

Minutes of the meeting of the York Hospitals NHS Foundation Trust Members' Council held on 16 December 2009, in Skell 7, Foss and Skell Building, York St John's University, Lord Mayors Walk, York.

- Present:** Chairman of the meeting, Professor Alan Maynard OBE
- Public:** Mr P Baines, Public Governor, City of York
Mrs W Blackburn, Public Governor, City of York
Dr J Dalton, Public Governor, Hambleton
Mrs L Hatton, Public Governor, City of York
Mr S Lewis, Public Governor, City of York
Mrs H Mackman, Public Governor, City of York
Mr N Parkinson, Public Governor, Selby District
Mr J Porteous, Public Governor, City of York
Mr S Ruff, Public Governor, City of York
Mr R Thomas, Public Governor, Selby District
Mr R Towner, Public Governor, City of York
Mrs P Turpin, Public Governor, Hambleton
- Patient/Carer:** Mrs J Moreton, Patient/Carer Governor
Mr G Rennie MBE, Patient/Carer Governor
Mr B Thompson, Patient/Carer Governor
- Partner:** Councillor S Fraser, Partner Governor, City of York Council
Mrs M Kirk, Partner Governor, City of York Council
Mr M Sweet, Partner Governor, North Yorkshire & York Primary Care Trust
Councillor S Wiseman, Partner Governor, City of York Council
- Staff:** Mr L Bond, Staff Governor, Medical
Mrs A McGale, Staff Governor, non-clinical
Mrs A Penny, Staff Governor, Nursing
Mr M Skelton, Staff Governor, Clinical Professional
- Apologies:** Mrs Rachel Johns, Partner Governor, North Yorkshire & York Primary Care Trust
Mr M Moran, Partner Governor, York CVS
Mrs C Patmore, Partner Governor, North Yorkshire County Council
- Attendance:** Andrew Bertram, Director of Finance
Lucy Brown, Communications Manager
Gillian Fleming, Non-Executive Director
Cheryl Gaynor, Secretary/Board Administrator
Penny Goff, Member Development Manager
Peta Hayward, Director of Human Resources
Professor John Hutton, Non-Executive Director

Linda Palazzo, Non-Executive Director
Anna Pridmore, Foundation Trust Secretary
Mike Proctor, Deputy Chief Executive
Alan Rose, Non-Executive Director
Dr Ian Woods, Medical Director
Libby Raper, Non-Executive Director
Philip Ashton, Non-Executive Director
Alan Swain, Assessor for the Care Quality Commission

Members of the public: Three members of the public attended the meeting.

09/90 Chairman's Introduction

The Chairman of the Council of Governors welcomed the public members to the meeting. He advised that the Council of Governors at the private meeting had approved the appointment for Mr Alan Rose as Chairman of the Trust from 1 April 2010 the extension of Mr Rose's tenure as a Non-executive Director from February to the end of March 2010 and the appointment of Mr Michael Sweet as a Non-executive Director for a period of 3 years from 1 February 2010.

Professor Maynard also announced a number of other changes being made to the Board of Directors, he advised of the retirement of Non-Executive Director Mrs Gillian Fleming from 31 January 2010 and that Dr Ian Woods would be stepping down from the role of Medical Director to continue full time in his other role as an Anaesthetist at York Hospital. A new Medical Director would be appointed by the Board of Directors. Governors would be advised of the appointment in due course.

Professor Maynard welcomed Mrs Rachel Johns of North Yorkshire and York PCT (PCT Governor). This appointment followed the retirement of Governor Gill Cashmore. Professor Maynard advised that Mrs Johns had given her apologies to this meeting.

09/91 Oral questions from the public

Mr Yates, a member of the general public, referred to item 09/97.2 (Membership Engagement Committee) and the guidelines for Governors when dealing with the media. He commented on the guidelines approach to the media and advised that he would hope that the Trust would answer a question honestly and with integrity.

09/92 Apologies for absence

Council of Governors noted the apologies.

09/93 Declaration of interest

Jenny Moreton reported that she was a researcher 'in' the Health and Social

Care and not 'for' the Health and Social Care as printed.
Governors noted the amendment.

09/94 Minutes of the meeting held on 2 September 2009

The minutes were approved as an accurate record of the meeting subject to:

- Mr P Baines, Public Governor, City of York was in attendance but omitted from the minutes

09/95 Matters arising from the minutes

Mrs Mackman referred to item 09/83 (Membership Report) and commented that she had not yet seen any posters displayed describing membership etc.

Mrs Goff assured Governors that the posters were currently being produced and would be visible in due course.

Professor Maynard asked for an understanding of what was happening with the WRVS shop and coffee shop. He asked what encouragement and support was being given to the volunteers. Ms Hayward advised that meetings and discussions had been held with the volunteers and 35 of the volunteers have said they are interested in continuing as volunteers. Currently discussions are being held to find out what they would be interested in doing. It had been arranged that Mr Crowley would see the staff before the units close to thank them for their hard work.

Mr Crowley explained that WRVS had made a strategic decision to pull out of hospitals. WRVS have assigned their lease to Compass who will provide a shop called Amigo and Costa Coffee will take over the coffee shop. The re-branding of the coffee shop will not happen until January 2010.

Governors were keen that the Trust ensured that the volunteers were supported and able to provide an explanation of the change.

09/96 Summary of the Board of Directors minutes

Mr Towner referred to Item 09/64 – and enquired what the current position was with regard to the pharmacy outsourcing business case. The Council of Governors was advised that the current position was that work had begun to take place and it was anticipated that the new pharmacy would open during February 2010. The provider was agreed to be 'Healthcare at Home'.

Mrs Hatton referred to the Chairman's item regarding the ICU capacity and that there was a plan to have the capacity to ventilate up to 34 patients in the event of pandemic flu using the existing ICU area. She was concerned that, as reported, the current space has 17 beds in it and enquired whether there were adequate facilities to cover such an increase in service. Mr Proctor clarified that generally there are facilities for up to 17 patients, currently there are 9 patients occupying the area. All Trusts were required to double the

available facilities in ICU as part of the response to pandemic flu.

09/97 Feedback from Governor subgroups

09/97.1 Patient Focus Group

Paul Baines reported on recent developments.

Patient Experience Questionnaire

Questions compiled initially by governors, in consultation with recent patients, have been reviewed with Michelle Carrington, and compared with relevant sections of the National Nursing Care Indicators.

Agreement has been reached on NCI Questions 82 to 96 as matching our requirements, and the Questionnaire is to be launched in January 2010.

- 5 patients (randomly selected) in every ward, every month, i.e. approx 150 (approx 20% of) patients.
- Each ward will get results within 24 hours.
- A summary of the Patient Questionnaire section of the NCIs, will be issued to the PFG.

Day Eye Surgery Clinic

Jenny Moreton is a member of the Patient Focus Group, and a patient of the Lucentis clinics which treat macular degeneration. Her first-hand patient experience and observations have contributed to achieving shortened waiting times, reduced congestion, improved signs, and better communication between staff and patient carers.

Future topics

Michelle will ask Marilyn Thirlway to give the PFG a brief talk on her current top ten issues for PALS.

09/97.2 Membership Engagement Group

Helen Mackman presented the report which detailed feedback on the following areas relating to the Membership Engagement Committee (MEC):

- York Talk Newsletter
- Guidelines for Handling the Media
- MEC meeting on 18th August 2009
- MEC meeting on 15th September 2009
- Board to Board meeting on 19th October 2009
- MEC meeting on 27th October 2009

Mrs Mackman reported that the MEC had been working with Non-Executive

Director Ms Raper.

Mrs Mackman referred to the guidelines for handling the media and explained that they had been developed with Mrs Brown (Communication Manager) and presented to the MEC for consideration. The MEC are now recommending approval of them by the Council of Governors.

The Council of Governors approved the guidelines.

Mr Towner expressed his concern that Governors were not receiving press releases. Mr Proctor assured Governors that he would endeavour to ensure that all Governors receive a copy of any press releases in future with the exception of cases of emergency releases/interviews.

09/98

Performance and Finance Report

Mr Bertram and Mr Proctor gave a detailed presentation which outlined the current financial performance and activity position of the Trust.

Mr Bertram reported that:

- Since the last meeting the Trust has submitted its quarter 2 return to Monitor
- Income and expenditure was in line with plan for the 6-month period and the planned financial risk rating of 3 was delivered
- Position to November (8 months) is a £35k deficit on £150m spend. Remained broadly balanced but not good enough
- The Trust need to be showing progress towards £1m target surplus – capital programme link. Mr Bertram reported that it was disappointing this was not the case
- The Executive Board had agreed a number of actions designed to reduce expenditure going forward:
 - Non-critical position post vacancy freeze
 - Avoidance of discretionary spend
 - Temporary additional in-house clinical capacity to reduce premium-rate working and use of private/independent sector
- Target £1m surplus is a real challenge and represents a significant risk to the organisation

Mr Proctor reported that:

Activity and Capacity

- Elective and day case activity together were on plan
- Referrals on plan
- Non-elective activity + 6% (+1,300)
- Additional winter capacity (23 beds) have not opened as planned on 14th December 2009 but will now do so on 4th January 2010

Noro Virus

- Significant outbreak late November/Early December
- 7 ward full closed – others partially affected

- 50 empty beds put out of use

Cancer Care Targets

- 14-day fast track – target at 93%
- **14-day breast symptomatic – target at 93%**
- 31-day rare cancers – target at 85%
- 62-day cancer – target at 85%
- 62-day cancer screening – target at 90%
- 62-day cancer upgrades – target at 85%
- 14-day fast track – target at 93%

New Cancer Target from decision to treat

- 31-day first treatment – target at 96%
- **31-day subsequent treatment – drug – target 98% (failure of 96% which performance are looking into)**
- 31-day subsequent treatment surgery – target at 94%

Performance Risks

- 18-weeks admitted:
 - Not achieve on 2 sub specialties in Q3
 - Achieve all sub-specialties Q4
- 4-hour:
 - Deterioration in last two weeks
 - Still predicting achieve in Q3 and for the full year

The Council of Governors noted the report and thanked Mr Bertram and Mr Proctor for their detailed presentation.

09/99

CQC presentation

Governors welcomed Mr Alan Swain from the Care Quality Commission to the meeting. Mr Swain gave a detailed presentation which outlined the duties of the Governors re CQC (copy of presentation is attached).

Mr Swain clarified that the CQC inspections were unannounced.

Governors expressed their concern about the availability of information following a visit to the hospital from the CQC. Mr Swain assured Governors that the collection of data by the CQC is not duplicated and would be available on the website for all to see.

Mrs Mackman enquired about how individual experiences are dealt with. Mr Swain confirmed that he attends quarterly meetings with the Trust and that if an individual matter was brought to his attention, he would raise it with Mrs Pridmore (Foundation Trust Secretary) at these quarterly meetings. This would then be the opportunity to look into the matter and other evidence too.

Mr Swain reported that 'Monitor' is currently the regulator for Foundation Trusts and the CQC assess the Trusts then provide information to Monitor.

At the moment Monitor is the lead but from April 2010 the CQC will be discussing registering regulatory interests therefore, Monitor and CQC will be both leads.

The Chairman requested that details of cost of the collection of information by CQC be submitted by Mr Swain to the Council of Governors in the near future.

Mrs Moreton outlined the CQC consultation event on new registration standards on 16th July 2009 and the detailed report presented. She reported that she felt the CQC seemed to take a lot of notice of mistakes that could happen. She also reported that she had recently been discussing what breach of level would be and trying to help put people in a position to report.

09/100 Annual report from the Audit Committee

Philip Ashton presented the report which detailed a summary of the activity of the Audit Committee for 2008/2009. He highlighted the key points in the report including the work the committee undertook during 2008/09.

Governors thanked Mr Ashton for his detailed report.

09/101 Any other business

The Chairman reminded Governors that Sue Holden, Associate Director - Corporate Development, was holding a 'Values' meeting in the Postgraduate Lecture Theatre at York Hospital at 6.00pm.

The Chairman reported that the Department of Health had recently published the 'Operating Framework 2010/11' and assured Governors that Mrs Pridmore would submit this document to the Council of Governors in due course.

09/102 Next meeting

The date, time and venue of the next Council of Governors:

- General Council of Governors – Wednesday 13th January 2010 at 4.00pm and there will be a pre meeting at 3.30pm, Skell 7, Foss and Skell Building, York St John's University, Lord Mayors Walk, York

09/103 Collation of written questions from members of the public

There were no written questions received from members of the public.

CLG
21/12/2009