

Minutes of the meeting of the York Hospitals NHS Foundation Trust Council of Governors held on 1 July 2009, in Skell 7, Foss and Skell Building, York St John's University, Lord Mayors Walk, York.

- Present:** Chairman of the meeting Mr G Rennie MBE, Patient/Carer Governor
- Public:** Mrs W Blackburn, Public Governor, City of York
Dr J Dalton, Public Governor, Hambleton
Mrs L Hatton, Public Governor, City of York
Mrs H Mackman, 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
Mr S Lewis, Public Governor, City of York
- Patient/Carer:** Mrs J Moreton, 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 Moran, Partner Governor, York CVS
Mrs C Patmore, Partner Governor, North Yorkshire County 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 Penny, Staff Governor, Nursing
Mr M Skelton, Staff Governor, Clinical Professional
Mrs A McGale, Staff Governor, non-clinical
- Apologies:** Mr P Baines, Public Governor, City of York
Jane Farquharson, Patient/Carer Governor
Mrs K Harper, Staff Governor, Nursing
Professor Alan Maynard, Chairman of the Trust
James Porteous, Public Governor, City of York
Neville Parkinson, Public Governor, Selby District
- Attendance:** Patrick Crowley, Chief Executive
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

Libby McManus, Chief Nurse
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

Members of the public: One member of the public attended the meeting.

09/53 Chairman's Introduction

The Vice Chairman of the Council of Governors welcomed the public members to the meeting and advised that the Chairman Professor Maynard was unable to attend the meeting so he would be acting as Chairman of the meeting.

09/54 Oral questions from the public

No questions were received from the public.

09/55 Apologies for absence

Council of Governors noted the apologies.

09/56 Declaration of interest

Council of Governors noted the declarations of interest.

09/57 Minutes of the meeting held on 6 May 2009

The minutes were approved as an accurate record of the meeting.

09/58 Matters arising from the minutes

Swine Flu

Mr Proctor explained the current position of Swine Flu nationally. He advised that there are three clusters, West Midlands, London and Scotland. The Yorkshire area has not been experienced many cases at present.

Locally Mr Crowley is in discussion with the PCT about the arrangements that have been put in place in the Trust.

Mr Proctor advised that more young people are being affected by the Swine Flu rather than the usual situation where it is the elderly that are mainly affected. Mr Proctor advised that the incubation period for the illness is two to five days.

09/59 Annual Review of Chairman and Non-Executive Director remuneration

Mr Rennie reported that the Governors had at the private meeting discussed the remuneration of the Chairman and Non-executive Directors and had approved an uplift in line with the independent Health Pay Review Bodies recommendation. It was also agreed to do this each year in line with other staff in the organisation without reference to the Remuneration Committee.

09/60

Constitution

Mr Crowley updated the Council of Governors on the Constitution. He advised that following the discussion at the Council of Governors meeting in May the Board of Directors had discussed the proposed changes, but had not concluded the discussion. The Board had agreed that the Constitution would be presented to the next Board of Directors meeting in July for a final discussion and decision on the amendments.

Mr Towner enquired why the Governors were not making the final decision on the amendments to the Constitution. Mrs Pridmore explained that the legislation requires the Board of Directors to make the final decision before the Constitution is sent to Monitor for final approval.

The Council of Governors noted the report.

09/61

Chairman's Appraisal

Mr Rennie updated the Council on the progress of the Chairman's appraisal. He advised that all questionnaires have been returned and the first version of the report used for the appraisal has been developed. Governors were asked at their pre meeting if there were any other comments they would like taken into account. Mr Rennie added that the same question has been asked of the Executive and Non-executive Directors.

The actual appraisal will be held during August and the results will be sent to the Nominations Committee following which the final report will be presented to the full Council of Governors in a private meeting.

09/62

Performance and Finance Report

Mr Bertram and Mr Proctor gave a detailed presentation which outlined the opening financial position, a summary of income and expenditure, the financial outlook, performance for month 2 and activity for April to May 2009.

Mr Bertram reported that:

- The trust was now reporting on its position 2 months into the new financial year
- For the period to May the Trust expected a small deficit in terms of income and expenditure (£0.23m) but were reporting a small surplus (£0.16m)
- The resulting position was income and expenditure was running

slightly ahead of plan by £0.4m

- If reporting to Monitor this month the Trust would be delivery ahead of plan and a financial risk rating of 3 (again as planned)
- Good start to the year in the financial terms
- Since the last meeting of the Members' Council – Monitor has requested detailed financial plans going beyond the 3 years of the annual plan recently produced. These plans are being submitted at the end of September. The Council of Governors will be given an opportunity to review the plans at the meeting in September 2009.
- The Finance team are now working on these and a report will be brought to the next Council of Governors for Governors input to the final submission documents

Mr Proctor reported that:

- 18 week performance – admitted was 91.1% against a target of 90% and non-admitted was 97.52%, the national target is 95%
- 4-hour was 97.9%, the national target is 98%
- 31 day cancer was a target of 99.2% - the national target has not yet been confirmed
- 62 day cancer was a target of 95.2% - the national target has not yet been confirmed
- MRSA was 0
- C.Diff was a target of 5 (8 year to date)
- Thrombolysis – no eligible patients
- Elective Activity 15.2% (215 patients)
- Non-elective short stay activity + 18.5% (400 patients)
- Non-elective long stay activity + 4.5% (150 patients)
- GP referrals +8.19% (746 patients)

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

09/63

Consultation Document – Monitor's Guide for NHS Foundation Trust Governors: Meeting Your Statutory Responsibilities

Mrs Pridmore presented the draft consultation document response. She explained that the Board responses had been incorporated in to the Governors responses to produced one complete response. Mrs Pridmore thanked Mrs Mackman who had been central to ensuring that Governors comments were included in the report. The Governors reviewed the draft response and confirmed there were no further comments they would like to add.

Council of Governors agreed the proposed observations for submission to Monitor by 13th July 2009.

09/64

Summary of the minutes of the Board of Directors meetings

The report provided a summary of the discussions held at the Board of Directors along with key discussions from the meeting.

Councillor Fraser brought members attention to the Health and Safety Policy (09/90) and enquired if there was anything further to report from the existing policy which was extended from April for two months in order allow for the strategy to be presented to the Board. Mr Crowley responded that an action plan had been submitted to the CQC and the policy was now anticipated to be approved in July 2009.

Mrs Moreton enquired what the pharmacy outsourcing business case included. Ms McManus reported that the Trust had been through a tendering process for pharmacy to provide for outpatients as well as inpatients. The primary focus was for efficiency, accessibility and improved service for patients. The Trust had identified a preferred supplier but nothing was yet finalised.

Mr Towner referred to the minute of the Chairman's report (09/79) which related to activity that cannot be accommodated at the Trust being sent to other facilities such as Ramsay as it offers a better financial deal than the Nuffield. He was concerned about what accommodation would be considered should Ramsay ever not have the capacity to accommodate any further activity. Mr Crowley reported that the Trust would consider other sites and keep this under review. He confirmed that patients have the option of refusing transfer to other sites and this was not a breach patient choice.

09/65 Minutes of the Patient Focus Group

Mr Lewis presented the minutes and inaugural meeting of the group. Council of Governors received and noted the minutes of the Patient Focus Group for its meeting held on 16th June 2009.

09/66 Membership Engagement Committee

Council of Governors received and noted the minutes of the Membership Engagement Committee for its meeting held on 19th May 2009.

A Governor referred to the 'matters arising from the minutes' (4) which detailed guidelines for handling the media (4.2). She requested clarification as to which Code of Governors the minute referred to as the minute details 'the Governors felt that they should refer all media enquiries they receive to LB as stipulated in the revised Governors code of conduct'. Mrs Brown confirmed to Governors that in governance terms there can only be one Code of Governors therefore the current version still stand until the revised version has been approved, which will be submitted to Council of Governors in due course.

09/67 Celebration of Achievement Award

Council of Governors watched with interest, the celebration of achievement

award short film which was produced for the Trust. Mr Crowley requested Governors comments and ideas for how they felt the film could be used. The following ideas were proposed:

- Schools
- York Hospitals NHS Foundation Trusts' Open Day on 30th September 2009
- Website – Mrs Brown advised that the film was currently only licensed to be played internally and the Trust is seeking to remove the backing music in order for an external license which would enable the film to then be played on the website and other external sites

09/68

Any other business

Open Day at York Hospitals NHS Foundation Trust – 30th September 2009

Mrs Palazzo reported that a steering group had been formed in order to efficiently organise the fast approaching open day event for the Trust on 30th September 2009.

It was anticipated to be a bigger event than previous as funding of £10,000 had been received from Capita which would help towards considerable areas of advertisement across York.

All departments had been invited to have a stall including a number of demonstrations. There will be membership stand which, it is hoped, will be covered by Governors. There is also a series of presentations on topical areas such as diabetes, healthy eating and nutrition, dermatology on sun and stroke awareness.

Mrs Palazzo reminded Governors that the formal Annual General Meeting (AGM) of the Trust is also taking place on the same day (30th September) and all Governors were invited to attend. The meeting will consist of a management session – a chance for management to answer any questions, followed by a Governors session – an opportunity for Governors to meet members of the Trust.

Mrs Palazzo requested Governors to consider being a volunteer for the day to assist with setting up and to be available for members of the Trust and members of the public to ask any questions anyone may have.

In order to begin the advertisement of the open day – a small text will be produced for Governors to circulate to conveniences within their areas i.e. Parish Councils, Local Council, leisure centres etc.

A programme which will include a plan for the day will be submitted to Governors prior to the day of the events.

09/69

Next meeting

The date of the next Council of Governors will be held on Wednesday 2 September 2009 at 4.00pm at York St John's University, Lord Mayors Walk, York.

09/70

Collation of written questions from members of the public

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

CLG
13/07/2009