

Minutes of the Meeting of the York Teaching Hospital NHS Foundation Trust Council of Governors, in public, held on 16th September 2015, in St Catherine's Hospice, Scarborough.

Present at the meeting

Chairman of the meeting:

Ms Sue Symington, Chair

Public Governors:

Mrs Jeanette Anness, Ryedale & East Yorkshire
Mr Terry Atherton, Bridlington
Mr Paul Baines, City of York
Mrs Ann Bolland, Selby
Mr Andrew Butler, Selby
Mrs Helen Fields, City of York
Mr Stephen Hinchliffe, Whitby
Mrs Margaret Jackson, City of York
Mrs Sheila Miller, Ryedale & East Yorkshire
Dr Jenny Moreton, Ryedale and East Yorkshire
Mr Clive Neale, Bridlington
Mrs Sue Wellington, Scarborough
Mr David Wheeler, Scarborough
Mrs Penelope Worsley, City of York
Mr Robert Wright, City of York

Appointed Governors:

Mr Michael Beckett, North Yorkshire & York Forum
Dr Rowena Jacobs, University of York

Staff Governors:

Mr Mick Lee, York
Miss E Jackson, York
Mrs Helen Noble, Scarborough/Bridlington
Mr Les North, Community Staff
Dr Andrew Bennett, Scarborough/Bridlington

Attendance:

Mrs Lynda Provins, Head of Business Intelligence Unit
Cllr Chris Pearson, North Yorkshire County Council (Governor Elect)
Mr Philip Ashton, Non-executive Director, York Teaching Hospital
Mr Mike Sweet, Non-executive Director, York Teaching Hospital

Mrs Jenny Adams, Non-executive Director, York Teaching Hospital
Mr Patrick Crowley, Chief Executive, York Teaching Hospital
Mr Andrew Bertram, Director of Finance, York Teaching Hospital

Apologies for absence:

Apologies were received from the following:

Dr Jane Dalton, Hambleton District
Mr Mike Keaney, Non-executive Director, York Teaching Hospital
Prof Dianne Willcocks, Non-executive Director, York Teaching Hospital

15/24 Declaration of Interests

Ms Symington welcomed everyone to the public section of the Council of Governors.

Mrs Miller noted that she was a non-participating member of Health Watch.

Action: Change to Mrs Miller's declaration of interests

15/25 Minutes of Council of Governors Public Meeting – 10th June 2015

The minutes were approved as a true record of the meeting subject to it being noted that Mrs Miller was not present at the meeting on the 10th June.

It was noted that there were no members of the public present.

15/26 Matters Arising from the Minutes

There were no matters arising from the minutes.

15/27 Update from the Private Meeting held earlier

Ms Symington reported that discussions had predominantly centred around her work plan and objectives.

15/28 Chief Executive's Report

Mr Crowley stressed the importance of the TAP Programme that was being overseen by Mr Bertram and led by Gordon Cooney.

Mr Crowley provided some context stating that this was the first time that the Trust had started the financial year with a deficit, which is being driven by the deterioration of the financial position and performance. However, he did stress that a significant proportion of other trusts are in the same position and the recent resignation of the Chief Executive was an indictment of the current national position. The Trust needed to change this direction of travel and therefore the TAP programme had been set up to demonstrate to the Trust's regulators that this was being taken seriously.

Mr Crowley stated that the Trust had been open and honest about the position and had been aware of the possibility of a deterioration in finances. The

obligation on the Trust is to be accountable for the best possible use of resources and changing the emphasis on how the organisation functions, but with the overarching purpose of getting the best outcomes for patients. He stated the Governor's position was very important as advocates together with their function of oversight.

Mr Crowley stated that the Trust had received the draft CQC report and had provided a response. A Quality Summit was planned for the 2nd October 2015, following which the report would be made public. He noted with pride that staff had embraced the visit and the organisation had been open and honest about the risks facing it, especially in light of the integration of two communities and Scarborough & North East Yorkshire Healthcare NHS Trust. He confirmed that there would be an opportunity for Governor representation at the summit.

Action: Governor Representation to be arranged for CQC Summit

Mr Crowley stated that there has been some intervention nationally on finance, however, some of the things being suggested, the Trust has already been doing for a number of years. There has been guidance on agency spending, which the Trust has chosen to follow. The Trust has implemented some controls on agency spending, but has also been able to recruit a significant number of nurses. The initial recruitment has resulted in a further 80 nurses due to join the Trust and overseas recruitment will hopefully bring in another 60, which he described as a major success that is bucking the national trend. Mr Crowley noted the ageing profile within nursing and that a number of nurses were choosing to retire due to the choices around pensions and the need to engage in revalidation, which was due to come in.

Mr Crowley provided some headlines around performance and the whole system response being taken together with the pressures being brought to bear on CCGs. In relation to 18 weeks the Trust continued to fail as it has chosen to reduce the backlog instead and Mr Crowley was adamant that this was the correct path to take. Some directorates were still facing challenges and there was a continued growth in demand and pressure on cancer targets, however, there were signs of improvement especially in breast symptomatic.

The Medical Director post was out to advert and interviews would take place on the 22nd October. Mr Crowley highlighted that Sue Holden was due to go on secondment and would return in a year's time. He stated her deputies were very capable and that he would oversee HR, with Brian Golding taking Occupational Health and Mike Proctor taking on Organisation Development (OD). 2 senior doctors would also play an enhanced role in OD/Education by providing further clinical leadership. Mr Crowley stressed that there would be accountability to the Board, with a review of arrangements taking place in approximately 6 months.

Mr Crowley thanked the Governors for panel representation on the Celebration of Achievement Awards and was looking forward to a very rewarding evening. The Open Day had received hugely positive feedback and staff were a credit to the Trust providing real passion about their services.

Mr Crowley told the Governors that he was undertaking a trip to a couple of sites of best practice in Alaska and Seattle with Mark Hayes, the Chief Operating Officer of the Vale of York CCG. He hoped to be invited back to this meeting to

provide feedback. The visit was about learning and creating system leadership and looking at systems of best practice.

Action: Mr Crowley to provide an update on the best practice site visits

15/29 Turnaround Avoidance Programme – Delivering Success

Mr Bertram confirmed that he would send out the presentation to the group by email. He stressed that the Trust was not in turnaround, but was actively working to avoid being put in turnaround. The July position was a £4.5 mil deficit, which was £2.5 mil adrift of the planned position and had been driven up by agency spend. The agency spend in July was £1.5 mil, which was high when compared to the £3.9 mil agency spend for the whole of last year. He confirmed that he still thought the position could be turned around, however, August had shown a further deterioration in position and was due to pay, drugs and CIP. The drugs can be recharged so are not an issue, however, the CIP has been relentless in nature and delivery has been tough. The schemes tend to cause a bigger impact at the end of the year and he is confident the programme will deliver. A stark deterioration has been seen in the wider NHS and the current forecast is an overall £2.1 bil deficit across the NHS by the end of the year. Mr Bertram stated that modelling has been done and that the Trust loses transition support in 2017/18, which will create a £20 mil problem.

The TAP programme is set around 3 key principles and has 4 work streams and includes over 500 projects. A mapping exercise has been undertaken to ensure that all projects link back to the principles or are questioned regarding relevance.

Work is being progressed with nursing staff to re-empower Sisters and Matrons around staffing and links to their professional accountability framework. Mr Beckett asked about the use of HCAs and Mr Bertram confirmed that enhanced roles were being created. Mrs Miller asked about Urgent Care Centres at Malton and Scarborough, which have seen approximately 10,000 patients so far, however, Mr Bertram confirmed that this has not had an impact on the numbers coming into the Trust. Mr Bertram confirmed that a number of nurses had been leaving the Trust and this had caused a peak in the number of vacancies and increased the use of agencies.

Mr Bertram stated that a number of factors are requiring the Trust to act more commercially and not take on elements of service unless they are financially viable despite the Trust wanting to take the service on. One such example was the Renal Dialysis Unit at Scarborough.

Mr Bertram agreed with Mr Butler that there was a massive challenge facing the Trust. Mr Bertram confirmed that a revised report had not gone to Monitor as the initiatives requested were already being undertaken so showed no impact. The Governors were assured that this was not having an adverse impact on patients as there were lots of mechanisms in place to monitor the impact of savings including Non-executive Director challenge. Mr Bertram stressed that safety was a redline for the Trust, however, quality was more subjective and that it was inevitable that some aspects of quality may change.

Action: Mr Bertram to circulate the TAP presentation

15/30 Governor Reports

Ms Symington asked that papers were taken as read due to time constraints. Mrs Jackson highlighted that Kath Sartain, the Lead Nurse for End of Life Care, had stated at the Open Day that the mortuary at SGH was due to be developed. Prof Jacobs had raised the issue of meetings being held at Malton together with the timings. Ms Symington had stated that she was trying to look at an equidistant venue and alter timings following feedback received. Mrs Worsley stated that the current turnout was very good. Mrs Bolland stated that she would struggle with later meetings especially in Winter. Ms Symington acknowledged the comments and stated that this will be reviewed.

Action: Review venues and timings of meetings in light of comments.

15/31 Membership Engagement

Mrs Worsley circulated a further paper on membership engagement. Following discussion it was noted that there was concern about the meetings that had been held. A clear action plan was requested and it was noted that Mrs Jackson would now chair the meetings to drive this forward.

Members were being proactive and circulating leaflets and there had been a number of discussions with potential members at the Open Day.

It was noted that this would be part of Mrs Pridmore's role and the Governor's asked that feedback on progress continued to be received. There was a discussion about whether Friends of the hospital could be automatically given membership status and Ms Symington stated that she would get Mrs Pridmore to look into this. It was confirmed that other areas such as Knaresbrough and Harrogate could be targeted for members.

Action: Mrs Pridmore to look at whether Friends of the could be automatically given membership status

Ms Symington also noted comments regarding electronic versions being made available.

Dr Moreton stated that some of the figures in the paper were incorrect, which had been previously highlighted and it was agreed that these needed to be updated.

Action: Figures to be updated in the report.

15/32 Governor's Elections 2015 – update report

The paper was noted and no further questions received.

15/33 Board to Board Meeting

The group discussed the Council of Governors meetings with the Board and Ms Symington stressed that these would be joint meetings, which would be held every six months and minuted. She expected the meetings to cover important current issues and asked for any comments or suggestions for subjects to be

emailed to her.

Action: Members to email any suggests for Board to Board topics for the meeting in November.

15/34 Non-executive Director Review

The process for review is being progressed and members were asked to provide feedback.

15/35 Audit Committee Annual Report

Mr Ashton stated that it was a requirement that the Council of Governors received the Audit Committee Annual Report. Mr Ashton provided an overview of the work done during the year in relation to the duties of the Audit Committee including how the various strands are looked at and the purpose of the Committee.

Mr Ashton highlighted clinical audits, which are carried out by clinical staff and covers Trust, Regional and National priorities. He noted how these audits can improve services, but also how the links to assurance are sought.

Mr Ashton stressed how important the work was especially due to the current pressures in the system. The work would continue to ensure that any modifications to systems and processes are safe and provide assurance around levels of risk the Trust is exposed to.

Prof Jacobs asked whether clinical audits were linked to the TAP programme. Mr Ashton stated that they did not as most are done in the clinician's own time and are approved by the Clinical Standards Committee. However, there was work to be done to ensure that any learning was cascaded within the organisation.

Mr Ashton also stated that the reappointment of Grant Thornton as the Trust's external auditors had been a Governor's appointment, which was a rigorous process. The Grant Thornton team had also materially changed and there were no rules against reappointment as they were entitled to tender. He highlighted that a policy was being developed that would look at using the external auditors for non-audit purposes.

The final discussion was around the use of a 'speak up guardian' which had come out of the investigations into the Mid-Staffordshire Trust. Mr Ashton noted that the Chief Executive had asked him to take on this role for the Trust.

15/36 Planning Ahead

Mrs Anness asked whether the planning document could be sent out in hard copy as it is difficult to print A5.

Action: Planning document to be sent out in hard copy.

15/37 Any Other Business

Mrs Miller raised a couple of transport issues.

The First Bus Group is being written to with regard to the poor service being provided.

North Yorkshire is cutting back on the number of buses being provided in the community, which will seriously affect people being able to get to the hospital. Dr Moreton stated that the cuts are by as much as 90% and thought it would be helpful if a letter of concern was sent from the Trust.

Ms Symington thanked both Sue Wellington and Terry Atherton during the course of the meeting for their valuable input as Governors.

15/38 Time and date of the next meeting

The next meeting will be held on 9th December 2015 at Breast Unit Conference Room.