

# Board of Directors

**Minutes of the Meeting held at 9.30am on Monday, 4 July 2011  
In the Boardroom, Leighton Hospital, Crewe**

## **PRESENT**

Mr J Moran	<i>JM</i>	Chairman <i>in the chair</i>
Mrs R Alcock		Director of Workforce and Organisational Development
Mrs T Bullock		Chief Executive
Mr M Chandler		Non-Executive Director
Mr WD Craig		Non-Executive Director
Dr PA Dodds		Deputy Chief Executive and Medical Director
Mr D Dunn		Non-Executive Director
Mrs D Frodsham		Director of Performance & Service Planning
Mrs V Godfrey		Non-Executive Director
Mr D Hopewell		Non-Executive Director
Mr J Lyons		Lead Governor
Mr M Oldham	<i>MO</i>	Director of Finance & Strategic Planning
Mrs J Smith	<i>JS</i>	Director of Nursing & Quality
Dr AH Wood		Deputy Chairman and Senior Independent Director

## **IN ATTENDANCE**

Miss N Phillips	Executive Assistant
Mr I Pasquill	Clinical Audiology Services Manager

## **APOLOGIES**

\*denotes action deriving from **resolutions** below

## **DIRECTORS' INTERESTS**

No Director declared, or had declared, any change to her/his interests since the Board of Directors' previous meeting.

## **MINUTES OF THE LAST MEETING**

After discussion, it was

### **Resolved**

- **To sign the minutes as an accurate record of the Board meeting held on Monday, 6 June 2011 – subject to noting**
  - Under items Infrastructure and Workforce, the Chairman noted it should read no papers presented.
  - Under item 11.06.19.1 – Care of the Elderly – the Chairman pointed out it should read 'Following recent media coverage'

## MINUTES OF THE EXTRAORDINARY BOARD MEETING

### Resolved

- To sign the minutes as an accurate record of the Extraordinary Board meeting held on Thursday 26<sup>th</sup> May 2011

### ACTIONS ARISING FROM PREVIOUS MINUTES NOT INCLUDED ELSEWHERE ON THE AGENDA

#### 11.06.8.3 **Monitor Quarter Four Report**

Mrs Bullock advised that the Trust received green ratings from Deloitte for each of the three data sets reviewed as part of the Quality Accounts.

#### 11.07.02 **Patient Story**

Mrs Smith outlined the background to the story and some of the themes identified, including communication, staffing levels and dignity. The Chairman explained that it was important to hear the patient voice in the Board Room as this helps to ground discussions and take decisions that have patient interests at the heart of business decisions. Dr Wood suggested that a criteria needs to be set regarding further stories to be heard by the board to give over-arching views of patient/relative thoughts both positive and negative.

### CHAIRMAN'S ANNOUNCEMENTS

#### 11.07.6.1 **Chairs Meeting**

The Chairman advised that he had attended the above meeting, which focused on A&E Performance Issues and Emergency Care growth nationally and the changes in the Social Care Bill. The need to maintain performance at a time when reorganisations were taking place was underlined

#### 11.07.6.2 **The Listening Exercise - Health and Social Care Bill**

The Chairman explained that the listening exercise had now closed and the proposed changes to the bill were expected before parliament by 15 July 2011. The Chairman outlined the proposed changes including the role of Monitor who will continue to retain the compliance function for Foundation Trust's until April 2016

#### 11.07.6.3 **Foundation Trust Membership Events**

The Chairman outlined the importance of these events and of Governor representation at the events.

**Resolved**

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

**GOVERNORS ITEMS**

**11.07.7.1 Nomination and Remuneration Report**

The Chairman presented the draft report and noted that a final copy will be submitted for the approval of the Council of Governors.

**11.06.7.2 Lead Governor**

The Chairman confirmed that following a recent ballot, Mr John Lyons had been nominated as the Lead Governor. Council will need to ratify this decision at the next Council meeting

**11.07.7.2 Council of Governors – 28 July 2011**

The Chairman noted that the next meeting will be on 28 July 2011 and that an agenda setting meeting had been held and the agenda reflected comments from the Governors. Given the need to submit the Report and Accounts and the Annual Plan to Council the papers will be larger than normal and be distributed by post on this occasion.

**Resolved**

- **To note the report**

**CHIEF EXECUTIVE'S REPORT**

**11.05.7.6 CQC Unannounced Visit – 4 May 2011**

Mrs Bullock was delighted to inform the Board that a draft report following this visit, concentrating on privacy and dignity and nutrition had now been received. The report outlines that the Trust has met both standards with some minor recommendations made to sustain this standard.

**11.06.8.3 Mid Cheshire Quarter Four Governance Rating**

Mrs Bullock provided a verbal update explaining that the Trust's Q4 position was confirmed as Amber/Green, which was as a result of failing the 62 day cancer target for that quarter.

**11.05.1.1 (2) Board Effectiveness**

Mrs Bullock advised that the results of the survey had been reviewed at the Board Away Day on 20 June 2011 and would be presented at the Council of Governors Meeting on 28 July 2011. It was noted that there had been a good response to the survey and the results were largely positive, although there was recognition that one Division in particular had less positive views and it was acknowledged that this Division had undergone a significant amount of change.

Mrs Bullock explained that a meeting of the Executive has been arranged to discuss any correlation between the Board effectiveness survey and the recent Staff and In Patient survey results and confirmed an action plan would be developed based on any common themes.

#### **11.07.8.1 Monitors Quality Governance Self Assessment**

Mrs Bullock advised that Monitor had produced a Quality Governance Self Assessment for aspirant Foundation Trusts and that the ten domains had been reviewed and scored at the Board Away day on 20 June 2011. Mrs Bullock outlined the scoring and the reasoning behind the scores given and that an action plan is to be developed to address any gaps identified.

Mr Dunn questioned why the Trust had not scored well on domain 1B as he had seen good evidence of consideration given to the impact on quality in respect of CIPs. Mrs Bullock confirmed that good evidence had been seen but that there was no formal or consistent approach applied. Mrs Bullock confirmed the Board members present had been very strict around the marking of the self assessment.

#### **Resolved**

- **To develop an action plan for August Board of Directors Meeting TB**

#### **11.07.8.2 Update of Meeting with Consortia Chief Officer**

Mrs Bullock outlined the content of the discussion with Mr Whitehouse which covered his recent meeting with the Secretary of State for Health and the potential of General Practitioners working alongside Consultants in the Trust and this being reciprocated with Consultants & other health professionals working alongside General Practitioners in Primary Care.

A discussion also took place around the GP Federated model where Mr Whitehouse advised that he would set up a meeting with the relevant individuals.

In response to Dr Wood's enquiry regarding the management team of the Consortia, Mrs Bullock explained that meetings were held regularly with the Chairs, Vice Chairs and the Chief Officer and it is hoped that in the future, these meetings will include representatives from the East Cheshire Consortia. Dr Wood enquired whether it would be useful to develop Non-Executive Director contacts with the Consortia and the Chairman explained that such links are to be explored with the Consortia.

**Resolved**

- **To consider formal links for Non-Executive Directors with the Consortia JM**

**11.07.8.3 FTNNW Meeting Update**

Mrs Bullock outlined that this meeting had focused on the Health and Social Care bill and how the FTN can continue to influence, for example in respect of the failure regime and the FT pipeline. Mrs Bullock explained that there is a “Shaping Priorities” consultation which ends in September and that each Trust has been asked for a single response.

Mrs Bullock reported that the variance in commissioning intentions was also discussed at the meeting. Member Trusts will be contacted to establish the current position and the FTNNW will collate responses.

**11.07.8.4 Cheshire East Health and Well Being Partnership Board: Visioning Event 29 June 2011**

Mrs Bullock outlined the objectives of the event which were to scope a strategic vision, identify priorities for the first 6-18 months, identify success measures and explore governance models. Mrs Bullock confirmed this was a very productive event

Mr Dunn explained that he is an Executive on the Cheshire East PACE Board and that a response is awaited regarding health representation on the Board and he suggested the Trust may wish to be proactive in this regard. Mrs Bullock advised that she would give consideration to pursuing this.

**11.07.8.5 NHS NorthWest CEO Forum**

Mrs Bullock outlined the key themes discussed at the forum with particular emphasis on the events which occurred at Winterbourne View and the resulting actions nationally. Mrs Bullock also described the national picture in relation to activity and performance, progress with QIPP and the future of PbR.

**11.07.8.6 Minor Injuries Unit at VIN**

Mrs Bullock advised that consideration is being given to reducing the opening hours of this Unit to address quality and safety issues that had arisen as a result of the ward relocation and erratic General Practitioner presence in the Out of Hours Service. Mrs Bullock confirmed that this will not be pursued until discussion has taken place with the Clinical Commissioning Consortia, Sonic and all relevant Stakeholders. Once this has been undertaken a further paper will be brought back to the Board of Directors. Mr Dunn outlined that any future plans should look at Victoria Infirmary in totality.

**Resolved**

- **Discussions to be held with all Stakeholders, Consortia, Sonic and Commissioners DF**
- **To be brought back to the Board of Directors DF**

**11.07.8.7 Director of Workforce and Organisational Development**

Mrs Bullock explained that Mrs Alcock has tendered her letter of resignation, taking early retirement and will be leaving the Trust in December 2011.

**Resolved**

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

**MEDICAL DIRECTOR'S REPORT**

**11.07.9.1 Monitor Conference Call re: Annual Plan Review**

Dr Dodds and Mr Oldham had both taken part in conference calls with Monitor who asked detailed questions in relation to the Annual Plan. In particular they explored efficiency measures and the potential impact on care and staff, service changes to the public, governance and financial declarations, cash balances, contract position and quality payments/penalties.

The Chairman advised that he would receive a call on the 15 or 18 July 2011 if Mid Cheshire Hospitals NHS Foundation Trust was to undergo any further scrutiny of the Annual Plan.

**11.07.9.2 Serious Untoward Incidents and RIDDOR Events**

Dr Dodds advised of two serious untoward incidents (SUI), which will be escalated to Monitor and StEIS; and one RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences) reportable incidents.

**Resolved**

- **To note the Medical Director's Report**

**QUALITY SAFETY & EXPERIENCE**

**11.07.10.1 Section 1 of Performance Report – Patient Quality Safety & Experience**

Mrs Smith presented the report noting the number of complaints received for the month of May had declined to fifteen with seven not being made formal. Mrs Smith outlined that the Emergency Care Division were trialling a process where the Matron/Lead Nurse were telephoning complainants to see if local resolution could be expedited and this is being evaluated for effectiveness. It was pleasing to note that there were no complaints in Maternity in May. Mrs Smith noted that one complaint had been referred to the Ombudsman.

Mrs Smith outlined that the Ombudsman had now received the final element of the outstanding independent review, in respect of an earlier complaint made to them. The response from the Ombudsman is now awaited.

Mrs Smith explained that the complaint trends were unchanged and included an increase in communication issues and a decrease in nursing issues. Mrs Smith noted that there were 26 closed complaints with themes including communication, pain relief, late discharge (post 9pm) and attitude of staff. Mrs Smith noted that appropriate disciplinary action had been taken in the complaint relating to attitude of staff.

In response to the Chairman's enquiry regarding X [Case number removed under S40 of the Freedom of Information Act] Mrs Bullock outlined the circumstances of the complaint and advised that a review has been arranged.

Mrs Smith noted that there was 1 new clinical negligence claim, which was defensible and there had been six closed cases, with one defended due to excellent documentation.

Mrs Smith outlined that A [Case number removed under S40 of the Freedom of Information Act] had been settled and the full report on this case should be used by the Trust for shared learning.

Mrs Smith explained that there had been four inquests, where the Coroner commended the Clinical Staff at the Trust.

Mrs Smith explained that there had been a 25% increase in contact with the PALs office, with no change in themes to report. Mrs Smith noted that NHS Choices had new positive comments and that recently there had been far more compliments received than complaints.

Mrs Smith highlighted that following feedback in the inpatient survey, a pilot is being undertaken in July which involves patients being telephoned 48hrs following discharge to discuss their in patient experience. If this is successful a full roll out will begin in August. The Chairman suggested that the Governors would be ideal to help with this process, with correct background checks being implemented.

Mrs Smith explained that Nursing Care Indicators for the weighing of patients had improved and a focus is now being placed on documentation.

Mrs Smith noted the number of Patient Falls for the period and also noted the number of Medication Incidents.



Mrs Smith noted there was one Pulmonary Embolism and no Deep Vein Thrombosis in the month. Mrs Smith noted that the focus remained on VTE assessment compliance.

Mrs Smith advised the number of crude deaths was 90 and that the mortality rate had continued to decrease.

Mr Chandler enquired whether the bar graph on issues raised most frequently in complaints received between March and May, should have all types of communication issues reported together to have a bigger impact when this graph is reviewed. Mrs Smith responded to say that it was useful to have communication themes reported separately as it gave greater intelligence, however, agreed to look at the possibility of including a bar for the total number.

**Resolved**

- **To note the report**
- **To review the display of communication graphs JS**

**11.07.10.2 Strategic Integrated Governance Committee – 13 June 2011**

Dr Dodds presented the Minutes noting the items to be raised to the Board of Directors. Dr Dodds also explained that there had been an alteration to the standard agenda to include what actions were to be taken against the agenda items.

Dr Dodds also gave an update on progress with the NHSLA assessment following a dummy run that had been undertaken, noting that the NHSLA are returning in August to advise if the Trust is ready to go for Level 3. The implications of declaring a level 3 and not achieving this standard were outlined.

**Resolved**

- **To note the Minutes of 13 June 2011**

**11.6.10.3 QuEST – 12 May 2011**

Mrs Bullock presented the Minutes noting the items to be raised to the Board of Directors explaining that the Quality Accounts had now been finalised and the CQUIN Results were noted.

**OPERATIONAL DELIVERY**

**11.07.11.1 Performance Report**

Finance Focus

Mrs Alcock outlined the new financial risk rating graphs and explained that there was a higher level of turnover due to orthopaedic work undertaken for the University Hospital of North Staffordshire and that



non-pay and pay costs were below budget with Bank and Agency costs remaining high. Mrs Alcock provided detail of the Income & Expenditure Position and the Cost Improvement Programme advising that vacancies in non-clinical posts were being held. Mrs Alcock outlined the debt and credit profiling.

Mr Dunn commented that when measuring costs against bed days, it would be interesting to have peer data in the report and in response to Mr Craig's enquiry regarding the occupancy levels, Mrs Frodsham explained that the new bed management tool looks at occupancy rates at midnight.

#### System Delivery Focus

Mrs Alcock explained that elective and day case activity was on target and outpatient activity had seen an increase in new patient referrals with a decrease in follow up appointments.

Mrs Alcock explained that the Trust is on target with all Monitor targets except the 62 day cancer target, noting that turnaround time for clinic letters had again increased in some areas and that an external review of Administration and Clerical was being undertaken and a report will be submitted to the Executives and the Executive Management Board for consideration.

#### Workforce Focus

Mrs Alcock noted the Trust's performance against targets for attendance, retention and appraisals. Mrs Alcock noted that the Mandatory training and Appraisal RAG rating was at red. Mrs Bullock noted that these targets are reviewed in the Divisional Quarterly Performance Reviews.

In response to Mr Chandler's enquiry regarding the number of membership figures required for the Trust in 2011/2012, it was noted that these had been suggested by the Membership and Communication Committee.

#### **Resolved**

- **To note the report**

#### **11.07.11.2 Performance & Finance Committee – Minutes of 3 June 2011**

Mr Oldham presented the minutes of 3 June 2011. In response to Dr Dodds enquiry regarding the clarification on "review of all committees", Mr Oldham explained that this was regarding a review of QuEST's relationship with all committees.

Mrs Frodsham explained that in the meeting on 1 July 2011 focus was on three areas, including Bank and Agency Spend, RTT risks if there is an increase in referrals and the 62-day cancer target. An update on the Clinical Services Strategy was also given at this meeting.

**Resolved**

- **To note the minutes of 3 June 2011**

**11.07.11.3 Update on the Urgent Care Centre**

Mrs Frodsham presented the Urgent Care Centre Paper providing a background to the same [Removed under Section 43 of the Freedom of Information Act]. In response to Dr Wood's enquiry regarding assets, Mr Oldham explained that all assets belong to the Trust. Mr Dunn enquired regarding the validity of the contract and Mrs Frodsham explained that the contract stands for the next two years and agreement will be gained from the Commissioners that this remains.

**Resolved**

- **To agree that MCHFT and Shropdoc should develop a service variation that supports discontinuation of the LLP.**  
*DF*

**11.02.10.1 Clinical Services Strategy**

Mrs Frodsham gave a presentation on the Clinical Services Strategy, which clearly outlined a great deal of progress and a number of achievements. Dr Dodds noted there remained significant risks in some areas and that the Executive Team were meeting regularly with Divisions to address this. It was noted that the Divisional Review Meetings are to be held on 7 October 2011, where the Clinicians will be presenting.

**11.07.11.4 Business Case for Consultant Surgeon with an Interest in Lower Limb Arthroplasty**

Mrs Frodsham presented the paper. In response to Mr Craig's enquiry regarding additional activity from the repatriation of patients from Halton, Mrs Frodsham explained there is significant pressure on the present resources to achieve the 18 week targets and that the Trust was seeing an increase in activity from the University Hospital of North Staffordshire, especially in May and June 2011. Dr Wood confirmed that our agreed strategy in relation to Orthopaedics, was that it was a core service and therefore, that the business case made sense.

**Resolved**

- **To approve the paper**

## FINANCE REPORT

### 11.07.12.1 Review of Bribery Act Requirements

Mr Oldham presented the paper and associated gap analysis.

#### Resolved

- To approve the paper

### 11.07.12.2 Audit Committee – 1 June 2011

Mr Oldham noted that these minutes had already been presented to the Board meeting on the 6 June 2011 and that there was nothing further to report

#### Resolved

- To approve the minutes of 1 June 2011

### 11.07.12.3 Therapy Services Update

Mr Oldham outlined the paper, giving assurances regarding the Service Level Agreement and the potential options available. Mr Oldham advised that not all the information required had been received, therefore, that a further update paper would be required.

#### Resolved

- Updated paper to be brought to the Board in August/September 2011

## FIT FOR PURPOSE

### 11.07.13.1 Changes to Constitution

Mrs Alcock presented the paper explaining the suggested changes to the constitution. Mrs Alcock outlined that Monitor had informally responded that the public constituency changes would be unlikely to be agreed and asked that the paper was approved except for this point.

#### Resolved

- The paper was approved
- The paper to be presented at the Council of Governors on 28 July 2011

## INFRASTRUCTURE

No papers presented.

## **WORKFORCE**

### **11.07.15.1 Occupational Health Expansion**

Mrs Alcock presented the paper seeking approval for a wider collaborative. Mr Dunn expressed the importance of understanding organisational cultures when adopting collaborative approaches

#### **Resolved**

- **To approve the paper**

### **11.07.15.2 Review of Reflections**

Mrs Smith gave a presentation on her reflections since starting at the Trust in February 2011.

## **LEGAL ADVICE**

Mrs Bullock advised of new legal advice regarding the consent of a patient with mental health issues.

#### **Resolved**

- **To approve the report**

## **VISITS OF ACCREDITATION, INSPECTION OR INVESTIGATION**

### **11.07. 17.1 DSSA – 17 June 2011**

Mrs Bullock advised that a visit had been conducted by a GP and Quality Manager from CECPCT and that a good report had been received with only minor recommendations.

### **11.07.17.2 LINKs Unannounced Visits – 13 March 2011, 14 April 2011, 21 and 22 June 2011**

Mrs Bullock advised that reports had been received for the visits on 13 March 2011 and 14 April 2011 which were overall very positive; with some minor suggestions and that a summary will be provided to the Council of Governors on the 28 July 2011. Mrs Bullock also advised that the reports for 21 and 22 June 2011 are awaited.

### **11.07.17.3 OFSTED CQC Safeguarding Children**

Mrs Smith explained that the Health Economy was undergoing a OFSTED / CQC Safeguarding Children's review and that she had been interviewed as a representative for health and that further interviews with staff in Maternity and A&E will be undertaken. A whole health economy report will be produced along with a separate report for

health. Mrs Smith will report the findings of the review to a subsequent Board of Directors. .

**Resolved**

- **To note the report**
- **LINKs Reports to be presented at Council of Governors on 28 July 2011**
- **Final OFSTED / CQC Safeguarding Children's report to be presented at the Board of Directors when available.**

**BOARD ACTIONS**

After discussion, it was

**Resolved**

- **To approve the revised schedule of Board of Directors' actions**

**ANY OTHER BUSINESS**

**11.07.19.1 All Change for Crewe Project**

Mr Chandler explained that a Project Chair had been appointed and has expressed an interest to meet with the Trust Chairman and Chief Executive. Mr Chandler also noted that Mr Dunning a Governor of the Trust is involved with this project.

**TIME, DATE AND PLACE OF FORTHCOMING MEETINGS**

9.30am Monday, 1 August 2011 in public at Ashfields PCC, Sandbach.

**Signed**

**Chairman**

**Date**