



Independent Regulator  
of NHS Foundation Trusts

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19 February 2010

Rt. Hon Andy Burnham MP  
Secretary of State for Health  
Department of Health  
Richmond House  
79 Whitehall  
London  
SW1A 2NS

**By email**

Dear Andy

I am writing to you in order to keep you updated with progress at Basildon and Thurrock University Hospitals NHS Foundation Trust (the Trust), further to Bill Moyes' letter of 18 December 2009.

Further progress has been made at the Trust since December with the assistance of the Taskforce, lead by PWC, and supported by external clinical expertise. With their support, the Trust Board has put in place a series of Key Performance Indicators (KPIs) aimed at focusing attention on the areas of greatest clinical concern.

The Trust has responded to the specific concerns around hospitalised standardised mortality ratios (HSMR), hygiene, children's services and learning disability services and each of these areas is being actively monitored. The Taskforce has reported that progress has been made, especially against HSMR and hygiene, however concerns remain around the pace and sustainability of progress when the task force exits, governance at Board level and Board Leadership.

One further quality issue has emerged since our intervention. In December 2009 the Trust suffered an outbreak of Legionella affecting two patients. Legionella is an ongoing risk at the Trust and they have significant monitoring and controls in place as a result.

Whilst we are somewhat encouraged by the quality improvements that have been made, we are not yet in receipt of all the information we require to make a full assessment of the extent and pace of progress. This will be clearer in the next month when we expect to receive the Dr Foster data on HSMR for December 2009 (this data is subject to a lag time of 3 months), the outcome of the CQC registration process, further progress against the agreed KPIs and PWC's independent report assessing governance arrangements at the Trust.

Monitor continues to maintain close contact with the Trust Board and the Taskforce and is scheduled to meet with the Trust again in March, once the information outlined above is available. Following this meeting, we will consider whether or not any further formal intervention is required to drive improvement. I expect to update you again after this meeting.

Yours sincerely

A handwritten signature in black ink, appearing to read "Chris Mellor". The signature is written in a cursive, flowing style.

Chris Mellor  
**Acting Chairman**