

## Executive Summary

On 24 May 2002 the Secretary of State announced the intention to create a new form of NHS body to be called " Foundation Hospitals ". This was followed up by more detailed guidance on what had become " Foundation Trusts " on 25 July 2002.

From the Secretary of State's announcements it would seem that the creation of Foundation Trusts will impact on HPC in very much the same way as the creation of NHS Trusts impacted on CPSM.

The Foundation Trusts, like the Trusts, will have wide discretion over the delivery of services, but are not intended to be able to redefine UK-wide standards for their own local convenience. This means they will not have the option of replacing qualified and state registered staff by unqualified and unregistered personnel whether it be in surgery, nursing, or podiatry.

This is inferred from para. 19 of the Secretary of State's speech on 22 May 2002, " There will of course need to be appropriate safeguards in place. NHS Foundation Trusts will operate according to NHS principles. They are there to serve NHS patients by providing high quality care that is free and delivered according to need not ability to pay. They will be subject to inspection by the new Commission for Healthcare Audit and Inspection (CHAI). The Commission will play a key role in assessing performance and in reassuring patients and the public that national standards of service and quality have been met *wherever care is provided*. Strengthening arrangements for audit and inspection through CHAI are an essential complement to increased provider plurality, including the setting up of NHS Foundation Trusts. "

The more detailed guidance was mostly around the process, criteria and timetable for application. Within those criteria the two elements of interest to HPC are para. 3.10, which confirms that Foundation Trust staff need to conform to wider NHS employment practice, and para. 3.12 which exhorts them to engage with education and training. This helps allay the two potential fears that they could have opted out of State Registration and of providing clinical placements.