

Minutes of the Meeting of the York Teaching Hospital NHS Foundation Trust Council of Governors, in public, held on 8 September 2016, St Catherine's Hospice, Scarborough

Present at the meeting

Chairman of the meeting:

Ms Susan Symington, Chair

Public Governors:

Mrs Jeanette Anness, Ryedale & East Yorkshire
Mrs Helen Fields, City of York
Mr Steve Hinchliffe, Whitby
Mrs Margaret Jackson, City of York
Mr Clive Neale, Bridlington
Mrs Diane Rose, Scarborough
Mrs Pat Stovell, Bridlington
Mr David Wheeler, Scarborough
Mr Robert Wright, City of York

Appointed Governors:

Cllr Chris Pearson, North Yorkshire County Council

Staff Governors:

Dr Andrew Bennett, Scarborough/Bridlington
Mrs Sharon Hurst, Community
Mr Mick Lee, York
Mrs Helen Noble, Scarborough/Bridlington

Attendance:

Mr Patrick Crowley, Chief Executive
Mrs Lynda Provins, Foundation Trust Secretary
Mr Brian Golding, Director of Estates and Facilities
Mrs Jennie Adams, Non-executive Director, York Teaching Hospital

2 members of the public was present.

16/27 Chairman's Introduction and Welcome

Ms Symington welcomed everyone to the meeting.

16/28 Apologies for absence

Apologies were received from the following:

Mrs Ann Bolland, Selby

Mr John Cooke, City of York

Mrs Sheila Miller, Ryedale & East Yorkshire

Prof. Rowena Jacobs, University of York

Mr Michael Beckett, North Yorkshire and York Forum

Mr Mike Sweet, Non-executive Director, York Teaching Hospital

16/29 Declaration of Interests

There were no changes to the declaration of interests noted.

16/30 Minutes of Council of Governors Public Meeting – 16 June 2016

The minutes of the meeting held on the 16 June 2016 were agreed as a correct record.

16/31 Matters Arising from the Minutes

There were no matters arising out of the minutes.

16/32 Update from the Private Meeting held earlier

Ms Symington noted that the following items were discussed at the private meeting:

- Chair's Quarterly Report
- Nominations and Remuneration Committee feedback
- Constitutional changes
- Feedback from the Governors Forum on the 18 August 2016
- Discussion on monitoring the actions from strategies to ensure assurance is provided and better linkages made.

16/33 Stakeholder Governor Proposal Paper

Mrs Provins briefed the Council on the Stakeholder Governor paper and asked if Governors approved of the proposals.

The Council of Governors approved the appointment of a Governor from St Leonards Hospice and from Project Choice.

16/34 Governor Reports

Patient Experience Group - Mrs Jackson stated that she had attended the annual general meeting of Healthwatch York. She also noted that newspaper articles relating to Bootham Park had suggested that there had been no consultation, but this was not the general view. Mrs Jackson highlighted the well supported Patient Safety Conference.

Arts Strategy Group - Mrs Anness noted that there was another meeting of the Arts Strategy Group next month and was pleased to note the appointment of a

new Arts Officer.

Mick Lee joined the meeting.

Fairness Forum – Mr Wright stated that this was the first time he had attended the forum and that it was interesting and very well attended. Mrs Jackson stated that Mrs Bolland had been very complimentary regarding the visit to Selby Hospital and the outcomes achieved.

Transport Group – Cllr Pearson stated that it was reported that the buddy system seems to be working well and that they are still looking at ways to reduce the amount of transport.

Mr Golding stated that following the withdrawal of the funding for the shuttle bus between Bridlington and Scarborough, East Riding Council had put on a pilot fee paying system. The first 12 weeks had covered approximately 50% of the costs. It had been decided to continue for another 12 weeks to see if the percentage would increase. This service should be considered as a 'use it' or 'lose it' service.

Mr Neale stated that the £5 charge had been well received and it should be noted that buying a weekly ticket works out even cheaper. Mrs Anness distributed posters about the Bridlington shuttle bus and it was confirmed that these were on notice boards in the Trust.

Mrs Noble stated that the hire car and pool car system needed to be re-communicated to staff as there continually seemed to be a number of cars going each way at different times and there should be a mechanism to marry these up. Mr Golding stated that the pool and hire car service was currently being retendered and this was part of the specifications. Mrs Noble confirmed that video conferencing is also widely used and she uses that the majority of the time unless she has a number of meetings in York all on the same day.

16/35 Equality & Diversity Annual Report

Mr Golding stated that he was the Director with the lead responsibility for Equality and Diversity. The aim was to embed the requirements into everyday working, making all staff responsible and ensuring services are tested against the protected characteristics. Mr Golding explained that the Equality Act 2010 laid out 9 protected characteristics which legislated equality of access, race and opportunity together with a public sector duty to uphold. These requirements had been extended to cover both individuals and their associated carers. This annual report had been submitted to the Board in July 2016.

Mr Golding stated that the Trust would comply automatically with some of the legislation, but on other parts it forces the Trust to act. In relation to buildings he noted that if you design things in such a way to be right, like the recent changes to the entrance at York then they tend to be right for everyone. This was also a learning point from the recent Board dementia awareness training. If you get things right for people with dementia then they are right for other groups of people too.

Mr Golding stated that the Fairness Forum meets quarterly with both internal and

external members. As part of the work fairness champions have been established across the Trust and data is being continually improved in order to be able to report on the nine protected characteristics. One element of the data actually shows that in relation to ethnicity the Trust is more diverse than the populations it serves. However, there are some data elements which are cause for concern including that there seems to be a worrying trend in relation to BME staff who have a higher percentage of being involved in disciplinary proceedings, which is being looked at further.

Mr Golding listed some of the achievements in the last 12 months including the introduction of Pictocom which ward staff use to communicate with those patients who have learning difficulties or English is not their first language. Mr Golding highlighted that the Trust had recently promoted the lesbian, bisexual, gay and transsexual message during their raising the rainbow week, only to come into conflict with other faith groups. However, he stressed the Trust is obliged to promote all minority groups. There has also been an exhibition of photos either by those with Downs syndrome or depicting them, which was very moving.

Mr Golding also gave a brief description of the work with Project Choice which is generally for young people into their early twenties who have dropped out of school for one reason or another. The Trust is working with Project Choice to provide placements for a 12 week period at Scarborough Hospital and it is hoped to roll this out to York and Bridlington Hospitals in the near future. He stressed that all of this work fits with the values of the organisation.

Ms Symington stated that this work also makes staff proud and can be a real factor in retention of staff.

Mr Golding highlighted the quality objectives on page 73 of the report and stated that these were now being revised. A meeting had been held with stakeholders to discuss these and the revised objectives would be brought back to the Board in the next couple of months.

Mr Wright asked about the WRES report and whether the Trust was measured against these by the regulator and stated that although the diversity among staff of the organisation was good, there were not many BME staff in senior roles. Mr Golding stated that analysis was continually being done and the themes shared. It was also acknowledged that there had not been any BME applicants for the Council of Governor positions. It was agreed to invite the Deputy Director of HR in order to learn more about what is being done in the Trust to promote minority applicants.

Mrs Fields stated that she was interested in the talent management framework and it was agreed that it would be useful to invite the Deputy Director of HR to come to talk to the Council about this and the development of staff. Mrs Fields also stated that she had noted the small reduction in bullying harassment, but had been shocked that it was 22%. It was confirmed that this is looked at in detail in relation to the staff survey. Mr Golding noted that post Brexit, there had been an increase in racial hate crime and in some instances had involved calling the Police to remove members of the public. The Chief Executive had responded by writing to staff and talking to the media to say that any form of abuse would not be tolerated.

Ms Symington thanked Mr Golding for his informative presentation.

Action: Deputy Director of HR to be invited to talk about staff development and work to encourage and support minorities development and applying to the Trust.

16/36 Chief Executive's Report

Sustainability and Transformation Plan (STP) – Mr Crowley stated that the STP plan for the Trust was called Humber, Coast and Vale. The first draft of the plan had been submitted in June 2016 and since then a range of work had been carried out across the footprint. Mr Crowley stated that he had attended a meeting with the Chief Executives of NHSE and NHSI, where it had been stated that the plan was as good as it could be at that stage and needed to continue to focus on out of hospital care. The final plan is due to be submitted in October 2016.

Mr Crowley stated that there are a number of workstreams in progress including out of hours care, acute and specialist care, Local Authority contributions and workforce. He noted that Mr Proctor was leading the workforce workstream and Mrs Scott was heavily involved in the out of hospital care workstream. There had also been a weeks intensive work on the acute and specialist care workstream involving Mr Bertram, Mr Taylor, Mr Wilson and himself.

Mr Crowley stated that it was too early to state how things were shaping up, but that he was concerned about the media's portrayal of STPs and the scare stories about hospital closures. The process will help identify gaps and duplications in service and will also look at the key themes of Emergency Departments/Urgent Care and acute and specialist services.

The Trust's STP footprint has 5 Emergency Departments and it would be inconceivable from a geographical point of view to close any of them. He stressed that the emergency service in Scarborough was secure, but it is proposed to be more explicit about what services are available at which locations. There may be comprehensive services in some and 24 hour select service available in others, but it is about creating that clear definition.

The Trust had been invited to participate in the Small Hospital Programme in relation to Scarborough. Mr Crowley highlighted some of the background to Scarborough, which had been unviable as a standalone hospital trust and this is what had led to the merger with York and Scarborough. The Trust was now helping to lead the remodelling work around urgent care provision. The model being developed looked at specialist in reach into the Emergency Department which allowed recognition of the recruitment difficulties in this area. This has given Scarborough a national profile. He also noted that the performance metrics may not be meaningful or appropriate in this setting.

Mr Crowley agreed to share the STP in October with Governors and the Board as a whole and he stressed that he would answer any concerns raised by Governors should more stories hit the press.

Mr Crowley stated that looking forward there are financial projections of a £450m

gap emerging within the NHS and this may mean the consolidation of non-clinical services and pressure on Commissioners to reduce their numbers. He also stated that the majority of funding gap in the Trust's footprint was in the Vale of York as this was about two thirds of the £150m which was accruing £20m to £30m a year.

He stressed the need to find a National and local solution to this and this is the basis of the STP footprint of the Trust. There is a huge expectation on the Trust to deliver the change required. This may mean that the Trust has to take some risk in managing other elements to provide a single point of direction.

Mrs Fields stated that this a huge expectation and asked how it translated into existing relationships. Mr Crowley gave a brief history of good relationships with the Vale of York CCG, but the CCG struggling with a low funding allocation. Mr Crowley outlined some of the plans and how these were due to be discussed with the new interim Chief Officer of the CCG next week. However, he did highlight the recent media coverage which has prevented the CCG from trying to put things in place to control financial spend.

Mr Neale asked whether the STP should come to the Council of Governors. Mr Crowley stated that he believed in comprehensive engagement and that the Council represented the community. Pragmatically, the plan is due to be submitted in October 2016 and he will share the executive summary as he reminded the Council that the plan currently is a plan about a plan and covers the whole of the STP area of which the Trust is a part. Ms Symington stated that the Board to Board due to be held on the 3 November 2016 and will focus on the STP and provide an early sounding of the plan. Mr Crowley noted that any areas which require consultation with the public will be highlighted early to ensure that this happens.

Finance - Mr Crowley highlighted the £11.9m deficit last year which had largely been due to the fines levied for ED performance and the reliance on agency staff. The Trust will receive just short of £14m this year from the Sustainability and Transformation Fund although a commitment had to be made to end the year with a surplus of £10m, which in effect is a net injection of just under £4m. The Trust also has to achieve key targets, one of which is ED performance.

Mr Crowley noted that the Trust were just the right side of performance within the plan for July, showing approximately £1m ahead of plan. This was due to two big shifts as the fines had been lifted and the Trust was working very hard to reduce agency spend. However, he stressed that this was a struggle especially as the Trust's CIP target this year was the biggest ever at £27m.

Emergency Department Performance - The Trust had not achieved the ED performance target of 95% for a couple of years, but there had been gradual improvement throughout this year, which was very good as it was linked to the STP funding. The Trust currently has a stepped target and achieved 90.5% against a trajectory of 89%, but he stressed that the Trust will be coming into the winter period shortly and there were real risks associated with that. He noted that regionally all organisations were struggling and that some Trusts had worked hard in quarter one, but may have nothing left after that. The Trust is one of the few organisations that is performing as planned.

Ms Symington and the Council of Governors thanked Mr Crowley for his full and frank discussion of the position with the STP.

16/37 Membership Development Group Update

Mrs Provins provided the Council with an update on the work of the Membership Development Group including membership numbers and events. She noted that it was also the intention to look at having next year's AGM as part of an Annual Members Meeting.

The Council discussed membership numbers and noted that these were broken down by ethnicity. Mrs Anness highlighted that it was difficult to get members from the lower age ranges as they were often busy working and raising children.

16/38 Governor Elections 2016

Mrs Provins summarised the paper regarding the current elections. There was a discussion about notifying candidates and Mrs Provins stated it was her intention to ring candidates when the results were in and to follow this up with a letter.

16/39 Any Other Business

No further business was discussed.

16/40 Time and date of the next meeting

The next meeting will be held on 6 December 2016 at Malton Rugby Club, Malton