

Stephen Barclay MP  
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28 February 2018

Dear Minister,

Thank you for your letter of 20 February 2018. The independent review of Liverpool Community Health NHS Trust highlights important lessons for the system that require swift action.

The Care Quality Commission (CQC) has welcomed and accepted all the recommendations of the review that relate to CQC. We have also welcomed the Government's announcement of a wider review of the operation and purpose of the Fit and Proper Persons test, and we look forward to working with the independent reviewer once they have been appointed.

As you will be aware, CQC failed to identify the extent and nature of the problems at Liverpool Community Health NHS Trust until we were alerted by Rosie Cooper MP in 2013. We had carried out two inspections within the six months prior to being contacted by Ms Cooper, but at neither of those inspections did staff raise concerns in respect of a poor organisational and bullying culture within the trust.

Following the receipt of Ms Cooper's information we undertook two responsive inspections of the trust, as well as interviewing members of trust staff. At this point they did express their concerns regarding culture, bullying and harassment where staff were afraid to raise concerns. We subsequently took enforcement action and shortly thereafter, three senior members of the trust voluntarily left the organisation. A new leadership team was appointed in spring 2014.

As an organisation, we recognise that our previous inspection methodology was flawed, and since 2014 have comprehensively revised our regulatory approach.

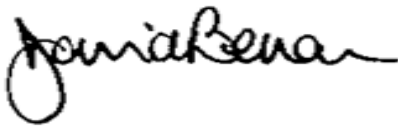
We have and will continue to build on and strengthen the processes we have put in place since 2014 and are encouraged that our improvement to date has been acknowledged in Dr Kirkup's recent review.

We are committed to ensuring improved information sharing and closer working with partner organisations, so that we have a more complete picture of quality and performance which allows us to better identify and assess risk and to act more quickly to protect people if necessary.

In summer 2017, we consulted on new guidance on FPPR that provides clarification of the interpretation of “serious mismanagement and misconduct”. We have also made changes to improve the transfer of information to providers (when we have received concerns about their directors). This led to the publication of a single, integrated piece of guidance for staff and providers in January 2018.

CQC is working alongside NHS Improvement, NHS England and the Department for Health and Social Care to prepare a full joint response to the independent review of Liverpool Community Health NHS Trust, which we will publish before the end of March.

Yours sincerely,

A handwritten signature in black ink, appearing to read "David Behan". The signature is written in a cursive style with a large initial 'D'.

**Sir David Behan CBE**  
**Chief Executive**