with David Flory and Sir Ian Carruthers, at which point we would be able to take the various reviews into account and bring everything together. This would also allow you time to work on the cultural issues and propose a sensible new TFA date. I advised that you needed to come to that meeting having shared a new draft TFA, supported by your SHA and commissioners.

I thanked you for coming and explained that we would now write out with the details of this meeting.