

**National Health Service Act 2006 ("the Act")**

**NOTICE of exercise of intervention powers under section 52 of the Act**

**To: The Board of Directors and The Members' Council  
Milton Keynes Hospital NHS Foundation Trust  
Standing Way  
Eaglestone  
Milton Keynes  
MK6 5LD**

1. On the basis of information made available to the Independent Regulator of NHS Foundation Trusts ("Monitor") by Milton Keynes Hospital NHS Foundation Trust ("the Foundation Trust") and having taken into account representations made to Monitor by the Foundation Trust, Monitor is satisfied that:
  - (a) the Foundation Trust has contravened, and is failing to comply with its terms of Authorisation, in particular Condition 5(1), which requires the Foundation Trust to ensure the existence of appropriate arrangements to provide representative and comprehensive governance and to maintain the organisational capacity necessary to deliver the mandatory goods and services set out in Schedule 2 to its terms of Authorisation; and
  - (b) the contravention and failure are significant under section 52(1) of the Act.
2. This Notice constitutes formal notification of the immediate exercise by Monitor of its statutory powers under section 52(3) and (4) of the Act.
3. Without prejudice to any further action which Monitor may take under the Act, Monitor requires the Foundation Trust to appoint external expert clinical advisers, to be agreed with Monitor, to assist the Foundation Trust to accelerate the delivery of necessary improvements within its maternity service.



**Dated 3 March 2010  
Christopher Mellor  
Chair**

**Annex to NOTICE dated 3 March 2010 of exercise of intervention powers under section 52 of the Act to:**

**Milton Keynes Hospital NHS Foundation Trust**

The formal intervention relates at this stage to matters of organisational and clinical leadership capacity within the Trust's maternity service.

The aim of this formal intervention is to assist the Foundation Trust to strengthen its resource and expertise in order to take effective action to address serious and known issues within its maternity service. The Foundation Trust accepts and is supportive of this aim.

Monitor will involve the Care Quality Commission in agreeing the scope of work to be undertaken at the Foundation Trust by the external expert clinical advisers.

Overall, intervention is a secure mechanism of ensuring that appropriate regulatory control is in place to help the Foundation Trust to strengthen its governance arrangements and to protect the services it provides to patients.