

Council of Governors meeting in Public
Thursday 2 April 2020 at 5.10pm
Meeting Held virtually on Microsoft Teams

Present:	Cathy Elliott	Chair of the Trust (Chair of the Council of Governors)
	Professor John Bridgeman	Appointed Governor: Bradford University
	Ishtiaq Ahmed	Appointed Governor: Sharing Voices
	Dr Sid Brown	Public Governor: Shipley (via telecon)
	Tina Butler	Appointed Governor: Bradford Assembly
	Surji Cair	Public Governor: Shipley
	Stan Clay	Public Governor: Bradford South
	Nicky Green	Public Governor: Keighley (Lead Governor)
	Councillor Robert Hargreaves	Appointed Governor: Bradford Council
	Rupy Hayre	Public Governor: Bradford East
	Abdul Khalifa	Staff Governor: Non-Clinical
	Linzi Maybin	Staff Governor: Clinical
	Colin Perry	Public Governor: Bradford West (Deputy Lead Governor) (via telecon)
	Safeen Rehman	Public Governor: Rest of England
	Kevin Russell	Public Governor: Bradford East
	Pamela Shaw	Staff Governor: Clinical
Joyce Thackwray	Public Governor: Bradford South	
In Attendance:	Andrew Chang	Non-Executive Director
	Dr Zulfi Hussain	Non-Executive Director
	Simon Lewis	Non-Executive Director
	Carole Panteli	Non-Executive Director (Senior Independent Director)
	Brent Kilmurray	Chief Executive
	Paul Hogg	Director of Corporate Affairs
Fran Limbert	Corporate Governance Manager and Deputy Trust Secretary (Committee Secretariat)	

Minutes

Item	Discussion	Action
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52 Welcome and Apologies for Absence (agenda item 1)

The Chair, Cathy Elliott, opened the meeting at 5.10pm and welcomed attendees. She thanked everyone for their attendance to the virtual meeting that had been held using Microsoft Teams in response to the Covid-19 pandemic.

Apologies for absence had been received from: Craig Berry, Staff Governor – Non Clinical; Councillor Aneela Ahmed, Appointed Governor – Bradford Council; Mahfooz Ahmed, Public Governor – Bradford West; Councillor Richard Foster, Appointed Governor – Craven Council; Belinda Marks, Staff Governor – Clinical; Zahra Niazi, Public Governor, Bradford East; Stephen Oversby, Appointed Governor – Barnardo’s; and Nick Smith, Public Governor - Keighley.

The Council was quorate.

53 Declarations of any Conflicts of Interest (agenda item 2)

Mrs Hayre declared that she co-owned a business which recently produced and supplied hand sanitiser to local organisations in responses to the Covid-19 pandemic. One of the local organisations had been the Trust. The Council noted that the interest had been declared by Mrs Hayre and the Chief Executive had reported this purchase to the Finance, Business and Investment Committee and Board of Directors. The Council noted the conflict and the transaction due to the to the Covid-19 pandemic.

No other declarations of interest were made.

54 Minutes of the public meeting held on 26 February 2020 (agenda item 3)

The minutes of the public meeting held on 26 February 2020 were accepted as a true and accurate record.

55 Matters Arising (agenda item 4)

The Director of Corporate Affairs raised two matters that had arisen from the previous Council meeting. First, he explained that in response to the Covid-19 pandemic it had been agreed that the national production of the Quality Report for NHS trusts had been deferred. As part of the revisions made to the production of the Report, he reminded the Council that they had selected a local indicator that would be audited with part of the assurance received on the report produced. The national guidance had requested that auditing did not take place for the 2019/20 Quality Report.

Next, Mr Hogg informed the Council of an error that had been within the terms of reference for the Council’s Nominations Committee that had been approved at the last meeting. He explained that in line with the Trust’s Constitution, membership of that Committee was five which comprised of three Governors as had been outlined in the approved version, plus the inclusion of two Board members with one ideally being a non-Executive Director. The Council approved that the document should be updated to outline a membership of five and not three as had previously been presented. **The updated and correct version would be circulated to Governors.**

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Finally, Mr Russell informed the Council that he had been in contact with MayTree, the organisation based in London who provide a respite service as part of an individual's recovery journey from challenges associated with mental ill-health. MayTree had outlined that they would be opening a centre in Manchester shortly. The Council noted that Mr Russell would attend the opening on behalf of the Trust, would share the update with Mr Smith and provide further learning in due course.

56 Action Log (agenda item 5)

The Corporate Governance Manager presented the cumulative action log which showed those actions previously agreed by the Council of Governors. The following update was provided:

- 18/7/19-3: work was taking place within the Trust led by Bev Bray, Head of Quality Governance and Patient Safety and Chris Hunt, Head of the Kaizen Promotion Office, to refresh the Integrated Performance Report. The work had been completed and presented to the Board of Directors on 26 March 2020 with a Data Pack and supporting Dashboards being rolled out from April 2020. Work would take place to develop the Data Pack to be presented to future Council of Governors meetings.

The Council of Governors welcomed the update provided.

57 Chair's Report (agenda item 6)

Preparations for the Covid-19 Pandemic

Ms Elliott presented the report explaining that it was split into two sections. She outlined the content of section two and drew the Council's attention to work taking place to ensure that good governance remained throughout the Covid-19 pandemic. She also outlined preparation for the pandemic, including business continuity planning for services and corporate functions which a Panel of Board members has scrutinised and support; and agreement of a continuation of key Trust business outlined by senior leaders or in line with national guidance. The Council noted that a central log of meeting activity and deferred items was being maintained by Ms Limbert with plans for all Board sub-committees to continue throughout the pandemic, though on a revised basis. Ms Limbert would be providing support to all Board sub-committees during this time to further strengthen the governance framework. Governors noted that Ms Limbert would be in contact with them soon to discuss a proposal for the Governors observing revised Board sub-committees.

Next, Ms Elliott informed the Council that an Ethics Committee had been established as a time-bound new meeting for the Trust due to the Covid-19 pandemic. The Council noted the terms of reference for the Committee and that the membership comprised of Board members and the Lead Governor

with clinical staff in attendance. An Ethics Clinical Advisory Group had been established that reported into the Ethics Committee on key topics in response to the pandemic. On behalf of the Council, Ms Elliott thanked all Trust colleagues for their commitment and hard work during the Covid-19 pandemic.

The Chief Executive provided a further update on the pandemic, and began by outlining the preparations for the Covid-19 pandemic and work underway within the Trust in response. He informed the Council that the Trust had been operating in incident preparation mode, and said that the national incident had been declared at level four. The Trust had not declared a major incident as yet, though the Council was to note this would happen in the near future. Mr Kilmurray outlined the work that had taken place to refresh the corporate and clinical service areas business continuity plans in response to the pandemic which had involved presentation of the plans to a panel which included the Chair; Deputy Chair; and Senior Independent Director. The Council heard that a Bronze Command, and Silver Command had been established within the Trust that supported an Incident Control Team that operated between 8.00am and 8.00pm Monday to Sunday. Mr Kilmurray explained that he and the Director of Finance, Contracting and Facilities as the Deputy Chief Executive are members of the place-based Gold Command. The Council noted the work taking place to communicate and engage with Trust colleagues during the pandemic which included supporting staff wellbeing.

Mr Kilmurray outlined that work had begun to understand where colleagues could be redeployed within the Trust, and what external support through volunteering, students, and retired professionals could be deployed into the Trust to support the response to the pandemic. Mr Khalifa informed the Council that helplines for colleagues had been established to provide ongoing supporting from key corporate areas. The Council noted that the performance management framework in line with the Care Trust Way was being utilised to support ongoing staff discussions for service users and colleague absence. The Council noted that the Trust had refreshed its Standing Financial Instructions and Scheme of Delegation in response to the pandemic with Silver Command identified to ratify required revisions made to Trust policies and procedures.

Mrs Shaw asked what plans had been created for personal protective equipment (PPE) supply to colleagues. Mr Kilmurray responded to confirm that national guidance had been received on PPE requirements and explained that the guidance would be circulated to all colleagues on 3 April 2020. He went onto say that the Trust had good levels of stock, with work taking place to distribute additional PPE to community services. The Council noted that the Trust was in regular communication nationally to ensure a continuation of PPE stock requirements.

Mrs Hayre asked whether any revisions to service provision had taken place. Mr Kilmurray outlined that in some service areas a reduction in referrals had

been received. The Trust was already working on delivering the Care Closer to Home strategic priority through the Better Lives, Together strategy, and had engaged with voluntary and community sector (VCS) partners to review existing service provision and supporting pathways. Mr Kilmurray outlined that an engagement event had taken place on 10 March 2020 to explore that further which had been attended by over 70 individuals primarily from local VCS and the Trust. Mrs Rehman enquired whether the school nursing service had been re-deployed. Mr Kilmurray explained that work had taken place to understand colleagues' skillsets and training as part of the preparations to understand whether colleagues could be redeployed internally in response to service and business demand. The Council heard that: GPs across Bradford were reviewing a community based-hub model; work that the Trust was engaged in with Airedale NHS Foundation Trust and Bradford Teaching Hospitals NHS Foundation Trust to support and effective discharge service; and how the Trust was engaged as part of the national requirement to provide local Accident and Emergency provision for mental health.

Mr Russell enquired what Governors could do to support the Trust. Mr Kilmurray welcomed the offer and drew the Council to the information on volunteering contained within the Chair's Report.

The Council welcomed the opportunity to receive further detail on the Trust's planning and preparedness in response to the Covid-19 pandemic. **It was agreed that a virtual 'question and answer' engagement session for Governors on Covid-19 would take place in due course and before the next Council meeting.**

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CQC re-inspection of inpatient and psychiatric intensive care units

Finally, Mr Kilmurray provided an update on the Care Quality Commission (CQC) re-inspection of inpatient and psychiatric intensive care units at Lynfield Mount and the Airedale Centre for Mental Health. The Council noted that the re-inspection had taken place as a result of the receipt of the Section 29A Warning Letter that had been received that had outlined eight areas within the Trust that required significant improvement. Mr Kilmurray reminded the Council of the rapid process improvement work that had taken place in response to the Warning Letter with the Letter being removed in acknowledgement of the improvements having been made. The Council noted that during the re-inspection, colleagues reported that they had been proud to outline the continuous improvements that had been made over the last year with continued engagement with the CQC ongoing. Mr Kilmurray outlined that **the report was expected 50 days following the last day of inspection and would be shared with the Council in due course.**

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The Council of Governors welcomed the updates provided within the Chair's Report, including the Covid-19 and CQC updates from Mr

Kilmurray, and thanked all Trust colleagues for the hard work and dedication in response to the pandemic.

Mr Perry left the meeting.

58 Assurance Reporting: Charitable Funds Committee (agenda item 7.1)

Dr Hussain presented the report from the Charitable Funds Committee meeting held on 24 February 2020. He outlined that the 2019/20 charity accounts had been closed down in line with the Trust's financial accounts and external requirements. A business case had been approved to develop a new charity and branding which would be funded by the charitable funds for year one. This would include diversifying fundraising, marketing and ongoing engagement. The refresh would support the charity being called Better Lives. Engagement with the Council would take place to understand how Governors could support this workstream in line with the aspirations and actions outlined in the membership engagement strategy, 'Governors, Representing You'.

The Council of Governors welcomed the update report from the Charitable Funds Committee held on 24 February 2020.

59 Assurance Reporting: Finance, Business and Investment Committee (agenda item 7.2)

Mr Chang presented the report from the Finance, Business and Investment Committee meeting held on 23 March 2020. He outlined that the Committee had reviewed the draft annual operational plan for 2020, noting the NHS England/Improvement revised date for submission of June 2020 and roll over of contracts. The Council noted that the Committee had agreed to recommend to the Board approval of a high-level operating budget to enable the Trust to operate in the first four months of 2020/21 and comply with its Standing Financial Instructions and Scheme of Delegation. The Council noted that the draft Strategic Outline Case (SOC) for the redevelopment of Lynfield Mount had been reviewed with the Committee being assured by the logic and detail of the proposal and the assessment of options presented. Mr Chang explained that following scrutiny of the SOC, the Committee agreed with the recommended option three: new build of the hospital, and went onto recommend the draft SOC to the Board for consideration on 26 March 2020. Finally, Mr Chang outlined the discussion that had taken place on the presentation of the Health and Safety Policy; and Fire Safety and Arson Policy.

The Council of Governors welcomed the update report from the Finance, Business and Investment Committee held on 23 March 2020.

60 Assurance Reporting: Mental Health Legislation Committee (agenda item 7.3)

Mrs Panteli presented the report from the Mental Health Legislation Committee meeting held on 24 March 2020. She drew the Council's attention to the ongoing partnership work with the Police and Ambulance services to amend the Trust's Conveyancing Policy to ensure that service users detained under the Mental Health Act continue to be held and/or conveyed to hospital in an appropriate and safe manner. Finally, Mrs Panteli provided an update on the Section 17 Leave arrangements during the Covid-19 pandemic and the potential rise in the use of restrictive practices that might be seen as a result of this revision,

The Council of Governors welcomed the update report from the Mental Health Legislation Committee held on 24 March 2020.

61 Assurance Reporting: Workforce and Equality Committee (agenda item 7.4)

Mr Lewis presented the report from the Workforce and Equality Committee meeting held on 2 March 2020. He outlined that assurance could be taken from the fact that the Committee now existed and would seek targeted assurance on strategically important workforce and equality matters. He said that work had taken place to continually improve and review the effectiveness of the Committee which had included external benchmarking. Mr Lewis explained that a colleague story would be presented at the start of each Committee meeting which would have a thematic connection to the area of focus to be discussed at that meeting in line with the five strategic objectives that support the Trust's People Development Plan.

Finally, Mr Lewis explained that the Committee considered itself to have obtained a relatively high level of assurance that the Trust's gender pay gap remained comparatively very good, despite a minor deterioration in the performance since last year.

The Council of Governors welcomed the update report from the Workforce and Equality Committee held on 2 March.

62 Feedback from Governors (agenda item 8)

The Council of Governors welcomed the revised meeting that had been held virtually in response to the Covid-19 pandemic, and the opportunity to continually engage with the Trust during the pandemic period.

63 Governance Matters (agenda item 9)

Mr Hogg presented a verbal update on four areas of governance to the Council. He outlined that the previously proposed Spring 2020 Governor Election had been postponed in line with national guidance in response to the Covid-19 pandemic. The Council noted that the national guidance also explained that Annual Members' Meetings should be deferred, and Mr Hogg explained that the Trust would continue to engage with Governors on this workstream to explore alternatives.

Next, Mr Hogg outlined that in response of Covid-19 the work programme for the Board of Directors had been revised which had resulted in the membership engagement strategy, 'Governors, Representing You', not being presented to the Board as yet. The work had been postponed and would be presented in due course.

Finally, Mr Hogg outlined the details of the Governor Self-Certification process for training and development to support the Annual Report workstream. Governors noted that engagement activity and training and development that had taken place during 2019/20, and supported its inclusion in the Annual Report 2019/20 and supporting assurance framework.

The Council of Governors welcomed the updated provided on key governance matters.

64 Any Other Business (agenda item 10)

There were no items of other business. The Chair thanked Governors and colleagues for their attendance and contributions and closed the meeting at 6.10pm.

Signed.....

Date.....