

Minutes of the meeting of the York Teaching Hospital NHS Foundation Trust Council of Governors held in public on 17th October 2012, in the White Cross Road Social Club, York, YO31 8JR.

Present at the meeting

Chairman of the meeting:

Mr Alan Rose, Chairman

Public Governors:

Mr Terry Atherton, Bridlington
Mr James Carder, Bridlington
Mr Paul Baines, City of York
Mrs Margaret Jackson, City of York
Mrs Helen Mackman, City of York
Mrs Penelope Worsley, City of York
Dr Jane Dalton, Hambleton District
Mrs Anne Bolland, Selby
Mr Andrew Butler, Selby
Mrs Jeanette Anness, Ryedale & East Yorkshire
Mrs Sheila Miller, Ryedale & East Yorkshire
Mr Brian Thompson, Ryedale & East Yorkshire
Mrs Sue Wellington, Scarborough
Mr David Wheeler, Scarborough

Appointed Governors:

Councillor Caroline Patmore, North Yorkshire CC
Councillor Michael Beckett, North Yorkshire & York Forum
Mr Philip Hewittson, SWR PCT
Dr Rowena Jacobs, University of York

Staff Governors:

Mrs Alison MacDonald, York
Mrs Helen Noble, Scarborough/Bridlington
Mr Les North, Community

Attendance:

Mr Philip Ashton, Non-executive Director and Senior Independent Director
Mrs Lucy Brown, Head of Communications
Mr Patrick Crowley, Chief Executive
Mr Michael Keaney, Non-executive Director
Ms Elizabeth McManus, Chief Nurse
Mrs Anna Pridmore, Foundation Trust Secretary
Mr Michael Sweet, Non-executive Director
Professor Dianne Willcocks, Non-executive Director

Apologies for absence:

Apologies were received from the following governors:

Dr David Geddes, NYY PCT, Appointed Governor
Mr Stephen Hinchliffe, Whitby, Public Governor
Mr Nevil Parkinson, Selby District, Public Governor
Mr James Porteous, City of York, Public Governor
Councillor Joseph Riches, City of York Council, Appointed Governor
Mr Martin Skelton, Clinical Professional, Staff Governor
Dr Andrew Volans, Scarborough, Staff

The Chairman welcomed the Governors to the first meeting following the elections. He also thanked those Governors who recently completed their period of office and are no longer Governors for their work and dedication to the role. He confirmed he would be writing to each of the retired Governors over the next few weeks.

Mr Rose also welcomed members of the public to the meeting.

12/31 Declaration of Interests

Mr Rose asked Governors to consider their declarations and let Mrs Pridmore know any declarations they may have. The paper included in the pack has a number of declarations missing. He asked that governors ensure they submit their declarations as soon as possible and keep them up to date as their circumstances change

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The minutes were approved as a true record of the meeting.

12/33 Matters Arising from the Minutes

There were no matters arising

12/34 Update from the meeting held in private

Mr Rose advised that the Council of Governors had discussed a number of issues and made a number of decisions as follows:

The Governors approved the re-appointment of Grant Thornton as the external auditors for 2 years from 1 April 2013.

The Governors reviewed the appraisal of Professor Willcocks and Ms Raper, two Non-executive Directors.

The Governors approved the re-appointment of Ms Raper as a Non-executive Director.

Mr Rose asked Mrs Mackman to advise on the approvals given while he was outside the meeting. Mrs Mackman advised that the Governors had approved

the re-appointment of the Chairman and reviewed the appraisal of the Chairman. The Governors also approved the increase in the remuneration of the Non-executive Directors.

12/35 Audit Committee Annual Report

Mr Ashton presented the Audit Committee Annual Report. He highlighted the key points in the report and described the role of the Audit Committee. He advised that two of the members of the Audit Committee had changed: Mrs Linda Palazzo and Professor John Hutton had left the Trust. Consequently two new Non-executive Directors have been appointed to the membership; they are Mr Michael Keaney and Ms Libby Raper. Mr Ashton drew the Council's attention to the functions of the Audit Committee and raised that the Audit Committee also seeks to gain assurance on clinical and other assurance functions, so it does not just review the financial systems. He added that this is a growing area of work for the Audit Committee.

The Council of Governors **noted** the report and the comments made.

12/36 Presentation from the External Auditors on their role and the Report on the Quality Account

Mr Rose welcomed Mr Graham Nunns (partner) and Mr Gareth Mills (manager) from Grant Thornton and invited them to give their presentation.

Mr Nunns and Mr Mills gave a presentation that provided information about their role, the work they had undertaken in 2011/12 and the Quality Report. The presentation has been attached to the minutes.

The Governors **noted** the Quality Governance Report and the comments made by Mr Mills on the work undertaken in preparing of the report.

12/37 Chief Executive and Chairman open session

Mr Rose invited the Chief Executive to give a summary of the recent and current activities in the Trust.

Mr Crowley reminded the Governors that the completed acquisition was only 3 months old, but this first quarter was very important to the Trust. It will be the first time the Trust has been measured formally as one enlarged organisation. He was able to advise the Governors that the early indication of the financial position is that the Trust has made a slight surplus. We are slightly behind the planned position.

Mr Crowley added that at the time of the work starting for the acquisition the Trust took on responsibility for Selby and York Community (health) Services and management responsibility for Scarborough, Whitby and Ryedale Community (health) Services. The integration of communities was managerially completed at that stage, but there has been a period of delayed integration of the services while the Clinical Commissioning Groups (CCGs) have developed.

Mr Crowley added that during the last financial year the Trust had started sharing management disciplines and back office functions with Scarborough.

The Trust had introduced the performance management system used in York to Scarborough and started to work on the cultural differences and personal development processes. This resulted in opportunities opening-up for the staff in Scarborough. The Trust has also spent a lot of time developing the IT infrastructure between the two sites.

Since the 1st July, when the acquisition was completed, the Trust has appointed a number of Clinical Directors in Scarborough to complement the existing Clinical Directors in post in York. There have been two Executive Boards since July. This will change after Christmas and there will only be one Strategic Executive and there will be a rationalisation of those appointments, so there will be 15 clinical Directors across the whole Trust.

Mr Crowley added that he believes this was the right decision for York and for Scarborough and this being demonstrated by the work that is being done.

Mr Crowley advised in terms of performance that the Trust has a healthy "scorecard". The 18-week target in York is proving difficult to achieve at present, but, as a whole Trust, the target is being achieved, as Scarborough is performing well. There are some specific issues in general and orthopaedic surgery that the Trust is currently resolving. There is some pressure on the A&E (Accident and Emergency) target, which is a whole system target, but this is a pressure shared with a significant number of Trusts. In relation to Cancer Services there are some challenges; because there are a small number of patients in specific categories, it is harder to achieve the targets.

In terms of Bridlington, there are two vexed questions that arose during the acquisition. The first was the perceived under-utilisation of Bridlington. The second was the Theatre facilities. During the early part of the acquisition, it was agreed that investment would be made in Bridlington and complementary growth in the use of Bridlington would also take place. This has resulted in a '7 day a week' operation in Bridlington and as a result Bridlington is able to take some pressure off other sites.

York also inherited some very well-developed plans for the site in Scarborough, which was how it was able to request an additional £20m capital support. Recently the Trust employed some architects to develop some drawings for the development of part of the York site. The intention is to bring the two plans together to decide what the development strategy will look like.

The Governors **confirmed** they were assured about Bridlington.

Mr Crowley went on to describe the challenges in the North Yorkshire area and the reasons for those challenges. He explained that the challenge first emerged when the PbR (payment by results) system was introduced. This legacy has continued and the mis-match of the funding formula has been seen in the income the PCT receives and the tariff payment the PCT is required to make to providers. 18 months ago, the North Yorkshire Review, lead by Professor Hugo Mascie-Taylor, was published. This review included a high-level view of the NY services; the report did not fully acknowledge the demographic changes and the problem will only continue to increase until this is addressed. The Review proposed the removal of 200 acute beds across the county and the financial resources would be moved to the community. 200 acute beds have been taken

out of the NY area and leadership and thinking around the continued work that needs to be undertaken has continued. The Chief Executives in the area have commissioned a further review, which is currently being undertaken by KPMG; the design for this piece of work was undertaken in a short period of time and was designed to build on the NY review. KPMG are reaching the final stage of their field work. Mr Crowley advised he should have the report soon and he would share it with the Board of Directors.

Mrs Miller raised the point that there has been no patient or community involvement in this Review. Mr Crowley accepted the point made, but explained that the review was being undertaken in a managerial/clinical vacuum, following which there would be an opportunity for engaging with the public on it.

Mr Butler noted that the Trust had been experiencing very high levels of demand during the summer time and asked if the Trust would experience even higher demands in the winter. Mr Crowley explained that would not necessarily be the case, it would depend what the winter was like.

Mr Hewittson enquired if the removal of the 200 beds was planned across the patch. Mr Crowley advised that each Trust made its own individual plans. What has been missed is the existing PCT deficit. York Teaching Hospital NHS FT is a £400m+ organisation and is being required to make £24m efficiency savings nationally; there is a savings target of £60m which the PCT will benefit from. Mr Hewittson enquired if work was underway to ensure there is some working with other agencies such as nursing homes. Mr Crowley advised that the Local Authority are the co-owners of the NY Review and so actions have also put the Local Authority under some pressure to shed costs. Mr Crowley gave an example of the sort of pressure they are experiencing and how the Trust and the Local Authority are working together. He added that a recent aspect of this is the introduction of the “virtual wards” in the community.

Mr Crowley agreed he would bring an update on the KPMG report to the next meeting.

Mrs Miller added that the people of Ryedale were very impressed with both Mr Crowley and Mr Rose during the acquisition.

Mr Rose thanked Mr Crowley for his presentation.

12/38 Minutes of the Board of Directors

The Council **noted** the summary minutes provided and raise no questions on the minutes.

12/39 Non-executive Directors introduction

Mr Rose invited Professor Willcocks, Mr Sweet and Mr Keaney to each talk a little about themselves and their business and organisational background.

Professor Willcocks described her professional background and experience and described her work in the Trust.

Mr Sweet also described his professional background and experience and his

work in the Trust.

Mr Keaney described his professional background and explained that he had only been in the Trust for 7 weeks and so was still finding his feet.

There will be an opportunity for the other three Non-executive Directors to introduce their background and activities at the next Governor meeting.

12/40 Lead Governor Report

Mrs Mackman presented her report. She referred to the completion of the election process and the work undertaken in preparation for the elections. She advised that a number of individuals that had put their names forward to become governors, but had not been elected, were now involved in some of the work of the Patient Involvement Lead (Kay Gamble). Mrs Mackman referred to the role of the Governors; she explained that it is not an operational role – the Board is there to make the decisions, but the Council of Governors is part of the process of decision-making and assurance.

Mrs Mackman added that she is involved with Mrs Gamble in a project of meeting all Governors before the end of November.

Mrs Mackman advised her report would be circulated to all Governors after the meeting.

Mr Rose thanked Mrs Mackman for her report.

12/41 Update on the induction programme

Mr Rose advised that the next induction session will be held on 6th November between 10am and 4pm. This session will include time with the Chairman and Chief Executive, lunch and a session with the Chief Nurse (regarding patient experience).

12/42 Any other business

There was no other business.

12/43 Next meeting

The next meeting of the Council of Governors will be held on 12th December 2012 at the Social Club, White Cross Road, York, YO31 8JR. (1515hrs; 1600hrs in public).

Post-meeting note

Following the meeting Dr Dalton asked for a further report to be provided to Governors as there had not been time at the meeting for her to present it.

Dr Dalton had attended the unveiling of the new palliative care facility at St Monica's, Easingwold, on Wednesday 17th October. The atmosphere was one of immense community pride. Funding for this facility was provided wholly as a result of charitable efforts from the Friends of St Monica's. I attended the Easingwold and

Villages Community Forum on Thursday 4th October, with the Chairman. This is the second year the Trust has been invited to address the Forum.