

Mr. Andrew Lansley,
Secretary of State for Health
Department of Health
Richmond House
79 Whitehall
London
SW1A 2NS

Wednesday, 09 March 2011

Dear Mr. Andrew Lansley,

RE: The holding of NHS Foundation Trusts board meetings in public

The Stockport LINK is very concerned that the Health and Social Care Bill 2011 appears not to address the fact that NHS Foundation Trusts are not required to hold their Board meetings in public, it is purely discretionary for them.

Foundation Trusts are not incorporated in the schedule of bodies to which the Public Bodies (Admission to Meetings) Act 1960 applies. All other NHS bodies (including PCTs) were incorporated into the schedule by The Public Bodies (Admission to Meetings) National Health Service Trusts Order 1997 and HSC 1998/207 gave clear guidance on the way public meetings should be conducted, NHS **Foundation** Trusts did not exist in 1998 and **their** enabling legislation **failed to include them in the schedule of bodies to which the 1960 Act applies**. This was in our view, a fundamental error.

The holding of the Directors' meetings in public, in a completely open and transparent way is a powerful demonstration of leadership to the organisation and undoubtedly lead to better outcomes for patients. It also forms the bedrock of local accountability.

However there is now a much wider implication. As all NHS Trusts are to become NHS **Foundation** Trusts and PCTs (NHS Trusts) will become GP consortia, then the issue of openness, transparency and local accountability becomes more fundamental. They will no longer be required to hold their board meetings in public by reason of the anomaly described above. We fear less transparency and local accountability, surely this is not the intention of the Government.

We therefore seek your support by raising this issue in Parliament. If you require further information, please do not hesitate to contact me.

John Leach, Chair

On behalf of the Stockport LINK

CC: Chris Burke, Chief Executive, Stockport NHS Foundation Trust
Robina Shah, Chair, Stockport NHS Foundation Trust
Cllr John Pantall
Ann Coffey MP
Andrew Stunell MP
Andrew Gwynne MP
Mark Hunter MP
Simon Burns, Minister of State for Health