



**UNADOPTED Minutes of a meeting of the Council of Governors held
at Sheffield United Football Stadium
Tuesday 20 June 2023 at 12:00 pm**

PRESENT: Annette Laban (Chair)

PATIENT AND PUBLIC GOVERNORS

Steve Barks	Martin Hodgson	Sheila Reynolds	Shirley Sherwood
Steve Bell	Lewis Noble	Joe Saverimoutou	Jim Steinke
Michelle Cook	Jane Pratt	Harold Sharpe	

STAFF GOVERNORS

Paulette Afflick-Anderson	Irene Mabbott	Cressida Ridge
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PARTNER GOVERNORS

Andrew Hartley

IN ATTENDANCE

David Black	Medical Director (Development)
Sandi Carman	Assistant Chief Executive
Ann Harris	Non-Executive Director
Kirsten Major	Chief Executive
Chris Morley	Chief Nurse
Jane Pellegrina	Membership Manager (Minutes)
Julie Phelan	Communications Director
Maggie Porteous	Non-Executive Director
Neil Priestley	Chief Finance Officer
Rebecca Robson	Deputy Director of Human Resources and Staff Development
Rosamond Roughton	Non-Executive Director
Mark Tuckett	Strategy and Planning Director
Toni Schwarz	Non-Executive Director
Shiella Wright	Non-Executive Director

APOLOGIES - GOVERNORS

Jo Bishop	Felister Heeley	Ian Merriman	David Warwicker
George Chia	Steve Jones	Liz Puddy	Mark Wilcox
Paul Dore	Kaye Meegan		

APOLOGIES - BOARD MEMBERS

Ashley Blom	Tony Buckham	Mark Gwilliam	John O’Kane
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MEMBERS OF THE PUBLIC/OBSERVERS

Lucy Middleton	CEO Office Business Manager
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COG/23/25

Welcome and Apologies

Annette Laban welcomed everyone to the meeting, particularly Andrew Hartley, new Appointed Governor representing The Sheffield College, and the above apologies were noted.

The meeting was confirmed as quorate.

It was agreed that, following detailed discussions at this meeting, to avoid duplication the Governors' Board Briefing Session scheduled for 22nd June 2023 would be cancelled. The draft Minutes of the last Board of Directors meeting in private would be circulated in confidence to governors and any questions should be submitted to Jane Pellegrina.

COG/23/26

Declarations of Interest

Andrew Hartley said that his employer, The Sheffield College, was a training provider to the Trust.

There were no further declarations of interest.

COG/23/27

Minutes of the Meeting of the Council of Governors' held on 6 March 2023

The Minutes of the meeting of the Council of Governors' held on 6 March 2023 were **AGREED** and **APPROVED** as a correct record of the meeting.

COG/23/28

Matters Arising

Sandi Carman referred to the Action Log at Enc. B. The following responses were provided:

It was **AGREED** to keep Action 21 open

It was **AGREED** to close Actions 20; 22; 23; 24 and 25

There were no further matters arising.

COG/23/29

Chief Executive's Report

Kirsten Major gave a presentation that provided an update on Covid-19, operational performance and other areas of interest.

Kirsten highlighted the following key points:

Covid-19

- There were 49 inpatients with Covid-19, one patient was being cared for in critical care. There had been two admissions in the previous 24 hours and one patient had been discharged. To date there had been 1744 deaths in hospital and a total of 14,361 hospital admissions.
- As Covid-19 cases continued to decline and prevalence had moved from moderate to low, staff PCR testing was no longer required and at the end of March 2023 the drive

through service had been stood down. This had been followed in May 2023 by Covid-19 being stepped down as an NHS level 3 incident. Consequently Kirsten said that the Covid-19 update would no longer be included in the CEO report as a routine update.

Kirsten thanked governors for their support during what had been a very difficult time.

Operational Performance

- In May 2023 75.84% of patients attending A&E had been seen within four hours; national performance was 74.0%, compared to the national target of 95%. The figures for April and March had been 76.38% and 75.63% respectively. The national requirement by the end of March 2024 would be 76%.
- 18 week planned care: in May 2023 there had been:
 - 2,978 - 52 week breaches;
 - 1037 – 65 week breaches;
 - 359 – 78 week breaches; and
 - 13 – 104 week breaches

There was a national commitment to reach zero 65 week breaches by the end of 2023 and the Trust was working hard on this.

- 67.35% of patients had been waiting less than 18 weeks for treatment compared to 66.73 in April, the latest available data showed the national figure at the end of April had been 58.3%.
- Cancer waiting times continued to be challenging and below target in the period.
- Diagnostic waits within six weeks in the period also remained challenging.

Activity Benchmarking Process

As part of the Covid-19 response, and to provide a performance indicator, the Board had agreed to track the impact of Covid-19 on performance/rate of recovery against other Trusts such as the Shelford Group (a group consisting of ten of the largest teaching hospitals in the country and including STH). The Board were finding the data useful.

Support from Elective Care Improvement Support Team (ELCIST)

ELCIST had visited the Trust in February 2023. The visit had concentrated on recovery plans; governance and reporting structures; theatre throughput and waiting list management. ELCIST fed back that the Trust was very patient focussed and teams were hard working; there was a good grip of the waiting times data and cancer long waits at speciality level and they had confidence in the Trust's data quality and reporting. Ongoing improvement work was noted including capacity in theatres and 78 and 65 week delivery plans. Workforce constraints, particularly across cancer pathways, were also noted.

Strike Action

Kirsten reported on the impact of recent strike actions by the Royal College of Nursing and the British Medical Association. She also reported that consultants were being balloted on strike action and there would also be a new ballot of junior doctors. Kirsten said the Trust supported staff in exercising their right to strike while maintaining patient safety and activity. She described business continuity arrangements for upcoming industrial action and provided details of activity lost to strike action.

Kirsten concluded with an update on plans to celebrate the 75th anniversary of the NHS.

During discussion that followed the following points were noted:

Steve Barks asked that the Minutes record the thanks of Governors to the Board and Trust staff for all their hard work during this difficult period and also during the coming months

when getting back on track. With particular thanks to Annette and Kirsten for keeping Governors updated every month, he said this had been and continued to be much appreciated.

In response to a query from Steve Barks Mark Tuckett said that the situation with breast oncology remained challenging but he considered that the Trust was in a better position with some additional interim capacity now secured and a longer term plan was being pursued.

Responding to a question from Lewis Noble about ethics and Artificial Intelligence, Kirsten said that the Trust Executive Group had discussed the opportunities and risks of AI.

Addressing a query received at an earlier Governors' Board Briefing Session, Mark Tuckett said that the teenage cancer unit at Weston Park Hospital accommodated patients between 16 and 24 years of age, due to staffing pressures the Unit had been closed in 2020. He advised that more care was now provided to patients at home but that the Teenage Cancer Unit at Weston Park Hospital would be re-opening. Mark said that he would continue to provide updates to the Council of Governors'.

There were no further questions from governors.

COG/23/30

NHSE Guidance: Addendum to Governors' Statutory Duties

Sandi Carman referred to Paper C which provided an overview of new guidance from NHS England along with links to three new publications that had come into force in April 2023. These documents had been reviewed by the Chief Executive's Office and, where appropriate, actions were being taken to ensure that Trust practice aligned with the new guidance.

Sandi then summarised the attached slide deck that provided a brief overview of the NHS England Guidance: *Addendum to your statutory duties* that built on existing guidance *Your statutory duties a reference guide for NHS Foundation Trust Governors*. She drew particular attention to the final three slides that suggested the next steps to be taken in terms of the Council of Governors' holding the Non-Executive Directors to account and representing the interests of Trust members and the public at large.

Sandi said in the coming weeks she would be sharing a draft Membership Engagement Plan with Trust Executive Group colleagues for comment, this would then be shared Governors for their comments and consultation.

Martin Hodgson welcomed this, he said that a further Governors' Time Out was planned for September/October and it had been agreed that the topic for discussion would be engagement and representing the interests of Trust members and the public at large, the Membership Engagement Plan could be discussed at the session. Sandi Carman agreed that this would be a very useful next step.

There were no further questions/remarks from governors.

The Council of Governors **NOTED** the new guidance published by NHS England and **SUPPORTED** the development of the next steps outlined in the presentation.

COG/23/31

How Governors add value to the organisation

Annette described how, as a team, Governors added value to the Trust, as Chair she gave a personal commitment that the Chief Executive and the whole Board saw Governors as an important part of the organisation.

She was clear about the importance of local accountability and said that Governors formed a bridge between the Board and the membership. As patients; carers and members of staff Governors represented the public, bringing essential views, their own and their members', with compliments when things were going well but also, wanting things to be better, Governors were clear when things were not as good as they could be.

Annette assured Governors that they were trusted and listened to and that the softer intelligence that they brought influenced the way that things were done, engagement between the Board and Governors and the information that was shared was helping to redesign and shape things differently to bring about change and improvement.

Annette concluded that Governors were valued and thanked them personally and on behalf of the Board of Directors.

COG/23/32

Governance

Non-Executive Directors' Reports from Board Committees and Chair's Update

Finance and Performance Meeting Update – Maggie Porteous on behalf of Tony Buckham Finance and Performance Committee Chair

During the verbal update Maggie reported that the Committee received an update on Hadfield and it was understood that an out of court settlement had been agreed. There had been a deep dive into the Combined Community and Acute Group which delivered 39 community and acute services with a workforce of 2,200 across 85 teams. The service had an annual budget of £110 m and undertook 600,000 home visits annually. An update had been received on A&E performance and it had been good to see that the 76% waiting time had been achieved and also that ambulance handover times had improved. Cancer waiting times were reviewed and Breast and Urology remained a concern in terms of performance. The 2023/24 financial position at month one was disappointing with a poor performance against plan showing the equivalent to a year end deficit of £19.6m if it was not improved upon actions were in place to seek to correct this.

During discussion that followed Martin Hodgson asked whether there was a time scale for getting the financial position back on track, Neil Priestley said that this was an ongoing process.

There were no further questions from Governors on Maggie's feedback from the Finance and Performance Committee.

People Committee Meeting Update – Shiella Wright , People Committee Chair

Shiella reported on some of the issues that the Committee had been looking at. Updates had been received on the industrial action and on Freedom to Speak Up including an investigation into the number of cases received in comparison to other organisations, reporting structures and the role of the Human Resources Department's involvement in the process. There had been a review of the results of the national staff survey and discussion of the response rate which had been 39%, 1% higher than the previous year. Information had been received on bank and agency staff numbers and there had been the regular review of staff sickness rates.

There were no questions from Governors on Shiella's feedback from the People Committee.

Qualify Committee Meeting Update – Rosamond Roughton, Quality Committee Chair

Ros reported that the Quality Committee had met four times since the last Council of Governors' meeting and highlighted some of the key issues discussed. The Quality Strategy and Quality Report had been approved and the quality objectives had been agreed as (1) improve the management of medicines to ensure patient safety, (2) improve the quality of accessible information for patients and (3) improve individualised care of patients with dementia. Representatives from A&E had been invited to report on managing patients who attended A&E and who also present with mental health issues. Ros said that the Committee were keen to ensure that they heard about patient experience in the organisation for example deaf awareness around the Trust. The time frame for reporting of Serious Incidents was reviewed. An update had been received on performance against Infection Prevention and Control metrics,

There were no questions from Governors on Ros' feedback from the Quality Committee.

Acute Federation Board Meeting Update – Annette Laban, Acute Federation Chair

Annette reminded Governors that this year she was chairing the Acute Federation, a meeting of the chairs and chief executives of the acute hospitals in South Yorkshire and Bassetlaw that met every two months. Annette said that good progress continued to be made and Chris Edwards (the Place Director who had been nominated as lead for the Integrated Care Board (ICB) to connect to the acute sector) had now been welcomed to attend the meeting. It had been agreed that there would be a twice yearly meeting of chairs and Lead Governors and an annual meeting to which all Governors would be invited. The Acute Federation's Annual Report for 2023/24 was now available on the Federation's website and a link to the document would be circulated to Governors. Gavin Boyle, ICB Chief Executive, had updated on running costs. The Minutes of the monthly ICB meetings were available on the ICB website and Annette confirmed that the meetings were live streamed and members of the public could register to listen-in live to the meetings, details of how to do this were on the ICB website.

There were no questions from Governors on Annette's feedback from the Acute Federation.

COG/23/33

2023/2024 Corporate Strategy Briefing

Mark Tuckett introduced the next chapter 2022-27 of the Trust's new Corporate Strategy *Making a Difference – the next chapter* [here](#) which set out the context in which the Trust was operating and future ambitions. A new strategic aim to create a sustainable organisation had been added. Mark described how a strategic framework was supported by strategies underpinning the Corporate Strategy, and to ensure the organisation was on track to deliver on the commitments, annual corporate objectives had also been developed under each of the Trust's six strategic aims:

1. Deliver the best clinical outcomes
2. Provide patient centred services
3. Employ caring and cared for staff
4. Spend public money wisely
5. Create a sustainable organisation
6. Deliver excellent research, education and innovation

Mark reported on additional work in 2023/24 with the development of a Research and Innovation Strategy; an Estates Strategy and a new Clinical Blueprint identifying the clinical services to be provided and the populations the Trust served. Additionally the Acute

Federation had developed a clinical strategy which would be discussed at the next Board of Directors' meeting.

These points were highlighted during the discussion that followed:

Steve Barks asked where health inequalities was being considered. Mark confirmed this would be a key consideration in developing the Clinical Blueprint and that the Trust would also be working in partnership with other anchor organisations on addressing health inequalities. Annette added that at Place level work was being undertaken around Neighbourhoods.

Martin Hodgson queried whether the Estates Strategy would be constrained by costs. Chris Morley said the strategy set the direction and the principles the Trust wanted to follow and it would assist in decision making when issues arose but it would not be about specific schemes.

Responding to Jim Steinke's query Chris Morley said that buildings were regularly reviewed to ensure that they remained safe and appropriate for their current purpose. Simultaneously consideration was being given to the strategic value of different aspects of the Trust's Estate portfolio.

There were no further questions from Governors.

COG/23/34

2023/2024 Business Plan Briefing

Mark Tuckett said that all NHS Trusts were required to submit business plans to NHS England and an Activity Plan had been submitted to the ICB describing the Trust's plans to deliver in line with the elective recovery fund rules. The Trust had a balanced 2023/34 Financial Plan with a caveat that a range of risks required close management. The Workforce Plan submitted contained Directorate workforce plans; information from Medical HR and Central Nursing.

Mark confirmed that the Trust's internal priorities were aligned to national priority areas and the Trust had also contributed to the development plans of Sheffield Place and the South Yorkshire Integrated Care System. The top five local priorities in Sheffield had been confirmed as Discharge and Home First; Same Day Access to Care; Mental Health Crisis (all ages); Children and Young People Neurodiversity and Building a Model Neighbourhood. The Trust was represented at each of the groups in the Sheffield Health and Care Partnership that had oversight of the Sheffield priorities.

In response to a question from Annette, Mark said that the ICB was leading on the five priorities work.

In response to a query from Lewis Noble about the development of virtual wards Mark said that good progress continued to be made and work was ongoing.

Steve Bell said that he and other Governors were longstanding members of the Patient First Group, established by the Trust to engage with patients and the public at large and he considered that the Group had been working well and therefore members had been disappointed to be informed unexpectedly that the Group had been disbanded. Steve asked on behalf of the Group for an update on the position. Joe Saverimoutou added that this was an unfortunate situation and the Patient First Group had been disappointed. Kirsten Major advised that the Executive present did not understand the full background to the issues raised. The matter would be explored with the teams responsible and a report back on progress would be made to the next Council of Governors' meeting.

There were no further questions from Governors.

COG/23/35

2023/2024 Financial Plan Briefing

Neil Priestley reported that the 2023/24 Financial Plan had been approved by the Board of Directors in April 2023. He said that the forecast was a breakeven position but considerable risks would need to be managed. The previous three years had been dominated by Covid-19 with a funding settlement that provided no real terms growth. The planning had been System driven with significant guidance from NHS England. The South Yorkshire System had submitted a balanced plan but with a significant 'to find' adjustment required. Neil said that 2023/24 would be a very challenging year and he did not see any easing of pressures in 2024/25.

There were no questions from Governors.

COG/23/36

Governors' Matters

(a) Unadopted Notes of Governors' Forum Meeting held on 22 May 2023

Martin Hodgson said that this had been the first face-to-face Forum meeting since before the Pandemic. There had been a short discussion about poor Governor attendance, particularly as Annette Laban and Ann Harris (newly appointed Non-Executive Director) had joined Governors at the meeting.

Martin reported on a stimulating discussion with Annette and Ann and it had been noted that Ann was particularly interested in risk and risk management. There had been feedback from a meeting of the Annual Members' Meeting (AMM) Planning Group with the date of the AMM confirmed as Thursday 28 September 2023. Governors had reported back on an excellent session with Mark Gwilliam on the outcomes of the Staff Survey and there had been excellent feedback on taking part in the QUEST ward inspections with participation highly recommended.

(b) Report from Council of Governors' Nomination and Remuneration Committee

Steve Barks reported that the Council of Governors' Nomination and Remuneration Committee (CoG NRC) were in the process of appointing a new Non-Executive Director. The deadline for receipt of applications was 8 June 2023 and interviews were being held on 13 July. As previously notified, the Council of Governors were meeting on 18 July to approve a recommendation on the appointment from the CoG NRC.

Steve also reported that the CoG NRC had reviewed the Chair's annual appraisal of the Non-Executive Directors and he thanked Governors who had contributed feedback to the process.

(c) Feedback from Governors' Time Out held on 17 February 2023

Martin Hodgson referred to Paper H reporting on the outcomes of the Time Out. He said that the aim of the event had been to seek Governors' views on their own effectiveness; a preferred shape for future Council of Governors' meetings and a preferred shape for Governors' Forum meetings.

Following discussion the Council of Governors **AGREED:**

1. That outstanding issues relating to Council of Governors' meetings should be taken forward by the Chair and the Liaison Governors.
2. That Governors should implement the remaining proposals for the conduct of Governors' Forum meetings.
3. To further explore the ideas in the paper set out under "Other Issues".

COG/23/37

Review of Outcomes of Chair's 2022/23 Appraisal

As Vice-Chair of the CoG NRC, Steve Barks referred to Paper I which confirmed that the annual appraisal 2022/23 of the Chair had been completed and provided an outline of the process and a summary of the outcome.

Steve reported that, on reviewing the outcome of the appraisal, the CoG NRC agreed that the Chair had a strong performance during another extremely challenging year; leading the Board with pragmatism, compassion and support. The Chair had grown into an effective and respected partner in the Integrated Care System and in Place and was seen as a Chair who others looked to for support and guidance. She continued to be passionate in serving all of the Trust's communities and stakeholders in tackling inequalities in health access and opportunity. The CoG NRC had been unanimous in thanking the Chair for another very positive year.

In concluding its review of the summary appraisal the CoG NRC had noted the completion and satisfactory outcome of the Chair's annual appraisal.

In line with national guidance the final summary of the Chair's appraisal would be submitted to NHS England/Improvement Regional Directors.

The Council of Governors **NOTED** the completion of the Chair's annual appraisal 2022/23.

COG/23/38

Any Other Business

There was no further business to discuss.

The Chair invited Governors and Non-Executive Directors to join her immediately after the Council meeting for an informal discussion.

COG/23/39

Dates of Next Meetings

18 July 2023 (in private)
19 September 2023

Signed:
Chair

Date:.....