

Board of Directors

Public Minutes of the Meeting held at 9.30am on Monday 6 April 2009

PRESENT

Mr J Moran		Chairman <i>in the chair</i>
Mrs R Alcock		Director of Workforce and Service Development
Mrs T Bullock	TB	Chief Operating Officer, Director of Nursing
Mr M Chandler		Non-Executive Director
Mr WD Craig		Non-Executive Director
Dr PA Dodds	PAD	Medical Director
Mr A Ennis		Associate Director of Clinical Strategy, Development and Delivery
Mrs D Frodsham	DF	Director of Business Development
Mrs V Godfrey		Associate Non-Executive Director
Mr D Hopewell		Non-Executive Director
Mr M Oldham	MO	Director of Finance & Planning
Mr P Morley		Chief Executive
Dr AH Wood	AHW	Deputy Chairman and Senior Independent Director

IN ATTENDANCE

Ms M Alexander	MA	Executive Assistant
Mr M Babb		Divisional Director, Estates & Facilities

*denotes action deriving from **resolutions** below

Opening the meeting, the Chairman welcomed Mr Mike Babb, Divisional Director, Estates & Facilities who was in attendance to present on the Capital Programme 2009/10 and Beyond - Item 10.1. The Chairman also congratulated Mrs V Godfrey who had been appointed as Non Executive Director for Mid Cheshire Hospital NHS Foundation Trust following the recruitment process of the previous week.

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 2 March 2009, subject to noting that under**

09.01.10.08 Quality Matters/Lean Programme

Mrs Alcock requested the words 'Unlike previous consultants' be removed from the third sentence of the second paragraph.

09.03.6.1 Council of Governors Meeting: Thursday 23 April 2009

Mr Ennis suggested the last line of the item read 'It was pointed out that using a company to drive membership numbers can be costly and we need to find more cost effective ways *by* using Governors'.
[Sentence redacted under S43 of the Freedom of Information Act]

ACTIONS ARISING FROM PREVIOUS MINUTES NOT INCLUDED ELSEWHERE ON THE AGENDA

09.01.15.1 Cancer Peer Review Programme

In response to the Chairman's enquiry as to the appointment of the Non Executive Directors, Mrs Bullock confirmed the appointment would be made when all Non Executive Directors were in post, following the recent recruitment process.

CHAIRMAN'S ANNOUNCEMENTS

09.04.5.1 Appointment of Non Executive Directors

The Chairman advised Mrs V Godfrey and Mr Dennis Dunn had been appointed as Non Executive Directors to MCHFT following a professional and rigorous recruitment process.

09.04.5.2 Health & Audit Social Care Scrutiny & Select Committee

The Chairman advised he and Mr Morley had attended at a recent Health & Audit Social Care Scrutiny & Select Committee meeting. The Chairman advised the meeting, the first for the Committee as part of the Cheshire East Council, had been harmonious. An invitation has been extended to MCHFT to attend again in six months.

09.04.5.2 Mr Mike Hall, MP

The Chairman advised a meeting had been arranged for himself and Mr Morley to meet with Mr Mike Hall, MP on 15 May 2009 the purpose of which is to discuss the Northwich Guardian campaign against car parking charges at Victoria Infirmary, Northwich. The Chairman advised the meeting would also be used to discuss any other issues.

09.04.5.3 Monitor Conference

The Chairman advised he had recently attended a Conference hosted by Monitor. The theme of the Conference focused on preparing Trusts for receiving less funding in the future and the impact of the reduced funding on services and investments.

Resolved

- **To approve report**

GOVERNORS ITEMS

09.03.6.1 Council of Governors Meeting: Thursday 23 April 2009

The Chairman advised an agenda setting meeting was to take place at 5pm this evening (6 April 2009) with Governors who had expressed an interest in attending. The meeting would also consider the workshops for the Governors meeting, the theme of which are membership recruitment and engagement.

09.03.6.3 Governor Development Programme – 18 March 2009

Dr Wood advised he had attended the Governor Development Programme in Manchester with 5 Governors and Mr Ennis. Dr Wood advised that following the Programme the Governors had stated they were proud to be Governors of MCHFT as the engagement process between Governors and the Board of Directors appeared to be well advanced in comparison to some other Trusts.

Dr Wood advised we needed to continue to engage with Governors. This included exposing them to the decision making processes rather than advising them solely of the outcome.

Mrs D Yates, Governor, shall provide a summary of the event to Governors at the Council of Governors meeting of 23 April 2009.

Resolved

- **To approve report**

CHIEF EXECUTIVE'S REPORT

09.04.7.1 Mid Staffordshire NHS Foundation Trust

Mr Morley advised a detailed report had been circulated following the well publicised incidents at Mid Staffordshire. He confirmed a scoping exercise was currently being completed within the Trust covering his sense of the seven key points raised in the report:

- Information Governance & Assurance
- Lack of Policies & Procedures
- Nursing Numbers
- Incident Reporting, Action Taken & Learning
- Focus on Quality & Safety and not just Finance
- Engagement of Clinicians, Patients & Governors

- Leadership

The Chairman suggested correspondence be issued to Governors prior to the April Council of Governors meeting advising we are reviewing the HCC report and the Trust will prepare an internal report on all the issues raised.

In response to Mr Chandler's enquiry as to reporting on unexpected deaths, Mr Morley advised the report confirmed mortality was a symptom rather cause, however, there is an internal group in situ, led by Mr Max Winson, who investigate all deaths within the Trust and details will be included in the Performance Report, going forward.

Resolved

- **To receive a report on the scoping exercise currently being completed at the Board of Directors meeting of Monday, 1 June 2009 TB**
- **The Chairman will correspond with all Governors prior to the Council of Governors meeting of 23 April 2009 advising of the action taken by the Trust in response to the report issued in relation to Mid Staffordshire JM**

09.03.7.2 Contract

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

09.04.7.4 MRSA bacteraemias

Mr Morley advised the Trust had failed the MRSA bacteraemias target for the last quarter and subsequently the year. The target for the year 2008/09 was 12, however, 14 incidents had been recorded and confirmed with an additional incident reported on 31 March, yet to be confirmed.

Mr Morley distributed copy correspondence addressed to Mr John Moran, Chairman, detailing the breakdown of the MRSA bacteraemias. Mrs Bullock confirmed the actions detailed in her previous paper on MRSA were still regarded as being the most appropriate and the plan should remain as outlined.

Mr Morley confirmed the Trust would continue to report monthly to Monitor in relation to MRSA bacteraemias.

09.04.7.4 18 Week Audiology

Mr Morley advised that the Trust had failed, in February, by seven patients, the target for audiology, introduced halfway last year. He confirmed this would not affect our compliance with Monitor, however, it was unclear as to the extent to which it would affect our rating with the Care Quality Commission.

The failure was due to an oversight whilst using a paper based system. The system is now computerised.

09.04.7.5 Celebration of Achievement Evening

Mr Morley thanked those who attended the evening and in particular, Mrs Alcock for organising the event which was a huge success.

Resolved

- **To record the Board's thanks to Lisa Gresty, Learning & Development in organising and coordinating the evening and to the Master of Ceremonies who provided his services free of charge. MA**

09.04.7.6 Maternity Theatre Case

Mr Morley advised an amount had been sanctioned from last year's budget for preliminary work on theatres within the maternity unit. [Sentence redacted under S43 of the Freedom of Information Act] Currently the unit has one main theatre with a back up. However, there have been a number of issues in relation to the back up theatre and in this regard the Trust is looking to implement two fully compliant theatres.

A detailed Business Case will be brought to the Board of Directors at a future date this year.

09.04.7.7 Board Appraisal

Mr Morley reminded Board members of the Board Assessment which had been circulated. Completed details are to be returned to Ms M Alexander no later than 16 April 2009.

09.04.7.8 Healthcare Commission Report

Mr Morley passed the Healthcare Commission Report entitled Listening, Learning & Engaging to Ms V Godfrey and requested the report be reviewed by the Patient Experience & Quality Committee.

09.03.7.9 NHS Constitution

Mr Morley advised the recently published NHS Constitution had been reviewed by the FTNNW as regards its legal status and it was deemed not to create any new legal rights that will generate new causes of actions against the NHS.

09.04.7.10 Meeting with Monitor

Mr Morley advised he, Mrs Bullock and Mr Oldham had met with Monitor on 1 April 2009. Monitor advise they had no concerns with the Trust and confirmed they will be focussing, this year, on IBPs and planning for the future.

Mr Morley advised 8 regulatory bodies within the NHS had met in the Northwest and all have reported they have no concerns with the work/running of the Trust.

Resolved

- **To approve report**

MEDICAL DIRECTOR'S REPORT

09.04.8.1 Junior Doctors

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

Resolved

- **To approve the Action Plan**
- **Receive a revised Action Plan at the Board of Directors meeting of 1 June 2009 PAD**

09.04.8.2 Consultant Recruitment

Dr Dodds advised the Trust were currently experiencing difficulties in attracting Consultants to vacant posts. Dr Dodds provided detail of the vacant posts and advised a number of recruitment campaigns had been completed with input received from the Deanery in relation to job specifications, etc.

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

Resolved

- **To approve report**
- **To report quarterly to the Board of Directors on the status with regard to Consultant Recruitment PAD**

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

09.04.8.4 Safeguarding Children Submission

Dr Dodds advised a report had been submitted to the Health Care Commission.

09.04.8.5 Pandemic Flu

Dr Dodds advised the Trust had submitted a self assessment score to the Strategic Health Authority who confirmed we have received a green rating with regard to pandemic flu preparedness.

ACCOUNTABILITIES

09.04.9.1 Board Assurance Framework

Dr Dodds confirmed the Board Assurance Framework had been discussed at the Board Away Day of 16 March 2009. The Strategic Objectives are scheduled to be discussed at the Board Directors meeting of 20 April 2009 and a report to be presented to the Board of Directors on 5 May 2009.

Resolved to

- **Approve the report**
- **Receive a further report at the Board of Directors meeting on 5 May 2009 PAD**

09.04.2.1 Practice Standards Committee: Monday 9 March 2009

Dr Wood presented the minutes of the meeting and noted a report had been received from the Patient Safety Agency commending the Trust for a strong commitment to patient safety.

Resolved

- **To note the minutes**

09.03.13.1.3 Audit & Assurance Committee: Monday, 9 February 2009

Mr Hopewell presented the revised minutes and advised a meeting of the Audit Committee (name amended from Audit & Assurance Committee under Integrated Governance) was scheduled to take place that afternoon to commence the year end process.

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

Resolved

- **To note the minutes.**
- **To seek clarification on the software referred to in item AAC08.233 AHW**

09.04.9.2.3 Charitable Funds Committee – 9 March 2009

Mrs Godfrey presented the minutes and advised of no additional comments. [Section removed under S43 of the Freedom of Information Act]

Mrs Frodsham asked the Board to note the £50,000 raised by the WRVS from the tea shop located in Outpatients.

Resolved

- **To note the minutes.**

- **To record the Board's acknowledgement of the £50,000 raised by the WRVS. MA**

09.04.9.2.4 Patient Experience & Quality Committee

Mrs Godfrey presented the Terms of Reference for the Patient Experience & Quality Committee. In the discussion that followed it was agreed Dr Dodds, Executive Lead for Integrated Governance and Mrs Kath Baker, would meet with Mrs Godfrey to discuss the Terms of Reference for the Committee in line with the revised Trust Committee Structure. The Terms of Reference will subsequently be approved by the Operational Integrated Governance Committee.

The Chair noted the current Terms of Reference allowed the meeting only to take place if the Director of Business Development was in attendance. It was suggested a deputy be appointed to allow the meeting go ahead should Mrs Frodsham be absent. Dr Dodds asked it be noted the term 'Deputy' cannot be utilised under the NHSLA standards.

Resolved

- **To note the Terms of Reference**
- **To refresh the Terms of Reference following implementation of the Trust's new committee structure DF**
- **The Patient Experience & Quality Committee will continue to report directly to the Board of Directors**

09.04.9.1.5 Infrastructure & Development Committee – 6 March 2009

Dr Wood presented the minutes and advised, under item IDC09.08 – Cheshire Fire and Rescue Service, work was ongoing, whilst an update report on car parking would be brought to the Council of Governors meeting of 23 April 2009.

Resolved

- **To note the minutes**

09.04.9.2.5 Performance & Finance Committee – 3 April 2009

Mrs Bullock advised a Performance & Finance Committee meeting had taken place on Friday, 3 April 2009 and requested the Board note a surplus in capital of £4.2m at the year end.

Resolved

- **To note the surplus in capital**

09.04.9.2 Health Care Commission

Mrs Bullock presented the report and requested the Board's approval to sign the submission to the Health Care Commission (now the Care

Quality Commission) in respect of the Annual Health Check for submission in May 2009.

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

Resolved

- **To approve the submission**

09.04.9.3 Compromise Agreement

Mrs Alcock presented the briefing paper and requested the Board note the decision taken.

Mrs Alcock updated Board members on recent employment tribunal appeals.

Resolved

- **To note the paper**

STRATEGY DECISIONS

09.01.7.5 Capital Programme 2009/10 and Beyond

Mr Babb, Divisional Director, Estates & Facilities, gave a presentation on the Capital Programme 2009/10 and Beyond.

Mr Morley requested the Board agree in principle a Development Control Plan for the site. If agreed, further detail on the Plan will be brought to the Infrastructure & Development Committee with a brief outline to be presented at the Council of Governors meeting on 23 April 2009.

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

Dr Wood requested the plan consider future plans for hospital activity.

In the discussion that followed, it was

Resolved

- **To agree the Development Control Plan with any future amendments to be considered by the Board of Directors**

09.04.10.2 Creating Bed Capacity

Mr Morley introduced the paper on Creating Bed Capacity advising the Board had previously been made aware of pressures on bed capacity, however, with the 2 winter wards currently open, a number of medical outliers and ward 4 to close to free up a ward to allow for refurbishment there is increased pressure for beds.

Mr Oldham presented the detail of the report advising the arrangements for additional beds where a 'must do' and would remain in place until November 2009 when the winter wards would be reopened.

Mr Oldham advised that the Trust had purchased 6 beds at Hazelhurst Nursing Home to allow for movement of patients.

Resolved

- **To approve report**

09.04.10.3 Nursing Establishments

Mr Oldham presented the paper on Nursing Establishment . [Sentence redacted under S43 of the Freedom of Information Act] It was agreed this paper was pertinent in light of the Mid Staffordshire report.

It was agreed the paper highlights an investment in staff with an instant return, however, the Trust will need to ensure agency staff are not recruited in addition to agreed numbers.

In response to Mr Hopewell's enquiry as to whether there were deficiencies in other areas, Mrs Bullock advised there were and further reviews and recommendations would be completed.

Resolved

- **To approve the report**
- **To receive a Benefits Realisation Paper at the Board of Directors meeting of 5 October 2009 MO**

09.04.10.5 Endoscopy

Mr Morley gave a background to the paper advising the five year lease with the current provider of endoscopes expired in October 2008. Mr Morley requested the Board approve the proposed new leasing contract.

Mr Ennis provided the detail of the paper giving the advantages and disadvantages of the three companies detailed. Mr Ennis requested the Board approve the proposal of a six year lease with a company. [Sentence redacted under S43 of the Freedom of Information Act]

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

Mr Morley asked the Board to note that as leased equipment came to be replaced it would often be at an additional cost as the technology was invariably superior.

Resolved

- **To approve the Business Case**

STRATEGY IMPLEMENTATION

09.02.10.2 Budget 2009/10

Mr Oldham provided detail on the Budget for 2009/10 following on from the most recent meeting with the PCT. [Sentence removed under S43 of the Freedom of Information Act]

It was agreed the Trust will need to look at budgetary controls over the next two years. [Sentence redacted under S43 of the Freedom of Information Act]

Mr Oldham advised the Business Plan for the Trust was to be submitted to Monitor at the end of May 2009. The Plan will be presented to the Board at the Board Directors meeting of 5 May 2009 for approval prior to submission to Monitor.

Resolved

- **To note the paper**
- **To discuss in further detail at the Board Away Day of 27 April 2009 *MO***

09.01.10.5 VIN

Mrs Frodsham advised MCHFT has been selected as the preferred bidder for the development of the intermediate care services tier in Northwich and Winsford. In Northwich this will be a 32 bed service offering 18 intermediate care, eight stroke rehabilitation step down and six palliative care beds and is scheduled to open in 2011.

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

Resolved

- **To note the report**

09.01.10.5 Urgent Care Centre

Mrs Frodsham advised the contract had been signed between the PCT, Central Cheshire Urgent and Primary Care Consortium, which is a partnership of MCHFT, Cheshire East Community Health and Shropshire Doctors Co-Operative Limited. The Centre is due to open in September 2009.

Resolved

- **To note the report**

09.01.7.2 Appointment of Trust Secretary

Mr Morley advised the Job Description had been agreed and was to be 'banded'. The post will be advertised this month.

09.04.11.5 After Action Review – A&E Closure

Mrs Alcock presented a verbal report in relation to the A&E Closure.[Section removed under S43 of the Freedom of Information Act]

Mrs Alcock advised a policy had been developed which was to be presented to Board Directors that afternoon (6 April 2009) for approval.

Resolved

- **To note the report**

09.04.11.6 Division Quarterly Performance Review – Results Presentation

Mrs Bullock gave a brief verbal presentation on the Divisional Quarterly Performance Reviews and advised the following:

- The Women's & Children Division had moved to a Medium Intensity Rating from a Low Intensity Rating due to leadership/management issues
- The Diagnostics Division had received a Low Intensity Rating, for a third quarter and have now received a Licence to Operate
- The Estates & Facilities Division have received a Low Intensity Rating, for a second quarter.

The remaining two divisions remain on Medium Intensity

Mrs Bullock advised that an Executive Director will be present at Divisional Board Meetings, on a rotational programme. Mrs Bullock invited Non Executive Directors to attend also, again on a rotational basis. The Chairman advised the issue would be raised at the next Non Executive Director meeting.

Resolved

- **To note the presentation**

09.04.12.1 Performance Report to 28 February 2009

Mr Morley advised that due to the time constraints of the meeting, additional time would be spent on the Performance Report to year end, to be presented at the Board of Directors meeting of 5 May 2009.

Mrs Bullock drew the Board's attention to the section entitled 'Care Indicators' and requested clarification on the format of reporting for

future Performance Reports, i.e. bar charts or spidergram, quarterly or yearly. It was agreed the format to be utilised should include established trends.

Mr Morley advised the Board did need to be aware of the articles included in External Focus and more time would be allocated to the articles at future meetings.

Resolved

- **To approve the report**

09.04.12.2 Complaints

Mrs Bullock presented the report and advised of the revised NHS Complaint Procedure. Mrs Bullock noted the Trust may need to commission independent assistance in reviewing complaints.

An NHS Confederation Briefing Document entitled 'A New Complaints Procedure for Health & Social Care' was distributed.

Resolved

- **To approve the report**

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

Resolved

- **To approve the report**

09.01.13.6 Visits of Accreditation, Inspection or Investigation

Mr Morley advised the meeting had taken place with the Health & Safety Executive (HSE). [Section removed under S40 of the Freedom of Information Act].

Forthcoming visits include an inspection by the Care Quality Commission in June/July 2009 whilst a formal performance review meeting is scheduled with Monitor for 23 June 2009.

Resolved

- **To note the report**

09.01.14.1 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 Tuesday 5 May 2009 MA.**

09.04.15.1 ANY OTHER BUSINESS

Care Quality Commission

Mrs Bullock advised our HCAI registration with the Care Quality Commission, effective 1 April 2009, was an unconditional registration.

09.04.16.1 TIME, DATE AND PLACE OF FORTHCOMING MEETINGS

9.30am, Tuesday, 5 May 2009 in the Board Room at Leighton Hospital

Signed

Chairman

Date