

1 July 2009

Mrs D Speers

**By email**  
**c/o request-13090-b6c1c7ac@whatdotheyknow.com**

Dear Mrs Speers

**Request for information**

I refer to your email of 7 June 2009 regarding your request for information under the Freedom of Information Act 2000 in respect of the Oxfordshire and Buckinghamshire Mental Health NHS Foundation Trust (the 'Trust'). You have asked the following questions:

- 1) What date did the Trust inform Monitor of the Healthcare Commission's request for evidence on the Trust management of and learning from SUIs;
- 2) What evidence of learning did Monitor request from the Trust;
- 3) What evidence of learning was submitted to Monitor by the Trust;
- 4) Has Monitor been updated on the Healthcare Commission's decision; and
- 5) Given that the HC public remit is over, is the Care Quality Commission involved in any follow up work with the Trust?

**Decision**

I have decided to give you full access to the information that you have requested to the extent that it is held by Monitor. Please find this information below.

1) When did the Trust inform Monitor of the Healthcare Commission's request for evidence

Monitor's relationship team was first made aware of the Healthcare Commission's request for evidence in the week commencing the 15 December 2008. At this point, a conference call was scheduled between the relationship team and the Trust's Chief Executive for the 7 January 2009 in which the detail of the Healthcare Commission's request was discussed.

2) Requests by Monitor for Information from the Trust

3) Evidence sent by the Trust to Monitor

Monitor has not made any specific information requests to the Trust in relation to the Healthcare Commission's investigation into SUIs at the Trust.

The Healthcare Commission ceased to exist on 1 April 2009 and its functions were transferred to the Care Quality Commission (the 'CQC') on the same date. The issues to which your request refers are still being investigated by the CQC. To avoid regulatory duplication, Monitor will await the outcome of the CQC's investigation before determining what additional regulatory action may be necessary. The Trust has not, therefore, yet been asked to provide evidence to Monitor in respect of this matter and, accordingly, no such documents are held by Monitor.

4) Healthcare Commission's Decision

5) Role of the CQC

As set out above, the CQC has taken over the functions of the Healthcare Commission. The Healthcare Commission did not make a final decision before its functions were transferred to the CQC. As noted above, the CQC's preliminary enquiries in relation to the Trust are ongoing and no final decision has been made. However, the CQC will notify Monitor once a final decision has been made.

**Review rights**

If you consider that your request for information has not been properly handled or if you are otherwise dissatisfied with the outcome of your request, you can try and resolve this informally with the person who dealt with your request. If you remain dissatisfied, you may seek an internal review within Monitor of the issue or the decision. A senior member of Monitor staff, who has not previously been involved with your request, will undertake that review.

If you are dissatisfied with the outcome of any internal review conducted by Monitor, you may complain to the Information Commissioner for a decision on whether your request for information has been dealt with in accordance with the requirements of the FOI Act.

Further information about the review process is set out in Monitor's Publication Scheme available at [www.monitor-nhsft.gov.uk](http://www.monitor-nhsft.gov.uk).

Yours sincerely



**Carla Wilson**  
Senior Legal Adviser