

## Board of Directors

**26 November 2020**

<b>Paper title:</b>	Chair's Report	<b>Agenda item</b>  <b>8.0</b>
<b>Presented by:</b>	Cathy Elliott, Chair of the Trust	
<b>Prepared by:</b>	Cathy Elliott, Chair of the Trust	

<b>Purpose of the report</b>		
Chair's Report to inform Board members on relevant strategic developments, external stakeholder and internal staff engagement, new publications of interest to inform Board work and relevant internal developments.	For approval	
	For discussion	
	For information	<b>X</b>

<b>Executive summary</b>		
<p>This report particularly covers the following:</p> <ul style="list-style-type: none"> <li>• The Trust's continued development work to fulfil the Well-Led framework;</li> <li>• Ongoing response to the COVID-19 pandemic;</li> <li>• Governance and Trust Board Developments;</li> <li>• Partnership &amp; Stakeholder Engagement, including the West Yorkshire &amp; Harrogate Committees in Common.</li> </ul>		
Do the recommendations in this paper have any impact upon the requirements of the protected groups identified by the Equality Act?	<p><b>State below 'Yes' or 'No'</b></p> <p><b>No</b></p>	If yes please set out what action has been taken to address this in your paper

<b>Recommendation</b>
<p>The Board of Directors is asked to:</p> <ul style="list-style-type: none"> <li>• Note information provided, including continuing work to fulfil the Well-Led Framework and ongoing developments around Governance and the Trust Board.</li> </ul>

<b>Strategic vision</b>				
Please mark those that apply with an X				
Providing excellent quality services and seamless access	Creating the best place to work	Supporting people to live to their fullest potential	Financial sustainability growth and innovation	Governance and well-led
				X

<b>Care Quality Commission domains</b>				
Please mark those that apply with an X				
Safe	Effective	Responsive	Caring	Well Led
				X

<b>Relationship to the Board Assurance Framework (BAF)</b>	<p>The work contained with this report links to the following strategic risk(s) as identified in the BAF:</p> <p>Contributing towards -</p> <ul style="list-style-type: none"> <li>Regulatory standards – 2.1</li> <li>System Working – 4.1 and 5.2</li> </ul>
<b>Links to the Corporate Risk Register (CRR)</b>	<p>The work contained with this report links to the following corporate risk(s) as identified in the CRR:</p> <ul style="list-style-type: none"> <li>N/A</li> </ul>
<b>Compliance and regulatory implications</b>	<p>The following compliance and regulatory implications have been identified as a result of the work outlined in this report:</p> <ul style="list-style-type: none"> <li>Well-Led Compliance</li> <li>Foundation Trust Code of Governance</li> </ul>

## Meeting of the Board of Directors 26 November 2020 Chair's Report

**Thank You to Staff:** As the Trust moves into winter and operates at an exceptional time during the pandemic and anticipates future changes due to Brexit, alongside business as usual services, I want to thank our entire staff team for their drive, determination and commitment to delivering services at this time for our communities.

**Winter Charity Appeal:** This month we have launched our first winter charity appeal, Make Lives Better. I invite our stakeholders to support the appeal in order to provide added extras for our staff, supporting them as they continue to care for those who are most vulnerable this winter. Further details and ways to donate are available here: <https://www.bdct.nhs.uk/better-lives-charity/>

**Shortlisted for a HSJ Award:** I also want to congratulate staff involved in developing and delivering our Care Trust Way quality improvement approach who have been shortlisted for a national HSJ award in the category of 'Staff Engagement Award'.

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### Strategic

#### **Our Well Led Journey**

As part of the Trust's continued journey to meet the CQC's well-led framework and build our well-led infrastructure, the Board held a further development session with MIH Solutions on 2 November to receive feedback from the check and challenge sessions with members of the Board and the Senior Leadership Team, identify the next set of priority actions for the next two months. A separate Board paper in Item 17 has been prepared on this phase of our well-led work which provides further details of:

- The Trust's new Go See Framework. Building on the already established virtual service visits for Board members that have been operational throughout COVID-19, this Care Trust Way initiative is based on the concept of a Gemba walk with opportunities for Board members to use different visits as a vehicle for the Trust to '*Know its Business, Run its Business and Improve its Business*' at both an operational and a strategic level. The full paper is presented as an appendix in agenda item 17 to demonstrate enhanced plans for Board visibility. To note, our developing Board virtual visit practice was recently noted as welcomed practice during our MIH Solutions independent review.
- The Trust's revised structure of key internal governance meetings that have reporting aligned to key Board Committees; and

- An update on progress from the previously presented well-led action plan at September 2020 Public Board.

A review of evidence against the well-led Key Lines of Enquiry (KLOEs) is currently underway for this phase of well-led work and will be presented to Board from next month.

### **West Yorkshire & Harrogate (WY&H) Committees in Common for Mental Health, Learning Disabilities and Autism (MHLDA)**

From this Public Board meeting onwards the reporting of the activity of the West Yorkshire & Harrogate (WY&H) Committees in Common will be enhanced from sharing the minutes of the Committees meetings to also having a governance committee report, alongside our internal Trust committees. This aims to align further this collective governance at the Integrated Care System (ICS) level of the four trusts involved across West Yorkshire & Harrogate, including BDCFT, with the Trust's Chair and Chief Executive representing the Trust and having delegated authority in being members of the Committees in Common.

The timing of this reporting development is particularly due to a number of MHLDA service transformations becoming live, such as Assessment Treatment Unit services, or will become live by spring 2021.

**Please see Item 25 on the work of the Committees in Common**, including a request to approve its Terms of Reference.

## **Outcomes Focused**

### **Responding to the Pandemic**

As shared in recent and this month's Covid-19 reporting to Public Board, the Trust continues its incident command framework which was established in March 2020, including Gold Command. As Trust Chair I continue to attend Gold Command, currently a weekly meeting of Executives, chaired by our Chief Executive as Gold Commander. Non Executive Directors (NEDs) receive a weekly report from Gold Command on the Trust's response to the pandemic.

### **Governance Developments**

#### **Committee Assurance Reports – A new 'Triple A' approach to assurance**

Discussions have been taking place on how to further improve the reporting processes from Committees to Trust Board. A revised template is being introduced from this Board meeting onwards which helps summarise key items at Committee meetings around a 'Triple A' approach with the following categories:

- Alert – to escalate an issue that requires Board discussion or action;
- Advise – to highlight an issue that may require further monitoring (by the Committee) over a period of time; and

- Assure – to provide positive news on performance, best practice or celebrate awards.

It is not the intention to duplicate Committee minutes (as these will now be part of the private Board pack for cross-reference), but to help focus the Board on a small number of key issues and support the ability to triangulate risk discussions taking place across Committees.

### **Review of the role of Governors, service user representatives and other observers at Committee meetings**

As a Trust, we encourage observers at our Board meetings and Committee meetings to demonstrate transparency and bring the voice of service users into this part of our governance. Since the start of COVID-19 and with the more widespread use of MS Teams for virtual meetings, we have seen an increased uptake in Governors observing Board/Committee meetings which is to be encouraged. Committee members value these contributions and Committee Chairs have rightly emphasised the importance of such lived experience being part of our governance process. To further strengthen the process, Committee Chairs will be adopting the following standardised practice:

- Welcome any observers at the start of the meeting, ask them to introduce themselves (and if external to the Trust) explain their interest in attending as an observer;
- Explain that there will be an opportunity to deal with any issues/queries raised by observers before the break in the meeting procedures (if there is one scheduled) or at the end of the meeting when the effectiveness of the meeting is reviewed;
- Consistency of observers receiving the agenda and minutes of the last meeting electronically before the meeting;
- If the meeting is arranged on MS Teams, encourage observers to note any issues in the Chat function; if it is a simple explanation required (such as an acronym), the Chair may deal with this at the time or decide to collate any questions and cover them before the break or end of the meeting; and
- Provide Governors (or other observers) with the opportunity to provide any personal reflections at the end of the meeting or through an email direct to the Chair of the meeting.

More information on this approach will be presented to the next meeting of the Council of Governors on 3 December 2020.

### **Development of the requirements of Non-Executive Director remits across NHS trusts**

Following NHS Improvement's appointment of Andrew Chang as a Non Executive Director (and Audit Chair) at Yorkshire Ambulance Service, a piece of work has been undertaken by the Director of Corporate Affairs with the Company Secretary Network to highlight where Foundation Trusts (FTs) and NHS Trusts have appointed NEDs across different NHS providers. There are a number of examples nationally where existing NEDs have been appointed by NHS Improvement into another Trust or

where FTs have appointed NEDs who were already operating in another Trust with positive examples of wider partnership working and learning.

The key issues for provider Boards (and Governors in FTs) would be to consider whether such an appointment gave grounds for concerns about any significant conflict of issues, independence of role, or the ability to commit sufficient time to undertake NED duties. This would be relevant in terms of geography (where organisations were in the same ICS), or type of trust (seeking similar roles in the same sector, locally), for example. Our constitution is sufficiently flexible to allow this arrangement, but as the appointing body, Governors would need to take these issues into consideration for future appointments. The Trust's Constitution was last reviewed in July 2018 and as a matter of best practice, it will be reviewed again before the end of 2020/21 to take this benchmarking work into account as well other governance developments relating to wider system working which is developing.

### **Board Training & Development**

The Trust has signed up to the nationally funded **NHS Digital Boards development programme** and the first Board session will take place on 30 November. It will focus on sharing good practice and peer learning on digital transformation through a range of events, publications and board development sessions. NHS Providers is partnering with the digital transformation consultancy Public Digital to deliver the programme to the Trust.

The Board's training and development planner for 2020 introduced in January this year and revised in July continues to support our Board in its work and development, particularly for newer Board members, and please find attached in **Appendix 8.1** the latest version. The Board has recently undertaken a variety of development opportunities, over and above mandatory training, including Corporate Manslaughter training, and a development session on NHS system governance last month. Future training includes risk management with Audit Yorkshire next month.

### **Board Skills Matrix**

One year on since its introduction, our Board Skills Matrix has been reviewed and updated to reflect Board membership changes and revisions to Committee membership and NED champion roles now our new Board is further embedded. This is attached at **Appendix 8.2**. The changes further strengthen the NED composition on Committees, aligning strengths and experience of individuals and cross-referencing champion roles to Committee Chair responsibilities, meeting Trust and NHSI/E requirements. For specific NED remits arrangements for the frequency of meetings with Executive Directors and other senior managers has been identified to help with evidenced assurance and support individual NED roles and development plans.

When joining the Trust as Chair in autumn 2019 I attended Committees as part of my induction, and attended Committees in 2020 to support adaptations in governance due to the pandemic from March onwards and for specific agenda items. As an exception I was a member of the Workforce & Equality Committee to support its set-up during 2020, bringing past NHS Board experience, and I will now step down from the

Committee and NED Carole Pantelli will replace me from 2021 onwards. I will attend future Committees on an ad hoc basis for either specific agenda items, as appropriate, or to observe NED performance, linked to NED appraisals.

### **Lynfield Mount Capital Plan Site Visit**

The Board will take part in an outdoor and socially distanced estates visit to our Lynfield Mount in-patient services on 3 December, subject to weather conditions. The purpose of the visit is to discuss on site the proposed plans for the capital development backed by Board, subject to funding, especially planned service quality and safety elements.

## **Partnerships**

### **Engagement in the Local Place System in Bradford & Craven:**

- Interviewed, alongside our Chief Executive, for the Bradford & Craven's governance consultation to inform future governance arrangements for local place-based working under the developing Act as One approach for health & social care. To note: The Board received a briefing on Act as One at the October 2020 Private Board meeting;
- Continued monthly update meetings with the Leader of Bradford Council;
- Looking ahead, I have invited Bradford Care Alliance (BCA) to attend our Board day next month to support developing plans for the Community Collective between the Trust and BCA with the voluntary sector.

### **Engagement in the Integrated Care System via the West Yorkshire & Harrogate (WY&H) Partnership:**

- Developed regular engagement between the trust chairs linked to the WY&H Committees in Common for MHLDA to exchange practice during the pandemic, improve NED and Governor/Lay Member engagement with the Committee, and support the WY&H Partnership team to further develop governance arrangements;
- Attendance of the Yorkshire & Humber NHS Chairs virtual Forums, including virtual group discussions with the NHSE/I Regional Director and Chief Executive of NHS Providers.

### **West Yorkshire & Harrogate (WY&H) Committees in Common for Mental Health, Learning Disabilities and Autism (MHLDA)**

Preparations for the next MHLDA engagement session for NEDs and Governors are underway which is taking place for the first time virtually on MS Teams on 27 November around the theme of 'Collaboration during Disruption'. The event will include presentations from senior leaders from each of the four Trusts about learning identified during COVID-19 and two governance best practice discussions facilitated by our Director of Corporate Affairs and our Lead Governor. It will provide the opportunity for the Trust's NEDs and Governors to engage with the ICS team and peers from the three other trusts involved.

### **National Engagement Opportunities:**

- Invited attendee and contributor to the NHS Confederation's virtual roundtable on tackling health inequalities, chaired by Lord Victor Adebawale CBE, Chair of NHS Confederation, on 2 November;
- Guest Speaker at the Good Governance Institute's (GGI) virtual Breakfast Seminar Series on NHS system working on 11 November which has led to being invited to become a founding member of GGI's Faculty;
- Regular attendance of the Mental Health Network & GGI weekly seminar for mental health trust chairs to exchange practice during the pandemic;
- Looking ahead, I am a confirmed member of NHS Providers' consultation group on future national legislative changes in the NHS into 2021.

## **People**

### **Council of Governor Engagement**

- The increased attendance of Governors at Public Board meeting continues during the pandemic with around 50% of Governors observing virtual Public Board meetings;
- I continue to meet regularly with the Lead & Deputy Lead Governors to brief them on the work of the Trust and take their questions on behalf of Governors and constituents. Our new Chief Executive now joins these meetings, alongside our Senior Independent Director, as required;
- I held our first virtual Staff Governor meeting this month with our Chief Executive which focused on the latest Staff Survey, staff health & wellbeing during the pandemic, engagement opportunities with Board and development opportunities for staff governors;
- The next Council of Governors meeting will take place on 3 December which will include a briefing on our winter plans during the pandemic, the Trust's Quality Report, plans for 2021 Governor recruitment, and a review of the 2019 CoG satisfaction survey and delivery against the results;
- Looking ahead, we will be planning more virtual Open House sessions into 2021 for Governors, including on our Quality Report.

### **NED Performance**

I have held one to one reviews virtually with NEDs during the autumn to re-visit their 2020/21 objectives set in June this year, discuss training & development opportunities, assess mandatory training compliance, review their risk assessments, and reflect on our work as a Board during the pandemic. There has especially been a focus on supporting newer NEDs who joined in 2019/20.

### **Equality Diversity & Inclusion**

The Board's commitment and support of achieving equality, diversity and inclusion (EDI) in the Trust continues in the following ways:

- Reverse mentoring between the Board and staff with protected characteristics took place for the third time since December 2019 with Board members meeting with staff with disabilities and long-term health conditions after the

Workforce & Equality Committee on 28 September. Each session results in pledges from Board members to further achieve EDI within the Trust;

- Board members continue to engage with forums for staff with protected characteristics, including the Rainbow Alliance forum and Aspiring Cultures Network, especially for Black History Month virtual events;
- Board representation continues at the meetings of the Strategic EDI Group which has been formed during the pandemic and now meets monthly;
- We are pleased to support NEDs, especially Andrew Chang, who have joined the national Secole Group for BAME NEDs, and more information is here: <https://www.seacolegroup.com/about>;
- NEDs have been informed of NHSI/E's commitment to ensuring greater diversity on Boards and Governing Bodies and, along with NHS Providers, their wish to reach out to NEDs and Lay Members with disabilities to explore interest in establishing a disability network that might both provide mutual support and assist in addressing the underrepresentation.

### **Service Visits**

Virtual service visits are currently on hold due to the review of the format since the start of the pandemic, linked to the proposal of the Go See framework approach for visits which will be implemented from this month.

**Cathy Elliott**  
**Trust Chair**  
**November 2020**