

**MINUTES OF THE COUNCIL OF GOVERNORS MEETING OF SOUTH STAFFORDSHIRE AND SHROPSHIRE HEALTHCARE NHS FOUNDATION TRUST HELD ON WEDNESDAY 13 FEBRUARY 2013 AT 6.15PM IN THE LEARNING CENTRE, STAFFORD**

**01/13 PRESENT:**

Steve Jones	Chair
Michael Allen	Public/Service User/Carer Governor (South Staffs)
Karl Bailey	Public/Service User Carer (Shropshire)
Ravi Bhakhri	Public/Service User/Carer Governor (South Staffs)
Colin Wilkinson	Public/Service User/Carer Governor (South Staffs)
Steve Morris	Public/Service User/Carer Governor (South Staffs)
Frances Carlin	Public/Service User/Carer Governor (South Staffs)
Jurai Darongkamas	Staff Governor (Clinical Support)
Peter Cross	Public/Service User/Carer Governor (South Staffs)
Enrique Mateu	Public/Service User/Carer Governor (South Staffs)
Steve Riddle	Public/Service User/Carer Governor (South Staffs)
Janet Smith	Public/Service User/Carer Governor (Regional/National)
Councillor Simon Jones	Partner
Bridie Oakes-Richards	Partner
Pauline Pearsall	Public/Service User/Carer Governor (South Staffs)
Tony Price	Partner/Deputy Chair and Lead Governor
Robin Harvey	Public/Service User/Carer Governor (Shropshire)
Paul Taylor	Partner
Monica Hall	Public/Service User/Carer Governor (North Staffordshire)
Yvonne May	Public/Service User/Carer Governor (Shropshire)
Maha El-Nadeef	Staff Governor (Medical)
Mark Tandy	Staff Governor (Nursing)
Hilary Jones	Partner
Nick Maslen	Partner
Terry Downes	Partner

**02/13 IN ATTENDANCE:**

Jayne Deaville	Director of Finance and Performance
Neil Carr	Chief Executive
Ron Hilton	Non Executive Director
Neil Brimblecombe	Director of Operations/Nursing
Ian Wilson	Non Executive Director
Sue Nixon	Non Executive Director
Roger Craven	Non Executive Director
Jenny Smit	Deputy Company Secretary/Membership Manager
Phoebe Morris	Membership Co-ordinator
Andy Donald	Chief Officer, Stafford and Surrounds, Cannock Chase CCG
Mark Jones	PWC
Sophia Mouyis	PWC
Jenny Smit	Deputy Company Secretary/Membership Manager
Phoebe Morris	Membership Co-ordinator

### **03/13 APOLOGIES:**

Fran Virden	Staff Governor (AHP)
Dave Gill	Public/Service User/Carer Governor (Shropshire)
Mac Cock	Partner
Lois Dale	Public/Service User/Carer Governor (Shropshire)
Lilian Owens	Partner
Katy Morris	Staff Governor (Non-Clinical Support)
Graham Riley	Public/Service User/Carer Governor (Shropshire)
Jane Landick	Company Secretary
Jackie Boyle	Public/Service User/Carer Governor (Shropshire)

### **04/13 WELCOME**

Steve Jones opened the meeting by welcoming all Governors.

He also welcomed the evening's speakers and all others present including members, Executive and Non-Executive Directors and staff, in particular to Ian Wilson attending his first Council of Governors meeting as a Non-Executive Director of the Trust.

Steve Jones informed the meeting that the League of Friends are currently recruiting volunteers for both St Georges, Stafford and Redwoods Centre, Shrewsbury. Further information is available from Jenny Smit.

Steve Jones also informed the meeting that Agenda Item 8 has been brought forward and will be presented following matters arising and that Enclosure 7 (in the original papers) is deferred until the Council of Governors meeting in April 2013.

### **05/13 MINUTES**

The minutes of the Council of Governors Meeting held on 12 September 2012 and the Extra Ordinary Council of Governors Meeting held on 30 October 2012 were agreed as a true and accurate record of the meeting.

### **06/13 MATTERS ARISING**

Steve Jones and colleagues reported on the following matters arising, not covered by other agenda items:

<b>Page</b>	<b>Item</b>	<b>Action</b>
4	Steering Group Appointments	The following Governors were appointed to the Steering Group by the agreed process. (Election - was however uncontested).  Graham Riley, Enrique Mateu, Yvonne May, Mark Tandy, Janet Smith, Pauline Pearsall, Tony Price, Lilian Owens and Michael Allen.
6	Amendments to the Trust	Jane Landick has confirmed that these will be

	Constitution	mainly legislative and format changes. A decision will need to be made with regards to significant transactions. Currently waiting on guidance from the FTN. Changes will be circulated for comment with a view to being approved at the Council of Governors Meeting on 17 April 2013.
6-7	Appointment of External Auditors to the Trust	Monitor notified
8	Margaret Stanhope Centre Closure	Neil Brimblecombe informed that the Margaret Stanhope Centre closed 3 weeks ahead of the planned closure. There has been no evidence of any problems following the closure. Enrique Mateu added that as part of a Governor Group formed to follow the closure, the actual closure and movement of staff and services users was a successful process.
8	Audit Workshops	Fraud, Internal and External Audit held a workshop prior to the Council of Governors meeting on 13 February 2013.

### **7/13 EXTERNAL AUDIT – PRESENTATION OF PLAN**

The Council of Governors received the External Auditors plan through Mark Jones and Sophia Mouyis, from PWC. The plan had previously been approved by the Trust at the Audit Committee in December 2012.

The presentation is attached for information. Mark Jones emphasised that PWC were keen to engage Governors with regards to the roll out of the plan over the year.

Tony Price asked Governors to consider the best way to engage with the External Auditors.

**Action:** Governors to send suggestions to Tony Price directly or through the Membership Office

### **8/13 GOVERNOR MEMBERS' REPORT**

Tony Price presented the report. Summary reports were received and noted for the following committees and sub groups and additional comment was provided by Chairs as detailed. Tony Price reminded the Council that full minutes for the meetings detailed were available from the Membership Office.

#### **a) Combating Stigma Engagement Group**

Michael Allen reported that as of November 2012, the Combating Stigma Group merged with and became part of the Community Engagement Group. Michael Allen informed that Stigma will still be a standing agenda item of the Community Engagement Group.

Steve Jones offered his thanks on behalf of the Council of Governors to Michael Allen as Chair of the Combating Stigma Group for his hard work and dedication.

**b) Performance and Assurance Engagement Group:**

Tony Price thanked Michael Allen for chairing this meeting on 9<sup>th</sup> January 2013 in his absence.

**c) Strategic Direction Engagement Group**

Update as per summary report enclosed within the papers

**d) Service User and Carer Committee Update**

Sue Nixon reported that more service users and carers were attending the meetings since the venue has changed to the Learning Centre and that the Committee were currently considering how Service User stories are presented to the Board.

**e) Community Engagement Group**

Ravi Bhakhri commented that the Community Engagement Group would embrace the Combating Stigma agenda and the amalgamated group would benefit from a pool of knowledge and information.

**f) Steering Group**

Update as per summary report enclosed within the papers and as reported through Steve Jones (matters arising)

**g) Board Meetings**

The summary reports were received and noted. Tony Price reminded Governors that the full minutes were available on the website or available via the Membership Office.

**h) Other Issues**

**Ambassador Scheme:** Tony Price thanked Governors who had been and continued to be part of the ambassador scheme and advised that a full report would be brought to the June 2013 Membership Steering Group along with recommendations for the future of this initiative.

**Regional Development Day:** Tony Price highlighted that the event on 18<sup>th</sup> October 2012 in Kettering was a success with a number of Governors in attendance. The workshop delivered by Ravi Bhakhri and Steve Jones was very well attended and received.

**Membership Office:** Michael Allen thanked the current Membership Office staff and Company Secretary for their support in developing Governor activities. Robin Harvey commented that the Governor login section of the website did not yet contain any information. Jenny Smit advised that this would be made available in the coming weeks.

**Action:** Membership Office to ensure that information is loaded to the Governor log in area.

**Governor Development Plan:** Tony Price highlighted that the Trust have made a commitment to training to be provided on a regular basis and that Governors should attend where possible.

**Action:** Membership Office to circulate training dates

**Lead Governor:** Tony Price informed that his current term as Lead Governor is due to end in May 2013. He encouraged other Governors to stand for this position (which if contested would be elected to) and that he would also re-stand.

**Action:** Membership Office to commence the process to elect the Lead Governor.

## **09/13 CHIEF EXECUTIVE ENVIRONMENTAL SCAN**

### **a) Acquisition**

Neil Carr briefed the Council of Governors with regards to the potential acquisition of another NHS Trust. The NHS Trust made a decision not to continue with its Foundation Trust application and are reviewing options for their future. One of which is to be acquired by another Trust. SSSFT will proactively pursue this opportunity as there appears to be significant financial and clinical merits to this acquisition.

### **b) Schizophrenia Commission**

Neil Carr informed the meeting that he had been appointed to the Schizophrenia Commission which has been established by Rethink Mental Illness. The Independent Commission was made up of 14 experts who have worked together to review how outcomes for people with schizophrenia and psychosis can be improved. The report concluded that despite some important areas of progress, the current system of care and support for people with schizophrenia and psychosis, and their families, is failing both them and the taxpayer. The Trust has been chosen as a national pilot site in light of the recommendations within the report.

The full report can be found by following this link: [THE ABANDONED ILLNESS - Rethink](#).

### **c) Robert Francis Report**

Neil Carr went on to brief the Council of Governors on the current position following the publication of the Francis Report.

Neil reminded the Council that the first inquiry report (published in February 2010) by Francis into care at Mid Staffs drew out a number of conclusions including;

- Lack of basic care across a number of wards and departments
- The culture was not conducive to providing good care for patients or a supportive environment for staff
- There was low morale amongst staff and a lack of openness and an acceptance of poor standards
- Management thinking was dominated by financial pressures (and achieving FT status) to the detriment of quality of care
- There was an absence of effective clinical governance with a lack of urgency in the board's approach to problems

- There was a focus on systems rather than outcomes; statistics and reports rather than patient experience data
- There was a lack of internal and external transparency regarding problems that existed at the trust

Following this report the Trust reviewed its own processes and set out specific work streams. Some of those initiatives, and others over the last few years, have supported improvements to quality of care for our service users, as reflected for example; dignity and nutrition (CQC dignity and nutrition inspection, 2012). We have various processes in place for staff and service users to raise concerns. Our Trust emphasis is on quality of care. Our core value is that service users are at the heart of what we do. We listen to our service users and carers, and our staff, to understand their needs and for them to highlight where we can improve. We have a robust and transparent scrutiny system and compassionate care is central to what we do, from ward to board. We are vigilant but we are not complacent.

The second Francis Inquiry, published last week, signals a need for significant culture change within the NHS. The Inquiry examines the involvement of numerous agencies involved with the events at Mid Staffs during 2005-2009. The conclusions and the 290 recommendations are drawn from some 300 witness statements and further consideration of the first inquiry report.

The second inquiry report highlights far reaching conclusions and recommendations for the NHS as a whole and will need careful consideration on the way forward. The five main recommendations are for:

- clearly understood fundamental standards and measures of compliance
- openness, transparency and candour throughout the system
- improved support for compassionate and committed nursing
- strong and patient centred healthcare leadership
- accurate, useful and relevant information

Francis has recommended that organisations review and subsequently announce the extent to which we accept the recommendations, and what we intend to do to implement those accepted. In addition he suggests that at least annually organisations publish a report regarding progress against planned actions. The Trust are in the process of undertaking this exercise.

- Staff with key responsibilities for specific functions e.g. for nursing practice or complaints are currently considering the implications of the recommendations in order to determine whether our current practice is sufficient and where we want to improve.
- All clinical teams to reflect on the contents of the report.
- On 22 February Neil Carr is hosting briefings in Stafford and Shropshire for staff of all grades to consider how they think we can learn from the report and what more we need to do to stay true to our core values.

Neil Carr continued highlighting the specific recommendations for Governors and the Council of Governors as a whole as follows:

Recommendation 47:

Francis in the context of responsibility for and effectiveness of healthcare standards recommends that The Care Quality Commission (CQC) should expand its work with overview and scrutiny committees and foundation trust governors as a valuable information resource.

- For example, it should further develop its current 'sounding board events'.
- CQC should send a personal letter, to each foundation trust governor on appointment, inviting them to submit to them relevant information about any concerns.

In the context of responsibility for effectiveness of regulating healthcare systems governance (recommendations 60-86), Francis recommends enhancement of the role of governors as follows;

- The Secretary of State should consider transferring the functions of regulating governance of healthcare providers and the fitness of persons to be directors, governors or equivalent persons from Monitor to the CQC
- Monitor and the CQC should publish guidance suggesting principles they expect governors to follow in recognising their obligation to account to the public, and in particular in arranging for communication with the public served by the Trust; and to be informed of the public's views about the services offered.
- The Council of Governors and the Board of the Trust should together consider how best to enhance the ability of the Council to assist in maintaining compliance with its obligations and to represent the public interest. They should produce an agreed published description of the role of the Governors and how it is planned that they perform it. Monitor and the CQC should review these descriptions and promote what they regard as best practice.
- Arrangements must be made to ensure that Governors are accountable not just to the immediate membership but to the public at large – it is important that regular and constructive contact between Governors and the public is maintained.
- Monitor and the NHS Commissioning Board should review the resources and facilities made available for the training and development of Governors to enhance their independence and ability to expose and challenge deficiencies in the quality of the Trust's services.
- The CQC and Monitor should consider how best to enable Governors to have access to a similar advisory facility in relation to compliance with healthcare standards as will be available for compliance issues in relation to breach of a licence (pursuant to section 39A of the National Health Service Act 2006 as amended), or other ready access to external assistance.

Neil Carr commented that the Trust has many existing processes involving Governors in key assurance processes; for example:

- the essential standards unannounced visits programme are a key part of the quality assurance programme
- involvement in supporting our initiatives to improve carer involvement and engagement
- involvement in the responses and continued to responses to concerns raised about compliance with mandatory training rates such as safeguarding vulnerable adults (and how these have improved)
- awareness of the Trust trying to improve the effectiveness of our serious untoward incidents

Some of these specific recommendations (and indeed many within the remainder of the report) indicate future changes to the regulatory framework and we will need to keep close to future possible developments to ensure an appropriate and timely response.

Neil Carr encouraged Governors to read the Francis report/recommendations. Full details of the Francis report can be found at <http://www.midstaffspublicinquiry.com> and Francis's briefing including key highlights can be found at <http://www.bbc.co.uk/news/health-21341766>.

Tony Price suggested that the recommendations that are specific to Governors should be addressed through the Membership Steering Group and the Performance and Assurance Group. The Council of Governors agreed to this.

**Action:** Recommendations specific to Governors to be included on agendas for Performance and Assurance Group and Membership Steering Group.

Peter Cross asked if there had been any effects on the Trust from the closure of A&E and Mid Staffordshire NHS Foundation Trust and if there was any indication of when this may change. Neil Carr responded that there had not been any. Neil Carr added that the Trusts Crisis Resolution/Home Treatment Service is running effectively and in Shropshire is based on the RAID model.

Steve Jones commented that the Francis report and the Trusts position would be discussed at the Trust Board meeting in March 2013, reviewed at QERC in March 2013 and through Performance and Assurance Governor Engagement Group as well as the Membership Steering Group. The Chief Executive will also be holding Staff Engagement Meetings on 22 February 2013 to which Governors are invited to attend.

### **10/13 THE NEW WORLD OF CLINICAL COMMISSIONING**

Andy Donald, Chief Office for Stafford and Surrounds and Cannock Chase CCG introduced himself to the meeting. The Council received a presentation explaining the new world of commissioning. (Presentation attached).

Andy Donald explained that the two CCG's have a budget of £304 million. The Commissioning Groups will become live on 1 April 2013 and priorities will include involving clinicians and services users and outcomes in commissioning decisions.



Andy Donald commented that there will be challenges to face including QIPP and that working together with providers, GP's and Service Users and Carers will allow better services to be delivered.

Andy Donald also announced that an event, Conversation Staffordshire is planned for 12 March 2013 and would create debate, this agenda has been set by the public and supported by Staffordshire LinKs.

He also added that he would be happy to work with Governors and to return to a Council meeting at a later date to provide an update,

### **11/13 ANY OTHER BUSINESS**

Jurai Darongkamas updated the Council to a strategy she is currently working on. The services for people with personality disorders strategy is currently in draft form and any input or comments would be gratefully received via the Membership Office.

### **12/13 REPORT OF THE NOMINATIONS COMMITTEE**

All those with the exception of the Chairman, Governor Members and the Deputy Company Secretary left the meeting.

Steve Jones summarised that after considered and in depth discussion, the Nominations Committee agreed that none of the candidates interviewed were suitable for the post and that therefore would recommend no appointment should be made from these interviews. It was felt by the Committee that the candidates had not been able to demonstrate all of the competencies required. The number and quality of applicants for the post was disappointing.

The committee also agreed that following a discussion with Roger Craven, it would be pertinent to extend Roger Craven's term of office until 30 September 2013 allowing consistency for the Board and the Trust until a suitable candidate is sourced to take over the post, subject to approval by the Council of Governors.

The Nominations Committee had met and reviewed the paperwork to be used for the recruitment process prior to commencing further recruitment, taking into account the timeframe required for the various appointments/re-appointments

The Council of Governors agreed the recommendations of the Nominations Committee that:

- the process and paperwork used to recruit had been reviewed
- no appointment should be made from this round of recruitment
- Roger Cravens term of office should be extended up to 30 September 2013

### **13/13 DATE OF NEXT MEETING**

Wednesday 17 April at Park Inn Hotel, Telford.

**Dates for 2013:**

Wednesday 24<sup>th</sup> July 2013

Wednesday 18<sup>th</sup> September 2013