

Board of Directors Part I

Minutes of the Meeting held in Public at 9.30am on Monday, 7 February 2011
At Ashfields Primary Care Centre, Sandbach

PRESENT

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

IN ATTENDANCE

Ms T Ames		Lead Governor
Mr M Davies		Staff Side Representative
Ms M Steele	MS	Acting Trust Secretary

APOLOGIES

Mr D Dunn		Non-Executive Director
Ms J Hartley		Acting Director of Nursing

*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.

The Chairman opened the meeting welcoming those Governors and members of the public who were in attendance. The Chairman also welcomed Mrs Julie Smith to her first Board of Directors meeting as Director of Nursing & Quality for the Trust.

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, 10 January 2011 subject to noting**

- Under item 11.01.8.3 – *NHSLA Maternity*, Dr Dodds noted the assessment related to 50 sets of guidelines rather than 51 sets as noted.
- Under item 11.01.9.1 – *Clinical Audit Gap Analysis Programme*, Dr Dodds advised the ‘*Strategic Integrated Governance Committee* will monitor the work is being completed and provide assurances to the Board of Directors as appropriate’ rather than the Audit Committee as noted. Dr Dodds also requested removal of the fourth bullet point as further detail will be presented the Board, by exception from the Strategic Integrated Governance Committee.

(Changes made to Public Minutes of the Board of Directors Meeting of January 2011)

ACTIONS ARISING FROM PREVIOUS MINUTES NOT INCLUDED ELSEWHERE ON THE AGENDA

11.01.7.1 Operating Framework 2011/12

In response to Mr Craig’s enquiry as to feedback relating to the readmission rates, the Chairman advised Mrs Bullock would provide feedback under the Chief Executive’s Report.

Resolved

- **To receive an update on Readmissions feedback under the Chief Executive’s Report**

CHAIRMAN’S ANNOUNCEMENTS

11.02.5.1 Health & Social Care Bill

The Chairman advised the Trust were to participate in a reference group led by the NHS Confederation. The Chairman advised the Trust would review the summary documents which were to be circulated and provide feedback.

In response to Mrs Alcock’s enquiry as to whether there was a financial charge to become a member of the reference group, the Chairman noted there was no charge.

11.02.5.2 Meeting with Cheshire West & Chester Councillor

The Chairman advised he and Mrs Godfrey had met with Cllr Birtwistle, Vice Chair, Health & Wellbeing Select Panel, Cheshire West & Chester Council and Mr David Jones, Committee Support. The Chairman noted local community groups in Northwich (e.g. SONIC and LINKS) are

exploring ways and considering initiatives to open intermediate care beds at Victoria Infirmary, Northwich (VIN).

The Chairman noted he was to meet with Nora Dolphin, Chair CWAC Link, to discuss the position re the provision of intermediate care in Northwich.

In response to Dr Dodds enquiry as to the availability of funds to open intermediate care beds at VIN, the Chairman noted that local groups were exploring a number of different avenues and sources of funding.

11.02.5.3 Meeting with MPs – January 2011

The Chairman advised Mrs Bullock would feedback on the recent visit of Mr Stephen O'Brien, MP and Mr Edward Timpson, MP and noted a meeting was also to be arranged with Mr Graham Evans, MP.

11.02.5.4 Meeting with Chair of Central & Eastern Cheshire PCT

The Chairman noted he was to meet with Mrs Kathy Cowell, Chair of PCT, the following day (Tuesday, 8 February).

Resolved

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

GOVERNORS ITEMS

11.01.6.2 Council of Governors Meeting – 27 January 2011

The Chairman referred to the recent Council of Governors meeting noting the meeting had been very productive. The Chairman noted consideration was being given to the inclusion of a debate at the next meeting to encourage Governor engagement on the key issues facing the Trust.

10.12.6.2 Governor Elections

Ms Steele advised the closing date for receipt of nominations had now passed and nominations had been received for all Constituencies/Sub-Constituencies. Ms Steele noted all nominees had until 5pm that evening (Monday, 7 February) to withdraw their candidacy after which a final candidate listing would be provided. Ms Steele noted voting packs would be issued by Electoral Reform Services with the closing date for receipt of completed cards being Friday, 18 March. Ms Steele advised results of the election would be known on Monday, 21 March 2011.

It was noted an induction day for Governors had been arranged for Tuesday, 5 April 2011 whilst a Council of Governors meeting had been scheduled for Thursday, 14 April 2011.

The Chairman noted Ms Steele had attended a recent Foundation Trust Secretaries meeting wherein it was noted a number of Trusts are struggling to fill vacant Governor positions.

Resolved

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

CHIEF EXECUTIVE'S REPORT

11.02.5.1 Health & Social Care Bill

Mrs Bullock advised the Bill was currently being reviewed in detail by the Executive Directors noting the key issues for Foundation Trusts. Mrs Bullock noted Mr Stephen O'Brien, MP and Mr Edward Timpson, MP had enquired as to the impact of the Bill on MCHFT and requested Mrs Bullock detail in a letter the impacts the Bill will have on the Trust advising they will raise the issues in the appropriate forum.

Mrs Bullock advised a letter had been drafted and was to be issued later that day.

11.01.7.5 Progress with GP Commissioning

Mrs Bullock advised of recent meetings with GPs, however, noted the GPs were not involved in the contract discussions for 2011/12 between the Trust and the PCT, although they were said to be working behind the scenes in setting the principles for the discussion. Mrs Bullock advised assurances had been received from the South Cheshire Consortia the GPs are committed to continued engagement.

Mrs Bullock noted the Communications Strategy 2011/12 (Agenda Item 10.3) included a number of communication activities to underpin relationships with GP commissioners. Mrs Bullock advised she was to meet with Mr Simon Whitehouse, Chief Officer for South & Vale Royal GP Commissioning Consortia, bi monthly whilst Dr Dodds was scheduled to meet with GP Consortia Chairs every six weeks.

10.08.7.4 Healthcare Groups

Mrs Bullock advised she and other members of the Executive Team had met with the Chief Executive and Executive Directors from Stockport NHS Foundation Trust and East Cheshire NHS Trust to discuss each Trust's commitment to the formation of Healthcare Groups. Mrs Bullock noted that there was an apparent lack of interest particularly in light of geographical issues and in relation to out of hours non elective care with regard to the formation of a Healthcare Group. However, Mrs Bullock considered that it may be appropriate to consider clinical support and/or back office functions. Mrs Bullock requested Board approval to register the Trust's intent to progress on

forming a Healthcare Group in relation to clinical support services and/or back office functions. Mrs Bullock noted the absence of a Healthcare Group with Stockport and East Cheshire would not prevent the Trust from forming / joining a Healthcare Group with other organisations or from working in collaboration with other Trusts on specific clinical services, e.g. pathology.

Mrs Bullock advised she had also met with Mel Pickup, incoming Chief Executive of Warrington & Halton Hospitals NHS Foundation Trust and was due to meet with Julia Bridgewater, Chief Executive of University Hospital North Staffordshire NHS Trust to discuss existing and potential collaborations. Mrs Bullock also advised of national discussions, e.g. vascular services and national trauma networks.

In the discussion that followed it was

Resolved

- **To register the Trust's intent regarding Healthcare Groups TB**
- **To receive further updates on the discussions regarding Healthcare Groups, as appropriate TB**

11.02.7.1 Regional CEO Meeting

Mrs Bullock advised of the recent Regional CEO meeting she had attended noting Mr Mike Farrar, Chief Executive, NHS Northwest advised the Primary Care Trusts will form clusters by June 2011, however, it is unclear, at this stage, whether there will be five or six clusters formed in the NorthWest.

Mrs Bullock noted discussion had taken place regarding the winter flu outbreak and advised it was the worst flu outbreak experience in 10 years. Mrs Bullock noted the North West Strategic Health Authority (SHA) were only one of 2 SHAs to record achievement of the 4 hourly target for the period.

11.02.7.2 Meeting with Erica Wenzel, CEO, Cheshire East Council

Mrs Bullock advised she had recently had a meeting with Ms Erica Wenzel wherein discussion had taken place as to how the two organisations (MCHFT & Cheshire East Council) can work together going forward. Mrs Bullock advised Ms Wenzel and Cllr. Andrew Knowles were due to meet with Mrs Bullock at the Trust which would include a tour of the Leighton site.

Mrs Bullock confirmed the Trust were to be part of the local Health & Wellbeing Board.

11.02.5.3 Meeting with MPs

Mrs Bullock advised the meeting with the MPs had also included discussion on the impact of the tariff and the proposed financial penalties regarding readmissions.

Mrs Bullock advised the impact noted would be included in the letter to be issued later that day.

Mrs Godfrey requested a copy of the letter be issued to the Non-Executive Directors for information.

Resolved

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

MEDICAL DIRECTOR'S REPORT

11.02.8.1 Integration of East Cheshire NHS Trust & Cheshire East Community Health – Inaugural Meeting

Dr Dodds noted he had attended the inaugural meeting of the Stakeholder Board and advised due diligence papers were to be presented to the PCT Board Meeting and East Cheshire NHS Trust Board Meeting of February 2011.

Dr Dodds advised it had been announced the East Consortia Group were to be lead Commissioner for Community Services for 2011/12. Dr Dodds also advised that discussion will take place after the next meeting as to whether a single Transition Board is appropriate or whether there should a separate stakeholder board to focus on our geographical area, separate to the East.

Dr Dodds noted himself or Mrs Bullock would attend future meetings.

In response to Mrs Alcock's enquiry as to whether the Trust should make a representation to the PCT regarding the appointment of the East Cheshire Consortia as Lead Commissioners, Mrs Bullock advised she would raise the issue with Mr Simon Whitehouse, Chief Officer for South & Vale Royal GP Commissioning Consortia in the first instance.

Dr Wood suggested the Trust should consider its stance on the commissioning of services from CECH wherein Mr Oldham advised work continued within the Trust to review those services required by the Trust provided by CECH and those services which could be provided in-house.

11.02.8.2 Serious Untoward Incidents and RIDDOR Events

Dr Dodds advised there were no Serious Untoward Incidents for the period whilst there was one RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences) reportable incidents Dr Dodds provided brief detail of the incident.

11.02.8.3 Appointment of Consultants

Dr Dodds noted the appointment of Consultants to substantive posts in Care of the Elderly Medicine and Urology.

11.02.8.4 Patient Safety Walkround

Dr Dodds referred to the recent patient safety walkaround of Ward 7 attended by himself, the Chairman and Mr Harry Mawdsley, Governor. Dr Dodds advised feedback from the walkround had been positive and noted a scheduled for the remainder of the year had been put in place.

Resolved

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

QUALITY SAFETY & EXPERIENCE

11.02.9.1 Corporate Governance Handbook

Dr Dodds presented the Handbook and it was noted same had been reviewed by the Strategic Integrated Governance Committee with appropriate sections having been considered by the Audit Committee.

Dr Dodds noted within Appendix 1, the Charitable Funds Committee should report directly to the Trustees of Mid Cheshire Hospitals NHS Foundation Trust Charitable Fund rather than the Board of Directors as noted.

In response to Mr Craig's enquiry as to who would be responsible for embedding the Corporate Governance Handbook within the Trust, Dr Dodds noted responsibility for review of the Handbook would lie with the Strategic Integrated Governance Committee whilst the Executive Management Board (EMB) and Committees structure would be responsible for embedding same across the Trust. Dr Dodds noted the Head of Integrated Governance would be the nominated lead in relation to the Handbook. Mrs Bullock noted that elements of the Corporate Governance Handbook were also a part of individuals work contract and job descriptions where appropriate.

Dr Dodds requested Board approval of the document subject to minor amendments to include typographical errors. Mrs Godfrey noted changes may also need to be made to the Committee Terms of Reference following the current Committee reviews.

In response to Dr Wood's enquiry as to when the Trust were to complete a review of the FT Constitution, Ms Steele advised this was due to commence and the Chairman noted a number of changes would be required over the next 12/18 months to reflect changes in the health economy.

Resolved

- **To approve the Corporate Governance Handbook subject to minor amendments**
- **To review the MCHFT Constitution MS**
- **To note the Board of Directors thanks to Dr Paul Dodds and Mrs Jane Palin, Associate Director of Integrated Governance for their work on the Handbook**

11.02.9.2 Review of Early Warning Systems in the NHS

Dr Dodds presented the report and it was noted that under the Operating Framework 2011/12 is a requirement that every Board is familiar with and understands the Report.

Dr Dodds noted the importance of organisational culture in the consideration and implementation of same.

Resolved

- **To note the report**

11.02.9.3 Care Quality Commission (CQC) Review of Compliance – Final Report

Mrs Bullock presented the report noting the Trust had previously received a Preliminary Report following the Care Quality Commission's responsive review undertaken in December. Mrs Bullock noted the Trust had submitted a number of comments relating to factual accuracy within the Preliminary Report which had been accepted by the Commission and incorporated in the Final Report.

Mrs Bullock provided a brief summary of the findings detailed.

Mrs Bullock noted the Report would have an impact on the Trust's quarterly rating with Monitor with the Governance Rating for Quarter 3 being Amber/Green rather than Green as previously advised. Mrs Bullock advised Monitor had specifically requested the Report be

recorded in Quarter 3 as the review had been completed in December although the Report had not been received until January (Quarter 4).

Mr Craig praised the Trust's governance procedures noting a number of the issues identified had been identified previously within the Trust's governance structure and brought to the Board's attention with action plans in place prior to the review completed by the CQC.

In relation to Maternity Services, the Chairman asked were the Trust on track to address the underlying issues by February 2011, wherein Mrs Bullock advised the action plan would be complete by that time.

11.02.9.4 Strategic Integrated Governance Committee – Minutes of 17 January 2011

Dr Dodds presented the minutes noting the items to be raised to the Board of Directors in particular advising the Trust's Health & Safety Policy had been accepted by the Committee.

Resolved

- **To note the minutes of 17 January 2011**

ORGANISATIONAL DELIVERY

11.02.10.1 Clinical Services Strategy 2011 to 2014/25

Mrs Frodsham gave a presentation, a synopsis of the paper included in the Board Papers, and noted the document sets the direction for the Trust's clinical services from 2011 to 2014/15.

Mrs Frodsham noted the key stakeholders and outcomes from the strategy process. Mrs Frodsham advised of the strategic planning process and noted the vision for the Trust remains unchanged.

Mrs Frodsham advised of the key principles of strategy noting Quality remained the top priority. Mrs Frodsham noted those services which were seen as core, central and discretionary.

Mrs Frodsham advised of the direction of travel and advised the Trust now recognised there were two distinct but interlinked strategies; Non Elective Care and Elective Care. Mrs Frodsham noted the three year plan for each. Mrs Frodsham also indicated the strategic plans for each of the Clinical Divisions.

Mrs Frodsham requested Board approval of the strategy document noting the next steps should same be approved.

Discussion took place regarding the performance detailed for quality against the 10 Out of Ten and it was noted the 10 Out of Ten programme relates to specific indicators whilst the strategy document is more general in nature. It was agreed that whilst the performance target for quality should be realistic same should include an aspirational element.

Discussion also took place regarding the affordability of the strategy and it was agreed decisions made should consider the financial framework of the local health economy.

Resolved

- **To approve the Strategy document.**
- **To receive quarterly progress reports to Board of Directors effective July 2011 DF**
- **To review the wording regarding quality and include further detail on affordability DF**

11.02.10.2 Performance Report

Patient Quality & Safety Focus

Mrs Frodsham noted the number of complaints received for the month of December advising the number received by the Surgery & Cancer Division had reduced on the previous month. Mrs Frodsham advised, following a review of the complaints received by the Division for the month of November, the increase had largely been in respect of cancelled appointments.

Mrs Frodsham advised no complaints were referred to Central & Eastern Cheshire PCT, the Ombudsman or Monitor for the month of December. Mrs Bullock provided an update on two complaints which had previously been referred to the Ombudsman, where the Ombudsman were now requesting updated information to enable them to conclude their enquiries.

Mrs Frodsham highlighted changes in practice which had occurred following complaints received.

Mrs Frodsham noted the number of PALS contacts for the period and, in particular, advised of the top 5 concerns of the contacts made.

Mrs Frodsham also advised the Trust had recently changed suppliers of interpreting services. Mrs Bullock advised a financial review of interpreting services was to be completed as it was anticipated the change in suppliers had yielded a significant saving.

Mrs Frodsham provided detail of the Patient Experience Report and Trust Care Indicators.

Mrs Frodsham advised of the increased Length of Stay for December noting Length of Stay continued to be a key focus of the Quality Matters programme. Mrs Bullock noted the Length of Stay information and all other information on the Clinical Indicators Report would no longer be included in the Board Performance Report as this would be scrutinised by the QuEST Committee.

Mrs Frodsham noted the medication incidents resulting in harm for the period whilst in response to Dr Wood's enquiry as to the effect the winter flu outbreak would have on the Crude Deaths by Month & Year (SPC Chart 6) and Mortality Rates (SPC Chart 7). Dr Dodds noted no confirmed data was yet available, however, Dr Dodds confirmed he was not aware of the Trust being an outlier.

Finance

Mrs Frodsham noted a financial surplus to the end of the year of £883k noting the pay position had improved in the month particularly in the Surgery & Cancer Division with reduced medical staff costs due to locums replaced and a freeze on waiting lists.

Mrs Frodsham noted increased nursing costs associated with an increase in agency usage over the Christmas period. Mrs Frodsham also advised of an adverse movement in non pay costs in December.

In relation to the Cost Improvement Programme, Mrs Frodsham noted the overall forecast CIP is on track with slippage offset by income gains.

Mrs Frodsham noted the cash balance at the end of the December.

Mrs Frodsham also advised the Capital Programme was on track.

System Delivery Focus

Mrs Frodsham noted the activity for the month noting some deterioration on waiting lists. Mrs Frodsham advised of A&E Performance for the month and noted the Trust had achieved all referral to treatment targets and all cancer targets except the 14 day cancer target which is noted as an 'underachieve'.

Workforce Focus

Mrs Frodsham noted the mandatory training rates, appraisal, retention and attendance rates for the month.

Resolved

- **To note the report**

11.02.11.3 Communication Strategy 2011/12

Mrs Alcock presented the Strategy document noting same had been previously approved by the Board. Mrs Alcock noted the document had been updated to incorporate discussions at a recent Board Away Day. Mrs Alcock also presented detail of the Trust's engagement with GPs.

Discussion took place regarding the external stakeholders and in particular NHS/partners. It was agreed social care and residential care homes should be listed as separate partners.

Discussion also took place regarding the importance of the public website and it was noted that under Messages, tools and activities, Intranet and Public Website should be listed as separate tools.

Mr Hopewell also requested the Objectives be listed in order of importance.

Resolved

- **To approve the Communication Strategy 2011/12 subject to incorporation of the amendments noted above RA**

11.02.10.4 Performance & Finance Committee – Meeting of 7 January 2011

Mr Oldham presented the minutes of 7 January 2011 noting the issues to be escalated to Board had been raised at the Board of Directors meeting of 10 January 2011.

Mr Oldham provided a verbal updated of the meeting of 4 February 2011 noting discussion had taken place regarding the ongoing work in relation bank and agency staff costs, the debtors position, the annual plan and cost improvement programmes and waiting list initiatives.

Resolved

- **To note the minutes of 7 January 2011**

STRONG PROGRESSIVE FT

11.02.11.1 PCT Contract Update

Mr Oldham provided an update on the contract discussions.

In relation to the Annual Plan, Mr Oldham noted the PCT have not yet advised of their commissioning intentions, however, the Trust have taken some remedial actions including the implementation of a vacancy freeze on non clinical posts. Mr Oldham noted he had requested Divisions to consider a Divisional CIP of 6%.

Mr Oldham advised a paper relating to the budget for 2011/12 would be submitted to the Board of Directors meeting of 7 March 2011.

Resolved

- **To note the verbal update**
- **To receive a paper relating to the Budget for 2011/12 at the Board of Directors meeting of 7 March 2011 MO**

11.02.11.2 Board Assurance Framework: Progress Report

Dr Dodds presented the report noting the key findings of the review particularly those relating to Quality, Safety & Experience and Infrastructure.

In the discussion that followed it was

Resolved

- **To note and approve the Report**

WORKFORCE DEVELOPMENT & EFFECTIVENESS

11.02.12.1 National Pay Proposals

Mrs Alcock advised there had been no change in the position nationally with the Trade Unions having rejected the National Pay Framework. Mrs Alcock advised the NorthWest SHA have enquired as to whether local Trusts would like to discuss proposals regionally and in this regard, the Trust have agreed to participate.

Mrs Alcock advised that national holiday for the Royal Wedding, scheduled for Friday, 29 April 2011 was an additional day's annual leave and, in this regard, those staff who are scheduled to work on that day would be paid normal daily/hourly rates rather than a Bank Holiday payment.

Resolved

- **To note the report**

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

Resolved

- **To approve the report**

11.02.14.1 Visits of Accreditation, Inspection or Investigation

Mrs Bullock advised the Microbiology Department had received full accreditation from the CPA whilst Mrs Frodsham noted the Pathology Services based at East Cheshire NHS Trust were due to visit from the MHRH and HTA (Human Tissue Authority). Mrs Frodsham noted MCHFT would support East Cheshire NHS Trust during the visit.

Dr Dodds noted the recent routine visit by the Human Tissue Authority advising verbal feedback had noted no major concerns. Dr Dodds noted written feedback was awaited.

Mrs Bullock advised of the recent gynae oncology review, noting 31 set of case notes had been reviewed whilst interviews with staff, internal and external, had also taken place. Mrs Bullock noted some minor recommendations had been made; however, overall feedback was very good.

Resolved

- **To note the report**

11.02.15.1 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 7 March 2011**
MS.

ANY OTHER BUSINESS

11.02.16.1 USE OF SEAL

Ms Steele advised the Seal had been used for a contract relating to the removal of asbestos from the hospital streets. Ms Steele noted it had been agreed to proceed with Option Two (of the options presented) and sign the contract for works to commence at the Board of Directors meeting of 10 January 2011.

Resolved

- **To approve the use of the Trust seal for the specified contract**

11.02.16.2 BOARD AWAY DAY – 21 February 2011

In response to Dr Wood's enquiry as to whether the Board Away Day scheduled for 21 February 2011 was going ahead, the Chairman confirmed the day would go ahead as planned. Ms Steele confirmed the venue of the day as the Board Room, Leighton Hospital.

TIME, DATE AND PLACE OF FORTHCOMING MEETINGS

9.30am Monday, 7 March 2011 in the Board Room at Leighton Hospital.

Signed

Chairman

Date