

Council of Governors – Public meeting

3 February 2022

Paper title:	Council of Governors Interim Trust Chair Report (including Governance Matters)	Agenda item 6.0
Presented by:	Carole Panteli, Interim Chair	
Prepared by:	Carole Panteli, Interim Chair & Paul Hogg, Director of Corporate Affairs	

Purpose of the report		
This paper updates the Council of Governors on: <ul style="list-style-type: none"> • Board membership and Engagement updates. • Well led inspection update. • Trust Strategic development work, including alignment with the integrated care agenda and partnership working. • A number of governance matters in section 2 of the report. 	For approval	
	For discussion	X
	For information	

Executive summary		
This report provides information in two sections with the first section in the form of a Chair update report and the second under Governance Matters, for consideration by Governors.		
Do the recommendations in this paper have any impact upon the requirements of the protected groups identified by the Equality Act?	State below 'Yes' or 'No' No	If yes please set out what action has been taken to address this in your paper

Recommendations
The Council of Governors is asked to: <ul style="list-style-type: none"> • Note the Board membership changes taking place with reporting to both Council of Governors Nominations Committees and meetings on 14 December 2021 and 14 January 2022 including an update regarding Chair recruitment. • Note the outcome of the CQC inspection published December 2021 which re-rated the Trust as “Good” overall and “Good” for the well led domain. • Note the Board’s strategic development work in line with Integrated Care policy and related partnership working. In the Governance Matters section, the Council of Governors is asked to: <ul style="list-style-type: none"> • Note the information about mandatory vaccinations and that further information will be provided to Governors during February 2022.

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"> n/a

Meeting of the Council of Governors

3 February 2022

Thank you as always to all of our staff, partners and Governors who continue to work together in challenging times during the pandemic, especially dealing with the Omicron variant, including our Chief Executive and Executive Management Team.

Council of Governors

Council of Governors Nominations Committee

The Council of Governors Nominations Committee met on 14 December 2021 to recommend the appointment of two Non-Executive Directors. The Committee also met on 14 January 2021 to recommend that the Interim Chair, Carole Panteli, extend her period of office until the end of June 2022. This is to allow time to explore opportunities with partners in Primary Care and the local authority which will inform the recruitment of a substantive Chair by the end of June 2022.

Governor Service visits

Due to the impact of the COVID-19 Omicron variant the Board was advised by Infection prevention colleagues and decided that face-to-face Go See visits should be temporarily suspended. However, a number of virtual visits would be considered as advised by the Executive Team, when a service might benefit from a wellbeing visit. The Board wishes to offer support to frontline services and will continue to seek assurances at Board and Committee meetings about the wellbeing and resilience of the Trust's workforce.

Chair hosted visits for Governors will resume as soon as it is advised by the Infection Prevention team which can be arranged at the request of Governors to broaden their understanding of our work.

Board recruitment

The Council of Governors approved the appointment of two Non-Executive Directors at its meeting on 20 December 2021 who are expected to join the Trust in mid-February in NED designate roles as part of the handover arrangements, subject to satisfactory pre-employment checks. They will be substantively in post from 1 March 2022 with a media release published later this month.

Training and development

As a reminder, NHS Providers (NHSP) offers a national programme of sessions and the opportunity to sign up for the NHSP Governors Newsletter which can be found online. Please contact Helen Robinson in our Corporate Governance team to register your interest via helen.robinson@bdct.nhs.uk

Strategic

The Trust, including the Board, continues to proactively engage in the developing Integrated Care agenda, informed by the Government's Health and Social Care Bill and looking ahead to statutory arrangements being in place by the revised date of 1 July 2022. Our Trust continues to be an active member of the Bradford and Craven Integrated Care Partnership (ICP) as a Place-based partnership as well as the West Yorkshire & Harrogate (WY&H) Integrated Care system (ICS).

New CAMHS Inpatient site opens

Red Kite View, West Yorkshire's new mental health inpatient unit for people aged between 13-18, is now open. It offers expert therapy and treatment to some of the most vulnerable young people in the area. The £20m purpose-built facility, located on the St Mary's Hospital site in Armley, Leeds, has been designed in partnership with clinicians and young people, who've contributed their ideas, hopes and aspirations for care at the new unit. They also helped to decide on the name 'Red Kite View' - as nature is strongly associated with mental wellbeing and rehabilitation.

[Read the full story and watch a short video about this development on the Leeds and York Partnership website.](#)

Changes to Bradford Council's Children's Services

Bradford Council is creating a council-owned children's company as part of its ongoing commitment to improving its children's services. Establishing the company will ensure that children and young people feel the impact of improvements even sooner, which will result from increased investment in services and closer working between local children's service professionals and national expertise. The decision to form a company has been made in response to receiving the report of Commissioner Steve Walker, who has been working with the Council since September 2021.

Councillor Susan Hinchcliffe, Leader of Bradford Council, said: "Nothing is more important to us than the protection of children in our District. All children deserve to have a happy childhood and full opportunity to flourish. We have worked hard, through the pandemic, to improve children's services and Government Commissioner Steve Walker has recognised this. Our commitment is evident in the significant investment in services and wider intensive support from across the Council but we know the pace of improvement needs to quicken."

“In response to the Commissioner’s report to the Secretary of State, we are creating a council-owned children’s company. We are working positively and constructively with Government in the best interests of our children. This gives our valued social care staff certainty over the future direction of the service and the opportunity to draw on resources and expertise nationally. It will bring greater investment and support so that children and young people in the district feel the impact of this work sooner. Our frontline staff are key to this – we recognise the hard work social care staff do every day, entering homes in some of the most challenging circumstances in our society, and we are committed to supporting them.” More details of the creation of the Children’s Company will be shared once they are available.

Outcomes focussed

Follow up to the CQC Well Led inspection

In December the Trust was informed by the CQC that it had re-rated the organisation a “Good” overall and “Good” for the well led domain. The report has now been published and the team are responding to the identified must and should dos, with progress monitored at QSC and reported regularly to Board. I would like to take this opportunity to congratulate and thank our staff who have enabled the Trust to achieve a “Good” rating, it has been a very difficult time for all our services over the past 18 months and it is a credit to them that our regulator has formally acknowledged the improvement in our services. Further details are provided in the report at agenda item 8.

Partnerships

Due to the revised date for the statutory changes to be at ICS and ICP levels, the Board is now expected to approve the revised Strategic Partnership Agreement (SPA) in March/April 2022. Our Chief Operating Officer and Director of Corporate Affairs continue to work closely and actively contribute to the Place-based plans. The Chief Executive and I have attended a number of West Yorkshire ICP and Place strategic groups which a focussed on the governance proposals and lines of accountability. Governors will receive an update on the ICS/ICP work in the private part of the meeting.

WY&H Committee-in-Common

The Trust has continued to contribute via myself to the WY&H Committees-in-Common for Mental Health, Learning Disability and Autism. This was on a rotational Chair arrangement (chaired previously by Cathy Elliott), with the role now passed to the Chair of Leeds Community Healthcare NHS Trust. The Committee-in-Common has undertaken to review its role in response to the ICS proposals to ensure it remains relevant and influential in the new strategic partnership arrangements.

People

Board members continue to engage with staff via virtual meetings such as the Aspiring Cultures Network and the Strategic Equality, Diversity Inclusion and Governance Group.

Board members present and/or attend weekly Executive broadcasts for the workforce which cover a range of current topics linked to the pandemic or schedule of activities. The most recent weekly broadcasts have related to COVID-19 matters, in particular the Government mandated vaccination of all NHS staff (see further information below).

Carole Panteli
Interim Trust Chair
February 2022

Governance Matters section

Mandatory Vaccinations – Impact on Volunteers (and Governors)

On 6 January 2022, the Government made new legislation, approved by Parliament, which amended the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (“the 2014 Regulations”). This extends the scope of mandatory vaccination requirements for staff beyond registered care homes to health and wider social care settings in England.

The regulations provide that the registered person can only deploy or otherwise engage a person for the purposes of the provision of a CQC-regulated activity, in which they have direct, face to face contact with patients and service users, if the person provides evidence that they have been vaccinated with a complete course of a Medicines and Healthcare products Regulatory Agency (MHRA) approved COVID-19 vaccine. This is subject to specific exemptions and conditions. The vaccination as a condition of deployment (VCOD) requirements include front-line workers, as well as non-clinical workers not directly involved in patient care but who may have face to face contact with patients, including ancillary staff such as porters, cleaners or receptionists.

These new regulations will take effect on 1 April 2022. In order to comply with the regulations to be fully vaccinated against COVID-19 by 1 April 2022:

- in-scope workers will have had to receive their first vaccination dose by 3 February 2022.
- in-scope workers will have had to receive their second vaccination dose by 31 March 2022.

- in scope workers who believe that they are exempt from having the COVID-19 vaccination must provide evidence of their exemption as soon as possible but at the latest by 31 March 2022 before the regulations take effect on 1 April 2022.

There are 5 exemptions identified in the regulations:

- Workers that do not have direct face-to-face contact with people receiving care.
- Workers who are under the age of 18.
- Workers who are participating/have participated in a clinical trial for a COVID-19 vaccine.
- Workers who should not be vaccinated against COVID-19 for clinical/medical reasons.
- Workers who are pregnant and have a temporary medical exemption which will be valid until 16 weeks following giving birth.

The national guidance also states that it will become law that any volunteer engaged for the purposes of the provision of a CQC regulated activity and **who has face-to-face contact with people receiving care** must be fully vaccinated with an authorised COVID-19 vaccine or be able to demonstrate that they fall into the exemptions listed above.

The registered or nominated person (e.g. NHS Trust Head of Volunteering / Trust Secretary) will have discussions with those affected to confirm whether roles are in scope of the new regulations.

NHS Providers has received a number of queries from Foundation Trusts about whether the regulations on vaccination as a condition of deployment apply to Governors. The majority of trusts they have spoken to are indicating they consider Governors are in scope because of their role in representing the interests of patients and the public, their need to mix with staff (who may be patient-facing) and patients to fulfil their role effectively, and the trust's duty of care to patients, staff and its other volunteers. However, some trusts have indicated they do not have the capacity to make a decision about Governors yet (given their focus is on staff first) or have said that since home working arrangements continue for Governors, the decision will be taken at a later stage. NHS Providers has sought legal advice and we will keep you informed about the national discussion during February.

Board and Sub-Committee Meetings

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

- **Public Board meeting** on Thursday 10 March, 9.00am – 1.00pm via Microsoft Teams.

- **Audit Committee meeting** on Tuesday 8 February, 1.00pm – 3.00pm via Microsoft Teams.
- **Workforce and Equality Committee meeting** on Thursday 17 February, 1.00pm – 3.30pm via Microsoft Teams
- **Quality & Safety Committee meeting** on Thursday 17 March, 9.20am – 11.30am via Microsoft Teams.
- **Mental Health Legislation Committee meeting** on Thursday 24 March, 1.30pm – 3.30pm via Microsoft Teams.
- **Finance Business Investment Committee meeting** on Thursday 24 March, 9.30am – 12 noon via Microsoft Teams.
- **Charitable Funds Committee meeting** on Thursday 28 April, 9.30am – 11.30am via Microsoft Teams.

Paul Hogg
Director of Corporate Affairs
February 2022