



**Minutes of a meeting of the Council of Governors held in the  
Undergraduate Common Room, Medical Education Centre, Northern General Hospital  
Monday 6 March 2023 at 10:00 am**

**PRESENT:** Annette Laban (Chair)

**PATIENT AND PUBLIC GOVERNORS**

Steve Barks  
Steve Bell  
Michelle Cook

Felister Heeley  
Martin Hodgson

Sheila Reynolds  
Joe Saverimoutou

Harold Sharpe  
Jim Steinke

**STAFF GOVERNORS**

Paulette Afflick-Anderson

**PARTNER GOVERNORS**

None

**IN ATTENDANCE**

David Black	Medical Director (Development)
Tony Buckham	Non-Executive Director
Sandi Carman	Assistant Chief Executive
Mark Gwilliam	Director of Human Resources and Staff Development
Kirsten Major	Chief Executive
Chris Morley	Chief Nurse
Chris Newman	Non-Executive Director
Jane Pellegrina	Membership Manager (Minutes)
Maggie Porteous	Non-Executive Director
Neil Priestley	Chief Finance Officer
Rosamond Roughton	Non-Executive Director
Toni Schwarz	Non-Executive Director
Shiella Wright	Non-Executive Director

**APOLOGIES - GOVERNORS**

Jo Bishop  
George Chia  
Paul Dore  
Angela Foulkes

Steve Jones  
Irene Mabbott  
Kaye Meegan

Ian Merriman  
Lewis Noble  
Cressida Ridge

Shirley Sherwood  
David Warwicker  
Mark Wilcox

**APOLOGIES - BOARD MEMBERS**

Michael Harper  
Jennifer Hill

John O'Kane  
Julie Phelan

Mark Tuckett

**MEMBERS OF THE PUBLIC/OBSERVERS**

Lucy Middleton

CEO Office Business Manager

## COG/23/12

### Welcome and Apologies

Annette Laban welcomed everyone to the meeting and the above apologies were noted.

The meeting was confirmed as quorate.

Annette said it was disappointing to have received so many apologies from governors. She also noted that Michael Harper, Jennifer Hill and Mark Tuckett were absent due to the very demanding operational position resulting from the upcoming industrial action.

Martin Hodgson, lead governor, said that, in line with Governors' feedback following the Time Out held on 17 February 2023, changes were being introduced to the format of these meetings and today's meeting was being held for the first time in the new format and it was therefore very disheartening to see only ten governors present. Martin was keen to ascertain the reason for this and would be contacting the persistent absentees.

Martin also added that there remained a number of vacancies for Partner Governors and this contributed to the low numbers of Governors coming to meetings. Annette confirmed that she and Sandi Carman would be looking at ways to resolve this.

## COG/23/13

### Declarations of Interest

There were no declarations of interest.

## COG/23/14

### Minutes of the Meeting of the Council of Governors held on 29 November 2022

**COG 22/43** Neil Priestley said that "The savings provided by lower activity levels continued to *offset* (not *create*) under-delivery on efficiencies."

With the above amendment the Minutes of the meeting of the Council of Governors held on 29 November 2022 were **AGREED** and **APPROVED** as a correct record of the meeting.

## COG/23/15

### Matters Arising

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

It was **AGREED** to close Actions 14; 17 and 19.

It was **AGREED** to extend the deadline for Action 20.

There were no further matters arising.

## COG/23/16

### Chief Executive's Report

Kirsten Major gave a presentation that provided an update on the situation regarding Covid-19 and the operational position; industrial action, Board to Board meetings and other areas of interest.

Kirsten highlighted the following key points:

## **Covid-19 and the Operational Position**

- There were 135 inpatients with Covid-19, one patient was being cared for in critical care. There had been eight admissions in the previous 24 hours and 14 patients had been discharged. To date there had been 1653 deaths in hospital and a total of 13,357 hospital admissions.
- The Trust had seen a rise in Covid-19 cases recently. However, on 14 February 2023 the Trust had moved from “moderate” to “low prevalence”.
- Following the introduction of new guidance mask wearing had been reduced. Staff meetings had been able to resume as business as usual.
- The flu season had ended, it had been a short but hard period.
- Norovirus was creating challenges, including the closure of some beds.
- Though operational pressures remain the Getting Back on Track programme continued.
- The Sheffield NHS Vaccination centre had closed on 28 January 2023 and Kirsten thanked everyone involved at the Centre. Vaccinations were still available at a number of pharmacies and GP locations. Preparations were underway for Spring boosters.

## **Care Quality Commission (CQC)**

- December 2022 had seen the publication of the final report and ratings:
  - From the previous CQC rating of “Requires Improvement”, for both effective and caring, the rating had improved to “Good”.
  - Maternity Services and Urgent and Emergency Care were no longer rated as “Inadequate”.
- Kirsten praised the great work of all concerned.

## **STH and NHS England (NHSE) Board to Board Meeting 27 January 2023**

- The meeting had been generally positive. Improvements had been recognised but it had been noted that improvements were still required.
- NHSE had proposed a de-escalation from the current position of Intensive Improvement to Enhanced Surveillance, with future Quality Board meetings to be chaired by the Integrated Care Board representative rather than by NHSE.
- The Trust was awaiting final confirmation of the approach.

## **Operational Performance**

- A&E 4 hour standard: In January 2023 77.06% of patients attending A&E were seen within four hours compared to the national target of 95%. The figure for December 2022 had been 70.93%.
- 18 week planned care: in January there had been 3,341-52 week breaches; 714-78 week breaches and 51-104 week breaches. At the end of January the percentage of patients waiting fewer than 18 weeks for treatment had been 66.39% an improvement on December figure.
- Cancer waiting times were improving but continued to be challenging and below target in the period.
- Diagnostic waits within six weeks in the period had remained challenging.

## **Elective Care Improvement Support Team Visit to STH**

Kirsten reported that, as a designated Tier 1 Provider, on 7 and 8 February 2023 the Trust had hosted a two-day visit from the national Elective Care Intensive Support Team as part of the support programme for improvement on the cancer 62-day backlog and 78 week waits. She said that the purpose of the visit had been threefold:

- To meet with clinical and operational teams to discuss recovery plans,

- To seek assurance, and
- To identify areas for further support.

Following the visit a draft report had been received and this was being checked for factual accuracy.

### **2022/23 Financial Plan**

- At month 10, following additional national inflation funding, the Trust continued to be in a broadly balanced position.
- The South Yorkshire System plan was to breakeven but there was currently a significant gap.
- At System level it had been confirmed that there would be no Elective Recovery Fund clawback.

### **2023/24 Financial Plan**

- The internal planning process was progressing.
- There were challenges reconciling funding with service/workforce pressures and required efficiency savings/productivity improvements.
- Deficits were planned in South Yorkshire and generally.

### **Capital Position**

- There was a risk of slippage in the planned spend of £53m in 2022/23.
- There were already a high level of commitments in 2023/24.

### **Industrial Action – National and Local Strike Action**

- The Royal College of Nursing had suspended the 48 hour strike action planned for 1 to 3 March as formal talks with the Government were taking place.
- The Hospital Consultants and Specialists Association had announced that their Junior Doctor members would strike from 13 to 16 March 2023.
- Following a ballot of Junior Doctors the British Medical Association had also confirmed strike action from 13 to 16 March. Kirsten reminded the Council that the designation Junior Doctor included doctors who had been qualified for six or seven years, not only recently qualified doctors. Operationally the strikes would be extremely challenging and a significant amount of planning was underway to manage the position.
- The dispute with Unison members, Rehabilitation Assistants in Active Recovery, had been resolved by agreement to an alternative effective date for back pay.

Kirsten concluded with two requests for action from Governors:

- Governors were requested to action a request to update their annual Declarations of Interest for 2022/23.
- Governors were also required to make an annual Fit and Proper Persons Disclosure and details of this would be emailed to Governors at the end of April 2023 requesting completion of a Personal Disclosure.

During discussion the following points were noted:

Steve Barks queried whether benchmarking data could include information relating to comparable organisations, eg Shelford Trusts. Kirsten agreed that this could be provided at the next meeting.

In response to Martin Hodgson's query whether the longer cancer waiting times had elicited additional complaints, Kirsten said this was not the case.

Harold Sharpe queried contingency plans during the Junior Doctors' strike. Kirsten said that significant planning was underway and contingencies included Consultants providing cover and cancelling outpatient appointments and elective surgery.

In response to Steve Bell's query about the potential financial costs to the Trust of paying Consultants to provide cover during the Junior Doctors' strike Kirsten said that the Trust would be offering enhanced elective recovery rate payments to Consultants for additional hours worked.

#### **COG/23/17**

##### **Well-Led Report**

Sandi Carman referred to Paper C, the Well-led Developmental Review Report, she said that at their Time out on 17 February 2023 Governors had discussed this report with Mike Gill of AuditOne. Sandi said it was a rich report covering wide-ranging areas and highlighting several recommendations. AuditOne had engaged extensively with comprehensive contacts across the Trust and with the Trust's stakeholders. Interactions had included focus group work involving discussions with Freedom to Speak Up Guardians, the Lead Governor, Deputy Lead Governor and Vice-Chair of the CoG Nomination and Remuneration and the wider Governor group. Additionally AuditOne had observed at Trust Committees, including the Board and Council of Governors and they had also reviewed various documents.

Sandi said that, given the length of the report, it would be taken as read and she was happy to take any questions.

Steve Barks asked whether the Board were surprised by anything identified in the Report? Annette considered the Report to be very supportive. Kirsten said it was a document that the Trust would work with, for example re-examining the purpose/structure of our Care Groups.

In response to Martin Hodgson's query about the identification of silo working and a top down culture Kirsten said that the scheme of delegation had been reviewed and the views of triumvirates were being sought at an earlier stage.

#### **COG/23/18**

##### **Board Assurance Framework (BAF)**

Sandi Carman referred to Paper D, the Board Assurance Framework and Corporate Risk Register Report, she said the BAF looked at the overall strategy of the Trust and the identified risks to the delivery of the strategy and set out arrangements seeking to prevent the risks and how we know that the systems of control are working. The BAF was presented to the Board in public three times a year but outside this schedule there was a rolling programme of oversight and scrutiny.

Sandi then described the Corporate Risk Register Report, she said this contained operational risks with a score of 15 (classified as extreme risks) and that these risks were mapped to one or more strategic risks on the BAF. She said that to assist the Board to assess the alignment between operational and strategic risks the BAF and the Corporate Risk Register Report were presented together on the Board agenda.

The following points were highlighted during discussion:

Martin Hodgson asked why some of the risks on the Corporate Risk Register were described as new but were actually opened in 2014. Sandi said the risks would have been rescored recently (ie the risk score had increased). A score of 15 or more would meet the threshold for this report and were therefore new to this report not new risks.

Martin Hodgson requested a presentation for governors on the future of the Trust's estate, specifically the risk aspect of this. Chris Morley proposed that the presentation might be more wide-ranging to include wide infrastructure. Annette **AGREED** that the presentation as described by Chris should be provided for Governors.

#### **COG/23/19**

##### **Unadopted Notes of the Governors' Forum meeting held on 20 February 2023**

Martin Hodgson reported that Annette had joined Governors at the Forum meeting and various interesting topics were discussed.

Annette also told Governors that disappointingly she had received and accepted the resignation of Gul Hussain as a NED. She said that this was due to conflicting work commitments not allowing him sufficient time to undertake his NED role.

Governors' experiences of taking part in the Out and About Visits were shared. There was general agreement that the visits were interesting and worthwhile though some disquiet was expressed that Governors were not invited to give their feedback for the visit reports. Annette said this should be corrected and proposed that immediately following the visit the visitors should have a short meeting together during which the Governor and Non-Executive Director could share their feedback with the Executive Director for the report. This was **AGREED**.

#### **COG/23/20**

##### **Report from Council of Governors' Nomination and Remuneration Committee**

Steve Barks reported that at a Council of Governors' Meeting held in private on 27 February 2023 the following recommendations from the Nomination and Remuneration Committee had been approved:

- On completion of their current term of office Shiella Wright and Rosamond Roughton had both been re-appointed for a further four year term of office.
- Tony Buckham's term of office had been extended for one year.
- Chris Newman's resignation as The University of Sheffield nominated Non-Executive Director had been accepted and his valuable contribution during his term of office had been noted.
- The appointment of Ashley Blom to replace Chris Newman.
- The resignation of Gul Nawaz Hussain as a Non-Executive Director. Steve said that the Nomination and Remuneration Committee would be starting the process to appoint a replacement.
- The appointment of Ann Harris as a Non-Executive Director.

Steve also reported that the Chair's annual appraisal of the Non-Executive Directors was underway. He reminded Governors that they had been invited to provide their feedback and thanked those Governors who had already provided their comments. He also said that the annual appraisal of the Chair would begin shortly and he would be contacting Governors for their views.

#### **COG/23/21**

##### **Feedback from Governors' Time Out Held on 17 February 2023**

Martin Hodgson said that it would have been good to see more Governors at the Time Out but those who did attend had a cordial and very constructive day. He said that Governors had been pleased to welcome Mike Gill from AuditOne for a discussion about the Well-Led Review and Report. The discussion with Mike had been extremely informative facilitating an excellent debate about the future structure of Council of Governors meetings with a view to enabling greater dialogue between Governors and Non-Executive Directors.

A draft report of the proceedings was being prepared and would be circulated to all attendees for any amendments and additional thoughts following which the report would be shared for discussion with Annette. A final report and action plan would then be circulated more widely.

Governors attending the Time Out said that they had been pleased to be able to meet face-to-face and that, in addition to the wide-ranging discussion and sharing of ideas, the social element of the day had been very enjoyable.

## COG/23/22

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

#### **Rosamond Roughton, Quality Committee Chair**

Ros reported on recent Quality Committee meetings: she said that on behalf of the Board the Quality Committee had oversight of maternity improvement and she reported that good progress was being made here. Ros then highlighted some of the key areas that the Committee received reports on and topics discussed, these included Infection, Prevention and Control; oversight of the CQC Action Plan; the timeframe for investigating and closing Never Events and Serious Incidents; the challenges of recruiting to some mental health posts and a presentation had been received from the Geriatric and Stroke Medicine Mortality Meetings. Ros said that the Committee also undertook deep dives and was investigating falls.

The following points emerged during discussion:

Paulette Afflick-Anderson asked whether there was any learning from the Geriatric and Stroke Medicine Mortality Meetings that could be shared across the Trust. Ros said that they were focusing in detail on their processes and they were learning from incidents, shared learning was not currently easy to identify.

Jim Steinke asked whether moving quality monitoring from NHS England to the Integrated Care Board would impact on the Quality Committee. Ros did not believe it would make any difference.

Sheila Reynolds queried the ratio of falls to bed days. Ros said that the information being collected was very useful and the Operational Falls Group was investigating this alongside reports received following QUEST visits.

Martin Hodgson queried whether the absence of observers, including Governors, from the Quality Committee had permitted a freer dialogue. Ros did not feel able to comment.

#### **Tony Buckham, Finance and Performance Committee Chair**

Tony said that the Committee looked at Finance, Operational matters and Infrastructure. There had been an in depth discussion about IT infrastructure and cyber security in December. In January the Committee had looked at the remit of the Use of Resources Group. In February, with reference to the Board Assurance Framework, there had been a

deep dive into infrastructure; quarterly reports from Estates and from Procurement had been received.

In relation to the Orthopaedics developments Sheila Reynolds asked whether there would be any cost savings from not contracting work out to the private sector. Tony said that in time there would be savings.

### **Shiella Wright, People Committee Chair**

Shiella reminded Governors that the People Committee used to be known as the Human Resources and Organisational Development Committee. She said that the Committee had recently discussed staff sickness levels; significant work was being undertaken on widening access; workforce redesign and national workforce planning. With reference to the Board Assurance Framework a deep dive had been carried out into the risk "Failure to Recruit" and the Committee had noted that vacancies were being more regularly promoted/circulated internally.

The Committee received frequent reports on Freedom to Speak Up and following some concerns expressed about the new structure this was being reviewed. The Committee had also noted that the new FTSU Lead was now in post. An evaluation of the reciprocal mentoring scheme had been undertaken with 97% of those responding recommending the scheme.

These points emerged during the discussion that followed:

Steve Barks asked about provision of care for staff with long Covid and whether this was being treated as PTSD. Shiella said that all staff, and their families, had access to the VIVUP service.

Joe Saverimoutou asked about staff sickness levels and queried whether work was causing staff illness. Shiella noted that there could be many factors and she also considered this to be a wider public health issue.

### **Rosamond Roughton – on behalf of John O’Kane Audit Committee Chair**

Ros reported that the Audit Committee had received reports from Counter Fraud and Internal Audit and had agreed the process for signing off the Report and Accounts.

There were no questions from Governors on the Audit Committee

### **Annette Laban – Acute Federation Chair**

Annette highlighted recent discussions: agreement had been reached on a fair method of funding of the Acute Federation’s infrastructure and updated delivery plans for the current year had been agreed. A risk register and a dashboard were being developed. Gavin Boyle, Integrated Care Board CEO, had delivered an update on the ICB.

There were no questions from Governors on the Acute Federation.

## **COG/23/23**

### **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/23/24

Date of Next Meeting

20 June 2023

Signed:  
Chair

A Ldhan

Date: 27/6/23

