

Board of Directors

Public Minutes of the Meeting held at 9.30am on Tuesday 5 May 2009

PRESENT

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

IN ATTENDANCE

Ms M Alexander	<i>MA</i>	Executive Assistant
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*denotes action deriving from **resolutions** below

The Chairman on opening the meeting welcomed all those present and in particular welcomed Mr Dennis Dunn to his first Board of Directors meeting following his appointment as Non Executive Director.

DIRECTORS' INTERESTS

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

MINUTES OF THE LAST MEETING

After discussion, it was

Resolved

- **To sign the minutes as an accurate record of the Board meeting held on Monday 6 April 2009, subject to noting that under**

09.04.10.2 Creating Bed Capacity

Mrs Bullock advised the last line of the item should read 'Mr Oldham advised that the Trust had purchased six beds at *Hollymere House Nursing Home* to allow for the movement of patients'.

09.04.11.5 After Action Review – A&E Closure

Mrs Bullock advised the policy referred to in the last paragraph of the item was to be developed and was to be presented to Board Directors for their approval. Mrs Bullock advised it is anticipated the policy will be completed and ratified by Board Directors by the end of June 2009.

ACTIONS ARISING FROM PREVIOUS MINUTES NOT INCLUDED ELSEWHERE ON THE AGENDA

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

Resolved

- **To note the report**
- [Section removed under S43 of the Freedom of Information Act]

CHAIRMAN'S ANNOUNCEMENTS

09.05.5.1 Committee Structure

The Chairman advised the details of the Non Executive Director committee responsibilities had been circulated. The Chairman requested that should a Non Executive Director experience problems attending the dates of the meetings, this should be brought to the attention of Ms Alexander.

09.05.5.2 End of Year Accounts

The Chairman advised the accounts and reports for the year end 2008/09 were currently being finalised and a draft report would be issued shortly for review.

09.05.5.3 Surgery & Cancer Division AGM

The Chairman advised he had attended the Surgery & Cancer AGM on 27 April 2009. The Chairman noted it was an excellent event which had been well attended.

09.05.5.4 Board Objectives

The Chairman noted the Board Objectives had been agreed and they would now in turn be incorporated in to the individual objectives for the

Executive and Non Executive Directors including the Chief Executive and Chairman.

Resolved

- **To approve the report**

GOVERNORS ITEMS

09.03.6.1 Council of Governors Meeting: Thursday 23 April 2009

The Chairman advised Governors had appreciated the frank and open presentation received from Mr Morley at the Governors meeting of 23 April 2009. It was noted the Governors had expressed a keen interest in assisting the Trust in anyway they can to communicate positively with members and the public and it had been agreed that once the contract had been signed, summarised detail of same would be made available to Governors identifying areas in which they could assist.

The Chairman advised Ms Ames had agreed to provide a Governors Report to the Annual Public Meeting on 23 July 2009.

In response to Mrs Frodsham's enquiry as to the feedback from the Governor Workshops, the Chairman advised a meeting of the Membership & Communications Committee, together with Governors who had expressed an interest in attending, had been arranged for Monday, 11 May 2009 to co-ordinate and collate the feedback and develop a business plan going forward.

Mr Dunn enquired as to whether there is now a Governor vacancy to be appointed from Manchester Metropolitan University, following his appointment as a Non Executive Director. The Chairman advised that there was a vacancy, however, with Mr Dunn's appointment as a Non Executive Director and his association with the University, the University may not be required to appoint a representative to the Council of Governors. The Chairman confirmed this issue was currently being clarified, the outcome of which may require an amendment to the constitution.

Resolved

- **To approve report**
- **To advise with regard to the Governor vacancy JM**

CHIEF EXECUTIVE'S REPORT

09.05.7.1 Confirmation of Security Management Roles

Mr Morley confirmed Mrs Bullock had been appointed as Security Management Director and advised a Non Executive Director would

require to be appointed to assist Mrs Bullock in her role. Mr Chandler currently holds the role on a temporary basis and after discussion Mr Chandler agreed he would retain the role on a permanent basis.

09.05.7.2 AMD

Mr Morley advised the current position of the PCT in relation to the prescription of drugs for Age related Macular Degeneration. [Sentence removed under S43 of the Freedom of Information Act].

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

Resolved

- **To formally review the Trust's position following confirmation of the decision made by the PCT Board. *PM***

09.05.7.3 Healthcare Commission Report On Effective Boards

Mr Morley advised a report had been received from the Healthcare Commission (now the Care Quality Commission) on Effective Boards. The report is currently being reviewed by the Integrated Governance Department within the Trust who will focus on the salient points and suggest recommendations, if required, on Trust Board processes and procedures.

Mr Morley advised the Trust were currently subject to the scrutiny/supervision of 69 regulatory bodies.

Resolved

- **To receive a report detailing any recommendations at the Board of Directors meeting of July 2009 *PM***

09.01.7.2 Trust Secretary

Mr Morley confirmed the job description for the post of Trust Secretary had now been banded and the post was to be advertised.

09.05.7.5 Membership Officer

Mr Morley confirmed, following a recruitment process, [Name removed under S40 of the Freedom of Information Act] had been appointed as Membership Officer for the Trust. [Sentence removed under S40 of the Freedom of Information Act].

09.05.7.6 Executive Work Programme

Mr Morley circulated, for information purposes, a detailed listing of the projects currently being undertaken by the Executive Directors together with the current status.

Resolved to

- **Receive the report quarterly *MA***

09.05.7.7 Orthopaedic Referral Service

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

Resolved

- **To note the report**
- **To receive an update at future Board of Director meetings, as appropriate *PM***

09.05.7.8 Cheshire East Community Health

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

Resolved

- **To approve the issue of a letter from the Chairman and Mr Morley expressing the Trust's concerns regarding the potential merger *PM***

09.05.7.9 Conference Speakers

Mr Morley advised both Mrs Alcock and Dr Dodds had been invited speakers at conferences. Mrs Alcock had spoken regionally whilst Dr Dodds had attended a national conference.

09.05.7.10 Letter received from the Strategic Health Authority

Following recent advices from the SHA advising the PCT boundaries would not be changed, Mr Morley confirmed he had received a letter from the SHA indicating this was only a temporary position and the boundaries would be again reviewed in April 2010.

09.05.7.11 Cheshire East Council

Mr Morley advised he and the Chairman had met recently with Ms Erika Wenzel, Chief Executive of Cheshire East Council, together with representatives of the PCT.

At the meeting it had been agreed a meeting would be held quarterly with the agenda item being health.

MEDICAL DIRECTOR'S REPORT

09.05.8.1 Dean's Visit

Dr Dodds advised Mr David Graham, the Dean, was scheduled to visit the Trust later that afternoon.

09.05.8.2 Staffing

Dr Dodds advised there was currently a national shortage of middle grade paediatric consultants and although it is anticipated all the middle grade posts will be filled by August 2009, under the ETWD submission to the SHA, a request has been made for two consultants as middle grade consultants to assist with the rota.

Resolved

- **To note the report**

ACCOUNTABILITIES

09.05.9.1.1 Performance & Finance Committee – 3 April 2009

Mrs Bullock advised a verbal update of the minutes of the meeting had been provided at the Board of Directors meeting of April 2009 and referred Board Members to the draft Terms of Reference provided. Mrs Bullock advised some minor changes had been suggested and requested the Board's approval of the draft Terms subject to incorporating the amendments.

In response to the Chairman's enquiry as to the rotation of the Non Executive Directors under Item 3. -Membership of the Committee, Dr Wood advised this point had been noted at the Performance & Finance Committee meeting of 1 May 2009.

Resolved

- **To note the minutes of the meeting of 3 April 2009**
- **To approve the draft Terms of Reference subject to incorporating the suggested amendments.**

09.05.9.1.2 Audit Committee – 6 April 2009

Mr Hopewell presented the minutes and advised of no additional comments.

Resolved

- **To note the minutes**

09.05.9.1.3 Infrastructure & Development Committee – 24 April 2009

Dr Wood advised the committee had met on Friday, 24 April and advised a proposal had been submitted to Cheshire Fire & Rescue for the refurbishment of one ward (Ward 14) and the installation of a number of fire alarms to satisfy Cheshire Fire & Rescue's concerns in relation to fire preventions and fire detection systems. Mr Babb had raised concerns, however, that the outbreak of swine flu may put pressures on the availability of Ward 14 for refurbishment. Dr Wood noted that if this was the case there would be no doubt but that the Trust would be served with a Service Improvement Notice.

In response to the Chairman's enquiry as to the current position with regard to Swine Flu, Mrs Bullock advised the World Health Organisation currently had a Pandemic Alert level 5 whilst the NHS is on a level 4 alert. If the World Health Organisation does raise the alert level to level 6 this does not mean the Trust will automatically implement its pandemic flu policy, it will be a local decision.

Mrs Bullock suggested the refurbishment work on Ward 14 should go ahead as, at this point in time, there were no operational reasons as to why the ward would be required for patient use.

Mr Dunn noted every household nationally are to receive antivirals, which will in turn raise local awareness. Mrs Bullock advised the Trust were currently looking at how members of the public presenting themselves with swine flu symptoms would be treated, e.g. triage in A&E.

Dr Wood also provided an update on car parking in Northwich and advised a further report on car parking would be provided once software was in place which could provide further analysis. This software was due to be installed later this month.

Resolved

- **To note the paper**
- **Mr Mark Oldham to be the nominated Lead Executive as Chair of the Infrastructure & Development Committee *MO***

STRATEGY DECISIONS

09.01.7.5 Capital Programme 2009/10 and Beyond

Mr Oldham presented a summary of the paper which incorporated suggested changes following discussions at the Board Away Day of 27 April 2009.

In the discussion that followed it was

Resolved

- **To approve the Capital Programme for 2009/10**
- **To receive Business Cases at Board of Directors meetings for projects in excess of £100,000 not included in the Capital Programme**
[Section removed under S43 of the Freedom of Information Act]
- **To review quarterly the prioritisation of projects** *MO*

09.05.10.2 Business Cases

Mrs Frodsham presented the draft template for a Business Case which will be the format required for presentation to the Board of Directors and advised the purpose of the template was to provide the Board with an Executive Summary which incorporated the main issues, benefits, risks, etc. with operational issues to be included in the Appendices.

Mrs Frodsham requested the Board's approval of the template document acknowledging the cover sheet would be amended to include the revised Board Objective themes.

In response to Dr Wood's enquiry as to the value of Business Cases for which the template would be utilised, Mrs Frodsham advised it would be used for Business Cases where the total cost of the contract is in excess of £100,000 or where there is a major change in service. Modified versions of the template will be available for Business Cases less than £50,000 in value and for Business Cases between £50,000 and £99,999 in value.

In response to Mr Craig's enquiry as to whether the template could include for identification as to whether the proposal is part of the Capital Development Programme, Mr Morley confirmed that in the majority of cases the spend had previously been accounted for and the Business Case was being presented to the Board to request approval for the drawdown of the monies. In the small number of incidents where the Business Case had not been identified in the Development Programme, it would be noted in the papers.

Mr Dunn requested the owner of the risk be identified in the Business Case. This was reinforced by Mr Morley who requested that the Business Case highlight who is responsible for the implementation of the project *and* who is the accountable officer.

In response to Mr Ennis' enquiry as to when the agreed template was to be implemented, it was suggested immediately, however, concerns were subsequently raised with regard to the need for training.

In the discussion that followed, it was

Resolved

- **To approve the Business Case template as outlined to incorporate the changes notified**
- **To request Business Cases being brought to the Board of Directors from July 2009 be completed in the new format with training provided to the appropriate staff whilst Business Cases for the Board of Directors meeting in June will be accepted in the old format, however, must include an Executive Summary**

09.05.10.3 Maternity MIS

Mr Morley introduced the paper and advised no Concept or Strategic Options paper had previously been to the Board, however, discussions had taken place at previous meetings regarding the need for the system.

Mr Ennis presented the detail of the Business Case advising a Maternity Information System was the first of three key steps which need to be taken by the Trust to achieve NHSLA Level 3. Mr Ennis advised Board members of potential savings and also outlined the key benefits of the MIS system. [Section removed under S43 of the Freedom of Information Act]

Dr Wood enquired as to whether the investment was required to ensure we maintain a licence to operate. Mr Morley advised that as part of strategic development it was key.

Mr Ennis advised the system is an oracle based system and will be linked to other IT systems within the Trust, e.g. Finance. In response to Mrs Godfrey's enquiry, Mr Ennis confirmed the system will have the ability to link to IT systems within GP practices.

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

Resolved

- **To approve the business case**

Board Objectives

Mr Morley requested the Board's formal approval of the Board Objectives which had been discussed in detail at the Board Away Day of 27 April, subject to the changes previously advised.

Resolved

- **To approve the Objectives**
- **To circulate the amended Board Objectives for reference MA**

09.05.10.5 Patient & Public Involvement Strategy

Mrs Frodsham presented the paper on Patient & Public Involvement Strategy. In the discussion that followed the Chairman requested that Governors be noted under Section 5 of the Strategy document – Accountabilities & Responsibilities.

Resolved

- **To approve the Strategy document subject to inclusion of Governors accountabilities and responsibilities. DF**

09.05.10.6 Dermatology Consultant

[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]**
- **To receive a benefits realisation paper 6 months following the appointment of the Consultant to post. DF**

STRATEGY IMPLEMENTATION

09.01.10.2 Budget 2009/10

Mr Oldham presented the paper and advised the Contract with the PCT had now been signed. [Sentence removed under S43 of the Freedom of Information Act]

Mr Oldham requested Board Members approve the budget for 2009/10 wherein the process of monitoring income and expenditure against budget figures would commence. Mr Oldham advised once the budget had been approved the next stage was the presentation of the Trust's Annual Plan to Monitor prior to the end of May.

Mrs Bullock advised that the Trust were required to produce Quality Accounts with effect from April 2010, however, Quality Accounts are to be included in the Annual Plan for this year and in this regard Quality Accounts would be produced but in this instance only, without consultation.

Resolved

- **To note the paper**

09.01.10.5 VIN

Mrs Frodsham provided an update on the development of the intermediate care services tier in Northwich and Winsford. Mrs Frodsham noted the strategy group continues the process of selecting the preferred site and this process should be complete in June 2009.

Mrs Frodsham also advised work with a company had commenced regarding the Northwich. [Sentence redacted under S43 of the Freedom of Information Act].

Resolved

- **To note the report**

09.01.10.5 Urgent Care Centre

Mrs Frodsham noted a full implementation plan was in place and going to schedule noting the estate and facilities element of the project was now being considered whilst a recruitment plan was also being put in place.

The Centre is due to open in September, however, it is anticipated it will be a phased opening with the Centre fully operational in December 2009.

Resolved

- **To note the report**

09.05.11.4 Clostridium Difficile

Mrs Bullock presented the paper which details updated guidance on Clostridium Difficile. Mrs Bullock noted the Trust's assessment against core guidance together with recommendations on how to increase compliance.

In response to Dr Wood's query in relation to the gaps identified in relation to compliance, Mrs Bullock assured Board Members there was no cause for concern. All gaps are currently work in progress to achieve compliance and will be incorporated in the work programme for the Infection Control Team.

Resolved

- **To note the report**

09.05.11.5 Matrons Quarterly report on Cleanliness

Mrs Bullock presented the report providing detail of the progress made.
[Sections removed under S43 of the Freedom of Information Act]

Mrs Bullock advised that should the trend continue to deteriorate detrimentally she will report to the Board of the Directors, outside of the quarterly report.

Resolved

- **To note the report**

09.05.12.1 Performance Report to Year End, 31 March 2009

Finance

Mr Oldham provided a summary of the financial focus of the Performance Report noting the accounts, closed off for the year end, showed a surplus to be carried forward of £4.1m. The Trust will, therefore, be in a strong position commencing the financial year 2009/10 with a risk rating of level 4 from Monitor.

System Delivery

Mr Oldham provided a summary of the activity in respect of national and contract targets in particular in relation to the 18 weeks and 4 hour targets together with MRSA and C.Diff.. Mr Morley noted that in relation to MRSA one MRSA bacteremia had been noted for the month of April, however, this had come from a Liverpool NHS Trust and Mr Morley had written to the Health Protection Agency in this regard.

Workforce

Mr Oldham provided a summary of activity in relation to the workforce highlighting an overall increase in the retention and attendance rates to year end.

Market Focus

Mr Oldham referred to the improvement in respect of discharge letters.

Mrs Frodsham advised weekly reports were now being received in respect of referrals across the Trust and information contained within these reports will be included in future Performance Reports.

Resolved

- **To approve the report**

09.05.12.2 PALS Quarterly Report (Quarter 4)

Mrs Bullock presented the report advising there had been an increase of 7 complaints received in comparison to the previous year, however, when compared against the increase in patient activity it was not a significant increase. In the discussion that followed with regard to the number and severity of the complaints, it was agreed that although complaints would continue to be received the Trust would look to reducing the severity of the incidents. Mrs Bullock advised Awareness Training & Customer Service Training is now provided to staff.

In response to Mrs Bullock's enquiry as to whether the report provided the Board with sufficient and appropriate information, in light of the Mid Staffordshire report, Mr Chandler suggested the report was adequate, however, requested a more detailed report if it was felt further information should be brought to the attention of Board. Mrs Bullock confirmed it was a requirement all complaints are reported to the Trust Board but would ensure attention is drawn to significant complaints.

Mrs Bullock advised a Legal Hotline has been opened within the Trust, managed by the Trust's Claims Manager.

In response to the Chairman's enquiry as to the complaints culture of the Trust, Mrs Bullock advised patients and their carers were encouraged to make a complaint, if justified, however, rather than leaflets being distributed explaining the complaints process, staff are encouraged to sit with the complainant to discuss the issue.

Following on from the discussion at the Board Meeting in May 2009 in relation to the submission to the Care Quality Commission, Mrs Alcock noted Equality & Diversity would be included in future PALS reports.

Resolved

- **To note the report**

09.05.12.3 Board Performance

Mr Morley presented on the Board of Directors responses to the Board Assessment Questionnaires noting the score comparison between responses given by Executive Directors and Non Executive Directors was minimal.

Mr Morley also noted areas where progress had been made.

Resolved

- **To approve the report**

- To circulate the presentation to Board Members for reference *MA*
- To circulate the questionnaire to Governors and Divisional Directors for completion *PM*

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

09.01.13.6 Visits of Accreditation, Inspection or Investigation

Mr Morley advised no visits of accreditation, inspection and investigation had occurred during the month

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 Monday 1 June 2009 *MA*.

09.04.15.1 ANY OTHER BUSINESS

09.05.15.1 Pathology Collaborative

Mrs Frodsham advised an update position on the Pathology Collaborative would be presented to the Board of Directors meeting in June 2009.

09.05.15.2 Maternity Department

Mr Morley advised the Maternity Department was closed for a four hour period in April. The closure happened over night.

09.05.15.3 CHKS Awards Evening

Mr Morley advised he had recently attended the annual CHKS Award Evening and noted, for the first time in 3 years, Mid Cheshire Hospitals NHS Foundation Trust were not noted in the Top 40 Hospitals.

Mr Morley advised he has requested a meeting with CHKS to discuss.

09.04.16.1 TIME, DATE AND PLACE OF FORTHCOMING MEETINGS
2pm Monday, 1 June 2009 in the Board Room at Leighton Hospital

Signed

Chairman

Date