

Board of Directors

Minutes of the Meeting held at 8.30am on Monday, 8 March 2010 In the Board Room at Leighton Hospital

PRESENT

Mr J Moran		Chairman <i>in the chair</i>
Mrs R Alcock	RA	Director of Workforce and Organisational Development
Mrs T Bullock	TB	Deputy Chief Executive, Director of Nursing
Mr M Chandler		Non-Executive Director
Mr WD Craig		Non-Executive Director
Mr D Dunn		Non-Executive Director
Dr PA Dodds	PAD	Medical Director
Mr A Ennis	AE	Associate Director of Service Development
Mrs D Frodsham		Director of Performance & Service Planning
Mrs V Godfrey		Non-Executive Director
Mr D Hopewell		Non-Executive Director
Mr M Oldham		Director of Finance & Strategic Planning
Mr P Morley	PM	Chief Executive
Dr AH Wood		Deputy Chairman and Senior Independent Director

IN ATTENDANCE

Ms M Steele	MS	Executive Assistant
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*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 Extraordinary Board meeting held on Monday, 25 January 2010**
- **To sign the minutes as an accurate record of the Board meeting held on Monday, 1 February 2010 subject to noting**
 - Under item 10.02.12.1 – Pharmacy Concept Paper, it should note Mrs Bullock presented the paper rather than Mrs Frodsham.

ACTIONS ARISING FROM PREVIOUS MINUTES NOT INCLUDED ELSEWHERE ON THE AGENDA

10.03.4.1 Self Certification – Panorama Investigation

Mr Chandler noted the BBC were to televise, that evening, a documentary re self certification of NHS Hospitals.

CHAIRMAN'S ANNOUNCEMENTS

10.03.5.1 Board of Directors Meeting – Agenda Items

The Chairman noted the importance of this meeting particularly in relation to the discussion regarding the financial position. The Chairman asked members to consider the recently released report 'Independent Inquiry in to care provided by Mid Staffordshire NHS Foundation Trust January 2005 – March 2009' chaired by Robert Francis QC, which noted a lack of patient safety and patient care. The Chairman noted patient safety and care should be paramount in any financial decisions made.

The Chairman asked all Board Members to read the Francis Report which reported extensively on the patient failings at Mid Staffordshire NHS Foundation Trust noting the Board must ensure that such significant failings cannot happen at MCHFT.

09.12.9.1 QuEST

The Chairman noted the first meeting of QuEST was scheduled to take place this week.

10.03.5.2 Celebration of Achievement Event 2010

The Chairman advised the annual Celebration of Achievement evening was to take place on Thursday, 11 March at Nantwich Civic Hall.

Resolved

- **To note the report**

GOVERNORS ITEMS

10.03.6.1 Lead Governor

The Chairman advised two Governors had self nominated for the role of Lead Governor. [Sentence redacted under S40 of the Freedom of Information Act] The Chairman advised the process for appointment as agreed with Council at the meeting of 21 January 2010 would be followed with a recommendation being made to the Council of Governors, for their approval, at the meeting of 29 April 2010

10.03.6.2 Governor/Member Engagement

The Chairman noted the drive to improve Governor/Member engagement continued.

10.03.6.3 Public –v- Private Board Meetings

The Chairman noted the Secretary for State, Mr Andy Burnham, had raised the issue of Foundation Trusts holding Board of Director meetings in public noting a large number of Foundation Trusts held their meetings in private.

The Board noted that Mid Staffordshire NHS Foundation Trust held all their meetings in public before they became a Foundation Trust and that this period is the subject of the Francis Report.

Resolved

- **To note the report**

CHIEF EXECUTIVE'S REPORT

10.03.7.1 Monitor – Quarter 3 Update

Mr Morley advised the Quarter 3 Report had been received from Monitor which noted an amber rating for governance. Mr Morley anticipated the Trust would receive an amber rating or possibly a red rating for the current quarter, dependent on the achievement of the 4 hourly target within A&E. Mr Morley noted pressures continued within A&E. Mr Morley advised the Trust hit 98% five out of the last six weeks and that improvements had been seen in the way the flow of patients was being managed.

Mr Morley advised if the Trust were to fail the quarter, he and the Chairman would be required to meet with Monitor. Mr Morley noted the Trust would be able to provide supporting documentation/information highlighting the actions taken to date which has led to a significant turnaround in previous weeks.

Mr Morley noted Jane Cummings, Director of Performance, Nursing & Quality, NHS North West Strategic Health Authority was in support of the removal of the breaches on 20 and 26 December and is to petition the Department of Health on the Trust's behalf. Mr Morley advised removal of the breaches would not, however, affect the attainment of the quarterly target for the third quarter, nor impact on this last quarter

Mrs Bullock noted Monitor have requested an Action Plan for A&E be submitted by 12 March 2010 with Monitor to complete subsequent monthly reviews of A&E performance.

[Section removed under S43 of the Freedom of Information Act].

Dr Wood requested the Board note their appreciation of the enormous personal efforts of the team to turn A&E around.

09.03.7.7 Cheshire Fire & Rescue

Mr Morley noted a meeting had taken place with Cheshire Fire & Rescue the previous week and both parties had formally signed off on two Improvement Notices whilst discussion had taken place on the fourth notice. The third notice is a long term on going programme with which both partners are happy. Cheshire Fire & Rescue have confirmed they are happy with the works being undertaken by the Trust. In response to Dr Wood's enquiry as to whether the agreement reached on the works to be completed was the same as that submitted to the Care Quality Commission regarding compliance on Regulation 15, Mr Morley advised it was.

10.01.7.3 Operating Framework

Mr Morley advised the Operating Framework Risk Analysis would be presented at the Board of Directors meeting of 12 April 2010.

Resolved

- **To receive the Risk Analysis at the Board of Directors meeting of 12 April 2010**

10.03.7.2 General Medical Council - Investigation

[Section removed under S40 of the Freedom of Information Act]

10.03.7.3 East Cheshire Trust

[Section removed under S43 of the Freedom of Information Act]

Resolved

[Section removed under S43 of the Freedom of Information Request]

10.03.7.4 Chief Executives Forum – March 2010

Mr Morley noted he had attended the National Chief Executives Forum wherein discussion had taken place on items including governance and accountability, changing incentives, demand management and alternatives to hospitals.

Sir David Nicholson attended and spoke about the financial gap and the scale of change in the future. Sir David noted the challenges for 2010/11 and beyond.

Mr Morley advised a Regional QIPP Level 3 meeting was held in the afternoon wherein discussion took place on actions to be taken which would ensure savings at a local health economy footprint level.

Mr Dunn raised his concerns that, nationally, there was a lot of discussion concerning actions that needed to be taken, however, there was little being put in place to ensure action is taken.

Mrs Frodsham noted the MCHFT is in a more difficult situation than Trusts in other regions due to the financial constraints of the PCT.

The Chairman referred to the Chairs Conference which he attended with Mr Craig where the need to plan for budget challenges over the next 12 months was raised. MCHFT are currently facing these challenges and the Trust will be seen as an early mover to address the challenges.

Resolved

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

MEDICAL DIRECTOR'S REPORT

10.03.8.1 Serious Untoward Events

Dr Dodds advised of one incident in February. [Sentence redacted under S43 of the Freedom of Information Act]

Dr Dodds noted an investigation in to the incident was currently being undertaken.

Dr Dodds advised of two minor Health & Safety incidents.

10.03.8.2 Organ Donation

Dr Dodds presented the paper noting good progress had been made.

In response to Mrs Godfrey's enquiry as to organ donation awareness organised by the PCT particularly in relation to GPs, Dr Dodds advised he was not specifically aware of an awareness programme but he would raise the issue with Dr Bill Forsyth, Medical Director, Central & Eastern Cheshire PCT.

Resolved

- **To note the Medical Director's Report**
- **To liaise with Dr Bill Forsyth in relation to Organ Donation awareness within the PCT PAD**

STRONG INDEPENDENT FT

10.03.9.1 Finance Plan & Recommendations

[Section removed under S43 of the Freedom of Information Act]

Mr Oldham presented the paper advising of the current position highlighting potential risks.

[Section removed under S43 of the Freedom of Information Act]

Mr Morley noted the recommendations detailed in the paper were in addition to the Cost Improvement Programmes already in place.
[Section removed under S43 of the Freedom of Information Act]

In the discussion that followed it was agreed that whilst savings had to be made, the Trust must ensure quality and patient care is not adversely affected.

Mr Craig noted that whilst he agreed the Trust did need to take actions to mitigate, he raised concerns in relation to the impact on staff including low morale, retention, absence and patient safety. Mrs Alcock noted the Executive Directors shared his concerns advising discussions had taken place with Staff Side on each of the recommendations. Mrs Alcock advised other Trusts had introduced a number of cost saving programmes including the Countess of Chester, actioning a number of redundancies.

[Section removed under S43 of the Freedom of Information Act]

Resolved

[Section removed under S43 of the Freedom of Information Act]

10.03.9.2 Board Assurance Framework – Progress Report

Dr Dodds presented the quarterly review and noted no items of concern. In the discussion that followed it was agreed the strategic objectives for 2010/11 should be included as an Agenda Item for the Board Away Day of 26 April 2010.

Resolved

- **To discuss the Strategic Objectives for 2010/11 at the Board Away Day of 26 April 2010.**

10.03.9.3 Quality Matters

[Section removed under S43 of the Freedom of Information Act]

Resolved

- **To approve the paper**
- **To receive a benefits realisation paper at the Board of Directors meeting of 6 September 2010 AE**

10.03.9.4 Foundation Trust Membership

Mrs Alcock presented the paper and in the discussion that followed it was agreed the issue raised in relation to Data Protection should be raised directly with the Information Commissioners Office. In response to Mrs Frodsham's enquiry as to whether there was an alternative solution, it was suggested a membership form could be included with letters being issued to Outpatients, however, it was agreed this was dependent on individual uptake and was not always effective.

Discussion followed on the appropriateness of the 12,000 target to be achieved by December 2010. It was agreed members need to add value to the Trust.

In response to Mr Oldham's query as to whether there would be any implication with Monitor in the Trust not attaining its projected membership target for 31 March 2010, Mr Morley advised there should be no implication as it was not a governance target.

Resolved

- **To approve the paper subject to approval from the Information Commissioners Office *MS***
- **To consider the membership target following decision by the Information Commissioners Office *RA***

09.03.6.4 MCHFT Constitution

Mrs Alcock presented the paper. In the discussion that followed it was

Resolved

- **To approve the paper subject to noting the outcome of discussions with the Information Commissioners Office on automatic patient members and Cheshire Community Voice shall remain open until September 2010.**

10.03.9.5 Audit Committee – Meeting of 8 February 2010

Mr Oldham presented the minutes noting the items to be escalated to the Board of Directors including Accounting Policies. the Items to be considered for the Internal Audit Workplan including Integrated Governance Follow-up. [Sentence redacted under S43 of the Freedom of Information Act]

Resolved

- **To note the minutes of the meeting of 8 February 2010**

QUALITY & SAFETY

10.03.10.1 Mid Staffordshire NHS Foundation Trust – Francis Report

Mrs Bullock referred to the Report circulated 'Independent Inquiry in to care provided by Mid Staffordshire NHS Foundation Trust January 2005 – March 2009' chaired by Robert Francis QC. Mrs Bullock noted a letter had subsequently received from Sir David Nicholson requesting all Boards review processes in relation to standards, governance and performance.

Mrs Bullock advised Mrs Jane Palin, Associate Director, Integrated Governance and Ms Jayne Hartley, Deputy Director of Nursing, were currently reviewing the document and would assimilate appropriate actions with the action plan put in place following the initial report on Mid Staffordshire (presented originally to the Board of Directors in June 2009). Mrs Bullock noted the report raised issues in relation to a number of areas including complaints, nutrition, cleanliness and safety making a total 18 recommendations, 4 of which are aimed at the health system as a whole.

Following a review of the Report, Mrs Bullock noted the following areas were issues raised in the report but for which MCHFT had no cause for concern, at this stage:

- Complaints – management of and lessons learned
- Staffing acuity and dependency reviews
- Clinical engagement on finance
- Incident reporting
- Management of poor performance issues

Mrs Bullock noted some areas of concern identified in light of the report and actions already underway. These included:

- Cleanliness
- Staffing levels in A&E/EAU
- Agency usage
- Documentation

Mrs Bullock advised that the learning from the Mid Staffs report should be exercised when considering the reduction in the number of beds/wards and the mixing of specialities.

Resolved

- **To receive an update report to include action list at Board of Directors on 10 May 2010**

10.03.10.3 Strategic Integrated Governance Committee – 8 February 2010

Dr Dodds presented the Minutes of 8 February 2010 noting the item to be escalated to the Board of Directors – Clostridium *Difficile* – was included under the Performance Report, Agenda Item 11.3.

Resolved

- **To note the Minutes of the meeting of 8 February 2010**

10.03.10.4 Patient Experience & Quality Committee – Terms of Reference

Mrs Godfrey presented the revised Terms of Reference noting a small number of amendments had been made to reflect the establishment of QuEST.

Mrs Godfrey noted the title of the Committee was to be amended to Patient Experience Committee (Patient Voice).

Following Mr Ennis' request for confirmation as to the reporting structure, it was confirmed the structure as noted in the Terms of Reference was correct.

Resolved

- **To approve the Terms of Reference**

ORGANISATIONAL DELIVERY

10.03.11.1 VIN – Public Question & Answers Session

Mrs Frodsham noted she had attended a public question and answers session at VIN hosted by Cheshire West & Chester LINKs with Mr Mike Pyrah and other PCT representatives attending. Mrs Frodsham advised issues had been raised regarding the provision of beds at the VIN site.

Mrs Frodsham advised an Electrical Safety Test was to be carried out at VIN in April 2010 and it was anticipated the result of this test would lead to a requirement for the ward to be closed. Mrs Frodsham noted she had contacted the PCT with regard to possible alternative temporary sites for the ward in Northwich whilst consideration had also been given to relocating the beds to Leighton. Mrs Frodsham advised staff at VIN had been made aware of the situation and Board of Directors will receive a further updated before the next Board meeting.

Resolved

- **To note the report**

09.08.10.3 Automated Telephone Reminder System

Mrs Frodsham presented the paper and requested approval to continue with the project noting there had been significant reduction in 'Do Not Attends', however, advised the paper was unable to demonstrate an improvement in clinic utilisation.

In the discussion that followed it was agreed to extend the project with an update paper to be presented at Board of Directors of 1 November 2010. [Sentence removed under S43 of the Freedom of Information Act]

Resolved

- **To receive an update report at Board of Directors of 1 November 2010**

10.03.11.2 Performance Report

Patient Quality & Safety Focus

Mr Ennis presented the report noting readmission rates are starting to fall whilst misadventure rates are better than peer.

Mr Ennis also noted the Risk Adjusted Mortality Rate noting future reports would utilise the revised calculation, RAMI 2010.

Finance

[Section removed under S43 of the Freedom of Information Act]

System Delivery Focus

Mr Ennis noted GP referrals are down whilst Outpatient activity had increased. Mr Ennis also noted the pressures in respect of the 4 hourly and 18 week targets.

Mrs Bullock noted the Clostridium *difficile* figure reminding the Board of the 20 new cases in January and advising there had been a reduction in February to 13 and that the Trust remained under trajectory year to date. Mrs Bullock advised tests carried out on the Clostridium *difficile* specimens noted two separate outbreaks – one on Ward 5 and one on Ward 18. Mrs Bullock advised the Trust were working with the Health Protection Agency and the outbreak was now under control. Mrs Bullock noted both strains were accountable to the Trust rather than the community and there was a renewed focus on cleanliness – buildings and personal hygiene, patient moves and antibiotic prescribing.

Workforce Focus

Mr Ennis referred to the attendance figures which had fallen due to sickness. This was in part due to D&V in both the A&E and Estates & Facilities Divisions.

Resolved

- **To note the report**

10.03.11.3 Communications Strategy

Due to time constraints it was

Resolved to

- **Receive the paper at the Board of Directors meeting of 12 April 2010.**

10.03.11.4 Performance & Finance Committee – 29 January 2010

The minutes of the Committee meeting of 29 January 2010 were formally presented to the Board whilst Mrs Frodsham provided a verbal update of the meeting of 5 March 2010 noting in particular the 4 hourly and 18 weeks targets, cancelled operations and a request for the Infrastructure Committee to complete a review of capital spend. Mrs Frodsham also noted the Estates & Facilities Division continued to provide services at Elmhurst following the withdrawal of the facilities management company.

Resolved

- **To note the minutes of the meeting of 29 January 2010**

EMERGENCY PREPAREDNESS

10.03.12.1 H1N1 MCHFT Staff Infection & Vaccination Campaign Review

Mrs Alcock presented the report and noted no additional comments.

Resolved

- **To approve the report**

WORLD CLASS PROVIDER OF CHOICE

10.03.13.1 Elmhurst Intermediate Care: Benefits Realisation

Due to time constraints it was

Resolved to

- **Receive the paper at the Board of Directors meeting of 12 April 2010**

10.03.14.1

[Section removed under S43 of the Freedom of Information Act]

Resolved

- **To approve the report**

10.03.15.1 Visits of Accreditation, Inspection or Investigation

In relation to the unannounced visit of the CQC, Mrs Bullock noted a report had been received which made one recommendation in relation to uniform and PPE and stipulated one requirement in relation to Isolation Procedures. Mrs Bullock noted an action plan was being implemented which would be presented to the Strategic Integrated Governance Committee whilst the Trust was required to have an appropriate Isolation Policy in place by 29 March 2010.

Mrs Bullock advised the report of the CQC was to be made public on 10 March 2010.

Resolved

- **To note the report**

10.03.16.1 BOARD ACTIONS

After discussion, it was

Resolved

- **To approve the revised schedule of Board of Directors' actions, subject to including amendments to the schedule to be presented to the Board meeting on Monday 12 April 2010**
MS.

ANY OTHER BUSINESS

10.03.18.1 Quality Accounts

Mrs Bullock noted the Board were required to include a declaration in the annual Quality Accounts assuring the accuracy of information and assumptions made. A final draft would be available for the next Trust Board.

Mrs Bullock advised the Department of Health had issued updated documentation which had led to the Trust having to review the content of its Quality Accounts.

Resolved

- **To receive draft narrative for inclusion in Quality Accounts** *TB*

10.03.19 **TIME, DATE AND PLACE OF FORTHCOMING MEETINGS**
9.30am Monday, 12 April 2010 in the Board Room at Leighton Hospital

Signed

Chairman

Date