

Council of Governors

**Public Minutes of the meeting held at 5.30pm on
Thursday 25 July 2013, in Public, at
Post Graduate Medical Centre, Leighton Hospital**

PRESENT

| | | |
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| Mr John Moran | <i>in the chair</i> | |
| Mr Donald Bone | Mrs Sarah Coombes | Ms A Cunningham |
| Mrs Christine Cooper | Mrs Jenny Creed | Dr J Griffiths |
| Mr Mike Hadfield | Mr Norman Harris | Dr Colin Hopkins |
| Mr John Lyons | Mr Harry Mawdsley | Cllr E Moore-Dutton |
| Mr Peter Nimmo | Mr Jerry Park | Mrs Gerry Phillips |
| Mrs Jane Smart | Mrs Heather Williams | |

IN ATTENDANCE

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| Dame Pat Bacon | Non-Executive Director |
| Mrs Tracy Bullock | Chief Executive Officer |
| Mr Mike Davis | Non-Executive Director |
| Dr Paul Dodds | Medical Director & Deputy Chief Executive |
| Mr Dennis Dunn | Non-Executive Director |
| Mr David Hopewell | Non-Executive Director |
| Mrs Ruth McNeil | Non-Executive Director |
| Ms Fiona Middleton | Manager, Deloitte (<i>Agenda Item 3</i>) |
| Mr Mark Oldham | Director of Finance & Strategy |
| Mrs Julie Smith | Director of Nursing & Quality |
| Ms M Steele | Acting Trust Secretary |

APOLOGIES FOR ABSENCE

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|----------------------|---------------------|-------------------|
| Mr John Barnes | Mrs Barbara Beadle | Mr Paul Colman |
| Mr Kevin Dawson | Mr Nigel Dibben | Ms Gill Fairhurst |
| Cllr Dorothy Flude | Mr Andrew Ritchings | Mr Brian Walton |
| Dr Joss West-Burnham | Dr Andrew Wilson | |

The Chairman opened the meeting and welcomed those Members of the Trust and the public who were in attendance. The Chairman welcomed Mr Mike Davis, Non-Executive Director, to his first Council of Governors meeting following his appointment in February 2013.

The Chairman also welcomed Fiona Middleton, Manager, Deloitte who was in attendance to present Agenda Item 4 – Annual Report and Accounts, and Helen Williamson, Ward Manager, Ward 12 and Lisa Simpson, Ward Manager, Ward 21b who were in attendance to present Agenda Item 5 – National Inpatient Survey.

GOVERNORS' INTERESTS

No Governor declared, or has declared, any change to his/her interests since the previous meeting of the Council.

CoG13.53 ANNUAL REPORT & ACCOUNTS

Mr Oldham introduced the item advising Ms Middleton was in attendance to provide detail of the Auditors Opinion on the Trust's Annual Report and Accounts for 2012/13. Mr Oldham advised the Report and Accounts would be presented to the Members and public at the Annual Members Meeting of 1 October 2013.

Ms Middleton outlined the scope of the Auditor's work in relation to the Accounts, Annual Report and Quality Account and also the Consolidation Schedules. Ms Middleton outlined the key findings noting, in particular, the continuing challenges of the Cost Improvement Programmes.

Ms Middleton noted the Trust's Year End Financial Risk Rating and advised this was a significant achievement in particularly challenging times.

Ms Middleton advised of the findings of the audit noting only one recommendation had been made. Ms Middleton advised the recommendation was 'low priority' and advised management had responded with an appropriate action plan.

Ms Middleton noted the high standard of the accounts produced and thanked Mr Oldham and the Finance Team for their assistance during the audit process. Ms Middleton noted the challenging timetable for the production and audit of the accounts.

Ms Middleton noted a standard limited assurance opinion was provided by Auditors in relation to the Quality Account and commented this was the highest level of assurance that can be assigned given the scope of the work undertaken.

Ms Middleton noted Monitor mandated a specific local indicator for 2012/13, however, advised it was anticipated Trusts will be permitted to choose the local indicator for the Quality Account 2013/14.

Ms Middleton detailed the Quality Report Findings noting in particular the item which was recorded as 'Requires Improvement'. Ms Middleton noted this finding was not based on the performance of the Trust but on the accuracy of the information reported. Ms Middleton advised that of those Trusts Deloitte had audited nationally, they had not issued any 'green' ratings (no issues).

Cllr Moore-Dutton enquired as to the appropriateness of Deloitte's Responsibility Statement noting the importance of the Trust being open and transparent. In the discussion that followed, Mr Hopewell noted the wording was standard wording used by all reputable organisations highlighting the contract for the report is solely between the two organisations. The Chairman requested Ms Middleton feedback the content of the discussion to the legal team at Deloitte.

The Chairman agreed it was important the Trust continued to make the information available to the public which it fully intended to do.

Cllr. Moore-Dutton suggested the inclusion of a glossary in future reports.

The Chairman asked Governors if there were any further questions they had in relation to any aspect of the Report and Accounts. In the absence of any further questions, Mr Oldham thanked Ms Middleton and her team for their prompt turnaround in auditing the Report and Accounts.

The Chairman thanked Ms Middleton for her presentation.

Resolved

- **To note the Annual Report & Accounts for 2012/13**

Ms Middleton left the meeting at this point

CoG13.54 National Inpatient Survey

Ms Simpson provided a background to the Survey advising that following receipt of the Care Quality Commission Benchmarking Report, four of the Trust's Ward Managers had become involved in a focus group to review the results and put an action plan in place. Ms Simpson noted 850 questionnaires had been issued to adult inpatients of the Trust who had been discharged in July and August of 2012. Ms Simpson advised 444 responses had been received.

Ms Simpson provided detail of the benchmarking report noting how the Trust compared against other Trusts in each of the sections. Ms Simpson noted that overall Mid Cheshire Hospitals NHS Foundation Trust was rated as 'about the same' as other Trusts with those Trusts who had achieved overall high scores being specialised Trusts.

Ms Williamson noted that the Trust had improved on 12 questions, remaining the same on 13 questions, but scoring worse on 27 questions, when compared to the 2011 survey. Ms Williamson advised it was important all staff were aware of the survey results and understood how they can impact to improve the patient experience.

The areas where the Trust was rated as 'worse than most organisations' were response times to call bells, the level of privacy and dignity given to patients when they were being examined or treated, and getting easy-to-understand answers from doctors to important patient questions. Other areas where the Trust has seen reductions in scores included the provision of somebody to discuss worries or fears with, enough emotional support from staff and the perceived waiting time from arrival to getting a bed. Ms Williamson noted the reduction in scores was very small, between 0.1 and 0.3 points.

Ms Williamson noted the Trust had scored better than most organisations for nurses not talking in front of patients as if they weren't there, and in the comments section on the survey there had been a very high proportion of compliments in terms of the care and treatment received as well as the caring nature of the staff that treated them.

Ms Williamson noted an Action Plan was now in place with the Trust focusing on three key areas:

- Communication (including orientation to the ward and preparation for discharge);
- Care and Treatment (including response to call bells and patients having someone to talk to about worries or fears);

- Staffing Levels

Ms Williamson advised of actions which were currently underway including working with the Patient Placement Team in relation to minimising the number of bed moves at night.

Ms Williamson advised the detail was also to be shared with medical staff to ensure there was awareness of the survey results and the actions required/being taken.

Ms Williamson advised of the Trust's disappointment with the results and noted it was hoped by involving all staff who interact with patients and their carers on the Action Plan it would serve to improve the patient experience and future survey results.

In response to Mr Park's enquiry as to which of the issues raised as a concern by the survey have been issues raised previously, Mrs Smith advised that noise at night and the response time to call bells appeared to be ongoing issues. Mrs Smith advised work has been undertaken in relation to same, however, further work was required. Mr Park requested that future presentations on survey results include trending information against previous years' results. Ms Smith advised she would liaise with Mr Park outside of the meeting in relation to the trending information required.

In response to Mr Park's enquiry as to what guarantee there was that actions taken will resolve the issues, Mrs Smith advised there were no guarantees, however, it was important the Trust did take action to resolve same.

Mrs Bullock advised that attempts have been made to establish enhanced detail on the responses to the survey through additional surveys, and in relation to noise at night, it has been established some of the noise is attributable to other patients which is outside of the Trust's control. Mrs Bullock assured Council that the Trust will take action for those areas over which it has control, such as noise made by staff.

Mr Hadfield commented on the rating in relation to food and noted that traditionally the Trust had a good reputation for the quality of its food. Mrs Smith noted generally the quality of food had not deteriorated with the menu range as before, however, there is in some cases a delay in the food being given to the patient on the ward levels. Mrs Smart advised she and Mrs Williams had attended on a number of wards earlier that day to speak to Volunteers and patients and noted that overall feedback had been good in relation to the patient experience including the quality of food.

Mr Mawdsley enquired as to whether there was an incentive for patients to complete the survey wherein it was noted the survey is organised by an external party and therefore, the Trust are not aware of which patients have received a survey form for completion.

In response to the Chairman's enquiry as to whether the Trust was to organise a survey, similar to previous years, of patients recently discharged, Mrs Smith advised the survey would not take place this year as same was time consuming with little intelligence gained.

Mr Bone enquired as to whether the Trust's response rate of 54% was positive, wherein Mrs Smith advised the Trust had achieved a high return rate in comparison to other Trusts.

Mrs Creed noted her concern regarding the response to *Getting answers to questions patients could understand from doctors, when they asked important questions*. Mrs Smith advised the responses could have been for a number of reasons including patients not fully understanding the terminology given in an explanation. Mrs Smith noted patients should be encouraged to ask for clarification of medical terms/additional information if they do not understand and that ward staff should follow up to ensure a patient has understood information given.

The Chairman noted it was important the Trust continued in its endeavours to improve the patient experience advising it was important that the results from the survey were acted upon. Ms Williamson noted there were currently a number of areas of good practice across the Trust and it was important these were also shared with staff.

In response to the Chairman's enquiry as to how Council can be assured there will be staff ownership of the actions, Ms Williamson provided detail of how the information was being shared with staff and how ownership was being encouraged.

Resolved

- **To note the presentation**

MINUTES OF THE LAST MEETING

After discussion, it was

Resolved to

- **To sign the minutes as an accurate record of the Meeting held on 25 April 2013 subject to noting**
 - Under Item *CoG13.20 Lead Governor Report* – Mrs Smart noted she had enquired as to whether there had been *any* incidents whereby a Director of Mid Cheshire Hospitals NHS Foundation Trust had withheld information rather than an incident, as noted.
 - Under Item *CoG 13.48 – Cancelled Operations*, Mrs Smart advised she had also raised concerns regarding the increasing number of cancelled outpatient appointments and had enquired as to whether there was a system in place of recording/assessing the incidents of cancelled appointments.

[\(Amendments have been reflected in the public minutes of the 25 April 2013 Council of Governors meeting\)](#)

MATTERS ARISING FROM PREVIOUS MINUTES

CoG13.01 Care Quality Commission

The Chairman enquired as to whether there was any further update in relation to the National Reporting & Learning System and information forwarded to the Care Quality Commission. Mrs Smith advised there was no update at the current time with the next meeting with the Care Quality Commission scheduled for August. Mrs Smith advised she would again raise the issue.

Mrs Smith confirmed the Care Quality Commission continued to be assured the Trust is a high reporter of incidents.

Resolved

- **To note the verbal update**

CHAIRMAN'S REPORT

COG13.55 Governor Nominations & Remuneration Committee Minutes – 10 July 2013

(Mr Hopewell and Mr Dunn left the meeting at this point)

The Chairman presented the minutes noting the purpose of the meeting was to discuss the remuneration of the Senior

Independent Director and the Deputy Chair. The Chairman noted the recommendation from the Committee and requested Council support of the proposal regarding the supplementary remuneration for the roles of Senior Independent Director and the Deputy Chair.

In the discussion that followed it was

Resolved

- **To approve the proposal regarding the supplementary remuneration for the Senior Independent Director and Deputy Chair**

(Mr Hopewell and Mr Dunn returned to the meeting at this point)

CoG13.56 Governor Appointments and Vacancies

The Chairman noted the Governor vacancies in the Patient & Carers Constituency – Carer of a Patient aged 15 years or less and Carer of a Patient aged 16 years or more. The Chairman advised Ms Steele had met with representatives from the Cheshire Carers Association with the purpose of raising awareness of Membership of the Trust. The Chairman noted it was hoped an increase in the Membership within the Patient & Carer Constituency would in turn lead to additional interest in the role of Governor within that Constituency.

The Chairman noted the Trust continued with its review in relation to the appointment of a Governor for the voluntary sector.

The Chairman also advised Dr Joss West-Burnham was to step down as the appointed Governor for Manchester Metropolitan University with effect from 1 September 2013 and Dr Neil Fowler shall replace her.

The Chairman noted Dr West-Burnham had been unable to attend the Council meeting that evening and, in her absence, the Chairman thanked her for her contribution and commitment as a Governor during her tenure.

CoG13.57 Committee Vacancies

The Chairman noted the Governor vacancies on the Infrastructure Development Committee, the Executive Workforce Committee and the Patient Falls Group.

The Chairman invited Governors to consider applying to sit on each Committee.

The Chairman noted Mrs Gerry Phillips was interested in sitting on the Patient Falls Group and the Chairman requested Council approval for same.

The Chairman asked Governors to give some consideration to the other Committees mentioned and seek further information if required.

Resolved

- **Mrs Gerry Phillips to be the Governor Representative on the Patient Falls Group**

CoG13.58 Health & Social Care Act – Significant Transactions

The Chairman referred to the paper previously circulated advising same had been discussed in detail by both the Board of Directors and Governor Strategy Committee. The Chairman noted the recommendation of the Board and the Strategy Committee and requested Council approval of said recommendation.

A concern was raised that a transaction, not considered significant within the definition, could destabilise the Trust and Governors, therefore, would not be aware of same.

Mrs Bullock assured Governors that the Trust would expect to advise Council of any transactions that would not necessarily fall within the definition provided by Monitor but that the Board of Directors considered to be substantial or that may destabilise the Trust. Mrs Bullock confirmed it would be the intention to continue reporting to Governors in an open and transparent way and gave the Critical Care and Theatre rebuild as an example, as this would not have fallen into the significant transaction category.

Resolved

- **To approve the recommendation that a definition of a significant transaction should be included in the Trust's Constitution as per the guidance from Monitor in the 2013/14 compliance framework**

CoG13.58 Monitor Review of Small/Medium Sized Trusts

The Chairman noted it was anticipated further information on Monitor's proposed review of Small/Medium Sized Trusts would be available at the time of the Council meeting, however, the Chairman noted no further information had been received following on from the initial announcement. The Chairman advised Council would be kept updated as and when information was received.

CoG13.59 Stewardship Standard

The Chairman provided detail of the recent Governor discussion session on the Stewardship Standard. The Chairman advised the Standard, incorporating the changes and supporting documentation discussed, would be presented to Council at the meeting of 17 October 2013.

Resolved

- **To receive the Stewardship Standard at the Council of Governors Meeting of 17 October 2013**

CoG13.60 Governor Development Session – Engagement

The Chairman noted this session was to be rescheduled to September 2013 and the date would be circulated once confirmed.

The Chairman noted engagement with Members and the public was key to the role of a Governor and encouraged Governor attendance at the event.

CoG13.61 Annual Members Meeting – 1 October 2013

The Chairman noted the Annual Members Meeting was scheduled for the afternoon of 1 October 2013.

CoG13.62 Governor Planning ½ Day – 6 November 2013

The Chairman advised a Governor Planning ½ day was scheduled for the morning of 6 November 2013 at the Hunters Lodge in Crewe.

CoG13.63 Remembrance Day Service

The Chairman advised Ms Steele had approached Cheshire East Council requesting the Trust being present to lay a wreath at the local Remembrance Day Service. The Chairman invited Governors to represent the Trust at the service noting in the absence of a Governor attending, a representative of the Trust staff would attend.

Resolved

- **To note the Chairman's Report**

CoG13.64 LEAD GOVERNOR REPORT

Mr Lyons advised he had attended three Board of Director meetings since the last Council of Governors meeting and advised of no issues to be raised. Mr Lyons advised discussion at the Board meetings reflected a balanced focus on both clinical and financial performance. Mr Lyons advised the Board also discussed a number of patient experience items and advised that generally the feedback received through the Patient

Story is positive, however, a number of issues are raised. Mr Lyons noted that of the issues raised, some had been reflected in the Inpatient Survey results. Mr Lyons advised the Non-Executive Directors do challenge on the Trust's performance in relation to the patient experience.

Resolved

- **To note the Lead Governor's Report**

CoG13.65 ANNUAL PLAN

Mr Oldham provided a presentation on the Annual Plan for the Trust noting the Trust's achievement against the key priorities for 2013/14.

Mr Oldham noted the environmental and other factors which will influence the Annual Plan for 2014/15 advising the environment was more challenging and complex than the previous year. Mr Oldham detailed the key priorities for the year and noted, in detail, the financial position. Mr Oldham provided detail of the planned efficiencies for the period and also the financial and non-financial risks. Mr Oldham noted an additional risk was the increase in competition for the provision of services.

Resolved

- **To note the presentation**
- **To circulate the presentation for information**

CHIEF EXECUTIVE'S REPORT

Mrs Bullock advised that due to the detailed discussion on the Annual Report and Accounts and Inpatient Survey, the timings on the agenda had over-run. Mrs Bullock advised she would keep her presentation brief. Mrs Bullock referred to the information which had been circulated previously and encouraged Governors to ask questions, if they so wished.

CoG13.66 Security Alert

Mrs Bullock advised there had been a security alert at the Leighton site on Monday, 15 July 2013 which, it was established, had been a hoax. Mrs Bullock advised there had been minimal disruption to services.

CoG13.67 Mr David Cameron, MP

Mrs Bullock advised Mr David Cameron, MP, had visited the Trust on Tuesday, 23 July 2013 and had met with herself and the Chairman. Mrs Bullock advised briefly of the meeting discussion.

- CoG13.68 Confirmation of Quarter 4 Monitor Governance Rating**
Mrs Bullock confirmed that the rating for quarter 4 was Green.
- CoG13.69 Quarter 1 Performance**
Mrs Bullock referred to the performance targets and standards circulated in the Briefing Pack for Quarter 1 noting the Trust's provisional rating of Amber Green.
- CoG13.70 Financial Position**
Mrs Bullock noted the Financial Risk Rating at Level 3 (Green) advising of the break-even position for the quarter.
- CoG13.71 Contract Update**
Mrs Bullock advised the Contract with the Clinical Commissioning Groups had now been signed.
- CoG13.72 University Hospital North Staffordshire - Collaborations**
Mrs Bullock referred to the paper circulated which had been presented and approved by the Board of Directors of both Mid Cheshire Hospitals NHS Foundation Trust and University Hospital North Staffordshire NHS Trust. Mrs Bullock advised the first partnership board meeting was scheduled to take place in September.
- CoG13.73 Trust Strategy**
Mrs Bullock referred to the Trust Strategy document which had been circulated noting the updated strategy had recently been approved by the Board of Directors.
- CoG13.74 Governor Response to the Board Effectiveness Survey**
Mrs Bullock referred to the Governor responses on the Board Effectiveness Survey noting in particular, the increased numbers of Governors who had responded on the previous year.
- CoG13.75 Regulation Oversight of NHS Trusts/Foundation Trusts**
Mrs Bullock noted the changing monitoring environment within the NHS advising of the changing role of Monitor, the Care Quality Commission and the NHS Trust Development Authority.
- Patient Experience, Quality & Safety Update**
- CoG13.76 New NHS Choices**
Mrs Bullock referred to the paper prepared by Ms Jayne Hartley, Deputy Director of Nursing in relation to NHS Choices and the 'star ratings'.
- CoG13.77 Critical Care and Theatre Rebuild**
Mrs Bullock advised of the recent 'topping out' ceremony.

CoG13.78 Spending Review 2013

Mrs Bullock referred to the Spending Review for 2013 noting the impact for the NHS.

Dr Hopkins referred to the recent Professor Sir Bruce Keogh report on the investigation in to 14 Trusts and noted there was rumour of investigation into an additional 11. Dr Hopkins enquired as to whether it was anticipated Mid Cheshire Hospitals NHS Foundation Trust would come under investigation. Mrs Bullock advised, at this stage, it was not known which Trusts would be investigated, however, it was anticipated it was likely the decision to investigate would be based on a number of factors including Junior Doctor General Medical Council survey results and patient and staff survey results.

Mrs Bullock advised the previous investigations had been initiated as a result of high mortality rates.

The Chairman enquired as to the Trust's current mortality rate, wherein Mrs Bullock advised that under the SHMI methodology the Trust's SHMI had increased over the previous year and detailed the reason for same. Mrs Bullock noted she had raised the increasing SHMI with Mr Cameron and advised she had been invited to follow up on the issue with Mr Cameron's Health Policy Advisor.

Mr Lyons referred to a recent report on staffing in the NHS, wherein Mrs Bullock advised the Trust currently had the lowest number of vacancies for quite some time due to the continuing recruitment programme and also due to a ward closure. Mrs Bullock noted those staff who had worked on the now closed ward had been relocated to other areas. Mrs Bullock advised that nationally there was a shortage of nursing and medical staff in some specific roles. Mrs Bullock advised the Trust continued to invest in new Consultants with the number of Consultant Physicians on site on a Saturday to double from September 2013. Mrs Bullock stated that, despite the above, staffing levels remained at the lower end.

Resolved

- **To note the Chief Executive's Report**

REPORTS FROM COUNCIL OF GOVERNORS' COMMITTEES

CoG13.79 Membership & Communications Committee – 15 April and 13 May 2013

The minutes were presented. No further comments or questions were raised.

Resolved

- **To note the minutes of 15 April and 13 May 2013**

CoG13.80 Governor Strategy Committee – 3 June 2013

The minutes were presented. No further comments or questions were raised.

Resolved

- **To note the minutes of 3 June 2013**

REPORTS FROM COMMITTEES WITH GOVERNOR REPRESENTATIVES

CoG13.81 Infrastructure Development Committee – 13 May 2013

The summary report was presented. No further comments or questions were raised.

- **To note the report of the meeting of 13 May 2013**

CoG13.82 Strategic Integrated Governance Committee – 15 April, 13 May and 17 June 2013

The summary report was presented and no further comments or questions were raised.

Resolved

- **To note the summary report of 15 April, 13 May and 17 June 2013**

CoG13.83 QuEst Committee – 16 May 2013

The summary report was presented and no further comments or questions were raised.

Resolved

- **To note the summary report of 16 May 2013**

CoG13.84 Patient Experience Committee – 6 June 2013

The summary report was presented and no further comments or questions were raised.

Resolved

- **To note the minutes of 6 June 2013**

ANY OTHER BUSINESS

CoG13.85 Governor Visits to Wards

Mrs Williams advised she and Mrs Smart had attended a number of wards earlier that day to speak to volunteers and patients about their experiences.

Mrs Williams noted that generally the care received by patients was good, however, noted a small number of issues and provided detail of same. Mrs Williams advised of the varying roles of the Volunteer wherein Mrs Smart noted there was an opportunity to ensure Volunteers become more involved on the wards and more engaged with the Trust. Mrs Williams advised she has subsequently spoken to Ms Emma Clarke, the Voluntary Services Manager, and Ms Jayne Hartley, Deputy Director of Nursing regarding the provision of an induction programme for Volunteers. Mrs Smith noted it was important that Volunteers were trained, particularly in relation to infection control issues.

Mrs Williams requested copies of the information relating to uniforms were passed to Volunteers so Volunteers could identify the roles of staff on the wards.

The Chairman noted his appreciation of the initiative shown by Mrs Williams and Mrs Smart to visit the wards and speak to the Volunteers. The Chairman noted the importance of the feedback and ensuring same was brought to the attention of the Trust in a structured form and asked that Mrs Smith take forward how this could be achieved to best effect. Mrs Smart advised she would complete feedback forms for the visits.

The Chairman closed the public meeting.

TIME, DATE AND PLACE OF NEXT MEETING

Thursday, 17 October 2013 @ 5.30pm, Lecture Theatre, Post Graduate Medical Centre