

**Agenda item****3.1****Council of Governors meeting in Public  
Thursday 2 July 2020 at 4.35pm  
Meeting Held virtually on Microsoft Teams**

<b>Present:</b>	Cathy Elliott Professor John Bridgeman Councillor Aneela Ahmed Ishtiaq Ahmed Craig Berry Dr Sid Brown Tina Butler Stan Clay Nicky Green Rupy Hayre Abdul Khalifa Belinda Marks Linzi Maybin Colin Perry  Safeen Rehman Kevin Russell Pamela Shaw Nick Smith Joyce Thackwray	Chair of the Trust (Chair of the Council of Governors) Appointed Governor: Bradford University Appointed Governor: Bradford Council Appointed Governor: Sharing Voices Staff Governor: Non-Clinical Public Governor: Shipley (via telecon) Appointed Governor: Bradford Assembly Public Governor: Bradford South Public Governor: Keighley (Lead Governor) Public Governor: Bradford East Staff Governor: Non-Clinical Staff Governor: Clinical Staff Governor: Clinical Public Governor: Bradford West (Deputy Lead Governor) (via telecon) Public Governor: Rest of England Public Governor: Bradford East Staff Governor: Clinical Public Governor: Keighley Public Governor: Bradford South
<b>In Attendance:</b>	Patrick Scott Paul Hogg Phil Hubbard Catherine Jowitt Fran Limbert  Maz Ahmed Professor Gerry Armitage Andrew Chang Dr Zulfi Hussain MBE Simon Lewis Carole Panteli	Acting Chief Executive Director of Corporate Affairs Interim Chief Operating Officer Volunteering and Charity Lead (for agenda item 9) Corporate Governance Manager and Deputy Trust Secretary (Committee Secretariat) Non-Executive Director Non-Executive Director and Deputy Chair Non-Executive Director Non-Executive Director Non-Executive Director Non-Executive Director, Senior independent Director

**Minutes**

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

The Chair, Cathy Elliott, opened the meeting at 4.35pm 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. The Council thanked the Trust for facilitating a virtual engagement session that had taken place with Governors on 11 June 2020. The session had provided an opportunity for Governors to ask questions on the pandemic and receive updates from the Trust in addition to the formal Council and Board of Director meetings held in public. The Council welcomed Mr Scott as the Interim Chief Executive to the meeting who was fulfilling the role on an interim basis, following the departure of Brent Kilmurray as the previous Chief Executive.

On behalf of the Governors, Ms Elliott thanked colleagues for their continued hard work during the pandemic and for our local partners for their ongoing support. She outlined that the Trust continued to follow national guidance in response to the pandemic, with the corporate governance meetings continuing to meet to receive reports, scheduled through pre-agreed work programmes, and urgent items as required.

Apologies for absence had been received from: Mahfooz Ahmed, Public Governor – Bradford West; Councillor Richard Foster, Appointed Governor – Craven Council; Zahra Niazi, Public Governor; and Bradford East; Stephen Oversby, Appointed Governor – Barnardo's.

The Council was quorate.

**66 Declarations of any Conflicts of Interest (agenda item 2)**

No declarations of interest were made.

**67 Minutes of the public meeting held on 2 April 2020 (agenda item 3)**

The minutes of the public meeting held on 2 April 2020 were accepted as a true and accurate record.

**68 Matters Arising (agenda item 4)**

Mr Russell informed the Council that he continued to engage 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, and would keep the Council informed of the ongoing discussion.

**69 Action Log (agenda item 5)**

The Deputy Trust Board Secretary presented the cumulative action log which showed those actions previously agreed by the Council of Governors, those that had been completed and those that remained outstanding.

**The Council welcomed the update provided and agreed to close the actions listed as competed.**

**70 Chair's Report and COVID-19 Update (agenda item 6)**

Ms Elliott presented the Chair's Report and thanked Governors for their continued engagement throughout the pandemic. Two additional virtual Open House sessions had been convened for Governors to further support engagement that had taken place on 30 April and 11 June 2020 with representatives from the Board, including the Chief Executive, Director of Corporate Affairs, Incident Commander and Senior Independent Director. Governor questions covered the availability of personal protective equipment (PPE), the effect of COVID-19 on mental health services, staff wellbeing, and ensuring support for Black Asian and Minority Ethnicity (BAME) staff due to the effects of COVID-19 on BAME communities. The Council heard that the Trust continued to streamline governance during the pandemic, reducing meetings times and agendas, to focus on priority items for the incident and business as usual which was managed dynamically.

Board level virtual service visits continued, having begun in March 2020 by the Chair and Chief Executive, with a programme of Governor observed virtual visits taking place since June 2020. These visits continued to be complemented by virtual quality and safety visits led by the Quality Governance team. The Council noted that an additional Board meeting held in public took place on 26 June 2020 by exception due to the COVID-19 incident and it being previous Chief Executive Brent Kilmurray's last Board meeting. The Board considered the Trust's response to the pandemic, the results of the COVID-19 Learning Week with colleagues and service users to inform the reset and recovery plans, the continuing work to meet the national Care Quality Commission (CQC) Well-Led Framework, an update on Chief Executive Recruitment and Non-Executive Director appraisals.

Ms Elliott outlined the work taking place with the Aspiring Cultures Network of BAME staff during COVID-19 to ensure that risk assessments take place for all BAME staff due to the national guidance, and reporting on the disproportionate effects of COVID-19 on BAME communities. All substantive and Bank BAME staff members had received a risk assessment ahead of national guidance. The partnership had further strengthened the relationship with the Network which had been invited to share their experience at the Board held in public on 30 July 2020 as part of the Board's sharing story session.

The Trust's Learning Week held during COVID-19 received feedback from over 650 staff members, 150 service users, and over 300 staff attended virtual

events to provide feedback on the learning seen due to changes made because of the pandemic. Ms Elliott outlined how the learning was an opportunity to reflect on the Trust's strategy and ways of working against the Trust's COVID-19 recovery plans, including service provision and interactions with service users.

Ms Elliott outlined how partnerships had developed during the pandemic, which included establishing new services, such as to discharge large numbers of people from acute hospitals and a COVID-19 community team supporting care homes. The Council heard how the West Yorkshire and Harrogate NHS organisations have collaborated on PPE supplies, standardising approaches, co-ordinating activities, such as carers campaigns, bereavement helplines and liaison with the Police. The local health and care system for Bradford and Craven was developing an Act as One approach which the Trust was part of through the local strategy of 'Happy, Healthy, at Home'. This approach included six health care pathways developed in partnership, including children and young people's mental health for which the Trust's Medical Director, David Sims, would be the Senior Responsible Officer (SRO).

The Council noted how the Trust, as a community connector, had facilitated an engagement event with the Voluntary and Community Sector and a variety of stakeholders on 10 March 2020. Ms Elliott outlined how the ongoing pilots with the Primary Care Network (PCN) Bradford Care Alliance (BCA) were continuing, and stated that a virtual Open House session would be convened on 29 September 2020 for Governors to share their views on the developing Community Collaborative pilot with the Trust, BCA and other PCNs.

Next, the Council received an update from Mrs Hubbard as the Trust's Incident Commander. She outlined key deliverables that had been developed throughout June which included: establishment of a Home Working Policy and Procedure; embedding new national guidance on personal protective equipment and infection prevention and control; establishment of a Safe Working Environments Group; completion of BAME risk assessments for all substantive and bank staff at work; ongoing engagement with staff members; review of leave, and visiting and access process; and revised delivery of service provision that had been temporarily stood down in response to the pandemic and national guidance received.

Mrs Hubbard outlined the next steps for staff members risk assessments as part of phase three within this workstream. She said that work was taking place to continually support colleagues that had underlying health conditions and those from BAME backgrounds. Risk assessments for working from home and all other staff members would be finalised with a process to support delivery being discussed at Silver Command for approval. The Council noted that feedback had been received from staff members that outlined how they felt continually supported through the preparation and responses stages of the pandemic as a result of the enhanced staff engagement and internal

communications plan, plus the opportunity to have quality conversations on key topics.

Councillor Ahmed asked whether staff had been supported with PPE required. Mrs Hubbard confirmed that they continued to do so, with the Trust following national guidance. Mrs Butler referenced reports that had featured locally within the media and asked whether guidance was expected on a place-based lockdown. Mrs Hubbard outlined the challenges associated with reports and highlighted the importance of engagement and communication from sources such as Bradford Council. She said that the infection rates across the place continued to be a higher trajectory than some other regions across the country and encouraged Governors to direct queries to Bradford Council statements and guidance.

Mr Russell asked what the staff member absence rate was due to the pandemic. Mrs Hubbard confirmed that it was 3.19%. The Council noted that feedback and case studies would be gathered from service users, carers, and staff members. Colleagues had been invited to share their experience of previously contracting COVID-19 through the sharing story session within the Board of Directors meeting held in public. The Council noted that both opportunities provided enhanced learning experiences for the Trust.

**The Council thanked colleagues for their ongoing hard work and support during the COVID-19 pandemic and welcomed opportunities for lessons being learned to support progress made in line with the Trust's continuous improvement culture.**

## 71 Update on the Care Quality Commission (CQC) (agenda item 7)

Mrs Hubbard presented the report on the ongoing developments for the CQC workstream at the Trust. She outlined that except for workstreams four, seven and nine, all actions had been completed that related to agreed actions to be completed by 31 March 2020, with a Joint Mental Health Legislation and Quality and Safety Committee being convened to meet by email to sign off the high-level action plan. The Council noted that the Quality and Safety Committee was sighted on all rapid actions that were supported by the Compliance Group to ensure delivery of workstreams four, seven and nine in a robust and concentrated approach that focused on the acute wards for working age adults and Psychiatric Intensive Care Unit, where the regulatory breaches occurred.

An overview of the next steps for the continuous improvements was presented which included:

- introduction of virtual Quality and Safety Visits;
- expert by experience to contact service users and carers virtually;
- separation of directorate to two Care Groups: Adult Physical Health and Children's Services; and Mental Health Services;

- development of community core services; and
- one targeted service visit taking place per week to identify gaps and support organisational learning.

**The Council noted the update provided on the CQC and the subsequent targeted continuous improvement work that had taken place following the Trust receiving the Section 29A Warning Letter in March 2019 which had resulted in a rating of good across all five CQC domains in May 2020, following a re-inspection of the core services.**

**72 Assurance Reporting: Audit Committee (agenda item 8.1)**

Mr Chang presented the report from the Committee and explained that there had been two formal meetings and an informal discussion for Non-Executives to meet with the Finance Team to understand the detail of the annual accounts process. He outlined that assurances had been received with the draft and final versions of the 2019/20 Annual Report and Accounts, Internal Audit Head of Audit Opinion and External Auditors Statement scrutinised with the Committee supporting their approval to the Board of Directors. The 2020/21 draft Internal Audit plan had been considered with a significant assurance report received from Internal Audit on the Trust's Governance Framework. Other governance assurance reports included a Bi-annual Report on Litigation, Annual Gifts and Hospitality Register, approval of revised Claims Handling Policy, Annual Information and Data Assurance Report and three waivers to the Standing Financial Instructions.

The Council noted that areas for further development included further consideration of the draft 2020/21 Internal Audit plan to be considered throughout the year in light of COVID-19 and CQC inspection reports. Consideration of routine local counter fraud items to build on strong performance during 2019/20, would be reported to each Committee meeting.

**The Council welcomed the update provided and the leadership and scrutiny that had been undertaken by the Committee.**

**73 Assurance Reporting: Finance, Business and Investment Committee (agenda item 8.2)**

Mr Ahmed provided an overview of the report and said that assurance had been received on the pilot for Lone Working Personal Safety Devices to support colleagues' health and safety. The financial outturn for month 12 had been reported as £400,000 better than plan position due to the Trust receiving additional mental health funding of £457,000; a £4,000 improvement from pre-planned position; and £61,000 untaken annual leave agreed to be carried forward in response to the pandemic as a deviation to the original plan. Mr Ahmed said that in response to the financial position for month 12 and overall performance of 2019/20, the Committee noted that a briefing session with

members of the Audit Committee had taken place to support presentation of the draft Annual Accounts to the Audit Committee during May and June 2020. He outlined that results from an audit on cyber security and awareness was presented, based on Good Governance Institute guidance on cyber security in response to the pandemic. The audit had been commissioned by NHS Digital to understand the level of compliance and risk across all NHS organisations, with the Trust scoring a 'medium' rating.

The Council noted that areas for further development included work to take place on financial and operational planning to understand the impact of revised contracting arrangements due to the pandemic; ongoing work to finalise the Digital Strategy; and planning development and delivering of recommendations from the internal communications review.

**The Council welcomed the update provided and the leadership and scrutiny that had been undertaken by the Committee.**

**74 Assurance Reporting: Mental Health Legislation Committee (agenda item 8.3)**

Mrs Panteli explained to the Council that an update on the work of the Ethics Committee was received on the discussion on complex topics associated with Mental Health Legislation. The Committee had been assured on the Trust's Ethics process and how the Trust continued to work to keep people safe. She outlined that ongoing learning took place on the revised practice supporting the delivery of Associate Hospital Manager's fulfilling their role in reviewing service users detentions under the Mental Health Act. Positive feedback had been received on the revisions and associated outputs. The Council heard that the Care Quality Commission Mental Health Act monitoring visits would continue throughout the pandemic, including revisions to Trust processes in line with national social distancing and personal protective equipment requirements.

The Council noted that areas for further development included work taking place to develop the framework supporting the Committee, building on the peer review that was undertaken in 2018 and linked to the associated action plan. A discussion on the Board Assurance Framework and Corporate Risk Register had taken place with members welcoming the reports being dynamic and further developed in line with the refresh of the Trust's Risk Management Strategy. A serious incident on the use of restrictive intervention on an under 16-year-old had been reported by the Medical Director for a service user place at the Trust by the Local Authority. Further updates were scheduled to be provided to the Committee.

**The Council welcomed the update provided and the leadership and scrutiny that had been undertaken by the Committee.**

**75 Assurance Reporting: Quality and Safety Committee (agenda item 8.4)**

Professor Armitage presented the report from the Committee and explained that there had been two formal meetings during the reporting period. He outlined that comprehensive update reports had been received from the two Care Groups, the Compliance Group and Patient Safety and Learning Group. The updates outlined positive and innovative work undertaken by the Trust in response to the pandemic and ensuring business continuity with some services being delivered digitally. The Committee had received an update of the work of the Ethics Committee and heard how the Quality Impact Assessment process would be aligned to cost improvements and use the Care Trust Way methodology.

The Council noted that areas for further development included a further review of the impact of COVID-19 on clinical services; assurance to be delivered on the delivery of the Quality Report which had been deferred in line with national guidance; and ongoing work taking place to support a systematic approach to organisational learning.

**The Council welcomed the update provided and the leadership and scrutiny that had been undertaken by the Committee.**

**76 Assurance Reporting: Workforce and Equality Committee (agenda item 8.5)**

Mr Lewis explained to the Council that an increased representation had been achieved by attendance of Rainbow Alliance, Aspiring Cultures and Staff side Chairs. The Committee had reviewed and supported the next six-months' focus for the Rainbow Badge campaign, and reviewed a proposal for the Freedom to Speak Up Guardian framework and role for which the Trust would ensure was a competitive appointment process. Assurance had been received on partnership working regarding equality, diversity and inclusion work, with an ongoing focus on the Trust's individual priorities and ambitions.

The Council noted that areas for further development included ongoing work to enhance the Dashboard which would include additional metrics in future iterations. Due to the pandemic, elements of the talent management work were temporarily on hold which was expected to be progressed in Autumn 2020. Consideration would be given regarding governance framework for reporting in the Trust with a focus, where practicable, on keeping things simple. Mr Lewis said that consideration would be given to the possibility of reporting on an ethnicity / race pay gap (as well as gender) which was welcomed.

**The Council welcomed the update provided and the leadership and scrutiny that had been undertaken by the Committee.**

77 **Relaunching the Trust Charity – Better Lives (agenda item 9)**

Catherine Jowitt, the Trust's Volunteering and Charity, Lead joined the meeting and presented an overview of the development work that had taken place to support the relaunch of the Trust Charity, Better Lives. She explained that the fund total was approximately £250,000 which had been predominantly received through donations and legacies over a number of years. It had been agreed, before the pandemic, to relaunch the fund to strengthen the alignment to the Better Lives, Together strategy. Ms Jowitt explained how the refresh provided an opportunity to enhance how staff accessed the funds to support the health and wellbeing of service users with the amount being spent greater than the amount being received. The Council heard that following a review of the funds, the Charitable Funds Committee agreed in February 2020 to relaunch as a fully public facing branded charity with the ability to proactively fundraise.

Since the pandemic, the Trust had engaged with the NHS Charities Together programme via which nationally over £120 million had been raised for NHS charities with the Trust so far receiving two grants from the national funding. Ms Jowitt explained that due to the alignment of the NHS Charities Together, the launch of Better Lives was agreed to take place in May 2020, with a launch event to start raising the profile of the Charity with staff, services users. 32 teams, made up of 150 staff, services users and volunteers and their families were involved in the Step Up! For Better Lives Challenge. The Council heard that work was taking place to recruit a Fundraising Officer to support the activities of the Charity.

Mr Russell asked how the fund had supported staff members throughout the pandemic. Ms Jowitt explained that grants to access the funds had been approved by the Silver Command to support several provisions being made available for colleagues. **It was agreed that further information on the Better Lives Charitable Fund would be provided to Governors.** A discussion took place on the networks that individuals had to help gather ideas and raise awareness of the importance of the fund; Governors were invited to share feedback and ideas as part of the relaunch.

Catherine Jowitt

**The Council noted the update provided and welcomed the opportunity to further engage with the Better Lives Charity.**

**78 Feedback from Governors** (agenda item 10)

**The Council 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.**

**79 Governance Matters** (agenda item 11)

Mr Hogg presented the report on key governance items which included an update on the Lead Governor and Deputy Lead Governor appointment and election process; ongoing developments to support the delivery of the Annual Members' Meeting; the declaration on compliance with NHS Improvement Foundation Trust Code of Governance which featured within the 2019/20 Annual Report; and the declaration in relation to S151(5) of the Health and Social Care Act 2012 for Governor development.

In relation to the Lead Governor and Deputy Lead Governor election, the Council:

- approve a change in the appointment period of the Lead Governor and Deputy Lead Governor from one year to two years;
- Authorised the Corporate Governance Manager to make the recommended change to the role descriptions;
- Approved the extension of the appointment of Nicky Green as Lead Governor for a further one year; and Colin Perry as Deputy Lead Governor until the end of his term of office.

A discussion took place on the Annual Members' Meeting and Governors noted that a revision to how the event would be delivered would take place this year in relation to infection prevention and control measures and national guidance relating to the pandemic. Learning on previous events had taken place, with Governors invited to form part of the Task and Finish Group to support delivery of the project. **It was agreed that further information on the event would be shared with Governors.**

Fran  
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The Council reviewed the information provided on compliance with the Foundation Trust Code of Governance, and the declaration in relation to S151(5) of the Health and Social Care Act 2012 for Governor development, and approved the statements provided.

**The Council received the update provided.**

**80 Management of Deferred Items** (agenda item 12)

**The Council received the log of deferred items that outlined those topics that had been deferred due to meetings being revised in response to the pandemic.**

**81 Any Other Business** (agenda item 13)

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.

**82 Meeting Evaluation** (agenda item 14)

A discussion took place to evaluate the meeting in line with the commitment for continuous improvement within the Trust. Governors continued to welcome the opportunities to join meetings virtually via MS Teams and the Open House sessions offered by the Trust to gain insights into the work of the Trust, including its response to the pandemic.

**Signed.....**

**Date.....**