

Board of Directors

Public Minutes of the Meeting held at 9.30am on Monday, 6 December 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		Chief Executive
Mr M Chandler		Non-Executive Director
Mr WD Craig		Non-Executive Director
Dr PA Dodds	PAD	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
Ms J Hartley	JH	Acting Director of Nursing
Mr D Hopewell		Non-Executive Director
Mr M Oldham		Director of Finance & Strategic Planning
Dr AH Wood		Deputy Chairman and Senior Independent Director

IN ATTENDANCE

Ms M Steele	MS	Acting Trust Secretary
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APOLOGIES

Ms T Ames		Lead Governor
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*denotes action deriving from **resolutions** below

STRONG PROGRESSIVE FT

10.12.11.1 Transitional Arrangement & Establishment of GP Consortia

Mr Mike Pyrah, CEO, Central & Eastern Cheshire PCT, attended to present on the transitional arrangements and establishment of GP Consortia. Mr Pyrah noted the White Paper and advised of the challenges within same which he noted should not be underestimated. Mr Pyrah advised the Government are to implement the changes in the NHS under statute and this will take time to be enacted. Mr Pyrah noted there were a number of key aspects to the paper including public health, changes to commissioning and Monitor to become an economic regulator for health and social care.

Mr Pyrah noted commissioning was to be split between a National Commissioning Board and local GP Consortia. Mr Pyrah advised that of the three local GP Consortia, two had applied to be 'pathfinders'.

Mr Pyrah advised the SHA were to be disbanded by 2012 whilst it was anticipated the Operating Framework (due to be released on 15 December 2010) would significantly reduce the number of Primary Care Trusts.

Mr Pyrah discussed sustainability and the anticipated reduction in allocation to the Primary Care Trusts noting it was anticipated the efficiency requirement for NHS Trusts would be in the region of 4.5%.

Mr Pyrah noted, within the local health economy, MCHFT and the GP Commissioners would need a common understanding of resources and be able to work together in relation to capacity and demand. Mr Pyrah noted the local health economy would need to be united to avoid tensions in the system.

In response to Mr Oldham's enquiry regarding Fair Share Movements, Mr Pyrah advised they were currently based on referrals and prescribing, however, it is anticipated the formula may be changed and this will be noted in the Operating Framework.

In response to Mr Dunn's enquiry as to the preparedness of the GP Consortia, Mr Pyrah noted the PCT are working with the local GP Consortia but the PCT are unaware of a national policy.

Discussion also took place regarding the Trust's involvement in Healthcare Groups and the strategic thinking of GP Consortia, the availability and sustainability of Community Services, the pressures of increasing demand and the management of risks.

Mrs Bullock referred to the Trust's recent negotiations with the PCT and in response to Mrs Bullock's enquiry regarding confirmation of the PCT's position in relation to the suspension of non-urgent elective surgery until after 31 March 2011, Mr Pyrah noted that this action has been averted and there will therefore be no requirement to cancel non urgent elective surgery.

The Chairman thanked Mr Pyrah for attending the meeting and re-emphasised the extent of the future changes. The Chairman noted sustainability of services and finances is a key issue going forward.

Resolved

- **To note the presentation**

Mr Pyrah left the meeting at this point

ORGANISATIONAL DELIVERY

10.12.10.2 Community Interest Company

Mr Andrew Reynolds, Senior Advisor, RSM Tenon attended the meeting to present on Community Interest Companies.

Mr Reynolds gave an introduction to the Community Interest Company (CIC) noting a CIC is established for the benefit of the community. Mr Reynolds detailed the vision of a Social Enterprise giving an example of the Greenwich Primary Care Collaboration. Mr Reynolds also outlined the opportunities for MCHFT.

Dr Wood enquired as to whether a CIC qualifies as an independent provider wherein Mr Reynolds advised it was, as it is a separate legal entity.

Resolved

- To note the presentation
- To circulate a copy of the presentation *MS*

Mr Reynolds left the meeting at this point.

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 Part I of the Board meeting held on Monday, 1 November 2010 subject to noting
 - Under item 10.11.7.3 – *Executive Director Portfolios*, Mrs Bullock noted that following Mr Ennis' **departure** and as an interim measure, Mrs Frodsham would assume the bulk of Mr Ennis' portfolio whilst.....' instead of Mr Ennis' **department** as noted.
 - Under item 10.11.10.2 – *Pharmacy Review*, the inclusion of the word 'some' as follows: 'In relation to quality, Mrs Frodsham noted the improvement in the quality of service provided and in particular the closure of **some** of the outstanding National Patient Safety Alerts and the improved turnaround time on prescriptions.'

(Changes included in Public Board Minutes of 1 November 2010)

- **To sign the minutes as an accurate record of Part II of the Board meeting held on Monday, 1 November 2010**
- **To sign the minutes as an accurate record of the Extraordinary Board of Directors meeting held on 17 November 2010 subject to noting**
 - Under item 10.11.1.1(2) Correspondence from Central & Eastern Cheshire PCT ‘...Mr Oldham noted the capacity would need to be taken out of the system and the PCT would need to source alternative providers for some **urgent** work’ rather than **emergency** work as noted.

(Changes included in Public Board Minutes of 1 November 2010)

ACTIONS ARISING FROM PREVIOUS MINUTES NOT INCLUDED ELSEWHERE ON THE AGENDA

None noted.

CHAIRMAN’S ANNOUNCEMENTS

10.12.5.1 Local Health Economy Meeting

The Chairman noted he, Mrs Bullock and Dr Dodds had attended a recent meeting with other representatives from the local health economy. The Chairman noted the emphasis of the meeting was on different ways of working together.

10.12.5.2 Public Health Conference

The Chairman provided a summary of the recent Public Health Conference he had attended wherein employers were being asked to consider health and wellbeing. The Chairman noted Mr Jon Workman, Head of Equality, Diversity & Human Rights within the Trust, had also been in attendance and would provide a formal report to Mrs Alcock on the meeting.

10.12.5.3 HSJ Leadership Forum – Annual Conference

The Chairman advised he had attended the recent HSJ Leadership Forum where the Chief Executive of Monitor was a speaker. The Chairman advised the White Paper outlined vast changes in Monitor’s remit with the local governance structure yet to be established.

10.12.5.4 Foundation Trust Network Event

The Chairman provided a summary of the recent Foundation Trust Network event he had attended noting it was apparent that a number of

Trusts were at different stages with regard to having to make efficiencies and discussions with their local PCTs. [Sentence removed under S43 of the Freedom of Information Act].

10.12.5.5 Meeting with Ms Kathy Cowell, Chair of Central & Eastern Cheshire PCT

The Chairman noted Mrs Kathy Cowell was due to visit the Trust the following day (Tuesday, 7 December) wherein she and the Chairman were scheduled to meet with representatives from each of the Clinical Divisions for a short walkabout of the Leighton site.

10.12.5.6 Meeting with Ms Lynn McGill, Chair of East Cheshire NHS Trust

The Chairman noted a meeting was to be arranged between himself and Ms Lynn McGill, Chair of East Cheshire NHS Trust.

10.12.5.7 Chairman's Appraisal

The Chairman left the meeting for this agenda item.

Dr Wood advised the Appointments & Remuneration Committee had met earlier that morning and approved the paper (previously circulated) relating to the Chairman's Appraisal. Dr Wood requested Board acceptance of the paper.

Resolved

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

GOVERNORS ITEMS

10.12.6.1 Membership Numbers

The Chairman noted the Trust has 8,008 members and has, therefore, achieved the 8,000 member target.

10.12.6.2 Governor Elections

The Chairman advised correspondence had been issued to the existing elected Governors as regards standing in the elections in 2011. The Chairman noted work continued with the Electoral Reform Service as regards the election programme.

10.12.6.3 Clinical Service Strategy Day

The Chairman noted 3 governors would be attending the Clinical Services Strategy Day on 14 December 2010.

10.12.6.4 Governor Strategy Committee – Meeting of 22 December 2010

The Chairman advised a Governor Strategy Committee had been scheduled for Wednesday, 22 December 2010.

Resolved

- **To note the report**

CHIEF EXECUTIVE'S REPORT

10.11.1.1(2) Correspondence from Central & Eastern Cheshire PCT

Mrs Bullock advised discussions had taken place with the PCT and agreement had been reached wherein the suspension of non-urgent elective surgery will not be implemented whilst the PCT have accepted financial assistance from the Trust.

10.12.7.1 Monitor – Quarter 2

Mrs Bullock noted she and Mr Oldham had had a recent conference call with Monitor wherein Monitor had noted no real issues of concern.

Mrs Bullock advised discussion had taken place regarding the PCT's proposal to cease listing for all non urgent elective cases with immediate effect and in this regard Mrs Bullock would advise Monitor of the updated position.

Mrs Bullock advised discussion had taken place in relation to mortality rates and further information was requested in relation to thrombolysis. Mrs Bullock advised she had brought to Monitor's attention the Trust's current A&E activity/performance.

10.12.7.2 Care Quality Commission Meeting

Mrs Bullock advised she had met with the Care Quality Commission as an introduction to the new Regional Manager. As previously advised the CQC will review all Trusts over the next 3 years and that MCHFT was currently undergoing such a review. Mrs Bullock noted the Commission were to complete a responsive review in relation to 3 of the 16 Essential Standards. Mrs Bullock noted the Commission had requested information on the following Standards:

1. Medicines Management
2. Complaints
3. Care & Welfare of People who use Services

Mrs Bullock advised the CQC had responded at the meeting in relation to information previously presented in respect of Medicines Management, that they were wholly satisfied with the governance arrangements surrounding these and that no further information or action was required. Specific information was requested in respect of complaints which were submitted on 26 November 2010. The CQC would let the Trust know in due course what was required in relation to number 3. The responsive review would not necessarily include an onsite inspection but Mrs Bullock reminded the Board that the CQC

were authorised to conduct such onsite inspections at any time of their choosing.

10.12.7.3 Meeting with NHS Northwest CEO, Mr Mike Farrar

Mrs Bullock advised she had recently had an introductory meeting with Mr Mike Farrar. Mrs Bullock advised discussions included the Trust's position with regard to the correspondence received from the PCT [Sentence redacted under S43 of the Freedom of Information Act]. [Sentence removed under S43 of the Freedom of Information Act].

10.11.7.6 GP Commissioning/General Practitioners

Mrs Bullock advised a number of meetings had been scheduled with GPs and GP Consortia regarding the future of the local health economy, however, for a number of reasons the GPs have cancelled same. Mrs Bullock noted the GPs have assured the Trust they continue to be committed to working together.

Mrs Bullock advised a number of meetings had been held with GPs on separate issues, for example in relation to the orthopaedic and non elective pathways and concerns re the PCT proposal to suspend listing for non urgent electives.

10.12.6.3 Clinical Services Strategy

Mrs Bullock reminded those present that the Clinical Services Strategy Day had been scheduled for 14 December 2010.

10.12.7.4 Dr Foster

Mrs Bullock advised Dr Foster published its Hospital Guide on November 28, 2010 in which the Trust was listed as one of 19 Trusts which have 'higher than expected' hospital standardised mortality rate (HSMR). Mrs Bullock noted a media response had been issued.

In response to Mr Craig's enquiry as to the Trust's current rebased position, Dr Dodds noted the figure was 106 as per Dr Foster (114 at 31 March 2010).

The Chairman enquired as to the continuing work of the Hospital Mortality Reduction Group wherein Mrs Bullock assured the Board the work of the Group continued with the Trust on target to achieve a reduction in HSMR by 10 points by 31 March 2011.

Resolved

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

MEDICAL DIRECTOR'S REPORT

10.12.8.1 **Serious Untoward Incidents and RIDDOR Events**

Dr Dodds advised of one Serious Untoward Incident and one RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences) reportable incident. Dr Dodds advised a Root Cause Analysis was to be completed in relation to the Serious Untoward Incident with Monitor and the PCT having been notified. Dr Dodds noted the Health & Safety Executive had scheduled a meeting at the Trust in relation to the RIDDOR reportable incident.

10.12.8.2 **Manchester Medical School**

Dr Dodds advised the General Medical Council have introduced a requirement for final year medical students to shadow an F1 Doctor (Student Assistantships). Dr Dodds advised Manchester Medical School have approached the Trust and requested formal MCHFT Board of Directors approval to be part of the scheme.

In the discussion that followed it was

Resolved

- **To approve the Trust's participation in the scheme and advised Manchester Medical School *PAD***
- **To note the Medical Director's Report**

10.12.8.3 **JLNC (Joint Local Negotiating Committee) Meeting – 2 December**

Dr Dodds advised discussion had taken place at the recent JLNC meeting regarding the monetary sum for the Clinical Excellence Awards. Dr Dodds advised national guidelines released had reduced the factor for calculation of the monetary sum from 0.35 to 0.2 with the provision for local discussion. Dr Dodds advised the Committee have requested the Trust retain the calculating factor of 0.35. Dr Dodds advised he would ascertain the actions of other Trusts.

Mrs Alcock noted JLNC may put in writing, to the Board of Directors, their request for the Trust to maintain the current factor.

Discussion took place regarding the affordability of the 0.35 factor and it was

Resolved

- **To utilise the national guideline calculation factor of 0.2**

STRONG PROGRESSIVE FT

10.08.11.2 Benchmarking – Corporate Services

[Sentence removed under S43 of the Freedom of Information Act]. Mr Oldham advised the Trust were committed to considering each and every corporate service as part of the benchmarking exercise.

Resolved

- **To note the verbal report**

10.12.11.2 Financial Position 2011/12

Mr Oldham presented the summary financial outlook for 2011/12 noting it was the financial outlook at the current time and is likely to change following release of the Operating Framework and the issue of the tariff for 2011/12. Mr Oldham noted a typographical error on page 2 of the report.

Mr Oldham noted the analysis of key movements including inflationary pressures, agenda for change and the impact of taxation. Mr Oldham noted the consolidation of growth income and an anticipated loss of activity.

In response to Mr Dunn's enquiry as to the overhead costs following the relocation of mental health beds to Macclesfield, Mr Oldham noted work was underway to identify the reduction in associated costs to include discussions with the Divisions.

Mr Oldham advised of Health Economy Affordability noting in particular the PCT's financial position.

Mr Oldham provided detail of the Cost Improvement Programme advising of the efficiencies achieved to date and the pressures for the coming year.

Mr Oldham noted a number of key elements which could impact on the financial position both positively and negatively in particular the challenges in relation to activity and tariff.

Resolved

- **To note the paper**

10.10.17.1 Agenda for Change Terms & Conditions

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

In the discussion that followed it was

Resolved

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

QUALITY SAFETY & EXPERIENCE

10.12.9.1 Care Quality Commission: Quality & Risk Profile Update

Ms Hartley presented the update noting same was to be issued by the Care Quality Commission on a monthly basis going forward. Ms Hartley noted the Essential Standards of Quality and Safety have 28 outcomes and the update provides a summary of the areas where the Trust falls below the expected requirement for each essential outcome. Ms Hartley noted the evidence being provided by the Trust to support progress against the outcomes and confirmed that where the report noted 'This outcome has a risk estimate of no confidence', this comment relates to limited information being available nationally rather than 'no confidence' in the Trust. Ms Hartley noted the terminology in future reports is to be amended to 'not enough data'.

Ms Hartley advised the reports were reviewed regularly through the integrated governance framework and in the discussion that followed it was

Resolved

- **To note the report**
- **To receive an annual update at the Board of Directors**

10.10.9.3 MCHFT Single Equality Scheme 2010-13

Mrs Alcock presented the Scheme for approval. In the discussion that followed it was

Resolved

- **To approve the MCHFT Single Equality Scheme 2010-13**

10.12.9.2 Monitoring Standards for Care through Care Indicators – Results from November 2010

Ms Hartley presented the report giving a background to the use of the care indicators and advising same was a snapshot of results from November 2010. Mrs Bullock advised the report was useful in light of the Mid Staffordshire report in ensuring the Board were aware of quality issues at a ward level. In the discussion that followed it was agreed to incorporate the data in the monthly performance report and to include trending information.

Resolved

- **To incorporate the data in the monthly performance report and include trending information.**
- **To receive a more detailed report at the Board of Directors meeting of 6 June 2011 JH**

10.12.9.3 **Current Framework for Patient & Public Involvement**

Ms Hartley presented the report following the Board's request for an update on the Trust's Patient & Public Involvement Strategy. In the discussion that followed it was

Resolved

- **To note the report**
- **To monitor the Patient & Public Involvement Strategy through the Patient Experience Committee**

10.12.9.4 **Strategic Integrated Governance Committee – 8 November 2010**

Dr Dodds presented the minutes noting, in particular, the items to be escalated to Board – the deferment of NHSLA Level 3 assessment in Maternity and the proposed new timescales for assessment, and the rolling changes made to the Board Assurance Framework.

Dr Dodds noted the Major Incident Plan was to be raised under Agenda Item 13.1 on the Board Agenda.

Resolved

- **To note the Minutes of 8 November 2010**

ORGANISATIONAL DELIVERY

10.12.10.1 **Performance Report**

Patient Quality & Safety Focus

Mrs Alcock advised of the number of complaints for October noting the Divisions had responded to all complaints within the timescales agreed with complainants.

Mrs Alcock noted that all Lessons Learnt have been actioned and implemented.

Mrs Alcock provided detail of the SPC charts noting the number of crude deaths had increased in October, however, the Rolling 12 month Mortality Trending continued to show a reduction in the risk adjusted mortality rate.

Finance

Mrs Alcock advised of the Income & Expenditure Position as detailed in the report, noting same would change following the recent agreement with Central & Eastern Cheshire PCT. [Sentence removed under S43 of the Freedom of Information Act].

In response to Dr Wood's enquiry with regard to the capital programme, Mr Oldham confirmed the Trust would continue with the existing Capital Programme.

Mr Chandler enquired as to whether Financial Risk Rating score of 2 on the I&E Surplus Margin should be an issue for concern, Mr Oldham confirmed that the overall FRR is 3 and, therefore, in isolation it was not a major issue for concern at this stage.

System Delivery Focus

Mrs Alcock noted all targets and standards were achieved for October advising, however, November had seen a number of pressures.

Workforce Focus

Mrs Alcock noted mandatory and essential training continues to be an area of concern whilst support is being provided to the Divisions regarding the management of bank and agency spend.

Resolved

- **To note the report**

10.12.10.3 Performance & Finance Committee – Meeting of 29 October 2010

Mr Oldham presented the minutes of 29 October 2010 noting the issues to be escalated to Board had been raised at the Board of Directors meeting of 1 November 2010.

Mr Oldham provided a verbal updated of the meeting of 3 December noting discussion had taken place regarding patient level costing and bank & agency spend.

Resolved

- **To note the minutes of 29 October 2010**

WORKFORCE DEVELOPMENT & EFFECTIVENESS

10.12.12.1 Valuentis Staff Survey Report

Mrs Alcock presented the Staff Survey Engagement Findings for MCHFT noting the report had been commissioned by the North West Strategic Health Authority.

Discussion took place regarding the significantly improved levels of staff engagement, however, it was noted the Trust was an outlier in the identified correlation between Trusts scoring highly on the Care Quality Commission performance ratings and increased levels of staff engagement.

Resolved

- To note the report

10.12.12.2 Appointments & Remuneration Committee – Meeting of 1 November 2010

The Chairman presented the minutes of 1 November 2010.

Resolved

- To note the minutes

EMERGENCY PREPAREDNESS

10.12.13.1 Major Incident Plan

Dr Dodds presented the Major Incident Plan requesting Board approval of same. In the discussion that followed it was

Resolved

- To approve the Major Incident Plan

10.12.14 Legal Advice

[Section removed under S42 of the Freedom of Information Act].

Resolved

- To approve the report

10.12.15 Visits of Accreditation, Inspection or Investigation

Mrs Bullock advised of the following visits, inspections and investigations:

- Independent Ophthalmology review noting no untoward issues nor any issue of which the Trust had not been previously aware.
- Maternity Review following which an Action Plan was being created.
- A PCT follow up visit to Ward 11 where it was noted all issues previously raised had been addressed. Mrs Bullock advised the PCT also visited Ward 19 wherein a small number of issues were raised which are currently being addressed.

Dr Dodds noted the Health & Safety Executive were to visit in December following the RIDDOR incident whilst Mrs Alcock advised of a visit by the UK Borders Agency and Skills for Health.

Resolved

- To note the report

10.12.16 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 10 January 2011**
MS.

ANY OTHER BUSINESS

10.12.17.1 Target Discharge Dates

Mr Chandler advised, following the Department of Health IST visit, it was noted that as part of the admission process all patients ought to have a target discharge date. Mr Chandler noted that following a recent ward visit not all patients have a target discharge date recorded. Mr Chandler requested target discharge dates be raised at a future Board Away Day for discussion to ensure the Trust's policy is reviewed and tightened.

Mrs Bullock assured the Board the Executive Directors were aware of the issue and that this had previously been reported to the Board of Directors on a number of occasions via update presentations given by Mr Ennis in relation to Quality Matters, noting this is a key strand of the QM Programme. Mr Roberts, from Finnamore and Mrs Frodsham continued to carry out work in this area.

Resolved

- **To discuss Target Discharge Dates at a future Board Away Day.**

TIME, DATE AND PLACE OF FORTHCOMING MEETINGS

9.30am Monday, 10 January 2011 in the Board Room at Leighton Hospital.

Signed

Chairman

Date