

Board of Directors

Public Minutes of the Meeting held at 9.30am on Monday, 7 September 2009

PRESENT

Mr J Moran	<i>JM</i>	Chairman <i>in the chair</i>
Mrs R Alcock		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 Dennis Dunn		Non-Executive Director
Mr A Ennis		Associate Director of Clinical Strategy, Development and Delivery
Mrs D Frodsham		Director of Business Development
Mrs V Godfrey		Non-Executive Director
Mr D Hopewell		Non-Executive Director
Mr M Oldham		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 opened the meeting and welcomed a[Name removed under S40 of the Freedom of Information Act] Research Fellow of the SHA who was present to observe the Board of Directors meeting.

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, 3 August 2009

ACTIONS ARISING FROM PREVIOUS MINUTES NOT INCLUDED ELSEWHERE ON THE AGENDA

None noted.

CHAIRMAN'S ANNOUNCEMENTS

09.09.5.1 Monitor Rating

The Chairman advised the Trust had received confirmation of the first quarter rating from Monitor with a green for Governance and 4 for Finance and noted this was a good start to the year.

09.09.5.2 Recent Correspondence with CECPCT

The Chairman advised correspondence had recently been received from Mr Mike Pyrah, Chief Executive, CECPCT relating to working practices and touching on a number of quality issues. [Sentence removed under S43 of the Freedom of Information Act] The Chairman advised Mr Morley had issued a robust response and a follow up meeting was to be arranged with Pauline Ong, Chair of CECPCT and Mr Mike Pyrah.

09.03.5.4 Carparking Charges at VIN

The Chairman advised a meeting had been held with the Northwich Guardian and Mr Mike Hall, MP, in relation to carparking with two articles having been subsequently published in the Northwich Guardian. Whilst it was noted the newspaper campaign now appeared to have run its course, Mrs Godfrey noted a number of anti-MCHFT letters in relation to car parking were being received from the public by the newspaper, and printed in the Northwich Guardian.

Mr Morley advised media coverage nationally had today raised the issue of Oncology Patients and car parking exemptions. Mr Morley confirmed MCHFT did have car parking exemptions for Oncology Patients.

09.09.5.3 Foundation Trust Network Governance Conference

The Chairman advised he and Mr Morley were to attend a Foundation Trust Network Governance Conference which commenced on 8 September 2009. Feedback on the Conference will be provided at the Board of Directors meeting of 5 October 2009.

Resolved

- **To note the report**

GOVERNORS ITEMS

09.09.6.1 Letter from Monitor – Lead Governor

The Chairman circulated a letter recently received from Monitor requesting the mandatory appointment of a lead Governor. The Chairman advised communication would be circulated to the Council of Governors in this regard.

09.09.6.2 Governor Vacancies

The Chairman noted there were 6 Governor vacancies at present for which an election will be held for one of the vacancies. All other vacancies would be filled by way of either nomination or the candidate with the next highest number of votes from the original election, as laid out in the Constitution.

09.09.6.3 One NHS in Cheshire

The Chairman noted that Governors will need to become involved in the discussion process and should be updated on the current thinking of One NHS in Cheshire. The Chairman suggested a brief written update be circulated to Governors with a further update to be provided at the Council of Governors meeting in November 2009.

09.03.6.4 Amendment to Constitution

The Chairman advised the wording for the amendments to the Constitution had not yet been finalised with same to be received at the Board of Directors meeting of October 2009.

09.09.6.4 Governor Objectives

The Chairman noted he would work with Mrs Alcock, Director of Workforce & Service Development, to develop Governor Objectives following the workshop at the last Council meeting.

09.06.6.2 Membership & Communications Committee

The Chairman noted the Membership & Communications Committee were moving forward with the recruitment of and engagement with members. The Chairman thanked Mr Chandler for his input and assistance he gave to the Committee.

09.09.6.5 Governors Strategy Group

Following recent correspondence with Governors in respect of Governor engagement, Mr Morley advised 6 Governors had indicated they would like to be involved in a Governor Strategy Group.

In the discussion that followed it was agreed the Group would meet with the Trust's Strategy Committee, as required, to discuss specific issues and therefore allowing the Group to work in a meaningful way. Concerns were raised as regards the Committee's knowledge of the Trust's strategy and therefore it's decision making capability. It was agreed the Group would be established with members' appointments confirmed by the Council of Governors and a review of the Committee carried out in time.

Resolved

- **To note the report**

- **Terms of Reference are to be established for the Governor Strategy Committee with a letter being issued to the Council of Governors outlining the formulation of the Strategy Group and the names of those who wish to be considered for membership of the Group. JM**

CHIEF EXECUTIVE'S REPORT

09.09.7.1 Correspondence with CECPCT – Decommissioning of Services
Mr Morley advised correspondence had been received from the PCT
[Section removed under S43 of the Freedom of Information Act]

09.09.5.2 Correspondence with CECPCT – Quality
[Section removed under S43 of the Freedom of Information Act]

- **To circulate the response to Mr Mike Pyrah in relation to the correspondence on quality MA**

09.09.7.2 Flu readiness & Exercise Peak Practice
Mr Morley advised a number of issues had arisen at the recent Exercise Peak Practice with regard to the anticipated increase in swine flu cases. Mr Morley noted the Trust did not have a Reverse Triage Policy in place whilst a policy would also need to be put in place as regards to ventilators and the priority of access to the ventilators. Mr Morley noted himself, Mrs Bullock and Dr Dodds were to meet to discuss the Trust policy with regard to access priority to ventilators, however, confirmed the Neo Natal Network and Critical Care Network have requested a definitive regional policy from the SHA.

Mr Morley advised he had to respond to Mrs Helen Bellairs, Chief Executive, West Cheshire, PCT by 5pm today with the Trust's response in respect of issues highlighted at Exercise Peak Practice.

09.09.6.3 One NHS in Cheshire
Mr Morley noted a strategy meeting was to be held at 1pm today to discuss the topic of One NHS in Cheshire and agree a Trust response to the proposal.

09.09.7.3 Regional Chief Executives – 28 August 2009
Mr Morley provided a brief summary of the Regional Chief Executives meeting he had attended on 28 August noting an assurance framework is to be put in place, by the Department of Health, to performance manage the SHAs. Mr Morley advised concerns continued to be raised over the financial health of the NHS. [Section removed under S43 of the Freedom of Information Act].

Mr Morley advised the next Regional Financial Summit was to be held on 27 November in Blackpool.

- 09.09.7.4 PCT request for settlement figure [Figure removed under S43 of the Freedom of Information Request**
[Section removed under S43 of the Freedom of Information Act]

Resolved

- **To empower the Executive Team to meet with the PCT and discuss the options available taking consideration of the capacity and financial aspects.**
- **To report to the Board of Directors on the outcome following the scheduled meeting with the PCT as soon as possible. PM**

MEDICAL DIRECTOR'S REPORT

- 09.06.7.5 Incidents**
Dr Dodds advised there were no significant incidents to report.
- 09.09.8.1 Pathology Samples**
Section removed under S40 of the Freedom of Information Act
- 09.04.9.1 Board Assurance Framework**
Two items were due for review by Board.

F4. [Section removed under S43 of the Freedom of Information Act]

D1. Deliver an excellent for quality and excellent for finance in the HCC ratings 2010/11

Mrs Bullock provided an update on the item advising the Trust had submitted a declaration in June 2009 to the Care Quality Commission advising the Trust were compliant with all standards. The Commission have queried the Trust's compliance submission in relation to safeguarding children and the holding of training records at Level 3. A response had been submitted to the Commission and their advice is awaited. Mrs Bullock noted it is difficult to predict the rating outcome as the thresholds are not released until the 11th hour, however, we will achieve at least a 'good' for quality.

Mrs Bullock advised Mr Oldham and the finance team were working on the finance element and that a rating of 'Excellent' for finance is expected.

Resolved

- **To note the report**

ACCOUNTABILITIES

09.09.9.1.1 Strategic Integrated Governance Committee – 10 August 2009

Dr Dodds presented the minutes and noted in detail those items under Item 12 - Items to be Escalated to the Board of Directors.

Resolved

- To note the minutes of the meeting of 10 August 2009

09.09.9.1.2 Performance & Finance Committee – 31 July 2009

Mrs Bullock advised a verbal update of the meeting of 31 July 2009 had been provided at the Board of Directors meeting of 3 August 2009.

In response to the Chairman's enquiry as to whether Item 12 of the Minutes had been noted, Mrs Bullock advised the detail had been provided in the verbal update of 3 August.

In respect of Item 8, HCAI, Mrs Bullock confirmed a telephone conversation had been arranged with Royal Liverpool for 30 September 2009.

In response to Mr Craig's enquiry as to whether the Performance & Finance Committee have any plans to monitor CIPs, Mr Oldham advised Mrs Alcock attends the Committee meetings in respect of the Quality Matters programme whilst the CIPs outside of Quality Matters are being monitored and reported by exception. Sentence removed under S43 of the Freedom of Information Act]

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

Resolved

- To note the minutes of the meeting of 31 July 2009

09.09.9.1.3 Audit Committee – 10 August 2009

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

Resolved

- To note the minutes of 10 August 2009

09.07.7.4 Board Assurance for Swine Flu

Dr Dodds presented the paper and asked the Board of Directors to approve the Statement of Readiness. Dr Dodds provided a summary

of the actions being taken by the Trust and confirmed data was being sent to the SHA with regard to ICU and critical care capacity.

Dr Dodds confirmed the Trust are working to mitigate the risks, however, the main risk will be with regard to ventilators with no more physical capacity within the Trust to host additional ventilators.

Mr Morley advised a situation may arise where teenagers will need to be placed on adult wards and appropriate policies and procedures will be put in place should this issue arise, in particular consideration of Safeguarding Children.

Mr Morley noted the Department of Health have reduced their prediction as to the number of people who will acquire swine flu and require hospitalisation and also of related deaths to hospitalised patients.

Resolved

- **To approve the Statement of Readiness**

09.01.7.2 Appointment of Board Secretary

[Sentence removed under S40 of the Freedom of Information Act]

Mr Morley outlined his proposal for the role going forward and following discussion it was agreed the post of Acting Trust Secretary/Trust Secretary will be advertised internally. Should an applicant not hold the relevant qualifications for Trust Secretary they will be encouraged to apply for the post of Acting Trust Secretary and take further studies.

Mr Morley and Mrs Alcock are to meet to agree the Job Description and banding of the post.

STRATEGY DECISIONS

09.09.10.1 Consolidation of Charitable Funds

Mr Oldham presented the position paper with respect to consolidation of charitable funds noting an opinion had been requested from external audit.

In the discussion that followed, it was

Resolved

- **To approve the expression of interest to the Department of Health subject to external audit's support of the consolidation and clarification on the position of the Charities Commission.**

STRATEGY IMPLEMENTATION

09.09.11.1 Organ Donation

Mrs Bullock presented the paper outlining the progress to date. Mrs Bullock advised the first meeting of the Committee was to take place in the coming week with the Board of Directors to receive a six monthly update report.

Resolved

- To note the paper.
- To receive an update report every six months at Board of Directors. *PAD*

09.09.11.2 Briefing Paper on BMI Contract

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

Resolved

- To note the paper

09.09.11.3 Restatement of 2008/09 Opening Balances

Mr Oldham presented the paper and advised same had been brought to Board of Directors as external auditors are due next week to undertake an audit to ensure the correct systems are in place.

Resolved

- To note the paper

09.09.11.4 Backlog Maintenance

Mr Oldham presented the paper and acknowledged the paper was very much an Estates & Facilities driven piece in defining priorities for backlog maintenance as per a national framework and guidance. Mr Morley requested that, going forward, backlog maintenance also be linked to the clinical strategy of the Trust.

Resolved

- To note the paper

PERFORMANCE MANAGEMENT

09.09.12.1 Performance Report

Patient Quality & Safety Focus

Mr Morley presented the report and noted that complaints were slightly higher than average, advising this was not specific to MCHFT.

Mr Morley advised there had been a downward trend in the risk adjusted mortality index and the Trust were now on a level with peers, however, the risk adjusted length of stay rate was double the level of peers which was a reflection of the local health economy. Complication rates are significantly lower than peer.

Finance

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

System Delivery

Mr Morley advised referrals had decreased over the period and Divisions had been asked to produce Action Plans to ensure they attain the 18 week target.

Workforce Focus

Mr Morley noted year to date overtime and bank usage had decreased whilst agency costs had increased, particularly in respect of cover for vacant Junior Doctor posts.

Market Focus

Discussion took place with regard to the Northwich Health Centre.[Section removed under S43 of the Freedom of Information Act]

An update was also provided with regard to the website where Mrs Frodsham advised the [Amount removed under S43 of the Freedom of Information Act] funding request was in respect of formatting the website, ongoing management of same and an IT back up system. Mrs Godfrey requested that any redesign of the website would include style and language ensuring the website is user friendly. It was confirmed that pending the outcome of the funding requests, work would commence reviewing the factual content of the website by the newly appointed Band 5 marketing/comms staff member.

Mrs Frodsham provided an update on the Urgent Care Centre advising same was due to open on 28 September with a block contract in place from 15 September 2009 to 31 January 2010 which would deliver some aspects of the contract but not all (those relating particularly to building aspects). The centre will provide a DVT service, care coordination and nurse triage.

Mrs Frodsham advised contact had been made with the Care Quality Commission as to whether the Centre would have to be registered separately to the Trust. A verbal response received has advised same will not have to be registered separately.

Resolved

- **To approve the report.**

- **To negotiate with the PCT with regard to the rental of the land at VIN and prepare a business case for the board.**

09.09.13 Legal Advice

Mr Morley advised no legal advice had been received.

Resolved

- **To approve the report**

09.09.14 Visits of Accreditation, Inspection or Investigation

It was noted a peer review of Cancer has been scheduled for 21 September 2009 whilst a peer review of Single Sex Accommodation has been scheduled for October.

Visits of Clinical Pathology were also to be arranged with confirmation of the dates awaited.

Resolved

- **To note the report**

09.09.15 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 September 2009 MA.**

09.09.16 ANY OTHER BUSINESS

Mr Ennis advised the Clinical Strategy documents for each of the four Clinical Divisions would be circulated later that day.

09.09.17 TIME, DATE AND PLACE OF FORTHCOMING MEETINGS

9.30am Monday, 5 October 2009 in the Board Room at Leighton Hospital

Signed

Chairman

Date