

Mr Brian Daniels
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 January 2016

Dear Mr Daniels,

Thank you for your letter of 27 November 2015 and related correspondence. Within this you detail concerns in relation to Universal Health Services (UHS) and the effect this could have on Cygnet Healthcare which they recently acquired. Thank you for bringing this information to our attention.

We would like to apologise for the delay in responding to you. Please be assured that this does not indicate that we have not taken the issues you have raised seriously.

We were very concerned to read about the issues that have been identified in UHS in America and we note your concerns about these in relation to the services provided by Cygnet Healthcare since they were acquired by UHS.

Whilst we can never guarantee that no abusive practices are taking place in any service within England, we are confident that we have a monitoring and inspection programme that minimises the risks of this. Where we do have any concerns in relation to the services provided by Cygnet Healthcare, we will use our regulatory powers to ensure that improvements are made and people are not put at risk.

We have a number of regulatory processes for the monitoring, reviewing and inspection of all services registered with the Care Quality Commission (CQC). These incorporate the five key questions we ask of every service and provider:

- Is it safe?
- Is it effective?
- Is it caring?
- Is it responsive to people's needs?
- Is it well-led?

There are very clear expectations about the standards that all services have to meet, including those used by people experiencing mental ill health. These are set out in statutory regulations and are known as 'fundamental standards'. We have published handbooks for providers of services that set out in detail what we expect to find, to assure us that the standards are being met and people using the services receive safe, effective, compassionate and high quality care.

We run a monitoring and inspection programme. Each of the Cygnet Healthcare services has an identified CQC Inspector who will review and monitor all information from a variety of sources, including the public, service and stakeholders about key events and incidents relating to the service. The Inspectors review this information and use it to inform their regulatory action response.

All the services are subject to our inspection programme. Inspections are routinely scheduled but the inspection programme is also adjusted to take account of risk. This means that we might prioritise an inspection if we received information of concern.

Cygnet Healthcare has twenty one services registered with the CQC. These are nineteen mental health hospitals and two care homes. During 2015 we visited nine of these services. The two care homes were rated as 'Good' overall. Seven of the hospitals are still in the process of being inspected and we have not yet published our ratings. This is because, although the inspection visit has taken place, we are still drafting and quality assuring the inspection reports. The reports and the ratings will be made public as soon as we have completed this process. We have not inspected six of the services yet, though they were compliant at the previous inspection. Four services have not received a rating yet, due to being recently registered with Cygnet Healthcare. We have a programme of inspection in place which means that all relevant Cygnet Healthcare services will be inspected by the end of June 2016. We have taken appropriate enforcement action against services managed by Cygnet Healthcare whenever we have found them to have breached regulations.

As part of our monitoring processes we have specific responsibilities in relation to people detained under the Mental Health Act 1983. This includes unannounced visits to mental health wards carried out by Mental Health Act Reviewers (MHARs). During these visits all patients are offered the opportunity to speak with the MHAR in private and all concerns are followed up immediately or through alerting local authority safeguarding teams. The MHARs work closely alongside Inspectors and their findings inform regulatory activity.

In addition to these different processes, we also have arrangements for working with many providers at a corporate level. Cygnet Healthcare are included in these arrangements. We have met with representatives from Cygnet Healthcare on two occasions since they were taken over by UHS. They have told us that the Executive Management Board members have remained in place since the takeover. They reported that they found UHS keen to invest in their services. They also reported that they are able to work autonomously and there are no indications that UHS have attempted to exert undue influence over their clinical policies and practices.

Within your letter you refer to NHS contracts, CQC has no remit in the placement of patients or monitoring of NHS contracts. These are the responsibility of the commissioners of the different services.



We have therefore passed a copy of your correspondence to NHS England as the body with the overall responsibility for the commissioning of NHS services.

Please be assured that we take all information received about services seriously and are grateful to you for bringing the issues relating to UHS in America to our attention. This will enable us to be alert to any indications that may be emerging in Cygnet Healthcare services registered by the CQC.

Thank you once again for writing to us.

Yours sincerely,

A handwritten signature in black ink that reads 'David Behan'. The signature is fluid and cursive, with a large loop at the end.

David Behan
Chief Executive