

Ref;20230522_RBLS

Ged Murphy, Chief Executive Officer
East Cheshire NHS Trust
Trust Headquarters
Victoria Road
Macclesfield
Cheshire
SK10 3BL

NHS England
Richard Barker
North West Region
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22 May 2023

Dear Ged

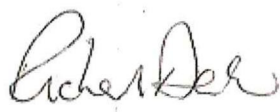
Re: East Cheshire NHS Trust: Final Discontinuation of Enforcement Undertakings

Thank you for returning the signed copy of the Draft Discontinuation of Enforcement Undertakings on 03 May 2023 (Appendix A).

I now enclose the Final Discontinuation of Enforcement Undertakings (Appendix B) for signing by the Trust within the next 14 days.

Please do not hesitate to contact me or a member of my team, should you wish to discuss the content of this letter or any related issues in more detail.

Yours sincerely,



Richard Barker CBE
Regional Director (North West)

cc, Aislinn O'Dwyer, Trust Chair
Graham Urwin, Chief Executive Officer, Cheshire & Merseyside Integrated Care Board

APPENDIX A

DRAFT DISCONTINUATION OF UNDERTAKINGS

NHS TRUST:

East Cheshire NHS Trust ("the Trust")
Trust Headquarters
Victoria Road
Macclesfield
Cheshire
SK10 3BL

BACKGROUND:

NHS Improvement accepted enforcement undertakings ("the Undertakings") from the Trust on 13 March 2018, pursuant to Chapter 3 of Part 3 of the Health and Social Care Act 2012 ("the Act").

In this document, "NHS Improvement" means the National Health Service Trust Development Authority, which was abolished and its functions transferred to NHS England on 1 July 2022 by the Health and Care Act 2022.

We have now completed a review of the Trust's progress in addressing the undertakings. The undertakings were put in place with a view to returning the Trust's 4-hour A&E performance to the 95% Standard. Our overall assessment of urgent emergency care performance is that the Trust has not fully complied with all parts of the agreed undertakings as 4-hour performance did not, and has not returned to 95%, therefore we are unable to formally issue a certificate of compliance. However, nationally there are now very few trusts delivering the A&E 4-hour target, and this has been acknowledged with the 2023/24 National Planning Guidance, setting out that Trusts should be planning to deliver 76% 4-hour A&E Performance by March 2024. While the Trust does continue to struggle to deliver 4-hour A&E performance, with lower quartile performance, on a number of other indicators such as 12-hour breaches and ambulance turnaround times, the Trust performance is in line with peers. In this context it is not appropriate to continue the undertakings currently in force, which are set out below:

1 A&E Performance

1.1 The Trust will continue to take all reasonable steps to deliver A&E services on a sustainable basis and meet the four-hour accident and emergency national standard, including but not limited to the actions outlined below:

1.1.1 The Trust will continue to implement all the actions under its control in its A&E improvement plan (the Plan), within the timescales set out in the Plan, unless otherwise agreed with NHS Improvement;

1.1.2 The Trust will continue to keep the elements of the Plan within its control and for which it has responsibility and delivery under review;

1.1.3 The Trust will take all reasonable steps to ensure that it has sufficient capability and capacity to implement the Plan;

- 1.1.4 The Trust will continue to engage proactively with all improvement support;
- 1.1.5 The Trust will work with system Partners to strengthen system governance through the A&E Delivery Board, to timescales to be agreed with NHS Improvement;

1.2 Where matters are identified by either NHS Improvement or the Trust which materially affect the Trust's ability to meet these requirements, the Trust will:

- 1.2.1 notify NHS Improvement as soon as practicable if identified by the Trust;
- 1.2.2 if required by NHS Improvement, update and resubmit the Plan for agreement by NHS Improvement, within a timeframe to be agreed with NHS Improvement.

2 Meetings and reports


2.1 The Trust will attend meetings or, if NHS Improvement stipulates, conference calls, at such times and places; and with such attendees, as may be required by NHS Improvement.

2.2 The Trust will provide such reports in relation to the matters covered by these undertakings as NHS Improvement may require.

UNDERTAKINGS TO BE DISCONTINUED:

NHS England and the Trust agree to discontinue all current Undertakings issued on 13 March 2018.

Performance will continue to be monitored in line with the NHS Oversight Framework 2022/23 and the agreed plan for 2023/24, once this is finalised.



Signed:

Position: Chief Executive of the Trust]

Date: 3rd May 2023

Signed:

Position: Chair of the Regional Support Group

Date:

APPENDIX B

FINAL DISCONTINUATION OF UNDERTAKINGS

NHS TRUST:

East Cheshire NHS Trust (“the Trust”)
Trust Headquarters
Victoria Road
Macclesfield
Cheshire
SK10 3BL

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Signed:



Position: [Chair or Chief Executive of the Trust]

Date:

Signed:



Position: North West Regional Director

Date:

