

## DRAFT Minutes

Trust Board of Directors Public Meeting								
<b>Date:</b> Wednesday, 24 June 2015	<b>Time:</b> 1.30pm to 3.30pm	<b>Venue:</b> Meeting Room 1, Hopewood Park						
<p><b>Present:</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;">           Hugh Morgan Williams            Martin Cocker            Lisa Crichton-Jones            James Duncan            Dr Douglas Gee            John Lawlor            Paul McEldon            Gary O'Hare            Nigel Paton            Lisa Quinn            Ruth Thompson         </td> <td style="width: 50%; vertical-align: top;">           Chair            Non-Executive Director            Executive Director of Workforce and Organisational Development            Deputy Chief Executive / Executive Director of Finance            Executive Medical Director            Chief Executive            Non-Executive Director            Executive Director of Nursing and Operations            Non-Executive Director            Executive Director of Performance and Assurance            Non-Executive Director         </td> </tr> </table> <p><b>In attendance:</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;">           Eric Jarvis            Susan Hamilton             Chris Rowlands            Dr Bruce Owen            Dr Damian Robinson         </td> <td style="width: 50%; vertical-align: top;">           Board Secretary            Administration Officer             Equality and Diversity Advisor            Director of Medical Education for item 65/15(ii)            Group Medical Director (Inpatient Care Services) / Director of Infection Prevention and Control and Emergency Preparedness, Resilience and Response for items 65/15(iii) and (iv)         </td> </tr> </table> <p><b>Also present:</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;">           Julia Alison            Fiona Grant            Keith McCririck            George Ian Saint         </td> <td style="width: 50%; vertical-align: top;">           Trust Governor            Trust Governor            Trust Governor            Member of Public         </td> </tr> </table>			Hugh Morgan Williams Martin Cocker Lisa Crichton-Jones James Duncan Dr Douglas Gee John Lawlor Paul McEldon Gary O'Hare Nigel Paton Lisa Quinn Ruth Thompson	Chair Non-Executive Director Executive Director of Workforce and Organisational Development Deputy Chief Executive / Executive Director of Finance Executive Medical Director Chief Executive Non-Executive Director Executive Director of Nursing and Operations Non-Executive Director Executive Director of Performance and Assurance Non-Executive Director	Eric Jarvis Susan Hamilton  Chris Rowlands Dr Bruce Owen Dr Damian Robinson	Board Secretary Administration Officer  Equality and Diversity Advisor Director of Medical Education for item 65/15(ii) Group Medical Director (Inpatient Care Services) / Director of Infection Prevention and Control and Emergency Preparedness, Resilience and Response for items 65/15(iii) and (iv)	Julia Alison Fiona Grant Keith McCririck George Ian Saint	Trust Governor Trust Governor Trust Governor Member of Public
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Agenda Item		Action						
<b>58/15</b>	<b>Apologies</b>  Neil Hemming                      Non-Executive Director Chris Watson                        Non-Executive Director							
<b>59/15</b>	<b>Declarations of interest</b>  There were no declarations of interest to note.							

There were four amendments to the draft minutes as follows:

- 1) Page 3 – item 65/15(iii) – third paragraph – should state – “Martin Cocker as Audit Committee Chair said that the Quality Account had been considered by the Audit Committee. The Audit Committee noted that the external auditors had reviewed the Quality Accounts and were satisfied that the Quality Accounts were consistent with other documents used by the Trust. On this basis, the Audit Committee recommended to the Board that the Quality Accounts be approved, subject to the additional entry noted above. The Board agreed and supported the additional entry and approved the Quality Account.”
- 2) Page 5 – item 68/15(ii) – first paragraph should state “... the rationale for each postholder **reviewed** to fulfil the requirements of the Fit and Proper Person Test...”
- 3) Page 5 – item 69/15(iii) should state – “John Lawlor presented the Annual Governance Statement. The contents were noted by the Board.

Martin Cocker as Audit Committee Chair said that the Audit Committee had considered the Statement along with the Head of Internal Audit Opinion and the External Auditor’s report.

The External Auditor had concluded that the Statement complied with the Department of Health requirements and there were no inconsistencies between information in the Statement and the External Auditor’s knowledge of the Trust.

The Report of the Internal Auditor had concluded that significant assurance could be given that there is a generally sound system of internal control, designed to meet the organisation’s objectives.

Taking all things into account, the Audit Committee recommended approval of the Statement to the Board.

The Board approved the Annual Governance Statement.”

- 4) Page 6 – item 69/15(iv) – second paragraph should be two paragraphs stating: “Martin Cocker as Audit Committee Chair said that the Audit Committee had considered those parts of the Annual Report that are subject to External Audit review. No issues had been noted in connection with those parts of the Annual Report.

Following further discussion, a few minor drafting inconsistencies were highlighted and James Duncan confirmed that these had already been picked up by the Board Secretary and the necessary amendments have been incorporated into the final submission to Monitor.”

Subject to the above amendments, the minutes were agreed as a true and accurate record and duly signed.

61/15	<p><b>Matters arising not included on the agenda</b></p> <p>The schedule was noted.</p> <p>There was a typographical error in the item on the Transformation Programme update that should have referred to Medical <b>Staff</b> (not Scrutiny) Committee.</p> <p>It was noted that a Research and Development update had been considered at a Board development session in May 2015.</p> <p>The Board had previously considered the Board structure in closed session, where the Chair had suggested the possibility of appointing an additional Non-Executive Director (NED) due both to the strong field in the current NED recruitment process and the additional workload requirements of NEDs. The Board Secretary had confirmed with Monitor that the process for changing the Board structure is that the Trust Constitution must be amended in the usual manner. It was noted that the Nominations Committee has considered the need to ensure that the capacity of the NEDs is sufficient to cover all duties expected of them. This has led to a recommendation to the Council of Governors that an additional NED post be included in the Board structure, and this was approved by the Council of Governors on 16 June 2015. This included changing paragraph 23.2.2 of the Trust Constitution to state “7 (rather than 6) other non-executive directors.”</p> <p><b>The Board confirmed that it is in agreement with the proposed change to the Board structure, i.e. including an additional Non-Executive Director, and the associated change to the Trust Constitution.</b></p>	
62/15	<p><b>Action Checklist</b></p> <p>The checklist was noted.</p>	
63/15	<p><b>Chair’s Report</b></p> <p>Hugh Morgan Williams attended the recent NHS Confederation Conference meeting. There were some very interesting themes and workshops at the event. The conference was slightly overshadowed by the Secretary of State’s comments on the use of agency staff in the NHS. Hugh has asked for a response to a variety of questions he has asked the Secretary of State.</p> <p>Hugh Morgan Williams reported the outcome of the recent NED interviews, which included a brief summary of each of the successful candidates. Seven applicants were interviewed and all were of a very high calibre. The successful candidates were:</p> <ul style="list-style-type: none"> <li>• Alexis Cleveland for 3 years from 1 July 2015</li> <li>• Dr Leslie Boobis for 3 years from 1 July 2015</li> <li>• Peter Studd for 3 years from 1 January 2016, but as a NED designate in the meantime.</li> </ul> <p>One of the appointments from 1 July 2015 will replace Nigel Paton, who will come to the end of his tenure on 30 June, and the other will fill the new NED post in the structure. Peter Studd will replace Chris Watson, who will come to the end of his tenure on 31 December 2015.</p> <p>In addition, Paul McEldon’s tenure had been extended for another year to 31 December 2016 to help provide continuity and stability in the short term.</p> <p>Hugh Morgan Williams reported that the buddying of Executive Directors with Non-Executive Directors has commenced but stressed that it is too early to determine how effective this has been. The process will be reviewed at the end of the year.</p>	

	<p>He then provided an update on changes to NEDs' involvement with the Board committees as follows:</p> <ul style="list-style-type: none"> <li>• Paul McEldon will Chair the Finance Infrastructure and Business Development Committee;</li> <li>• Ruth Thompson will Chair the Quality and Performance Committee (Q&amp; P);</li> <li>• Dr Les Boobis will join Q&amp;P;</li> <li>• Nigel Hemming will join FIBD; and</li> </ul> <p>Alexis Cleveland is yet to be allocated a committee.</p> <p>As this meeting was Nigel Paton's last meeting, Hugh Morgan Williams thanked Nigel for his commitment, wisdom and counsel and the Board members conveyed their best wishes to Nigel for the future.</p>	
64/15	<p><b>Chief Executive's Report</b></p> <p>John Lawlor presented the report. The contents were noted by the Board. The following was highlighted:</p> <ul style="list-style-type: none"> <li>• John Lawlor said that the main focus of the HSJ Provider Summit was whether the 5 year NHS plan would help in achieving the £22bn savings. The Carter Report looked at the variation in the cost of NHS products. Some foundation trusts reported on Monitor's helpful dialogue and support.</li> <li>• Lisa Crichton-Jones provided an update on Transforming Corporate Services. Engagement work with senior corporate managers is progressing prior to the commencement of the formal consultation. Discussions will also begin with Gary O'Hare and operational staff who are regarded as the customers of corporate services to ensure robust arrangements and that customers' needs are met. Formal consultation will be held during July and August.</li> <li>• Gary O'Hare summarised the details of the Annual Nursing Conference held on 23 June and concluded that new work streams based on the conference's outputs will be ready in March.</li> <li>• John Lawlor referred to the opening of the new Sunderland Learning Disability Community Treatment Team at Monkwearmouth Hospital and highlighted the inspiring speech by Rachel Simpson, Trust governor, about how she has been enabled to live independently in the community.</li> </ul> <p>An additional item was added to the report and was considered immediately prior to Questions from the Public at agenda item 71/15. See minute below.</p>	
65/15	<p><b>Quality, clinical and patient issues</b></p> <p><b>i) <u>Safer Staffing Report</u></b></p> <p>Gary O'Hare presented the report which focussed on those wards where staffing is 10% under planned and 20% over planned for May 2015. The contents were noted by the Board.</p> <p>He explained that the report compares actual staff to budgeted staff. As the skill mix review was implemented in May 2015 and associated budget changes made, it will take some time to recruit to all new posts for the increase in the number of qualified nurses. As a consequence of this issue, the report will show several "red" areas in the short term. He emphasised that any potential concerns about safe staffing are flagged quickly and supporting arrangements put in place.</p>	

Martin Cocker queried whether there is a way to refresh the report to show additional information, e.g. staffing levels against safe levels. Gary O'Hare replied that the outcome of the 12 month "deep dive" analysis on safer staffing information that is scheduled for reporting to the next Board may provide some insight into other potential areas to report on.

Responding to a question from Paul McEldon around potential increases in serious incidents and complaints when supplementing qualified staff with unqualified staff, Gary O'Hare explained that work is being undertaken to triangulate sources of information assisted by the aforementioned "deep dive" analysis.

**ii) HENE Annual Deanery Monitoring Review feedback**

Dr Bruce Owen presented the report, which consisted of an annual report on the feedback from the Health Education North East relating to the quality of medical education provided by the Trust, areas of strength and any challenges, and also an overview of the postgraduate medical education delivered within the Trust. The contents of the report were noted by the Board.

**iii) Analysis of Unexpected Deaths**

Dr Damian Robinson presented the update on unnatural deaths occurring among the Trust's service users covering a 5 years period to 2014. The contents of the report were noted by the Board.

He provided a high level summary with the main message being the decrease in unnatural deaths among the Trust's service users in 2014 compared to the previous 4 years.

James Duncan noted that deaths by own hand and within 3 months of leaving Trust services had dropped and commented that this is a very useful indicator as we go through our community services transformation.

Lisa Quinn commented that the indicators within the report are shared quarterly with our Commissioners.

Martin Cocker asked about the long narrative verdicts and Dr Damian Robinson clarified that this sometimes makes categorisation a challenge but it has changed now where Coroners indicate any intent.

Nigel Paton asked what the 5 years data was telling us. Dr Damian Robinson responded that this report largely shows that the number of unnatural deaths among the Trust's service users appears to be mirrored by numbers in the local population.

Ruth Thompson noted that there was an increase in unnatural deaths relating to service users under the care of Community Mental Health Teams. Dr Damian Robinson explained that the Trust is now supporting more and more people in the community.

**iv) Reducing Harm from Tobacco**

Dr Damian Robinson presented the report on progress to moving towards reducing harm from tobacco use in people with mental health needs with the Trust becoming smoke free for staff and visitors from 1 July 2015 across all of our sites. The contents of the report were noted by the Board.

	<p>He highlighted that the Trust is working with the Tees, Esk and Wear Valleys NHS Foundation Trust towards becoming smoke free in our inpatient services across all Trust services with a provisional implementation date of 9 March 2016.</p> <p>It was recognised that by allowing people to continue to smoke, the Trust would be condoning people harming their health and that instead, the Trust should be promoting people towards better health.</p> <p>There was a full discussion. Hugh Morgan Williams queried whether going smoke free would be likely to promote some challenging behaviour from some service users. Dr Damian Robinson said that experience from other Trusts that have gone smoke free indicates that there was no marked increase. Dr Douglas Gee asked about the impact of e-cigarettes and Dr Damian Robinson explained that currently, service users are allowed to use e-cigarettes in hospital grounds but it would be useful to undertake some work around the use of e-cigarettes in the future. The possibility of “smoking leave” for service users who want to continue to smoke led to Dr Damian Robinson stating that the main purpose of the Trust going smoke free is to help people to give up.</p> <p>Paul McEldon queried the likelihood of recouping the £160k cost and James Duncan explained that this cost could be offset by a reduction in drug costs due to the health benefits of people giving up tobacco. He also added that giving up smoking will mean less medication for physical health problems, as smoking is the single biggest contributor to physical health problems for service users with mental health illness.</p> <p>John Lawlor stressed that going smoke free is being implemented as part of a regional initiative and impressed upon the meeting that the Trust has a moral responsibility to help people stop smoking. He also highlighted that there may be further challenges ahead in terms of the Trust being a good neighbour with regard to adjacent residential areas. As to begin with, staff will invariably smoke outwith hospital grounds and that this will need to be monitored.</p> <p>The Board supported the proposal.</p> <p><b>v) <u>Trust visit arrangements</u></b></p> <p>Gary O’Hare presented a report on the Corporate Decisions Team’s review of the visit programme with a view to clarifying and streamlining the arrangements. The contents of the report were noted by the Board.</p> <p>Hugh Morgan Williams asked for the arrangements to be shared with governors.</p>	EJ
66/15	<p><b>Performance and assurance</b></p> <p><b>i) <u>Performance Report</u></b></p> <p>Lisa Quinn presented the report for the position to 31 May and James Duncan presented the finance dashboard. The contents of the report were noted and in particular that for Monitor’s Risk Assessment Framework, NTW had a continuity of services (finance) risk rating of “4” and a governance risk rating of “green.” It was also noted that the Monitor dashboard included the IAPT and EIP waiting times metrics in shadow form as they are due to be reported to Monitor later in the financial year.</p> <p>James Duncan said that we expect to deliver the planned surplus for 2015/16 but there are some key financial risks to be managed to achieve this. The year-end cash balance is forecast to be in line with plan.</p>	

	<p>John Lawlor referred to a teleconference held with Monitor yesterday. An in depth discussion around the Trust's Plan for 2015/16 was held. Monitor is very interested in the Trust's capital plan and they have asked for further explanation on the Trust's cash position and surplus. This information would help support Monitor's position of not needing to become more closely involved in scrutinising the Trust's activities.</p> <p><b>ii) <u>CQC Compliance / Registration Reports</u></b></p> <p>Lisa Quinn presented the report. The contents were noted by the Board.</p>	
67/15	<p><b>Strategy and partnerships including commercial and business development:</b></p> <p><b>i) <u>GP Survey</u></b></p> <p>An update on the GP survey 2015 was issued to the Board. Lisa Quinn presented the report, which included the draft results.</p> <p>It was noted that Dr Maryanne Freer had led on the survey, it had been carried out in January and February 2015, the response rate was 24.4%, it was CCG specific and it focused mainly on services that GPs have referred into.</p> <p>Hugh Morgan Williams asked how much work had been undertaken on briefing GPs on the difficulties associated with the Children's and Young Peoples' Services. Lisa Quinn said that the service is currently promoting the improvements in the service and this work continues through this year. The Service has improved its waiting times significantly and plans to go further in 2015-16.</p> <p>Lisa Quinn said that the next steps are for the report to be considered by the Corporate Decisions Team, the Group Business Meeting, Specialist and Community Care Groups. The Groups are currently working through each locality level. Dr Maryanne Freer will share with all Mental Health leads once the report has been to the Corporate Decisions Team.</p> <p>John Lawlor added that Dr Maryanne Freer has organised educational sessions with GPs and further sessions will be arranged.</p> <p>The contents of the draft survey were noted by the Board.</p> <p><b>ii) <u>Workforce and Organisational Development Strategies</u></b></p> <p>Lisa Crichton-Jones presented the final draft of the Workforce and Organisational Development Strategies, highlighting that the original draft strategies had been considered by the Board in April 2015. The contents were noted by the Board.</p> <p>She said that the documents had been refined and strengthened since the original drafts following comments from professional leads and the Corporate Decision Team. There will be an initial review period of 6 months and a communication plan will be developed.</p> <p>Responding to a query from Martin Cocker, Lisa Crichton-Jones explained that work will be undertaken with the new proposed workforce committees to look at a variety of workforce metrics and an annual report including metrics will be produced.</p> <p>Nigel Paton asked how we would know that we had the right people in the right place at the right time. Lisa Crichton-Jones referred to the more generic nature of the strategy and its core themes and gave a brief overview of the work also</p>	

	<p>underway with regards to accompanying more detailed workforce plans, the latter of which included more work on the workforce numbers and skills needed.</p> <p><b>The Board approved the strategies.</b></p> <p><b>iii) <u>Annual Plan review – Board Certification</u></b></p> <p>Lisa Quinn presented the paper, which provided supporting details for the signing of a certificate on the training of Governors during 2014/15, the details of which had been accepted by the Council of Governors. The contents of the report were noted.</p> <p><b>The Board approved the signing of the certificate and its submission to Monitor.</b></p>	
68/15	<p><b>Workforce issues</b></p> <p><b>i) <u>Freedom to Speak Up</u></b></p> <p>Lisa Crichton-Jones presented the report, which provided an update and enclosed NHS Employers’ response to the Department of Health’s consultation regarding recommendations made by Sir Robert Francis. The contents were noted by the Board.</p> <p>There was a discussion on the “Guardian” role and it was noted that final Trust arrangements will not be made until the Department of Health has responded to the consultation which is expected to be July. John Lawlor and Lisa Crichton-Jones had held discussions with trade union representatives and staff governors, who are keen to be linked to the process. We also need to see how the role sits with the independent role of Non-Executive Directors.</p> <p><b>ii) <u>Equality Delivery System and Workforce Race Equality Standard</u></b></p> <p>Chris Rowlands presented the report, which was an update from the position reported to the March 2015 Board meeting and included the final documentation for our baseline data for 1 April 2015, which is required to be reported no later than 1 July 2015. The contents were noted by the Board.</p> <p>There was a full discussion on the nine metrics in the Race Equality Standard. This included Chris Rowlands confirming to Dr Douglas Gee that the BME percentage of the workforce compared to the local population would be explored to see if it can be used to help encourage recruitment.</p> <p><b>The Board approved the ratings in the Equality Delivery System 2 and Workforce Race Equality Standard and their associated action plans, and agreed to stand down the existing 2012-16 Equality Strategy to be replaced by yearly reporting to the Board on the Equality Delivery System and Workforce Equality Standards.</b></p>	
69/15	<p><b>Regulatory Issues</b></p> <p><b>i) <u>Loan to support 2015/16 Capital Programme</u></b></p> <p>James Duncan presented the report, which consisted of a proposal to take out a loan of £7.5m over 25 years from the Independent Trust Finance Facility (ITFF) to support the Trust’s capital programme for 2015/16. The contents of the report were noted by the Board.</p>	



	<p>It was noted that the proposal had been reviewed by the Finance Infrastructure and Business Development Committee.</p> <p><b>Following a brief discussion, the Board approved the taking out of the loan and authorised the Deputy Chief Executive to execute and sign the Loan Agreement on its behalf.</b></p>	
<b>70/15</b>	<p><b>Minutes / papers for information</b></p> <p><b>i) <u>Council of Governors</u></b></p> <p>There were no issues to consider.</p>	
<b>64/15</b>	<p><b><u>Chief Executive's Report (continued)</u></b></p> <p>John Lawlor added an additional item to his Chief Executive's Report considered earlier in the meeting. He reported that the Trust had not won the tender which had been awarded to Mental Health Matters in the procurement for Northumberland IAPT (talking therapy) services by Northumberland CCG. We have arranged for detailed feedback and we will work through the various issues, which will include the TUPE transfer of staff. We will endeavour to make the transition as smooth as possible for staff and ensure the safe handover of patients' records as appropriate.</p> <p>James Duncan added that Sunderland IAPT has achieved accreditation from the Royal College of Psychiatrists.</p>	
<b>71/15</b>	<p><b>Questions from the public on items included on the Board Agenda</b></p> <p>There were a number of questions from the public which were duly responded to by the Board.</p>	
<b>72/15</b>	<p><b>Date, time and venue of next meeting</b></p> <p><b>Wednesday, 22 July 2015 at 12.00 pm, Gosforth Marriott Hotel</b></p>	