

Update to the Birmingham and Solihull Joint Health Overview and Scrutiny Committee Independent reviews at University Hospitals Birmingham NHS Foundation Trust (UHB)

1. Introduction and background

Further to the Newsnight and other media coverage in December 2022, relating to alleged concerns regarding patient safety, leadership, culture and governance, in partnership with University Hospitals Birmingham NHS Foundation Trust (UHB), NHS Birmingham and Solihull (ICB) has agreed three independent reviews that will focus on:

- Patient safety (Bewick Review) - commissioned by the ICB, overseen by experienced senior independent clinician, Professor Mike Bewick, former NHS England Deputy Medical Director. The report is expected by the end of January. Any outputs pertaining to culture, leadership or governance, will address as part of the following two reviews
- Well-Led review of leadership and governance – in conjunction with NHS England, using established methodology. This will happen between January and March 2023. Publication arrangements will be agreed.
- Culture - commissioned externally by UHB's Interim Chair, incorporating findings from above. Will report in first half of 2023. Publication arrangements will be agreed.

2. Terms of reference

The current terms of reference concentrate on the patient safety review (the Bewick Review) and were published at the BSOL ICB board meeting on the 9 January 2023. They are attached to this paper in full for information.

3. Oversight

All three of the reviews will be overseen by a joint NHS Birmingham and Solihull and NHS England Oversight group.

As well as oversight arrangements through the BSol and NHS England oversight group, it is essential that the Bewick Review remains accountable to those who have raised concerns and provides assurance to the public and local partners. As such, Preet Kaur Gill, MP for Edgbaston, will chair a cross party reference, bringing together local voices and organisations.

Councillors will be able to feed any views into the first review via the cross party reference group, including any that they may have received directly from constituents. We want to continue to listen to and engage with councillors and believe we should continue to do that through the tried and tested Joint Health Overview and Scrutiny Committee (JHOSC) channels.

4. Approach

Experienced, senior independent clinician, Prof Mike Bewick, former NHS England Deputy Medical Director, has agreed to oversee the first review, alongside a team of his own experts, and is expected to report no later than the end of January.

The review will ascertain the safety of the current service(s) and appraise the system of current reporting and governance processes and if they are fit for purpose. The review will be independent and without limits but in summary will include (full details included in the terms of reference);

1. Rapid review of the appropriateness of the report (referenced in Newsnight ('the report')) into concerns over the care of patients with haematological conditions.
2. A review of the appropriateness of the governance processes which apply when determining whether or not to make a referral to a professional regulator, such as the GMC, including an overview of the TR case highlighted on Newsnight and benchmarking of the Trust's referral pattern to the regulators such as the GMC.
3. A rapid overview of the Trust's response to staff deaths, including the tragic suicide recently concluded by the coroner.
4. A review of the nurse e-mail Newsnight referenced on their programme.
5. A rapid review of twelve never events at UHB in 2021/22 to include the original Trust led reviews and with a further look back at events since 1st April 2022.
6. A rapid review of the appropriateness of current governance processes.

This will be a desk top review supplemented by focused interviews to include (but not limited to) discussion with individuals listed below. The reviewing team may wish to hold discussion with others if felt necessary.

- Preet Kaur Gill MP and Richard Burden (Chair of Healthwatch)
- The Trust's Chief Medical Officer and Responsible Officer (RO) if different from the Chief Medical Officer (CMO)
- Chief Nursing Officer
- Non-Executive Director responsible for quality and safety
- Head of Quality / Chief Legal Officer
- Freedom To Speak Up Guardian (FTSUG)
- Senior member of patient liaison personnel
- Non-Executive Director for Quality at the ICB
- Clinical director of haematology and relevant medical director for the division

5. Conclusion and next steps

Prof Mike Bewick's review is already underway, gathering evidence and is expected to report by the end of January 2023. The culture and well led reviews will follow. We hope that this paper and terms of reference provides assurance to the Joint Health Overview and Scrutiny Committee members that the system, UHB, and BSol ICB all take these issues very seriously and are committed to an independent and transparent review process.