MINUTES OF THE COUNCIL OF GOVERNORS MEETING HELD ON WEDNESDAY 8TH APRIL 2009 IN THE LECTURE THEATRE, PGME

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

Public Governors: Sylvia Bird, Public Governor for Rotherham North
Peter Brader, Public Governor for Wentworth South
Jim Bristow, Public Governor for Rest of England
Anna Chester, Public Governor for Rotherham South
Jean Dearden, Public Governor for Wentworth South
Jan Frith, Public Governor for Rest of England
Margaret Marshall, Public Governor for Rother Valley South
Alan Thompson, Public Governor for Rotherham South
Lewis Vizard, Public Governor for Wentworth North
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
Julie D’Silva, Staff Governor for Professional Nurses and Midwives

Partner Governors: Jean Flanagan, Partner Governor for Sheffield Hallam University
Janet Wheatley, Partner Governor for Voluntary Action Rotherham
Taiba Yasseen, Partner Governor for REMA

Apologies: Patricia Draycott, Public Governor for Rotherham North
Michael Jennings, Partner Governor for University of Sheffield
John Radford, Partner Governor for Rotherham PCT
Jill Ward, Staff Governor for Other Health Professionals
Val Lindsay, Public Member

Absent: Anthony Hayne, Public Governor for Wentworth Valley
(No apologies received) Terry Sharman, Partner Governor for RMBC

In attendance: Sue Ball, Deputy Company Secretary
Ralph Beaumont, Public Member
Jackie Bird, Chief of Quality and Standards/Chief Nurse
Giles Bloomer, Non-executive Director
Graham Briggs, Director of HR
Brian James, Chief Executive
Mike Pinkerton, Chief of Business Development
Dawn Stewart, General Management Assistant
Jenny Wilson, Chief Operating Officer
1. **DECLARATION OF INTERESTS**

It was noted that Margaret Oldfield, Giles Bloomer and Anthony Hercock would withdraw from the meeting for agenda item 6 relating to the re-appointment of Chairman, Non-executives and the Vice Chair of the Council of Governors. Jean Dearden as Vice Chairman of the Nominations Committee would preside as Chairman for this item.

2. **MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting held on 28\textsuperscript{th} January 2009 were agreed as a correct record subject to minor amendment to the wording of the Operations section of the Quarterly Executive Update.

3. **MATTERS ARISING**

i. **Finance and Performance – Thrombolysis**

Margaret Oldfield reported that correspondence had been initiated with the Chairman of the Yorkshire Ambulance Service (YAS) regarding the call to door performance of YAS for the thrombolysis target. The response from YAS did not fully explain the reason for the downturn in performance. Therefore, the Trust would continue to pursue the issue. Although Mike Pinkerton explained that a new clinical procedure had been introduced by YAS which would effectively eliminate the thrombolysis target for the Trust due to likely attendances dropping below the reporting threshold.

Governors questioned how ambulance services could be improved if there was no contestability through competitive tendering. It was explained that emergency services were contracted through Primary Care Trusts with performance being linked to the allocation of growth monies. Other methods for performance management were available, such as the issue of improvement notices, which had been undertaken by NHS Rotherham in this instance.

It was suggested that YAS should attend a Council of Governors meeting to discuss the position, with an interim letter to be sent from the Council of Governors expressing their concerns.

Mr Pinkerton was requested to provide data which would support information of lack of achievement against the national targets.

ACTION - MP

ii. **Quality & Standards – HCC Visit**

The Chief of Quality and Standards reported that the Care Quality Commission had now replaced the Healthcare Commission as the independent regulator of health and adult social care across England.

iii. **Quality and Standards – Uniform Policy**

It was reported that adherence to the Uniform Policy and, in particular, the requirement to ensure that any uniform was fully covered outside the Trust
iv. Business Development – Operating Framework

It was agreed that the Operating Framework should form part of the planned Governor development programme.

ACTION - KR

v. Any Other Business – Regional Governors Day

Information had been received indicating that the next Regional Governors event would be held on 16th May 2009. Further information is detailed within section 9iv of the minutes.

vi. Any Other Business – Timetabling of Agendas

While acknowledging that the meeting papers had been received early than had previously been the norm, Governors requested that they be issued at least one week prior to the meeting.

ACTION - DS

4. QUARTERLY EXECUTIVE UPDATE

i. Strategy (Brian James)

a. Report to Governors

The Council of Governors received the report from the Chief Executive which outlined the key developments within the three months since the last Council of Governors meeting. These included:

- A&E Emergency Admissions

  It was reported that A&E waiting times continued to be challenging due to increased patient attendance - with over 260 attendances per day on a number of occasions - and bed availability difficulties. The Trust would not achieve the end of year national target of 98% of patients seen admitted, transferred or discharged within four hours. Collaborative work continued within the local health community to improve the position and ensure provision of a quality service. In addition the Trust would be opening extra beds to resolve internal difficulties.

  Alan Thompson relayed a personal experience in relation to A&E and difficulties in accessing the Choose and Book system to make an outpatient appointment. Brian James explained that in relation to A&E the position was due to the factors previously described. Mike Pinkerton indicated that in relation to the Choose and Book system, without knowing the exact details of the difficulties experienced it would be hard to provide an exact response. However, there was a mechanism that if appointment slots were not available through the choose and book system an appointment line was available for patients to arrange an appointment, with the Trust currently having the lowest level of such requests in the Region. Should patients
encounter problems accessing the Choose and Book system they should initially seek advice from their GP and if problems continued they should contact the Hospital.

- Visit by the Chief Nurse
- New Contracts Awarded
- Completion of the Pharmacy Redevelopment
- Visit by HRH the Duchess of Cornwall
- Launch of NHS Rotherham Strategy
- Visit by Hong Kong Hospital
- Contract being signed for the Electronic Patient Record System
- Appointment of the Director of Transformation
- Support being provided to NHS Wakefield District

Brian James explained the background to the Trust providing support to NHS Wakefield District, which was due to the requirement for the separation of provider and commissioning services in the primary care sector and the establishment of Arms Length Managed Organisations (ALMOs) by 31st March 2009. As part of the work undertaken with Wakefield, the Trust had devised a model of support which was being marketed to other Primary Care Trusts. This model could provide additional business opportunities, and had to date resulted in a number of expressions of interest. It was confirmed that all the costs associated with the support being provided to NHS Wakefield District were being fully met by Wakefield.

- Launch of InterQual
- Launch of SDS2
- Purchase of the former Lombard Bank HQ

It was reported that purchase of the former Lombard Bank HQ would be cost effective for the Trust as it provided accommodation for non clinical areas which allowed opportunities for expansion of clinical areas and also provided approximately 250 additional car parking spaces. Purchase of the site had cost less than it would have been to provide additional car parking on the hospital site. The accommodation would require some refurbishment, with the first tranche of staff transferring in June/July 2009. Consideration was also being given to supporting the local business community in relation to accommodation/facilities.

Sandra Waterfield enquired how the Trust would take forward the issues raised by the HCC report on Mid Staffordshire NHS Foundation Trust. It was reported that the Chief of Quality and Standards/Chief Nurse would be undertaking a ‘True for Us’ review in relation to both the Mid Staffordshire report and the Local Government Ombudsman report on the management of patients with learning disabilities. An interim report was to be presented to the April 2009 Board of Directors meeting with a full report to be provided to the Council of Governor meeting in July 2009.

**ACTION – JB**
It was indicated that one of the concerns raised in the Mid Staffordshire report had been that data and information provided had not been challenged by Governors, the Board and Non-executive Directors.

Sandra Waterfield revisited an issue raised at the previous meeting in relation to waiting times in fracture clinic. It was reported that since the last meeting a review of the specialty of Orthopaedics had been undertaken by the Trust’s External Auditors, which included outpatients/fracture clinic. A number of actions/recommendations would be taken forward by the speciality, including the provision of additional fracture clinic sessions in order to improve waiting times for patients.

b. Service Development Strategy 2

The Council of Governors had received a copy of the summary Service Development Strategy as part of the meeting papers, with a copy of the full strategy being made available to members present.

In response to a question from Jean Flanagan regarding how quickly the strategy would be implemented in terms of growth and diversification, it was indicated that detailed discussions had yet to be held to review the structure and consider such specific issues.

ii. Finance and Performance (Brian James)

The Council of Governors received the summary performance position against the national targets. The areas of under achievement against the targets were breast feeding initiation within 48 hours, patients being seen within 4 hours in A&E and implementation of the stroke strategy in relation to stroke patients spending 90% of their time on a stroke unit.

It was reported that the financial position showed an end of year surplus of £4m, which had yet to be confirmed when the final accounts were completed and audited.

iii. Quality and Standards (Jackie Bird)

The Council of Governors received the quarterly update from the Quality and Standards Division. The areas covered by the report were:

• Patient Discharge

_Dennis Wray indicated that he had recently undertaken a visit to Ward A4 where he had been impressed by the facilities provided and enthusiasm of the staff. He considered that there were two areas to be further addressed relating to discharge medication and input from Social Services._

_Brian James indicated that the InterQual admission and discharge process would see patients being assigned case managers who would be responsible for ensuring patients treatment led to an effective discharge. This would include the provision of timely discharge_
medication and patients to be discharged by no later than 11am. In relation to the input by Social Services, it was noted that due to the impact of the Baby P case additional pressures on local Social Services was leading to delays in provision of adult services. However, at a recent multi disciplinary rapid improvement event all agencies had given their commitment to improve discharge processes.

- Hygiene Code Visit
- Registration with the Care Quality Commission
- Healthcare Commission Annual Health Check 2008/09

iv. **Annual Plan Delivery (Mike Pinkerton)**

The Council of Governors received the report which indicated progress in relation to the development of the Trust’s Business Plan, which would be submitted to the Regulator (Monitor) at the end of May 2009.

It was agreed that the Council of Governors would be issued a copy of the Annual Plan once it had been finalised (June 2009), with further discussion to take place at the July 2009 meeting.

**ACTION - MP**

5. **RE-APPOINTMENT OF NON-EXECUTIVES**

Margaret Oldfield, Giles Bloomer and Anthony Hercoc k left the meeting at this point, with Jean Dearden as Vice Chair of the Nominations Committees, presiding over the following agenda items.

i. **Nomination Committee Minutes**

The minutes from the meeting held on 3rd March 2009 were received for information.

ii. **Reappointment Chairman and Non-executive Director**

A supporting paper from the Director of HR in conjunction with the Nomination Committee minutes outlined the recommendations and proposals in relation to:

- **Margaret Oldfield (Chair)**

The Council of Governors approved the recommendation to reappoint Margaret Oldfield to the position of Chairman for a further two year term of office from 1st November 2009 to 31st October 2011.

- **Giles Bloomer**

The Council of Governors approved the recommendation to reappoint Giles Bloomer to the position of Non Executive Director for a further two year term of office from 1st June 2009 to 31st May 2011.
iii. **Reappointment of Vice Chair of Council Of Governors**

Within the meeting papers was a report submitted by the Company Secretary on behalf of the Board of Directors detailing the recommendation that Anthony Hercock, Non-executive Director, be re-appointed as Vice Chairman of the Council of Governors for a further 12 month term of office.

The Council of Governors approved the re-appointment.

Margaret Oldfield, Anthony Hercock and Giles Bloomer returned to the meeting at this point, with Margaret Oldfield resuming the Chair.

6. **CONSTITUTION REVIEW**

i. **Review of Constituencies & Partner Governors**

Both the above reports formed the basis for debate by the Council of Governors in a workshop setting. The basis for the workshops was to review the current and potential future constituency framework and the potential partner Governors.

The outcome from the workshop would be considered by a small group (Anna Chester, Jean Dearden, Margaret Oldfield, Kerry Rogers, Lew Vizard and Dennis Wray) who would review the Constitution and Council of Governors Standing Orders, providing recommendations to the July 2009 meeting. The group would also assess the impact on electoral wards from planned changes to Parliamentary constituencies.

**ACTION - KR**

7. **MEMBERSHIP COMMUNICATION AND DEVELOPMENT GROUP**

i. **Minutes**

The minutes from the meeting held on 9th February 2009 were received for information.

ii. **Governor Commentary - Anna Chester**

Governors were reminded of the importance of this Group as a means of communication between Governors and their Members, with Governors invited to join the group.

**ACTION – ALL TO NOTE**

It was noted that it had been agreed that Governors would receive advance copies of any planned communication to members.

8. **PATIENT SAFETY AMD EXPERIENCE GOVERNOR AND MEMBER GROUP**

i. **Minutes**

The minutes of the meeting held on 4th March 2009 were received for information.
ii. **Governor Commentary – Sylvia Bird**

It was noted that 2008/09 had been a successful year for the Trust.

iii. **Annual Health Check - Commentary**

Members received within the meeting papers the Healthcare Commission (HCC) Annual Health Check Governor Commentary which would be submitted as part of the Trust’s Annual Health Check declaration.

Members indicated their agreement to the content of the Governor commentary.

Anna Chester commented that HCC had previously indicated that although submitted as part of the declaration, they did not necessary rely on this commentary in their deliberations. Kerry Rogers indicated that the Care Quality Commission, which had replaced HCC, may undertake the validation process differently. However, the Governor Commentary should be viewed as a valid source of independent assurance.

In relation to trends for complaints, this information was routinely reported to the Board of Directors on a monthly basis and would be included on the scorecard being developed for the Council of Governors. It was also noted that the Complaints policy and procedure was in the final stages of its formal review and would aim to resolve complaints quicker and at a local level.

*Anthony Hercock, Vice Chairman, left the meeting at this point.*

9. **GOVERNOR DEVELOPMENT**

i. **Foundation Trust Governors’ Association (FTGA) Development Programme – 22\(^{nd}\) April 2009**

The next FTGA development event would be held on 22\(^{nd}\) April 2009 with details contained within the meeting papers. Dennis Wray confirmed that he would be able to attend and Anna Chester would ascertain her availability.

ii. **RFT Development Programme Update**

It was reported that a new Governor development programme was being developed and dates for the proposed four sessions would be communicated to Governors.

ACTION – DS

iii. **Foundation Trust Network (FTN) Development Programme – Feedback**

A feedback report from the organiser of the Foundation Trust Network Governors’ Development Programme held on 18\(^{th}\) February 2009 was included within the meeting papers. Governors who had attended the event reported that there had been a number of good speakers/presentations and areas to support the development of Governors.
iv. **Next Regional Governors Event – Hosting September 2009**

The next Regional Governors event would be held on Saturday, 16\(^{th}\) May, at the Northern General Hospital commencing at 10.30am. Anyone wishing to attend the event was to contact Kerry Rogers or Dawn Stewart.

**ACTION – ALL TO NOTE**

Mrs Oldfield indicated that the Trust would be considering hosting a future regional event.

**ACTION – MO/KR**

10. **ANY OTHER BUSINESS**

i. **Governor Elections**

It was reported that the following Governors had been re-elected unopposed:

- Lew Vizard
- Sandra Waterfield
- Anthony Wilkinson

New Governors had been elected unopposed for:

- Wentworth North
- Wentworth Valley

An election would be required for:

- Rotherham North.

Vacancies remained for:

- Rotherham South
- Support Staff
- Other directly employed staff

Margaret Oldfield wished to place on record her thanks for the diligent work of the Governors who were standing down.

ii. **Foundation Trust Governors’ Association (FTGA) – Notice of Election onto Board**

Kerry Rogers informed members that a letter had been received from the FTGA outlining notice of elections for the Chair, Vice Chair and Executive Committee of the FTGA.

Kerry Rogers and Margaret Oldfield would discuss the content of the letter further outside the meeting.

**ACTION – KR/MO**

11. **ESCALATION OF ANY ISSUE FROM SUB COMMITTEE**

The area for further consideration would be the reinstatement of the Top 10 Talks, possibly topics being the Yorkshire Ambulance Service (YAS), LINKS and the Sexual Assault Referral Centre (SARC).
12. **ISSUES TO BE ESCALATED TO BOARD OF DIRECTORS**

   There were no issues for escalation to the Board of Directors.

13. **DATE OF NEXT MEETING**

   The next meeting of the Council of Governors would be held on Wednesday, 15th July 2009 commencing at 5.00pm. Any agenda items were to be communicated to the Company Secretary by no later than 30th June 2009.