

Board of Directors

Public Minutes of the Meeting held at 2pm on Monday, 1 June 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	VG	Non-Executive Director
Mr D Hopewell		Non-Executive Director
Mr M Oldham		Director of Finance & Planning
Mr P Morley		Chief Executive
Dr AH Wood		Deputy Chairman and Senior Independent Director

IN ATTENDANCE

Ms M Alexander		Executive Assistant
Ms K Edge		Deputy Director of Finance
Ms J Hartley		Deputy Director of Nursing

*denotes action deriving from **resolutions** below

The Chairman on opening the meeting welcomed all those present and in particular Ms Karen Edge and Ms Jayne Hartley. Ms Hartley was in attendance to present Agenda Item 11.3 – Mid Staffordshire NHS Foundation Trust. [Sentence redacted under S40 of the Freedom of Information Act] Mr Oldham advised he would have to leave the meeting early and Ms Edge would provide information in relation to finances during the remainder of the meeting, if required.

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 Tuesday, 5 June 2009, subject to noting that under**

09.05.9.1.3 Infrastructure & Development Committee – 24 April 2009

Mrs Bullock advised that every household nationally were to receive a leaflet in relation to swine flu rather than antivirals as stated in the Minutes.

It was also noted Mr Mark Oldham was to be the nominated Lead Executive *for Carparking* as Chair of the Infrastructure & Development Committee, at Dr Wood's request.

09.01.7.5 Capital Programme 2009/10 and Beyond

Mr Hopewell noted that item two under Resolved, should read 'To receive Business Cases at Board of Directors meetings for projects in excess of £100,000 included in the Capital Programme', having requested the word '*not*' be removed from the original minutes.

ACTIONS ARISING FROM PREVIOUS MINUTES NOT INCLUDED ELSEWHERE ON THE AGENDA

09.03.6.1 Council of Governors Meeting: Thursday 23 April 2009

In response to Mr Chandler's enquiry as to whether a Governor was to be appointed from Manchester Metropolitan University, the Chairman advised he had spoken to Mr Dunn and agreed a representative would be appointed. Mr Dunn had advised an individual from the University had expressed an interest in the post and the Chairman advised he would follow up on the expression of interest.

CHAIRMAN'S ANNOUNCEMENTS

09.04.5.2 Mike Hall

The Chairman advised he and Mr Morley had met with Mr Mike Hall in relation to carparking charges at Victoria Infirmary Northwich. The meeting had been used to discuss a number of issues wherein the issue of the Health Centre was discussed. The Chairman advised he had indicated to Mr Hall that charges would have to be reviewed should the VIN site be selected for the Centre. Mr Hall expressed an interest in the site been chosen and advised he would contact the Central & Eastern Cheshire PCT directly to advise of his support.

09.06.5.1 FT North West Network Meeting

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

Resolved

- **To note the report**

GOVERNORS ITEMS

09.03.6.3 Governor Engagement

The Chairman advised correspondence had been issued to all Governors in relation to Governor engagement in and around the hospital with responses currently being received and collated.

The Chairman thanked the Executive Directors for their suggestions on engagement which highlighted the Trust's openness and approachability.

09.06.6.2 Membership & Communications

The Chairman advised a Development Plan for the recruitment, engagement and development of members was currently being drafted and once approved by the Membership & Communications Committee would be circulated to the Council of Governors for incorporation in to their work programme. The Chairman noted the Council of Governors are responsible for the membership with the Trust providing assistance, support and resources.

09.06.6.3 Monitor Consultation

The Chairman advised a consultation document entitled '*Guide for NHS Foundation Trust Governors: Meeting your Statutory Responsibilities*' had been received from Monitor and had been forwarded to Governors for their feedback. The Chairman noted the document refers to Governor Engagement and Member Recruitment – the two areas which the Trust are currently focusing on with Governors.

Resolved

- **To note the report**

CHIEF EXECUTIVE'S REPORT

09.06.7.1 CEO Conference

Mr Morley advised of the national conference he had attended where the speakers were Mr David Nicholson, Lord Darzi and Mr Bruce Keogh. Mr Morley noted the theme of the conference was the future of the NHS.

Mr Morley advised the spread of swine flu was discussed and whilst numbers were not at pandemic level within the United Kingdom it was expected the number of cases would increase in November/December 2009. Mr Morley advised the Trust had been presented with two

suspected cases of swine flu both of which were subsequently found to be negative

Mr Morley advised Mr David Nicholson spoke about the anticipated future economic crisis noting difficult challenges lay ahead with circa £20bn to be withdrawn from the health budget over the period 2011 – 14. Mr Morley noted two methods of funding the NHS had been discussed, effective 2011, flat cash and flat cash + inflation. Mr Morley advised that for 2010/11 a 1.4% increase in tariff had been announced.

Mr Morley noted Mr Nicholson had advised consideration would have to be given to the nature of supply and demand and the increased expectations of the public whilst looking to manage patients in the community and removing costs out of acute care.

Mr Morley advised the Department of Health had launched QIPP – quality, innovation and productivity – as a focus/means of preparing Trusts for the difficult period ahead. Attendees at the conference were asked to note there would be no financial growth in the health service in the coming years.

09.06.7.2 ECT (East Cheshire Hospital NHS Trust)

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

09.06.7.3 Relationship with the PCT

Mr Morley advised the PCT were looking to take money out of acute services and in this regard would present a list of services which the Trust would be expected to decommission by the end of December 2009. In light of the demands made by the PCT, the Board may need to review its strategy whilst Divisions need to be made aware of the anticipated cuts in funding.

The Chairman noted the Trust will need to support the PCT as much as challenge them during the anticipated difficult times.

09.06.7.4 Appointments & Recruitment

Mr Morley advised Melissa Alexander had been appointed as Executive Assistant to the Chief Executive and Chairman following the agreed division of tasks of the original Trust Secretary role. Mr Morley noted the post of Trust Secretary, as a part time post, was currently being recruited to.

Mr Morley advised an appointment had been made to the post of Associate Divisional Director of the Women's, Children & Sexual Health Division.

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

09.06.7.6 PEAT
Mr Morley advised correspondence had recently been received from the National Patient Safety Agency in respect of the Patient Environment Action Team Assessments for 2009 and noted the Trust on its sites at both Leighton Hospital and Victoria Infirmary Northwich had received Good in respect of the Environment, Excellent in respect of Food and Good in respect of Privacy & Dignity.

Resolved

- **To note the report**

MEDICAL DIRECTOR'S REPORT

09.05.8.1 Dean's Visit
Dr Dodds advised a formal report had not yet been issued from the Dean's Office in relation to the recent visit, however, a preliminary letter had been received which noted the Trust had made significant progress since the Dean's previous visit. Dr Dodds advised the Dean was aware the Trust was under doctored.

In response to the Chairman's enquiry as to whether all the actions previously noted had been finalised, Dr Dodds advised there were still a small number which were in the course of being completed, however, there was no longer a requirement to report quarterly to the Trust Board in relation to the action plans.

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

Resolved

- **To note the report**
- **To receive a further report at the Board of Directors meeting of 6 July 2009. PAD**

ACCOUNTABILITIES

09.06.9.1.1 Performance & Finance Committee – 1 May 2009
Mrs Bullock advised a verbal update of the minutes of the meeting had been provided at the Board of Directors meeting of May 2009 and advised of no additional comments. Mrs Bullock noted a further meeting had taken place on Friday, 29 May 2009, with no issues requiring referral to the Board.

Resolved

- **To note the minutes of the meeting of 1 May 2009**

09.06.9.1.2 Strategic Workforce & Planning Committee – 8 May 2009

Mrs Alcock advised the Minutes had been submitted to the Board in error and were in fact to be submitted to the Integrated Governance Committee in the future.

Resolved

- **To note the minutes of 8 May 2009**

09.06.9.1.3 Charitable Funds Committee – 11 May 2009

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

In response to Dr Wood's enquiry as to the monies allocated to Elmhurst, Mrs Frodsham advised no other requests had been received from Divisions for the monies and in this regard were allocated to Elmhurst who provide a service to patients as part of the Trust.

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

Resolved

- **To note the minutes of 11 May 2009**
[Section removed under S43 of the Freedom of Information Act]

09.06.9.1.4 Strategic Integrated Governance Committee – 11 May 2009

Dr Dodds presented the Minutes asking members to note Item 9.1 under Governance – SIG09/09. Dr Dodds advised of no additional comments

Resolved

- **To note the minutes of 11 May 2009**

09.06.9.1.5 Patient Experience & Quality Committee – 21 May 2009

Mrs Godfrey advised the Minutes of the meeting would be brought to the Board of Directors meeting of 6 July 2009.

Resolved

- **To receive the Minutes at the Board of Directors meeting of 6 July 2009 VG**

09.06.9.1.6 Audit Committee – Terms of Reference

Mr Hopewell presented the draft Terms of Reference for the Audit Committee advising same had been approved at the Audit Meeting of earlier that day.

Mr Hopewell requested the Board formally adopt the Terms of Reference.

In the discussion that followed Mr Morley noted the Chair of the Committee was to be appointed by the Chairman rather than the Committee itself whilst the Terms of Reference should also specifically note the detail of Deputy Chair, by title rather name. Dr Dodds noted the Clinical Governance Committee referred to under **Other Assurance Functions** should be amended to the Strategic Integrated Governance Committee.

Resolved

- **To approve the Terms of Reference subject to the amendments as noted**

09.06.9.1.7 Infrastructure & Development Committee – 1 May 2009

Dr Wood advised a verbal update of the minutes of the meeting had been provided at the Board of Directors meeting of May 2009 and advised of no additional comments

Resolved

- **To note the Minutes of 1 May 2009**

09.06.9.1 Report by the Parliamentary & Health Service Ombudsman

Mrs Bullock presented the report noting that a recommendation of the report was the Care Quality Commission would be ensuring the provision of services to people with learning disabilities is included in their regulatory framework and performance monitoring regime. Mrs Bullock advised following a review of 4 complaints received by the Trust from families or carers in relation to the care of patients with learning disabilities, a task and finish group had been established reviewing the services we provide in line with best practice.

Mrs Bullock advised a policy was to be produced, no later than October 2009, on how to care for patients with learning disabilities. Mrs Bullock advised the policy would ensure good practice was being implemented across the Trust.

Resolved

- **To note the report**
- **To receive an updated report to include the Trust Policy at the Board of Directors meeting of November 2009 TB**

09.06.9.3 Self Certification

Mr Morley requested the Board's approval of Self Certification following discussion at the Board Away Day of May 2009.

Resolved

- **To approve following the discussion process at the Board Away Day of 18 May 2009.**

STRATEGY DECISIONS

09.05.5.2 Accounts to Year End 31 March 2009

Mr Oldham advised the Audit Committee had met earlier that day to review the accounts to the year end 31 March 2009. Mr Oldham noted representatives of the External Auditor, Deloitte LLP, were in attendance and had raised a small number of queries. [Sentence redacted under S43 of the Freedom of Information Act] Mr Oldham advised responses had been given to the queries raised and Deloitte LLP were satisfied with the responses given.

Mr Oldham requested the Board's approval of the Statement of Internal Control whilst Mr Hopewell, as Chair of the Audit Committee, confirmed the Audit Committee's recommendation that the Statement of Internal Control be approved by the Board and signed by Mr Morley on behalf of the Board.

Mr Oldham requested the Board's approval of the Accounts as presented subject to one amendment wherein Mrs Frodsham's title would be amended to read 'Director'. Mr Oldham advised the auditors were complimentary of the accounts which were to be submitted to Monitor by 8 June 2009. Once submitted to Monitor no amendments can be made to the text or figures within the accounts.

In respect of the Annual Report, Mr Oldham advised amendments had been suggested by Deloitte LLP following their preliminary review and these amendments had been taken into account and the amended draft resubmitted for review. Mr Oldham requested the Board's approval of the Annual Report subject to minor amendments which may be proposed.

Mr Morley advised a section was to be included in relation to the staff survey and requested Board members review the draft document distributed for minor amendments including typographical errors. Mr Oldham confirmed the final report was to be submitted to Monitor by Friday, 8 June 2009.

Once submitted to Monitor, the factual content of the report could not be amended. In terms of presentation, the report can still be amended prior to its presentation to parliament on 8 July and subsequently becoming a public document.

Following discussion it was

Resolved

- **To approve the Annual Report subject to minor amendments being processed by Mr Morley and the Executive Team prior to the submission of the Report to Monitor on Friday, 8 June 2009.**
- **To approve the Accounts subject to the amendment as noted.**
- **To approve the Statement of Internal Control.**

09.06.10.2 Annual Plan

Mr Oldham presented the Annual Plan advising a meeting had been planned with Monitor for 20 June 2009 to discuss the Plan submitted in further detail and in particular the key controls and action plans, however, noted the Plan does identify the Trust's action plans for the level of efficiencies required.

Mr Oldham commented on the financial strategy [Sentence removed under S43 of the Freedom of Information Act]

In respect of the Service Development Plan, Mr Oldham advised the Divisions had been asked to consider efficiencies and consider the effects on their services and the support systems they would require.

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

In response to Chairman's enquiry, Mr Oldham confirmed the report Plan had been submitted to Monitor and asked for the Board's acceptance of the plan.

The Chairman thanked the Executive Team and the Finance Division for the work carried out by the team in producing the Plan.

Resolved

- **To accept the Annual Plan**

Mr Oldham left the meeting at this point.

09.06.10.3 Business Plans – Going Forward

Mrs Frodsham presented the paper detailing the outstanding business case submissions for 2009/10 and the provisional dates on which they would be presented to the Board.

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

Mrs Frodsham advised there may be some items not included on the paper which would be brought to the Board of Directors for automatic renewal, such as blood products.

Resolved

- **To note the paper**

09.04.9.1 Board Assurance Framework

Dr Dodds presented the Board Assurance Framework which had been circulated prior to the meeting and noted one error on the Residual Risk Score Shift for I2.

Mr Morley noted those risks identified as a Risk Score of 15+ would be brought back to the Board on an ongoing basis, through the appropriate Committee, to assure the Board the actions were being progressed.

In the discussion that followed it was agreed those risks scoring less than 15 on the Risk Score would be monitored by the appropriate Committee and only if it was felt the risk was not being managed or was deteriorating it would be brought to the Board of Directors.

Mrs Alcock noted the Target Date for Risk Reduction on W3 was incorrect.

Resolved

- **To approve the Board Assurance Framework subject to amendments made for I2 and W3.**

09.05.15.1.1 Pathology Collaborative

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

Resolved

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

STRATEGY IMPLEMENTATION

09.02.9.1 Intermediate Bed Based Service, Elmhurst

Mrs Frodsham presented the Benefits Realisation Paper of the Intermediate Bed Based Service at Elmhurst, Winsford. Mrs Frodsham referred to the referral source of admissions, noting the majority of patients were referred from Orthopaedics although increased numbers were now being received from the Emergency Care Division.

Mrs Frodsham also noted the number of patients readmitted to acute service and advised the Falls Team have offered their assistance to ensure there are no readmissions as a result of falls.

Mrs Frodsham advised the outstanding issues with regard to facilities management were progressing.

Resolved

- To present an update report to the Board of Directors in April 2010 *DF*

09.01.10.9 Quality Matters

Mrs Alcock presented the evaluation report of the Quality Matters Pilot Programme identifying the quality and financial benefits of the programme noting Releasing Time To Care would be rolled out across all wards in 2009 with the lean programme becoming more integrated in the work of the Trust in the coming year.

Mrs Alcock advised the progress of the programme going forward would be reported back to the Performance & Finance Committee and the Service Transformation Board.

Resolved

- To accept the report

09.04.7.1 Mid Staffordshire NHS Foundation Trust

Ms Hartley presented the report noting Appendix A of the report detailed the main findings with regard to the investigation of Mid Staffordshire NHS Foundation Trust. Ms Hartley advised Mid Cheshire Hospitals NHS Foundation Trust had judged itself against those findings and had highlighted areas where action was required. Details of the findings and action required were detailed in the report.

Mrs Bullock referred members to Item 4 under the MCHFT progress report and advised the two additional reports had not been circulated to Board members, however, the points raised in the report had

incorporated in the review and subsequent actions plans, as appropriate. Mrs Bullock noted that some of the items raised and subsequent actions required may require financial outlay.

In response to Mrs Bullock's enquiry as to whether the Board wished to respond formally to the questions raised by Mr William Moyes, it was agreed the questions posed were incorporated in issues raised by the Healthcare Commission and the Audit Commission and would be discussed further under Governance Structures, at a future Board Away Day. Mr Moran requested the detail also be brought to the next Council of Governors meeting.

In the discussion that followed, Dr Dodds provided a brief summary of tasks/actions that were currently being carried out by the Trust on a day to day basis in respect of the items raised in the Mid Staffordshire report.

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

In response to Mrs Godfrey's enquiry as Board assurance with regard to the actions identified being actioned, Mrs Bullock advised the Action Plan would be owned by the Division with Ms Hartley and Ms Karol Edge co-ordinating a corporate response and preparing a paper for the Board. Mrs Bullock advised the action plans would also form part of the review at the Divisional Quarterly Performance Reviews.

In response to the Chairman's enquiry as to Action Plans for Divisions other than Emergency Care, Ms Hartley advised Action Plans had be devised but had not been included in the report. The Chairman requested the Action Plans be circulated to the Board of Directors for the Board of Directors meeting of 6 July 2009, for noting.

Resolved

- **To circulate individual Divisional Action Plans prior to the Board of Directors meeting of 6 July 2009 TB**
- **To provide an report on progress against the Action Plans at the Board of Directors meeting of 2 November 2009 TB**
- **To discuss Governance Structures at a future Board Away Day**

09.06.11.4 Urgent Care Centre

Section removed under S43 of the Freedom of Information Act

Resolved

- **To note the report**

09.06.12.1 Performance Report – April 2009

Patient Quality & Safety Focus

Mrs Bullock presented the report giving a summary of the complaints received

Mrs Bullock referred to the Clinical Outcomes shown on page 143 of the documentation and noted this was the first time this detail had been included in the report.

Mrs Bullock advised the Quality Report 2008-09 was in effect the Quality Accounts, however, as it was not yet a legal requirement the word Accounts could not be utilised. Mrs Bullock advised the format of the Report was in line with Monitor's guidance.

In response to Mr Chandler's enquiry as to whether peer reports could be included as a comparison in respect of MRSA and *C.diff*, Mrs Bullock advised it was not appropriate to include them in the Quality Report/Accounts, however, the comparison could be included in a separate report.

Finance

Section removed under S43 of the Freedom of Information Act

System Delivery

Mrs Bullock circulated updated figures in relation to the System Delivery Focus.[Sentence redacted under S43 of the Freedom of Information Act] Mrs Bullock advised Mrs Frodsham was monitoring the information on a weekly basis. [Sentence redacted under S43 of the Freedom of Information Act]

Mrs Bullock advised that there had been no reported incidents for MRSA for May with confirmed figures due in the next couple of days.

Workforce

Mrs Bullock presented the report noting an increased attendance rate for the month of April.

Market Focus

Mrs Frodsham noted the scoping exercise as to the location of the Health Centre in Northwich was to be completed on 2 June 2009.

In respect of the figures provided in relation to Electronic Discharge letters, Mrs Frodsham advised the figures quoted were not average figures but detail of the longest length of time a letter has taken to be issued.

Resolved

- **To approve the report**

09.06.12.2 Monitor Performance – Quarter 4

Mrs Bullock advised the Trust received a governance rating of amber as a result of the MRSA incidents recorded for the year 2008/09 whilst the Trust received a finance risk rating of 4.

Resolved

- **To note the report**

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

Resolved

- **To approve the report**

09.06.14 Visits of Accreditation, Inspection or Investigation

Mrs Bullock advised a Peer Review of the Trust was to be completed by Stockport NHS Foundation Trust and the Department of Health, in relation to Mixed Sex Accommodation focusing particularly on assessment areas. The date of the review is to be confirmed.

It was noted a visit from the CPA of both Mid Cheshire Hospital NHS Foundation Trust and East Cheshire Hospital NHS Trust will take place in June 2009.

Resolved

- **To note the report**

09.01.15.1 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 6 July 2009 MA.**

09.06.16 ANY OTHER BUSINESS

09.06.16.1 Adult Safeguarding Board, Cheshire West & Chester Council

Mrs Bullock advised she had been appointed as a member of the Board.

09.06.16.2 Message Board

Ms Alexander provided an update on the electronic message board whilst Mr Morley advised it was hoped the message board would be operational prior to the Board Meeting of 6 July 2009.

09.06.16.3 Sentinel Stroke Audit

Mr Morley advised the Trust had received a poor review under the Sentinel Stroke Audit 2007/08 the results of which had recently been received. Mr Morley detailed the reasons for the poor results and advised Central & Eastern Cheshire PCT had requested assurances that the issues were being actioned.

Resolved

- To note the report.

09.06.17.1 TIME, DATE AND PLACE OF FORTHCOMING MEETINGS

9.30am Monday, 6 July 2009 in the Board Room at Leighton Hospital

Signed

Chairman

Date