

## COUNCIL OF GOVERNORS' MEETING

11 MAY 2017

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|----------------|--|
| Paper Title:   | Minutes of the Council of Governors' Meeting held on 9 February 2017 |
| Section:       | Public – Standing Items  |
| Lead Director: | Michael Smith, Chair   |
| Paper Author:  | Stella Jackson, Deputy Trust Secretary                               |
| Agenda Item:   | 4  |

### EXECUTIVE SUMMARY:

Attached are the minutes of the Council of Governors' meeting held on 9 February 2017.

### RECOMMENDATION:

- The Council is asked **to approve** the minutes.



## BRADFORD DISTRICT CARE TRUST

### Minutes of a Public Meeting of the Council of Governors held at Bradford District Care Trust, New Mill, Saltaire, Shipley, BD18 3LD at 6.35 pm on Thursday, 9 February 2017

|                |                       |  |
|----------------|-----------------------|--|
| Present:       | Michael Smith         | Chair  |
|                | Colin Perry           | Public Governor, Bradford West                       |
|                | David Spencer         | Public Governor, Bradford West                       |
|                | Mahfooz Khan          | Public Governor, Bradford West                       |
|                | Kevin Russell         | Public Governor, Bradford East                       |
|                | George Deane          | Public Governor, Bradford South                      |
|                | Hazel Chatwin         | Public Governor, Craven                              |
|                | Nicholas Smith        | Public Governor, Keighley                            |
|                | Nicky Green           | Public Governor, Keighley                            |
|                | Ann West              | Public Governor, Shipley                             |
|                | Sarah Jones           | Public Governor, Shipley                             |
|                | Debbie Cromack        | Clinical Staff Governor                              |
|                | Jenny Moran-Whitehead | Non-Clinical Staff Governor                          |
|                | Steve Oversby         | Appointed Governor, Barnardo's (from agenda Item 4)  |
|                | Tanya Graham          | Appointed Governor, Craven District Council          |
|                | Shirley Congdon       | Appointed Governor, University of Bradford           |
|                | Jenny Moran-Whitehead | Non-Clinical Staff Governor (until agenda item 7)    |
|                | Debbie Cromack        | Clinical Staff Governor                              |
|                | Liz Howes             | Clinical Staff Governor (until agenda item 9)        |
| In attendance: | Paul Hogg             | Trust Secretary                                      |
|                | Stella Jackson        | Deputy Trust Secretary                               |
|                | Nicola Lees           | Chief Executive                                      |
|                | Liz Romaniak          | Director of Finance, Contracting and Estates         |
|                | Sandra Knight         | Director of Human Resources and OD                   |
|                | Zulfi Hussain         | Non-Executive Director                               |
|                | Nadira Mirza          | Non-Executive Director                               |
|                | Margaret Waugh        | Deputy Director, Quality, Governance and Informatics |

one member of the Trust

#### 1. WELCOME AND APOLOGIES

The Chair welcomed everyone to the meeting including Mrs Green, the newly elected Public Governor for Keighley.

Apologies had been received from Cllr Gibbons, Mr Waterhouse, Ms Eggett, Mrs McIntosh and Cllr Mohammed. Mrs Martin-Richards, Miss Lomas, Ms Sarwar, and Dr Nawaz were also absent from the meeting and apologies had not been forwarded.

## **2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **3. MINUTES OF THE MEETING HELD ON 10 NOVEMBER 2016**

The minutes of the meeting held on 10 November 2016 were agreed as a true and accurate record, subject to the following:

- Item 10: Feedback from Governors – the final bullet point being amended to read: ‘One Governor had been informed by a service user that nicotine replacement therapy was not immediately available on admission to the ward. Ms Lees confirmed this was provided within one hour of admission to a mental health ward’.
- Item 10: Feedback from Governors – an additional bullet point being added to read ‘A Governor raised concerns about pressures on a Lynfield Mount ward. It was agreed that the Governor would provide details about these to the Chief Executive via email’.

Governors referred to the ‘holding to account’ training which had taken place prior to the meeting and outlined the importance of the minutes capturing assurances sought.

## **4. MATTERS ARISING FROM THE MEETING HELD ON 10 NOVEMBER 2016**

- Item 6: Chair’s Report – Public Governor, Mr Smith, reported he had attended the Telegraph and Argus Community Star awards as he had been shortlisted in the volunteer category for his work in promoting mental health awareness across Bradford. The Chair also congratulated Mrs Chatwin, Public Governor, who had been shortlisted in the Craven Herald Community Champions Awards and won two awards as Volunteer of the Year and Citizen of the Year in Craven;
- Item 7: Protected Characteristics of People Using Mental Health Services – Following the November Council of Governors meeting, Public Governor, Mrs Jones had sought assurance, on behalf of all Governors, from Ms Mirza regarding the collection of data in relation to protected characteristics. Ms Mirza reported the Trust was currently considering how it might capture the data more effectively but that local rates of detention, under the Mental Health Act, were proportionate to local BME demography; and
- Item 10: Feedback from Governors – The Chair reported that whilst a social occasion had not been organised, he was proposing to hold a Council of Governor/Trust Board away half day.

## 5. CHAIR'S REPORT

The Chair reported:

- Since the Council of Governors had last met, the Board had been paying particular attention to financial performance, staffing and demand and capacity issues;
- The Board considered it unlikely that the Trust would be able to meet its control total and had informed NHS Improvement (NHSI). It was anticipated that the Trust would still be able to deliver a surplus but not to the extent of the control total. The Board had also agreed to change the Trust's Use of Resources Risk Rating at quarter three and would, therefore, be subject to increased scrutiny by NHSI. A Governor queried the reasons for non-delivery of the control total and was informed there had been a significant increase in vandalism across in-patient sites and some fire damage resulting in repairs costing £200,000 and the Trust had not realised the savings anticipated by the Meridian project which was designed to reduce spend on bank and agency staff. The Trust was in discussion with Meridian about recompense for non-delivery of the contractual benefits. Another Governor asked whether the Trust would be able to access Sustainability and Transformation funding should it not achieve its control total. In response, the Director of Finance, Contracting and Estates reported the Trust would not access this year's STF monies unless the full control total was achieved. A Governor queried whether any other trusts had downgraded their forecasts. In response, Mrs Romaniak reported the Trust had not been in deficit when the control total was set and was, therefore, required to deliver a larger surplus. A significant number of other trusts had been in deficit when their control totals were set and they were required to deliver a smaller deficit;
- There had been a number of developments in relation to Sustainability and Transformation Plans and progress continued to be made with the mental health workstream;
- There had been significant pressure on Accident and Emergency teams both nationally and locally and the Trust was supporting the local Acute trusts to reduce demand through community service provision;
- Commissioners were looking to contract in a different way for diabetes services;
- The Trust had been discussing with the local authority the implications of cuts in the Public Health grant and consideration was being given to how services might be redesigned in order to safely deliver existing services;
- Mrs Woffendin had resigned as a Non-Clinical Staff Governor due to competing work pressures. Mrs Woffendin said she had learnt a lot from the role and was sad to be leaving. Following legal advice received and in line with the constitution, the Trust was able to approach those candidates that had applied for the previous Non-Clinical Staff Governor vacancy as the elections had taken place within the last six months. Mr Nigel Green had, therefore, accepted and been appointed as at 9 February 2017. His term of office would expire at the end of April 2018;
- The Lead Governor, Mr Spencer, would be moving out of the area on completion of his house sale. Governors were invited to forward their expressions of interest in the role to the Deputy Trust Secretary. Should more than one Governor express an interest, then a vote would take place at the May Council of Governors meeting. Governors thanked Mr Spencer for his commitment to the Trust in the role as Lead Governor; and
- The new website was due to be launched on 17 February 2017. Governors would be sent a password for the site where they would be able to access a number of Governor-related documents, as well as the Trust Board private minutes and agenda.

A Governor queried whether the passwords would need to be changed on a regular basis. **Action: Deputy Trust Secretary to investigate.**

During ensuring discussion, Governors highlighted the following key points:

- Mr Smith, Public Governor, had taken part in a series of meetings with BDCFR staff and partners, which focussed on the improving local mental health acute provision; and
- Mr Russell, Public Governor, reported the Bradford and Airedale Neurological Development Service (BANDS) was currently closed to new referrals. In response to this comment, Ms Lees reported that when the service was first launched, the Trust was commissioned to assess 50 people per year. Demand was much higher than this and, during the first year, the Trust had assessed 350 people. Consequently, the Trust had asked Commissioners to review the funding arrangements and they were currently doing so. Ms Lees also reported that the Bradford Clinical Commissioning Groups (CCGs) were doing a piece of work (on behalf of the Mental Health strand of the West Yorkshire and Harrogate STPs) on Autism and ADHD assessments. It was anticipated this would be finalised at the end of March.

**The Council of Governors noted the Chair's report.**

## **6. INTEGRATED PERFORMANCE REPORT**

The Chair informed Governors that a task and finish group of Governors had been established to review the format of the Council of Governors Integrated Performance Report (IPR) and the revised format had been used to populate the most recent version. The Chair invited Governor feedback in relation to the new format. Mr Perry, Public Governor, who had been a member of the task and finish group, believed the new format would assist Governors to fulfil their 'holding to account' duty as it outlined those areas that NEDs had been scrutinising and seeking assurance on. It was suggested that should any Governors have evidence which contradicted the information within the report, then this should be raised with NEDs as soon as possible.

Ms Mirza then highlighted the following key points from the report:

- The NEDs had sought assurance about the financial position and further savings continued to be pursued. Two Change programmes were impacting on the position. These related to non-realisation of all Agile working savings; and telephony costs. Governors queried where the agile savings were due to be made. In response, Mrs Romaniak reported savings were anticipated in staff productivity, travel expenditure and in introducing a desk ratio of 7 desks for 10 members of staff. A Governor queried whether the perceived savings were attainable. In response, Mrs Romaniak informed Governors the Change Programme plans had been developed 2-3 years ago. Changes in the environment and funding had subsequently occurred which were not anticipated. Consequently, the Finance, Business and Investment Committee was scrutinising the assumptions on which the original plans had been based.

A Governor sought assurance that agile working was not impacting on staff morale and sickness levels. Ms Mirza reported Board members asked staff about the

effectiveness of agile working when undertaking visits to service areas. This revealed some areas were embracing this way of working better than others and that effective training, supervision and support were needed in order to implement the initiative effectively. The Director of Human Resources and Organisational Development reported some staff members had highlighted the work/life balance benefit of agile working. A Governor asked how assured the NEDs were that agile working would continue to be sustainable, especially in relation to inducting new members of staff into teams. In response, Ms Mirza reported monitoring of agile working had highlighted some issues such as this which had been addressed. The Trust had held an Agile Working event where staff were able to share best practice with one another.

A Governor asked how assured the Trust was that agile working was not having a negative impact on patients. In response, the Chief Executive reported feedback from patients had been mixed. Some liked it as they were able to book appointments and update care plans with the clinician present. Others believed it put a barrier between the clinician and service user. A community mental health survey was due to be undertaken and it was anticipated this would provide additional evidence of patient and service user perceptions of agile working;

- Levels of staff turnover, sickness absence and the use of bank and agency staff was being scrutinised by NEDs;
- The Mental Health Legislation Committee was currently investigating reasons for an increase in mental health service user suicides (which was a national as well as local problem); and
- Board members had highlighted and discussed the issue of demand and capacity across services.

The following additional points were made about the Integrated Performance Report:

- A Governor requested that acronyms were always given in full;
- A Governor highlighted the importance of the report providing information about how the issues identified in a previous report had been addressed and the resultant impact of the action taken. In response, the Chief Executive reported issues were addressed through Committee meetings and acknowledged the need for updates to be provided in the IPR. **Action: Deputy Director of Planning and Performance/Deputy Trust Secretary to incorporate into future reports.** The Trust Secretary added Committee reports were considered at Public Board meetings and invited Governors to access these reports via the website. A Governor also highlighted the importance of the Governors being informed of areas of significant concern and the top five concerns being addressed by the Trust;
- A Governor asked how a deep dive into the Care Programme approach was likely to give the NEDs assurance about the programme. In response, Ms Mirza reported a deep dive would review: current practice, staff experiences, consistency of approach and the effectiveness of the approach for service users

**The Council of Governors noted the report.**

## **7. TRUST BOARD/COUNCIL OF GOVERNORS: CAPITALISING ON OUR POTENTIAL**

The Chair informed Governors a recent Board Development discussion had focussed on ways in which to maximise the relationships between the Board and the Council of Governors. He repeated the presentation to Governors. This highlighted:

- Ways in which relationships had been developed so far;
- Board reflections and insights about the role of Governors;
- The potential to involve Governors in discussion about 'knotty problems' facing the Trust;
- Ways in which Governors might help the Trust to navigate the environment; and
- Key events taking place during the year ahead, including a proposed Board/Governor away half day.

The Chair invited Governors to forward their suggestions to him about:

- How to achieve the appropriate focus on 'assurance and holding to account' and helping to meet local challenges; and
- What they believed the key knotty problem (or opportunity) to be and why.

### **Action: Governors to contact the Chair directly**

The Chair also proposed to hold monthly informal meetings with interested Governors to discuss key issues facing the Trust and to arrange a half day development session between the Board and the Council of Governors. Governors were receptive to both these ideas.

### **Action: Chair to ensure meetings are organised.**

### **The Council of Governors noted the presentation.**

## **8. FEEDBACK FROM GOVERNORS**

The following key points were highlighted:

- Mr Russell reported he had been promoting the work of the Trust at the Shipley Youth café events and one person had signed up as a new member. Mr Russell and the Deputy Trust Secretary had also attended a health student event at Bradford University where they had recruited approximately 40 new members;
- Mr Smith reported that he and the Deputy Trust Secretary had attended a health event at Craven College to promote membership of the Trust. Mr Smith had also promoted the work of the Trust to the Patient Participation Group at his local surgery;
- Ms West informed Governors she had invited patients to complete a survey at the Podiatry and Dental clinics at Shipley Health Centre. Ms West considered this an effective way in which to obtain views from local people about the Trust's services. Two of the people she spoke to also became members of the Trust;
- Mr Spencer reported he had also promoted the work of the Trust to his local Patient Participation Group. The Group had been interested to learn more about the Carer's Hub and he would be providing details of the group to the Patient Experience Lead;
- Mrs Chatwin reported she had spoken about the work of the Trust at a local school and had also been promoting the Trust to a local group of refugees;

- Mr Perry reported that he and Mrs Martin-Richards had visited the Ashbrook Ward, 136 Suite and Visitor Centre at Lynfield Mount Hospital. Mr Perry found the environment to be calm and pleasant and believed the staff were coping well with the pressures they faced. He had attended a safety huddle meeting which was attended by a range of staff members, including members of the Housekeeping staff. The Ward Manager had outlined the support he provided to staff and had been very positive about the culture of the team and the positive impact that the Director of Nursing and Operations had on the team. A Governor asked whether the Board was assured that staff working within the Psychiatric Intensive Care Unit (PICU) received appropriate support. In response, the Chief Executive reported that debriefings took place after every incident and staff received supervision. Additional support was also available to staff should they need this. Members of the Board also sought assurance about the support available to staff when undertaking service visits;
- Mrs Congdon reported Nursing and Midwifery students had rated their experience of local health services (in terms of support and practice in Bradford) as number one in the country;
- A Governor noted there was a lack of people pursuing Occupational Therapy careers. In response, Mrs Congdon reported funding for students had changed from bursary funding to student loan funding. As a result, there had been a 23% drop in the number of university applications for nursing roles;
- Mr Perry reported he had observed a Quality and Safety Committee meeting and had been impressed at the way in which the Chair sought assurance. There had been an interesting discussion about an increase in suicides and about the inaccuracy of the messages that had been conveyed through a Panorama programme. Mr Perry believed Governors could assist the Trust by counteracting some of the myths relating to suicide; and
- Mr Deane had recently been working within a local school. He had established that members of staff at the school had not been aware of the work of the Trust, especially in relation to the Carer's Hub. Mr Deane had shared information with the staff about the Hub and this had been shared with carers at the school. He had also provided details about the Hub to the Black Health Forum for cascade to members of that network.

**The Council of Governors noted the feedback received from individual Governors.**

## **9. NON-EXECUTIVE DIRECTOR REAPPOINTMENT CONFIRMATION**

Governors considered a paper which confirmed that the written resolution to re-elect Non-Executive Director, Mr Banks, for a second three year term, commencing on 1 December 2016, had been passed. A total of 19 Governors had responded to the written resolution and all had voted in favour of the re-appointment.

**The Council of Governors noted the approval of the written resolution in line with the constitution.**

## **10. REVISED QUALITY REPORT TASK AND FINISH GROUP QUALITY INDICATOR AND TERMS OF REFERENCE**

Public Governor, Mr Perry, introduced a paper which required the Council of Governors to:

- Select an indicator associated with the 2016/17 quality goals for review by external audit; and
- Consider and approve the Quality Report Task and Finish Group Terms of Reference.

The paper contained three proposed indicators for Governors to select from. These had been shortlisted by the Task and Finish Group which had used the principles set out in the paper to guide their decision-making. The review by external audit would consider how reliable the data was behind the indicator.

The indicators related to three quality goals: safe, effective and personal.

The Chief Executive noted that all indicators were mental health focussed. She highlighted the need for the organisation to be mindful of its community service provision when considering indicators in future. In response, Public Governor, Sarah Jones reported consideration had been given to possible community services indicators but that these did not warrant auditing due to the box-ticking way in which the data was captured.

The following votes were cast by show of hands:

- Safe – four people voted in favour
- Effective – seven people voted in favour
- Personal – three people voted in favour

**The Council of Governors:**

- **Agreed the Effective indicator should be audited (focussing on the achievement of safer staffing levels in Adult and Community Mental Health Services; and**
- **Approved the Terms of Reference which were appended to the paper at Appendix 2.**

## **11. NOMINATIONS COMMITTEE TERMS OF REFERENCE**

Governors considered a paper which sought approval of the revised terms of reference and contained information about the Committee membership. The Chair then invited Governors to express an interest (to the Deputy Trust Secretary) should they wish to join the Committee once Public Governor, David Spencer, stepped down. **Action: Governors**

### **The Council of Governors:**

- **Approved the proposed changes to the Nomination's Committee Terms of Reference; and**
- **Noted the revised Committee membership.**

## **12. COUNCIL OF GOVERNORS' BUSINESS CYCLE**

The business cycle contained proposed agenda items for the May 2017 meeting. The Chair invited Governors to contact the Deputy Trust Secretary should they wish to incorporate additional agenda items into the work programme.

**The Council of Governors noted those items scheduled for discussion at the May 2017 meeting.**

## **13. APPROVED MINUTES OF COUNCIL OF GOVERNOR COMMITTEE AND WORKING GROUP MEETINGS**

The paper contained the approved minutes from the following meetings:

- Membership Development Working Group: 11 October 2016;
- Nomination's Committee: 27 July 2016;
- Nomination's Committee: 21 November 2016; and
- Nomination's Committee: 28 November 2016

**The Council of Governors noted the approved minutes.**

## **14. ANY OTHER BUSINESS**

There were no other items of business.

## **17. DATE AND TIME OF NEXT MEETING**

The next meeting would be held at 5.30 pm on Thursday, 11 May 2017 at Trust Headquarters, New Mill, Victoria Road, Saltaire.

The meeting concluded at 8.35 pm.

**COUNCIL OF GOVERNORS' MEETING  
9 FEBRUARY 2017**

ACTIONS

| Ref No    | Actions requested  | Timescale                         | Progress  |
|-----------|--|-----------------------------------|---|
| 11/8/16-1 | <u>Feedback from Governors</u><br><b>Patient Advice and Complaints Manager</b> to provide Governors with an update following the review into the effectiveness of the revised complaints process.  | May 2017 Meeting                  | Included on May 2017 Agenda                     |
| 9/2/17-1  | <u>Chair's Report</u><br><b>Deputy Trust Secretary</b> to determine whether Governors will be required to change their website password on a regular basis.  | One week                          | Completed – Governors will receive one password |
| 9/2/17-2  | <u>Integrated Performance Report</u><br><b>Deputy Director of Planning and Performance/ Deputy Trust Secretary</b> to ensure the report highlights actions taken to address issues identified in the previous report(s), as well as the resultant impact of the action.  | By May 2017                       |   |
| 9/2/17-3  | <u>Trust Board/Council of Governors: Capitalising on our Potential</u><br><b>Governors to</b> forward suggestions to the Chair about i) how to achieve the appropriate focus on 'assurance and holding to account' and helping to meet local challenges; and ii) what they believe the key knotty problem (or opportunity) to be and why.<br><br><b>Chair</b> to organise i) monthly meetings with Governors to discuss key issues facing the Trust; and ii) a half day development session with the Board and Council of Governors. | One month<br><br><b>One month</b> | <b>Completed</b>                                |
| 9/2/17-4  | <u>Nominations Committee Terms of Reference</u><br><b>Governors</b> to forward expressions of interest to the Deputy Trust Secretary should they be interested in becoming a member of the Nomination's Committee  | By 6 March 2017                   | Received  |