MINUTES OF THE COUNCIL OF GOVERNORS MEETING HELD ON WEDNESDAY
13TH APRIL 2011 IN THE LECTURE THEATRE, ROTHERHAM HOSPITAL

Present: Margaret Oldfield, Chairman
        Neil MacDonald, Non-Executive Director and Vice Chairman
        Kerry Rogers, Company Secretary

Public Governors: Sylvia Bird, Public Governor for Rotherham North
        Jean Dearden, Public Governor for Wentworth South
        Ann Flack, Public Governor for Rotherham South
        Jan Frith, Public Governor for Rest of England
        Val Lindsay, Public Governor for Rotherham North
        Cynthia Shaw, Public Governor Wentworth North
        Sandra Waterfield, Public Governor for Rother Valley South
        Dennis Wray, Public Governor for Rother Valley West
        Anthony Wilkinson, 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 Wainwright, Partner Governor for Barnsley and Rotherham
        Chamber of Commerce
        Janet Wheatley, Partner Governor for Voluntary Action Rotherham

Apologies: Peter Brader, Public Governor for Wentworth South
        Anna Chester, Public Governor for Rotherham South
        Beverley Doane, Staff Governor for Other Staff Class
        John Doyle, Partner Governor for RMBC
        Julie D'Silva, Staff Governor for Professional Nurses & Midwives
        Shelley Fell-Bowers, Partner Governor for Learning and Skills Council
        Neville Hamilton, Partner Governor for South Yorkshire Police
        Anthony Hayne, Public Governor for Wentworth Valley
        Carole Haywood, Partner Governor for Rotherham Partnership
        Michael Jennings, Partner Governor for Sheffield University
        Margaret Marshall, Public Governor for Rother Valley South
        Taiba Yasseen, Partner Governor for REMA

In attendance: Walid Al-Wali, Chief Medical Officer/Director of Infection Prevention
        and Control
        Jackie Bird, Chief of Quality and Standards/Chief Nurse
        Giles Bloomer, Non-Executive Director
        Tony Hercock, Non-Executive Director
        John Hoskin, Chief Financial Officer
        Andy Irvine, Chief of Community Services
        Brian James, Chief Executive
        Alison Legg, Non-Executive Director
        Dawn Stewart, Corporate Governance Manager (minutes)
        Mark Trumper, Chief of Transformation
2011/21 WELCOME AND ANNOUNCEMENTS

i. Non-Executive Directors

The Chairman welcomed to the meeting Alison Legg, newly appointed Non-Executive Director, who had commenced in post on 1st March 2011.

Gabby Atmarow, newly appointed Non-executive Director had commenced in post on 1st April 2011, however was unavailable to attend the meeting.

It was reported that Professor Rhiannon Billingsley, the third new Non-Executive Director, had for personal reasons, withdrawn from the role.

ii. Executive Directors

The Chairman announced that resignations had been received from:

- The Chief of Quality and Standards/Chief Nurse who would be taking up a post at The Christie in Manchester.
- The Chief of Transformation who would be taking up a post at The John Radcliffe NHS Foundation Trust in Oxford.
- The Chief Financial Officer who would be leaving the Trust to establish his own business.

iii. Governor Elections

The Council of Governors NOTED that the election process had commenced, with contested elections in a number of constituencies.

A number of Public Governors had decided not to stand for re-election and therefore this would be their last meeting. These Governors were thanked for their contribution during their terms of office. Additionally, the representative from NHS Rotherham had stood down, representation from the GP Consortia would be sought at a later date.

2011/22 QUORACY CHECK

The meeting was agreed to be quorate.

2011/23 DECLARATION OF INTEREST

There were no declarations of interest in relation to any agenda item.

2011/24 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting held on Wednesday, 12th January 2011 were agreed as a correct record.

2011/25 MATTERS ARISING

i. FTGA Essential Brief 13 – Productivity Can Be Good for Patients (minute 2011/10 refers)

It was reported that the FTGA had been contacted regarding the difficulties in accessing the electronic links as described in Essential
Brief 13 and had indicated that they would investigate the issues further.

Post meeting note – the FTGA had confirmed that the difficulties had been resolved.

ii. **FTGA Subscription (minute 2011/12 refers)**

The Council of Governors requested renewal of the FTGA subscription is reconsidered at the July 2011 meeting prior to the receipt of the renewal notice in approximately September 2011. The Chairman indicated that the issue should also be considered at the next Governors Forum prior to the full Council of Governors meeting.

**ACTION – KR**

**2011/26 EXECUTIVE DIRECTOR UPDATES**

The Council of Governors welcomed to the meeting the Chief Executive and Executive Directors to provide information updates in relation to current activities.

i. **Chief Executive (Brian James)**

The Council of Governors NOTED the report from the Chief Executive which covered the following areas, with additional information also provided in other Executive Directors reports:

- Financial position
- Service integration
- Unannounced visit by Care Quality Commission
- Equality and Excellence
- New Mortuary facility
- EPR
  
  It was reported that there would be a delay in the Go live date for EPR, from May to August 2011. A reforecast of the cost of the project had also been undertaken as a consequence of a number of significant changes in the project since approval of the original business case. This reforecast had cumulated in the requirement for additional funding of £9m over the life of the project. The governance arrangements moving forward would be further strengthened to ensure full visibility of costs and progress against milestones.

- Bowel Cancer (additional item)
  
  There had been adverse media coverage relating to the Trust following the release of the National Cancer Intelligence Network (NCIN) data relating to deaths within 30 days of colorectal surgery. The Chief Medical Officer explained that the data related to cases between 1998 and 2006 which indicated that the Trust was an outlier compared to other Trusts. However, NCIN had confirmed that between 2006-2008 the Trust’s position had significantly improved and had been better than the peer group between 2007-2009. The Trust was not complacent with the latest data and had developed an action plan to further improve the position. The Council of Governors requested that the Chief Medical Officer provide an update for the next meeting.

**ACTION - WAW**
ii. Chief Financial Officer (John Hoskin)

The Council of Governors received the report which provided an update on the latest financial position.

The 2010/11 end of year forecast was for a break-even position, excluding £1.4m restructuring costs – against a plan of a £5.9m surplus, and a Monitor Finance Risk Rating of 2.

The Chief Financial Officer outlined a number of reasons for the end of year position:

**Income**

**Elective**
- Growth in activity & income v 09/10 but income 7% below plan
- Ambitious growth targets in Orthopaedics, ENT and OMFS
- Flattening / reducing referrals – less opportunity to grow
- Theatre throughput issues – modernisation of booking and pre-op processes led to delays during June to September period

**Non-Elective**
- Activity 9% above prior year and plan but income 1.5% below
- Impact of marginal tariff – impact £1m greater than planned
- Impact of short stay tariff
- Under-utilised Special Care Baby Unit, income £0.6m less than plan

**Costs**
- 9% increase in Non-Elective Levels (NEL) activity with no overall additional income
- Generally increased use of diagnostics, drugs and consumables – acute demand increase (no corresponding income increase)
- Additional drug, consumable and diagnostic costs associated with reducing Length Of Stay (LOS) in General Medicine
- Bed pressures in geriatric medicine, demand not offset by reduced LOS
- 7-month delay between opening Alternative Level of Care Ward and closing a standard ward
- Shortage of middle grade doctors in many areas resulting in inefficient rotas and use of expensive locums
- Non-delivered Cost Improvement Programmes
- In-year cost actions and contingency offsetting the above

**2010/11 Summary**
- Economic / tariff pressures
- Previous financial success built on low waiting times, increased productivity, increased tariff and increasing income – not possible in 2010/11 and beyond
- Income affected, departments not quickly ‘right-sized’
- Switch to cost/efficiency focus
- Snow, swine flu and noro virus outbreaks

**2010/11 – In Year Actions**
- 15% reduction in corporate services (‘back office’) pay costs
- Closure of Healthcare for Older People ward
- Restoration of theatre throughput to previous levels
• Reorganisation of medical staff job plans
• Reduced bank and agency nursing expenditure
• Recruitment freeze and tighter controls on overtime/additional sessions
• Cutting non-essential spend, e.g. repairs and maintenance, travel, IT

The Council of Governors noted the financial position and it was commented that other Trusts would be facing similar financial difficulties in this, if not future years. Due to the slippage in the Monitor Finance Risk Rating (FRR) to 2 this had led to a meeting with Monitor and the requirement for monthly financial reporting. Although it was acknowledged that the Trust was not in the financial position it had originally planned there had been a number of reasons for this as detailed in the report. Future financial planning would be more robust and more efficient use of resources. Despite the financial pressures the Trust had been successful in achieving its performance targets and had improved the hospital site and a number of facilities.

iii. Chief of Transformation (Mark Trumper)

The Council of Governors received a presentation on the latest transformation schemes.

The main entrance had been completed on time and under budget. Approval had been given by the Board of Directors to relocate the mortuary to provide an integrated bereavement service and improve facilities for relatives and staff. The scheme would in the main be funded by RMBC (£2m) with a contribution of £500k from the Trust. Enabling work had commenced and the scheme was due to be completed in October/November 2011.

Ward refurbishments remained a key priority for the Board of Directors, with a review of the phasing being monitored on a monthly basis due to the current financial position. However, it was NOTED that the Board may have to take difficult decisions regarding prioritisation if other capital schemes which may release greater benefits were submitted.

The Council of Governors thanked the Chief of Transformation for the leadership he had provided to begin the transformation journey for the site and wished him well in his new role at The John Radcliffe Hospital.

Neil MacDonald, Non-Executive Director and Vice Chair, left the meeting at this point.

iv. Chief of Community Services (Andy Irvine)

The Council of Governors RECEIVED the update report from the Chief of Community Services.

The transfer of Rotherham Community Services had taken place on 1st April 2011 with transition plans having been developed which would be monitored for the first quarter by the Service Integration Committee to ensure that there were no operational difficulties. Induction programmes were ongoing with community staff to welcome them to the Trust.

Also on the 1st April 2011 the Trust had taken responsibility for the Doncaster Dental Access Centre and Out of Hours Service following approval at the February 2011 Board of Directors meeting. The transfer involved 41 staff
members/15.5 WTE (Whole Time Equivalents), with a contract value of £1.2m, with the service currently based on the Montague Hospital site.

Due diligence work for the transfer of Bassetlaw Community services continued, with the March 2011 meeting of the Board of Directors agreeing to proceed with the transaction. The Board of Directors had agreed a Memorandum of Understanding giving delegated responsibility for the Trust to lead the Bassetlaw senior team. This would be effective from 1st April 2011, with formal transfer not anticipated before August 2011.

In response to a question from Jean Dearden, Public Governor for Wentworth South, it was confirmed that all three organisations were compliant with the Care Quality Commission standards, and this had been verified as part of the due diligence work.

v. Chief of Quality and Standards/Chief Nurse (Jackie Bird)

The Council of Governors RECEIVED the report from the Chief of Quality and Standards/Chief Nurse.

Members were informed of the unannounced four day visit by the Care Quality Commission (CQC) on 1st February 2011. The Inspectors had focussed specifically on:

- Outcome 1 (Respecting & Involving People who use Services)
- Outcome 2 (Consent to Care & Treatment)
- Outcome 4 (Care & Welfare of People who Use Services)
- Outcome 8 (Cleanliness and Infection Control)

The remainder of the 12 outcomes were assessed through face to face interviews and extensive review of previously provided written evidence. Two Inspectors using the criteria in Outcome 8 carried out a ‘hygiene code Inspection’ and attended trauma and orthopaedic wards, the emergency admissions unit and a health care for older people ward. In testing out the care pathways for patients the other two Inspectors carried out a systematic review of Fitzwilliam and Keppel wards. The Inspectors had no concerns and were very positive about the care planning; delivery of care and how patients described the standards of care. The draft report had been received from the CQC and was being checked for factual accuracy.

It was NOTED that on the same date the Trust had been visited by the Nursing and Midwifery Council and the Deanery, with the Trust receiving positive feedback from each agency.

The Council of Governors were provided with information relating to the Quality Accounts for 2011/12 and the selection of priorities in the four key areas of:

- Patient Safety,
- Patient Experience,
- Clinically Effective
- Key Performance Indicators (KPIs)
The Council of Governors AGREED the topics chosen across the four areas and indicated the area they would like to ‘own’ as the locally selected indicator would be Increasing compliance with 95% of key measures of End of Life Care Pathway.

The Council of Governors thanked the Chief of Quality and Standards/Chief Nurse for her dedication to the Trust and wished her well in her new role at The Christie.

vi. Chief of Business Development (Mike Pinkerton)

In the absence of the Chief of Business Development members were informed that the Trust was currently undertaking contract negotiations with NHS Rotherham.

*The Executive Directors left the meeting at this point.*

2011/27 PERFORMANCE DASHBOARD

The Council of Governors RECEIVED and NOTED the quarterly performance dashboard. The following areas were specifically discussed:

- There had been zero MRSA cases in 2010/11 which highlighted the effective infection control systems and processes in place
- There was further area for improvement in relation to MRSA screening, particularly for non-elective admissions
- The Trust had exceeded the annual local NHS Rotherham target of 42 C Difficile cases, with 50 cases having been reported. This remained below the national Department of Health target of 100 cases. The increase in cases in quarter four had been linked to winter pressures and the high level of admissions. The Council of Governors requested that the Director of Infection Prevention and Control provide information on any specific infection trends as part of the Chairman’s Newsletter.

**ACTION - WAW**

- It was noted that diagnostic breaches were increasing and requested further information for the June meeting of the Patient Safety and Experience Governor Group.

**ACTION - ML**

It was reported that the performance dashboard would be revised to include any new or revised targets including those for community services.

2011/28 REAPPOINTMENT OF VICE CHAIR

The Council of Governors CONSIDERED and APPROVED the recommendation from the Board of Directors that Neil MacDonald, Non-Executive Director, be re-appointed as Vice Chairman of the Council of Governors for a period of twelve months.

2011/29 GOVERNOR WALK ROUNDS

The walk rounds in which Governors participated were discussed.

The Chief of Quality and Standards/Chief Nurse had produced a document which outlined the process/structure when undertaking ward/ departmental
visits, providing potential questions and feedback mechanisms to support improvement. The Chairman suggested that all Governors should participate in at least one Senior Nurse and one Non-Executive Director walk round per annum. Further information on the proposed process and a reminder of dates for 2011 would be provided as part of the next Chairman’s Newsletter.

2011/30 GOVERNOR QUESTIONNAIRE

The Council of Governors RECEIVED a copy of the questionnaire which had been issued to Governors as part of the June 2010 Committee Effectiveness Audit of the Council of Governors.

The questionnaire had been submitted to the Governors Forum for consideration and had been returned to the full Council of Governors meeting. It was recognised that some of the issues raised had been resolved or were no longer relevant; however the Chairman requested that any Governor who felt disaffected as shown by some of the comments should contact the Chairman directly to further discuss any issues.

It was AGREED that the questionnaire should be considered by the Membership Development Committee to consider if there were any areas which required action or to formally close the need for any further work to be undertaken.

ACTION – MEMBERSHIP DEVELOPMENT COMMITTEE

2011/31 NOMINATIONS COMMITTEE

i. Minutes

The minutes from the meeting held on 6th April 2011 were not yet available and would be provided with the next Chairman’s Newsletter.

ACTION – KR

The Nominations Committee had discussed the process for the appointment of a new Chairman. The advertisement would be placed in mid-May 2011 with a closing date of mid-June. The appointments panel would meet on 13th July 2011 with the recommendation to be submitted to the Council of Governors on that same date for approval.

2011/32 MEMBERSHIP DEVELOPMENT GROUP

i. Minutes

The Council of Governors RECEIVED the minutes from the meeting held on 22nd February 2011.

ii. Governor Chair Commentary

In the absence of Beverly Doane, Staff Governor for Other Staff Class, Cynthia Shaw, Public Governor Wentworth North, provided feedback on the meeting. Membership was growing and stood at approximately 18,000, with the focus now to be on membership engagement. The Governors who had attended the Future Ward Development day on 7th January 2011 had found it beneficial.
iii. **Issues for escalation**

There were no issues for escalation to the Council of Governors.

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**2011/33 PATIENT SAFETY & EXPERIENCE GOVERNOR GROUP**

i. **Minutes**

The Council of Governors RECEIVED the minutes from the meetings held on 13\(^{\text{th}}\) January 2011 and 18\(^{\text{th}}\) March 2011.

ii. **Governor Chair Commentary (Dennis Wray, Public Governor for Rother Valley West)**

Dennis Wray, Public Governor for Rother Valley West, indicated that there had been beneficial presentations to the March meeting regarding infection control and breast feeding, which had helped answer questions in relation to the performance dashboard.

iii. **Issues for escalation**

There were no issues for escalation to the Council of Governors.

iv. **Committee Effectiveness Audit**

The Council of Governors RECEIVED for information a copy of the Committee Effectiveness Audit which had been undertaken for the Patient Safety and Experience Governor Group by the Assurance Unit. The recommendations from the audit had been discussed and would be taken forward by the Group.

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**2011/34 ISSUES TO BE ESCALATED TO BOARD OF DIRECTORS**

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

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**2011/35 QUESTIONS FROM THE AUDIENCE**

No questions were asked from any members of the public present.

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**2011/36 ANY OTHER BUSINESS**

i. **Executive Directors**

Jill Ward, Staff Governor for Other Health Professionals, questioned the interim arrangements to be put in place pending the appointment of new Executive Directors for Finance and Chief Nurse.

The Chairman indicated that the Nominations, Remuneration and Terms of Service Committee would be meeting later in the week to consider the executive structure. Recruitment would commence as soon as possible, with interim arrangements to be put in place as required. Continuity was vitally important.
ii. Governor Representative for the NHS Rotherham Cancer Group

Due to Margaret Marshall, Public Governor for Rother Valley South, not standing for re-election there was a requirement for a Public Governor to represent the Trust on the NHS Rotherham Cancer Group. Any interested Governor was requested to contact Dawn Stewart for further information.

ACTION – ALL TO NOTE

iii. Governor Interview Training

Members were informed that the Interview Training for Governors had been rescheduled to 28th June 2011 at 10am and would be open to all Governors and particularly Nomination Committee members.

ACTION – ALL TO NOTE

iv. Register of Interests

Circulated at the meeting was the proforma which Governors were requested to complete in order to update the Register of Governors Interests. Members were particularly reminded that any interest should be declared following the integration with Rotherham and Bassetlaw Community Services. The completed forms were requested to the sent to Dawn Stewart.

ACTION – ALL TO NOTE

v. FTGA Meeting

Jan Frith, Public Governor for Rest of England, indicated that at the FTGA Experienced Governor event the presentation from Monitor indicated that the role of Governors would dramatically change as the Council of Governors assumed the Monitor role of holding the Board to account.

The Chairman confirmed that the Health and Social Care Bill would have a major impact on the role of Governor, however once it became clearer on the role and responsibilities for Governors, a suitable training programme would be developed and performance reports changed to reflect any new areas for monitoring.

2011/37 FOR INFORMATION

The Council of Governors received the dates for various meetings during 2011.

2011/38 DATE OF NEXT MEETING

The next meeting of the Council of Governors would be held on Wednesday 13th July 2011 commencing at 5pm in the Lecture Theatre, Rotherham General Hospital.