

Council of Governors Chair Report

4 November 2021

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| Paper title: | Council of Governors Chair and Trust Chair Report, including Governance Matters | Agenda item 8.0 |
| Presented by: | Cathy Elliott, Council of Governors Chair and Trust Chair | |
| Prepared by: | Cathy Elliott, Council of Governors Chair & Trust Chair and Paul Hogg, Trust Board Secretary & Director of Corporate Affairs | |

| Purpose of the report | | |
|--|-----------------|----------|
| <p>This paper updates the Council of Governors on:</p> <ul style="list-style-type: none"> - Council of Governors Update; - Board Membership and Engagement Update; - Well-Led Inspection Update; - Trust strategic development work, including aligning with the integrated care agenda and partnership working; - a number of governance related matters in section 2 of the report. | For approval | |
| | For discussion | X |
| | For information | X |

| Executive summary | | |
|---|--|---|
| <p>This report provides information in two sections with the first section in the form of a Chair's Update Report and the second under Governance Matters for Governor consideration.</p> | | |
| <p>Do the recommendations in this paper have any impact upon the requirements of the protected groups identified by the Equality Act?</p> | <p>State below 'Yes' or 'No'</p> <p style="text-align: center;">No</p> | <p>If yes please set out what action has been taken to address this in your paper</p> |

| Recommendation |
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| <p>The Council of Governors is asked to:</p> <p>In the Chair's Update;</p> <ul style="list-style-type: none"> • note Board Membership changes taking place with reporting to both the Council of Governors Nominations Committee and meeting of 4 November 2021; • note the Council of Governors update, including the new Lead and Deputy Lead Governors appointed; • note the regulator's Well-Led Inspection update of September/October 2021; and |

- note the Board’s strategic development work in line with integrated care policy and related partnership working.

In the Governance Matters section:

- note the Governor vacancy in the Bradford South Constituency;
- note the membership of the Nominations and Remuneration Committees; and
- note the opportunity to become a member of the Membership Development Committee.

| Strategic vision | | | | |
|--|---------------------------------|--|--|-------------------------|
| 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 |

| Care Quality Commission domains | | | | |
|--|-----------|------------|--------|----------|
| Please mark those that apply with an X | | | | |
| Safe | Effective | Responsive | Caring | Well Led |
| | | | | X |

| | |
|--|--|
| Relationship to the Board Assurance Framework (BAF) | The work contained with this report links to the following strategic risk(s) as identified in the BAF: <ul style="list-style-type: none"> • N/A. |
| Links to the Corporate Risk Register (CRR) | The work contained with this report links to the following corporate risk(s) as identified in the CRR: <ul style="list-style-type: none"> • N/A. |
| Compliance and regulatory implications | The following compliance and regulatory implications have been identified as a result of the work outlined in this report: <ul style="list-style-type: none"> • Working with the NHS Improvement regulatory framework. • Compliance with the Foundation Trust Code of Governance |

Meeting of the Council of Governors

4 November 2021

Section 1: Chair Update

Thank you as always to all of our staff and partners who continue to work together in challenging times during the pandemic, especially moving into the 2021/22 Winter period, including our Chief Executive and Executive Management Team.

As shared on 13 October this year, I will be moving on from the Trust to take up a new role as West Yorkshire Integrated Care Board Chair from December this year. Thank you to staff, Governors and the Board for their support of me with this move. Interim arrangements are agreed, including Non Executive Director (NED) Carole Panteli becoming Interim Chair from December this year until the end of March 2022. Thanks to Carole for agreeing to take on this role.

Council of Governors

Lead & Deputy Lead Governor Appointments

As confirmed at the 2021 Annual Members Meeting (AMM) in September this year, Anne Scarborough will become the Trust's next Lead Governor from November this year as an uncontested candidate. Nicky Green as out-going Lead Governor and Anne as incoming Lead Governor have been working on a handover together since September, including supporting each other through the regulator Well-Led inspection that month, which is appreciated. I want to note the Trust's gratitude to Nicky Green for her active role as Lead Governor since 2019 and her many years as a Governor with us. Nicky will stay on as a Governor into spring next year.

On 18 October this year we confirmed Staff Governor Linzi Maybin as the Trust's Deputy Lead Governor to work with Anne from November this year. Linzi was appointed following a Governor voting process in early October. Linzi will take on the role, following the retirement of Colin Perry earlier this year.

Council of Governors Nominations Committee

The Council's Nominations Committee of Governors met virtually on 21 October this year to review and approve the proposed Non-Executive Director (NED) recruitment plans due to the retirement of NEDs Gerry Armitage and Zulfi Hussain in February next year. An outline of NED recruitment plans is outlined in agenda item 6 of the private meeting.

The Committee also approved the proposed interim Board arrangements due to my departure in early December this year, including NED Carole Panteli as Interim Chair, NED & Audit Chair Andrew Chang as Interim Deputy Chair and NED Simon Lewis as Interim Senior Independent Director. Once the NED recruitment plans are live and in process Governors will be updated on Chair plans.

Governor Service Visits

I was pleased to host on 27 September 2021 a tailored visit to our Lynfield Mount mental health inpatient services site for Nicky Green as out-going Lead Governor and incoming Lead Governor Anne Scarborough. They met with Thabani Songo, Operations Service Manager for the Trust's Adult Inpatient Service to learn about the services delivered on site and the capital development plan needs. (An update on our Lynfield Mount capital bid is provided later in this report). I also hosted a visit for Anne to our Covid Community Vaccination Centre at Jacob's Well on the same day to learn first-hand about the delivery on site and multi-disciplinary team approach taken. Chair hosted service visits for small groups of Governors can be arranged from time to time on request to broaden Governor understanding of the Trust's work.

Governor Induction

An induction session will take place on 2 November this year for two relatively new Governors which will conclude the Governor induction process for all new Governors starting with the Trust since May this year.

Training & Development

All Governors are invited to share their interests and needs in terms of training and development for the Trust to meet or arrange via an external provider. As a reminder, NHS Providers (NHSP) offers a national programme of sessions and the opportunity to sign up for the NHSP Governor newsletter which can all be found online. Please contact Helen Robinson in our Corporate Governance team to register your interest for training – helen.robinson@bdct.nhs.uk.

Strategic

Board Strategic Planning for Integrated Care

The Trust, including the Board, continues to proactively engage in the developing integrated care agenda, led by the Government's Health & Care Bill which is currently at Committee stage in the House of Commons, following a 1st and 2nd reading. Our Trust work is in the form of being an active member of the Bradford & Craven Integrated Care Partnership (ICP) as a place-based partnership and the West Yorkshire & Harrogate (WY&H) Integrated Care System (ICS).

The Board has been working since April this year to review and agree next steps in responding to the Government Bill and aligning the Trust's strategic plan, Better Lives, Together, with place-based and ICS integrated care plans and delivery. One result of this work is an updated Better Lives, Together strategic plan in the public domain which has been available on our Trust website from the end of September this year.

Since April this year Board members have been working in specific groups to take forward aspects of our strategic work, including reporting to our October 2021 Private Board meeting on developing strategic partnering approach, clinical leadership in systems and stakeholder management and mapping. This work is also in line with place-based and ICS timetables for integrated care plans to be finalised by January next year to then be live from April next year. This programme aims to ensure that the Trust continues to have a clear vision and credible strategy to deliver high-quality sustainable care to people and robust plans to deliver in a changing policy landscape.

Outcomes Focused

Regulator Well-Led Inspection

The Trust received a Care Quality Commission (CQC) NHS regulator inspection against the national NHS Well-Led framework and of some of our core services during September this year. As previously mentioned, the Trust has not had a formal CQC Well-Led review since February 2019, and is currently rated 'Requires Improvement' overall, including for the Well-Led domain; the formal core services and Well-Led inspections have been delayed since last year due to the pandemic.

Thank you to staff, Governors and Board members for their preparation and participation with the inspection, including attending interviews or focus groups with CQC representatives as well as meeting inspectors on site in services in the community. A verbal feedback session took place virtually on 1 October this year between the CQC regional team and some Trust Board members, and general feedback will be shared as appropriate at the 4 November Council of Governors meeting. **We expect a formal report from the CQC in mid-November** which will be reviewed at the 11 November 2021 Board meeting or the one on 9 December 2021, if timings align. Governors will be sent the public facing CQC report on the Trust when available and a Board response to the report will be prepared, led by Phil Hubbard, Director of Nursing, Professions and Care Standards.

Particular thanks to Beverley Fearnley, Deputy Director of Patient Safety, Compliance and Risk, for working on preparations with all Board members, Governors and our Senior Leadership Team.

Delivery of the Covid Vaccination Programme

The Trust's Covid vaccination programme delivered since January this year continues via the Trust's Lynfield Mount hub for local healthcare and public sector workers, starting up again for booster vaccinations, and also the Trust's community vaccination centre (CVCs) site at Jacob's Well for the general public, alongside satellite and drop-in sites to reach certain communities. The Trust has also extended its work this autumn to deliver vaccinations for 12 – 15 year olds in schools based on our well-established school immunisation programmes. Our work continues in line with the national Joint Committee on Vaccination and Immunisation (JCVI) vaccination categories and a NHS vaccination consent process for those being vaccinated which is supported by an ad hoc Board Assurance Committee, recorded at the relevant Board meetings and Committees.

Lynfield Mount Capital Plan

We continue to seek the approximate £70m+ in funding to fulfil the Lynfield Mount capital project for our mental health inpatient services which can begin as soon as funding is received, and we have submitted an Expression of Interest (EOI) for funding via a national '8 Hospitals' programme announced by Treasury in autumn last year and finalised in September this year. **We expect to hear the outcome of our EOI in late November this year** as to whether we move to the next stage of the national bidding process. Governors will be kept informed of any developments.

Governors are aware that the design is guided by our service users with whom we have begun stakeholder engagement and we will involve local people through consultation on the design, ensuring that people who use the service now and in the future are involved to support high-quality sustainable services for the new development. The development will be built with the reduction of our carbon footprint in mind. A film of the vision for the capital bid was shared with Governors via the October 2021 monthly newsletter, and **we request Governors share the film via their community and social media networks.**

Partnerships

ICP for Bradford & Craven

The Board expects to approve in January next year the next version of the Strategic Partnership Agreement (SPA) for our place-based Happy, Healthy and at Home strategy in partnership to be delivered in Bradford District & Craven via an 'Act as One' approach to partnership working for health & social care.

Our Chief Operating Officer and Trust Board Secretary are proactive contributors to place-based developing plans, and a presentation was given for feedback to the October 2021 Private Board on developing place-based governance arrangements. The Chief Executive and I attend the NHS Chairs, Elected Officials and equivalents ICP group each month, hosted by the place's Clinical Commissioning Group Chief Executive, to support this work.

WY&H Committees in Common (CinC) for Mental Health, Learning Disabilities & Autism (MH,LD&A)

The Trust's involvement with the Provider Collaborative CinC of four MH,LD&A NHS trusts includes the attendance of the most recent quarterly meeting on 21 October this year to review the now live Tier-4 CAMHS and Adult Secure service transformations across the four trusts and to receive an update on the Assessment Treatment Unit (ATU) transformation. Each service transformation is led by one of the trusts in the Provider Collaborative for the benefit of service users across West Yorkshire, and BDCFT leads on the ATU transformation. A Triple-A report will be presented to a future Public Board meeting to outline assurance gained by BDCFT from CinC as part of in-common reporting across the four trusts involved.

Governors and NEDs are invited to the next six-monthly West Yorkshire MHL&A virtual briefing and event on 23 November this year, 9am – 1pm. Please contact Helen Robinson in our Corporate Governance team to register your interest – helen.robinson@bdct.nhs.uk

People

Board Visits & Workforce Engagement

Plans and activities continue to ensure Board visibility across the Trust whilst gaining insights across the organisation of ensuring a culture of high-quality, sustainable care. Whilst observing Infection Prevention guidelines, activities include:

- **The Board visits against our Go See Framework via a new phase of visits which** began in May this year with joint Executive and NED visits in person and virtually. As an example, I joined our Medical Director on 14 October this year for a virtual visit with local young apprentices to discuss ways to improve access to children and young people's mental health services, and a virtual visit to our City District Nursing team to discuss their best practice and service achievements on 21 September this year. The Board's Go See Framework support Board visibility and service engagement, linked to the CQC's Well-Led framework. Governors are welcome to observe these visits, linked to their role on holding to account Chairs and NEDs.
- Board members engage in a variety of ways with staff and services via other visits, such as the **recent Dementia Assessment Unit (DAU) virtual celebration event** to profile and acknowledge the quality improvement and best practice undertaken by the team.
- **Board members continue to engage with staff via established forums**, attending virtual staff forms such as the Aspiring Cultures Network monthly meetings, and the two-monthly Strategic Equality, Diversity and Inclusion, Accountability and Governance Group;

- **Board members present or observe the weekly Executive Broadcasts** for the workforce which hundreds of staff typically attend on a variety of topics linked to the Trust's response to the pandemic or schedule of activities, such as values-based recruitment and our Belonging & Inclusion plan, linked to Black History Month.

Cathy Elliott
Council of Governors and Trust Chair
October 2021

Section 2: Governance Matters

Changes to the Council of Governors

We received a message from **Joyce Thackwray** that she has decided to stand down as a Governor for the Bradford South constituency due to other commitments – having recently started a series of dementia friendly support groups in her local area. These are alongside her existing commitments on her local Patient Participation Group and the local health and wellbeing allotment in Clayton. We would like to thank Joyce for her work at the Trust and the contribution she has made on the Council of Governors.

The Trust held Governor elections in the Bradford South constituency earlier in the year which resulted in Dr Sidney Brown being re-elected for a second term. The Trust's Constitution allows for the next highest polling candidate to be contacted if a Governor vacates a seat within 6 months of an election. Sarah Young was contacted but has declined the role as she is now at university undertaking a nursing degree. The Corporate Governance team will make arrangements for an election to fill vacant seats in the new year.

Council of Governor Sub-Committees

Governors will recall that the Trust asked for expressions of interest for membership on the Governor-led Committees and those Governors who responded have been included. Set out below is the membership of the Committees and a brief description of each Committee.

Remuneration Committee

The duties of the Committee include the following:

- considering annually the level of remuneration of the Chair and Non-Executive Directors;
- make recommendations to the Council of Governors on any increases in remuneration; and

- undertake, at least every three years (and when it is intended to make a material change to remuneration), an assessment of remuneration levels (this will be through the use of external professional advisers). If an external assessment is not deemed necessary, ensure the reason(s) for this are incorporated into the minutes of the meeting and reported through the Annual Report.

The membership is:

Anne Scarborough
Stan Clay
Ishtiaq Ahmed

Nicky Green
Abdul Khalifa

Sid Brown
Anne Graham

Nominations Committee

The duties of the Committee include the following:

- on expiry of the initial Non-Executive Directors' current term of appointment, to consider whether to recommend to the Council of Governors to reappoint each or any retiring Non Executive Director;
- to ask the Board of Directors to identify suitable candidates if the Council of Governors does not make a re-appointment;
- to consider suitable candidates identified by the Board of Directors;
- to ensure plans are in place for the orderly succession for appointments to the Board; and
- to make recommendations to the Council of Governors on each appointment taking into account the job description and person profile drawn up by the Board of Directors.

The membership is:

Anne Scarborough Linzi Maybin Sid Brown Tina Butler

Membership Development Committee – proposed membership

We are inviting Governors to express an interest in joining this Committee, which we will be re-establishing shortly. Currently only two Governors have done so, so there are three more places available.

Please contact corporate.governance@bdct.nhs.uk if you are interested in the work of this Committee.

The overall aim of this Committee is to ensure the Trust recruits a membership which is representative of the local community and offers opportunities for its membership to engage in the work of the Trust.

The duties of the Committee include the following:

- to review the Trust's current Membership Strategy;
 - to produce an action plan with a view to increasing/engaging the public membership;
 - to play a significant role in ensuring the membership is representative of the population the Trust serves;
 - to provide twice-yearly updates about the Membership strategy to the Council .
 - to report on its activities to the membership through the Annual Report;
 - to develop a plan to engage with existing and future membership of the Trust;
- and
- to consider member-related issues affecting the Annual Plan and Annual Report.

Sub-Committee Meetings

There is the opportunity for up to three Governors to observe Board Committees, chaired by our Non-Executive Directors. The next sub-committee dates are listed below and please contact the Corporate Governance team corporate.governance@bdct.nhs.uk to arrange attendance.

- **Audit Committee meeting** on 4 November 2021 at 9:30am until 12:30pm via Microsoft Teams.
- **Mental Health Legislation Committee meeting** on 18 November 2021 at 9:30am until 12:30pm via Microsoft Teams.
- **Quality & Safety Committee meeting** on 22 November 2021 at 9:30am until 12:30pm via Microsoft Teams.
- **Finance Business Investment Committee meeting** on 25 November 2021 at 9:30am until 12:30pm via Microsoft Teams.
- **Charitable Funds Committee meeting** on 16 December 2021 at 9:30am until 12:30pm via Microsoft Teams.

Council of Governor meetings in 2022

The Corporate Governance team has now scheduled all Board, Committee and Council of Governors meeting for 2022/23, which are attached to this report for information. Council of Governors meetings are proposed as follows (time to be confirmed but earmarked for 4.00pm – 6.00pm:

3 February 2022
5 May 2022
1 September 2022
2 February 2023.

Paul Hogg
Trust Board Secretary & Director of Corporate Affairs
October 2021