MINUTES OF THE COUNCIL OF GOVERNORS MEETING HELD ON WEDNESDAY 20th JANUARY 2010 IN THE BOARDROOM, ROTHERHAM GENERAL HOSPITAL

Present: Margaret Oldfield, Chairman
Kerry Rogers, Company Secretary
Anthony Hercock, Non-executive Director and Vice Chairman

Public Governors: Sylvia Bird, Public Governor for Rotherham North
Peter Brader, Public Governor for Wentworth South
Anna Chester, Public Governor for Rotherham South
Jean Dearden, Public Governor for Wentworth South
Jan Frith, Public Governor for Rest of England
Anthony Hayne, Public Governor for Wentworth Valley
Val Lindsay, Public Governor for Rotherham North
Janette Mallinder, Public Governor for Wentworth Valley
Margaret Marshall, Public Governor for Rother Valley South
Sandra Waterfield, Public Governor for Rother Valley South
Anthony Wilkinson, Public Governor for Rother Valley West
Dennis Wray, Public Governor for Rother Valley West

Staff Governors: Firas Al-Modaris, Staff Governor for Medical and Dental
Jill Ward, Staff Governor for Other Health Professionals

Partner Governors: Jean Flanagan, Partner Governor for Sheffield Hallam University
John Radford, Partner Governor for NHS Rotherham
John Wainwright, Partner Governor for Barnsley and Rotherham Chamber of Commerce
Taiba Yasseen, Partner Governor for REMA

Apologies: Jim Bristow, Public Governor for Rest of England
Julie D’Silva, Staff Governor for Professional Nurses & Midwives
John Doyle, Partner Governor for RMBC
Shelley Fell-Bowers, partner Governor for Learning and Skills Council
Frank Hodgkiss, Public Governor for Wentworth North
Michael Jennings, Partner Governor for Sheffield University
Caroline Rollett, Partner Governor for Rotherham Police
Janet Wheatley, Partner Governor for Voluntary Action Rotherham

In attendance: Brian James, Chief Executive
Jackie Bird, Chief of Quality and Standards/Chief Nurse
Giles Bloomer, Non-executive Director
Graham Briggs, Director of HR
Nigel Ruff, Non-executive Director
Dawn Stewart, Corporate Governance Manager (minutes)
Mark Trumper, Chief of Transformation

2010/01 WELCOME AND ANNOUNCEMENTS

The Chairman apologised for the requirement to reschedule to meeting from its original date of 13th January 2010, however it had been necessary due to the adverse weather conditions.
It was reported that the revised Constitution had been approved by Monitor with three new Partner Governors being approved, namely Barnsley and Rotherham Chamber of Commerce, Rotherham Police and the Learning and Skills Council.

It was reported that Lewis Vizard, Public Governor for Wentworth North, had due to personal circumstances tendered his resignation with immediate effect. Lewis’ significant contribution over the years was recognised and it was agreed he would be missed by the Council of Governors and Board of Directors.

2010/02 DECLARATION OF INTERESTS

The following declarations of interest were declared:

Anna Chester, Public Governor for Rotherham South, declared that she was a Member of the Board of LINkS

Janette Mallinder, Public Governor for Wentworth Valley, declared that she was a Member of the Board of LINkS.

2010/03 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held on 9th September 2009 were agreed as a correct record.

2010/04 MATTERS ARISING

There were no matters arising from the previous minutes.

2010/05 TRANSFORMATION JOURNEY

The Council of Governors received three presentations from the Executive Directors. The first was from the Chief Executive who outlined the Trust’s journey to date and the future direction. The main points were:

- Phase one of the journey had taken place between 2005 and 2008 which had set the foundations of a successful organisation.

- Phase two (2009-2012) had commenced and comprised of three key themes:
  - To become a Best in Class Organisation
  - To meet the expectations of the community
  - To branch out in new directions

Each of these themes was supported by additional information as part of the presentation.

- The top five priorities had not changed since phase one and remained:
  - Improving patient safety
  - Better clinical outcomes
- Enhancing the patient experience
- Performing beyond expectations
- Maximising efficiency

- It was reaffirmed that quality and safety was the Trust’s top priority.

- There were a number of challenges ahead, such as:
  - The Operating Framework 2010/11 and its impact
  - Financial challenges due to the economic climate
  - The political climate due to the impending General Election
  - Emerging opportunities due to the above issues

- The presentation was concluded with information relating to the current successes of the Trust.

The Chief of Quality and Standards/Chief Nurse provided a presentation regarding the Trust’s Care Quality Commission Registration

- The Trust was required to confirm that it met the registration requirements in a number of themed areas:
  - information and involvement
  - personalised care, treatment and support
  - safeguarding and safety
  - suitability of staffing
  - quality and management
  - suitability of management

- There were 28 Outcomes, with nearly 100 sub domains, which the Trust would need to be confident that it met.

- There was a registration cost of around £50k per annum.

- The Profile had been received on 9th January 2010 where the CQC had identified 9 items of concern, 8 of which had been rated Amber and 1 rated Red, which related to the Trust not having a named Non-executive Director (NED) for Fraud. However, the Trust had always considered that the NED Chair of the Audit and Assurance Committee fulfilled this role and advised the CQC accordingly. The remaining 154 items had been rated Green.

- The Trust had received a letter from the CQC advising that a Memorandum of Understanding with other Regulators and SHA advised of no concerns regarding the Trust.

The Chief of Quality and Standards indicated that the registration process was a complex one, but she was confident of the quality of information being provided, however there were also opportunities for further improvements. The Trust would be declaring compliance on 26th/27th January 2010.
The Chief of Service Transformation was introduced to the Council of Governors, this being his first meeting, and provided a presentation on the transformation journey.

- Members were informed of the schemes which had been completed on time including the Main Theatres and Theatre Admissions Unit.

- The main entrance redevelopment, which would see a reconfiguration of current retail outlets and provision of a diagnostic suite close to the main outpatient department. Planning consent had been approved and it was considered that the scheme should be completed during 2010.

- In response to a question from Val Lindsay, Public Governor for Rotherham North, it was indicated that before any redevelopment of the Oakwood Centre for Rehabilitation Medicine could commence the Trust would be required to ensure that the patient pathway had been agreed. This was being finalised through a number of collaborative discussions.

- In response to a question from Sylvia Bird, Public Governor for Rotherham North, and Firas Al-Modaris, Staff Governor for Medical and Dental, it was confirmed that discussions were underway regarding the provision of a specialist Ophthalmology Centre/Unit which would see dedicated facilities for the provision of outpatient and day case services.

- In response to a question from Anthony Hayne, Public Governor for Wentworth Valley, regarding the redevelopment of the mortuary services, it was confirmed that any relevant stakeholders would be involved in the discussions of the proposed new facilities.

The Executive Directors were thanked for the informative presentations and the pace of change taking place at the Trust was acknowledged.

2010/06 PERFORMANCE DASHBOARD

The Council of Governors received and noted the quarter two (July to September 2009) performance dashboard.

The A&E target remained challenging, although the Trust remained on target to achieve the third quarter target and anticipated that this would continue into quarter four. The Chairman wished to thank staff for their response during recent weeks despite the adverse weather conditions which had seen additional pressures being placed on the department.

With regards to complaints the continued downward trend was noted. A new complaints process was in place where complaints and concerns were dealt with at a local ward or departmental level to enable issues to be quickly resolved. The Trust’s Being with Patients programme of customer care training was also seeing a positive impact regarding interaction and communication with patient and relatives and continued to be rolled out within the Trust.
2010/07 QUALITY IMPROVEMENT FRAMEWORK FOR GOVERNOR INVOLVEMENT

The Council of Governors received the Quality Improvement Framework for Governor Involvement report which had been prepared by the Deputy Company Secretary.

The report outlined the areas for involvement opportunities for Governors based on the regulatory framework already in place and the opportunities and processes for the Council of Governors to hold the Board of Directors to account as part of their statutory responsibilities.

The Council of Governors considered that an additional framework or action plan was required to outline the areas of responsibility and organisations that monitored the Trust to enable the Governors to be able to satisfy themselves that they were fulfilling their responsibilities.

It was agreed that the framework should be further discussed at the March 2010 Governors Forum where the Deputy Company Secretary would be invited to provide further information and provide the opportunity for Governors to discuss areas for inclusion.

ACTION – GOVERNORS FORUM

2010/08 GOVERNOR CO-OPTION/ADVISORS

Following approval of the revised Constitution by Monitor the Trust was now in the position to appoint Advisor Governors where a vacancy remained unfilled in a constituency, as outlined in Section 7.8A of the Constitution.

The Board of Directors at their meeting on 17th December 2009 considered the recommendation that Beverley Doane and John Colton be appointed as Advisor Governors to the Constituencies of Other Staff Class and Rotherham South respectively. The posts would hold no voting rights and would cease at the next election (Spring 2010).

The Council of Governors APPROVED the appointments as recommended with immediate effect.

2010/09 REGIONAL GOVERNOR EVENT SPRING 2010 – ROTHERHAM

It was noted that the Trust would be hosting the Yorkshire and Humber Regional Governor event which would be held in May 2010.

The theme would be “Back to the Patient” which would include aspects of patient safety and experience and it was anticipated that the key note speaker would be a representative of the Care Quality Commission.

The Company Secretary requested that two Governors support the event through joining the working group and supporting the event on the day.

ACTION – ALL TO NOTE

2010/10 FTGA MEMBERSHIP

The Council of Governors were requested to consider the value for money received from the services of the Foundation Trust Governors Association
(FTGA) over the forthcoming months and review the services prior to renewal of the subscription in the Summer/Autumn 2010.

2010/11 FEEDBACK FROM

i. Governors Forum – 02.12.09

The Council of Governors discussed the issues which had been raised at the first Governors Forum which had been held on 2nd December 2009.

The Chairman wished to clarify that the Forum was an informal opportunity for Governors to discuss common issues and, was not a decision making body. The Forum could make proposals to a meeting of the Council of Governors and if agreed by members would be adopted as formal business of the Council of Governors.

The Chairman provided a response to each of the issues which had been discussed at the Forum:

a. Performance Dashboard

The standards within the performance dashboard where national targets, be it CQC, Monitor or vital signs targets, against which the Trust reported.

The Trust was also monitored by numerous other organisations such as Dr Foster, who measured or monitored different aspects of the Trust’s performance and sometimes each organisation used different performance measures to collate their reports.

b. Sub Committee Membership

The Chairman re-iterated the importance for continuity in the membership of the Nominations Committee during 2010/2011 as there would be a number of new appointments taking place.

The Governors were requested to revisit the membership of both the Membership Communication and Development Group and the Patient Safety and Experience Governor and Member Group to ensure equity of membership numbers. This issue would be discussed at the next Governor Forum.

ACTION – GOVERNOR FORUM

II. Credits for Cleaning and PEAT Self Assessment Process

The issue of Governors participating in the Credits for Cleaning process would be further discussed by the Chief of Quality and Standards/Chief Nurse as part of the review of the responsibilities of the Patient Safety and Experience Governor and Member Group.

d. Framework to Support Governor Involvement

It was clarified that although there was no formal budget allocated for Governors, reasonable expenditure such as travel and training costs were funded through the Company Secretary’s budget.
e. SID and Lead Governor

It was considered that all RFT Non-executive Directors were Independent Directors and as such no one NED was nominated SID. Should Monitor continue to require a named SID, the Trust would communicate that this would be Giles Bloomer as Deputy Chairman of the Board of Directors.

With regard to the request from Monitor for a Lead Governor it was agreed that the letter clarifying the role would be circulated, with a decision required for the April 2010 Council of Governors meeting.

ACTION - KR

f. Board of Directors Meeting

It was conceded that there should be greater opportunities for the Governors and Non-executive Directors to interact. The Chairman and Company Secretary would review the opportunities available.

ACTION – MO/KR

g. Cost of Restructure

The requirement to restructure the Board had been implicit following the publication of Service Delivery Strategy (SDS)2. The costs of the restructure had been within the same cost envelope.

h. Communication

The Chairman indicated that although there may be times when Governors felt that they have not received early or sufficient communication regarding issues, this was as a result of decisions having to be made within short timeframes.

i. Future Agendas

It was confirmed that the Executive Directors section of the Council of Governors agenda was the opportunity for any concerns to be raised to the Executives by the Governors. In addition the Board of Directors agenda included a routine item for any issues to be escalated from the Council of Governors.

j. Care Quality Commission

It was noted that a representative from the Care Quality Commission would be invited to be the key note speaker at the Regional Governors Forum.

k. 5th Anniversary

The Trust’s plans for celebrating its 5th Anniversary as a Foundation Trust would be linked to current community involvement events already planned.
I. Private Patient Cap

It was noted that the outcome of the judicial review in relation to the private patient cap had been published, with no changes in limits being proposed, although this may change following the next General Election.

m. Newsweek

The receipt of duplicate copies of Newsweek had now been resolved

ii. Regional Governors Event – Bradford

A number of Governors had attended the Regional Governors event in Bradford where there had been a presentation by Monitor.

iii. FTGA Event – Birmingham

Jan Frith, Public Governor for the rest of England and Dennis Wray, Public Governor for Rother Valley West, outlined the content of a Foundation Trust Governors Association event they had attended. The Care Quality Commission had provided a presentation on the registration process, their objectives and how they were a different organisation to the former Health Care Commission.

2010/12 NOMINATIONS COMMITTEE

i. Minutes

Members received the minutes from the Nominations Committee meeting held on 20th August 2009.

2010/13 MEMBERSHIP COMMUNICATIONS AND DEVELOPMENT GROUP

There were no available minutes from this sub committee as a meeting had not been held since June 2009.

2010/14 PATIENT SAFETY & EXPERIENCE GOVERNOR & MEMBER GROUP

i. Minutes

The minutes from the last meeting held on 3rd September 2009 were received for information. Sylvia Bird, Public Governor for Rotherham North, as Chair of the group indicated that there were no issues to be escalated to the Council of Governors.

2010/15 ISSUES TO BE ESCALATED TO BOARD OF DIRECTORS

There were no issues to be escalated to the Board of Directors.
2010/16 ANY OTHER BUSINESS

i. PEAT Self Assessment

Margaret Marshall, Public Governor for Rother Valley South and Dennis Wray, Public Governor for Rother Valley West, reported an excellent PEAT self assessment visit on 7th January 2010 and the observation of the delivery of food to patients on Wharncliffe Ward had been exemplary.

ii. Laboratory Test Results

Val Lindsay, Public Governor for Rotherham North, requested information regarding the reason for the recent difficulties in relation to the delay in laboratory results being sent to GP surgeries.

John Radford, Partner Governor (NHS Rotherham) indicated that the issues had been resolved and had been discussed by both organisation due to the impact upon patient safety and care.

The Chairman indicated that an update on the position would be provided as part of her Newsletter to Governors.

ACTION - MO

iii. Annual General Meeting (AGM) Minutes

The draft minutes from the AGM were available from the Company Secretary for any Governor prior to them being posted on the Internet.

iv. Aspiring Governor Event

It was noted that an aspiring Governor event was to be held on Tuesday 26th January 2010 and Jean Dearden and Dennis Wray were thanked for volunteering to participate in the event.

2010/17 FOR INFORMATION

The Council of Governors received the dates for various meetings in 2010.

2010/18 DATE OF NEXT MEETING

The next meeting of the Council of Governors would be held on Wednesday 21st April 2010 commencing at 5pm.