



Minutes of the Meeting of the COUNCIL OF GOVERNORS
held on Tuesday 21st March 2017

in Seminar Room 1, Clinical Skills Centre, R Floor, Royal Hallamshire Hospital

PRESENT: Tony Pedder (Chairman)

PATIENT AND PUBLIC GOVERNORS

Mick Ashman	Martin Hodgson	Kath Parker	John Warner
Jennifer Booth	Joyce Justice	Harold Sharpe	Michael Warner
George Clark	Jacque Kirk	Sue Taylor	Nev Wheeler
Sally Craig	Ian Merriman	Graham Thompson	
Peter Hewkin	Lewis Noble		

STAFF GOVERNORS

Dylan Caffell	Cath Hemingway	John West	Irene Mabbott
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PARTNER GOVERNORS

Paul Corcoran

IN ATTENDANCE

Tony Buckham	Non-Executive Director
Andrew Cash	Chief Executive
Sandi Carman	Assistant Chief Executive
Sue Coulson	Business Manager, Board of Directors (Minutes)
Mark Gwilliam	Director of Human Resources
David Hughes	Deputy Medical Director (Deputising for David Throssell)
Kirsten Major	Director of Strategy and Operations
Chris Morley	Deputy Chief Nurse (Deputising for Hilary Chapman)
Jane Pellegrina	Foundation Membership Manager
Neil Priestley	Director of Finance
Tracey Scotter	Informatics Director (item COG/16/37(a))
Nicki Doherty	} Members from Sheffield Clinical Commissioning Group and the STH Primary and Community Services Directorate (item COG/17/05)
Iolanthe Fowler	
Anthony Gore	
Tim Moorhead	
Marion Sloan	

APOLOGIES - GOVERNORS

Georgina Bishop	Amanda Forrest	Spencer Pitfield	Sarah Williamson
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APOLOGIES - BOARD MEMBERS

Hilary Chapman	Chief Nurse
Annette Laban	Non-Executive Director
David Throssell	Medical Director

OBSERVER

1 observer

COG/17/01

Declarations of Interest

There were no declarations of interest.

COG/17/02

Minutes of the Meeting of the Council of Governors (COG) held on 6th December 2016

The Minutes of the Meeting of the COG held on 6th December 2016 were agreed and signed by the Chairman as a correct record.

The Chairman mentioned that he had picked up from the notes of the Governors Forum that Governors would like slightly fuller minutes. He explained that there was balance in producing minutes which were too lengthy and those which captured the substance of the meeting. He asked Governors to notify the Secretariat if there was anything that they specifically wished to be included in the minutes.

Peter Hewkin reported Governors were still experiencing problems accessing the Trust's Guest WiFi (Minute Ref COG16/36). Jane Pellegrina to review with Governors.

Action: Jane Pellegrina

COG/17/03

Matters arising

(a) Junior Doctors' update

(COG/16/35(a)) The Director of Human Resources reported that the new contract had been accepted and that the Trust was now in a transition period where junior doctors were moving across onto the new contract. He highlighted the following points:

- When the new intake of junior doctors commenced in August 2017 they would all be appointed on the new Terms and Conditions and contract.
- To support the organisation in the transition period it had hosted meetings to help new doctors settle into the organisation at which the Head of Medical Personnel explained the contract.
- Pastoral support had also been provided to staff.
- The Trust had also appointed a Guardian of Safe Working and established a Junior Doctors Forum which met on a monthly basis.
- The Trust had arranged three Listening into Action (LiA) events on 28th and 29th March and 11th April 2017 which would be attended by the Chief Executive, Medical Director and the Director of Human Resources.
George Clarke queried whether junior doctors would be able to be released from their duties to attend the LiA events. The Director of Human Resources reported that the timing of the events had been carefully considered and had been arranged in the early evening (5.30 pm to 7.00 pm) at a time when staff on rotation should find it possible to attend.

The Chief Executive stated that he would be asking junior doctors to identify what their top five concerns were and to work them up into an action plan.

(b) Short Term Intervention Team (STIT) Service

(COG /16/35(b)) The Chief Executive explained that he would provide an operational update and then a more strategic update in the light of the recent budget announcement.

The Chief Executive reported that operationally, since December 2016, the Trust had continued to find the position extremely challenging. The Sheffield City Council was currently providing 68 packages of social care per week which was below the agreed level. As a result, the Trust has employed staff to undertake some of the STIT work.

In terms of the strategic update, he reported that additional funding had been allocated for social care in the recent budget announcements.

The Chief Executive reported that the Sheffield Clinical Commissioning Group was as equally as determined as the Trust to improve the capacity of STIT.

The following points were raised during discussion:

- John Warner queried whether the Trust had seen any impact of nursing staff from overseas leaving the Trust as a result of Brexit. The Deputy Chief Nurse reported that the Trust did not employ a significant number of nurses from overseas. The Trust working in partnership with NHS Professionals had employed about 40-50 nurses from Spain and Romania who had settled in Sheffield and there was no evidence to suggest that there had been a change in leaving rates. He explained that the Nursing and Midwifery Council had made some changes to their regulations regarding the standard of written and spoken English and that was having a much bigger impact than Brexit.
- Mick Ashman asked if the Trust had any leverage to improve the resilience and performance of STIT. The Chief Executive stated that this needs both strategic and operational responses from the system. The new monies would be a key component to stabilising the system and there consideration was also being given to structural issues such as a closer alignment between the STIT and CICS (NHS) Services.

(c) Update on position regarding Apprentices

(COG/16/36 (d ii)) The Director of Human Resources reported that, further to discussions at the last meeting, he had discussed the reduction in electrical tradesman with the Engineering Team. He explained that it was extremely difficult for the Trust to pay competitive rates which compared to the external market as far as this group of tradesmen were concerned. However it had been agreed that five new posts would be graded on Band 5 Agenda for Change (£29,000).

Ian Merriman asked if the Director of Human Resources was confident that the new banding would succeed in attracting this group of staff to the organisation. The Director of Human Resources said that the new banding was a start and he was hopeful that it would help to attract new staff and to retain newly qualified staff.

Governors highlighted that the Estates Department had been nominated for a Facilities and Estates Management award.

(d) Cyber Security – level of testing of Trust’s Systems

(COG/16/37 (a)) Tracey Scotter, Informatics Director, was in attendance and gave a short presentation (copy attached to the minutes) to update Governors on the cyber security risks the Trust faced and the action being taken to protect the Trust from such risks.

During discussion Governors raised the following questions:

- Peter Hewkin asked if the colour coding was based on severity or the risk probability or was it a combination of the two. The Informatics Director explained that it was the two put together.

COG/17/04

Governors’ Matters

(a) Notes of Governors’ Forum Meeting held on 21st February 2017

Kath Parker referred to the Notes of the Governors’ Forum Meeting held on 21st February, 2017 and highlighted the following points:

- Governors discussed the minutes of COG meetings and requested that the names of Governors who raised questions be included in the minutes together with the response received. The reason for that was the COG meetings were public meetings and the minutes were a point of reference where Trust members could see what issues Governors were raising/challenging.

Action: Sandi Carman/Sue Coulson

- Governors were pleased that the Chairman and Annette Laban would be attending the pre-Forum hour in May and November 2017.
- The COG Nominations and Remuneration Committee had agreed to reappoint Annette Laban and Martin Temple, Non-Executive Directors, without the need to go through a competitive selection process as per the Trust Constitution/Standing Orders. Both Annette and Martin were coming to the end of their first four year term of office on 30th June 2017.
- Governors had received a presentation on Informatics on 30th January 2017 which covered a range of issues including Lorenzo. Governors had found the presentation extremely informative. A further update was planned for June 2017.
- A small group of Governors were reviewing the following documents:
 - Governors’ Code of Conduct
 - Protocol for Observing at various meetings
 - Governor Role Description
- Governors raised the issue of the long standing vacancies for Appointed Governors and felt it was important that those vacancies were filled. The following vacancies existed:

Sheffield City Council – two seats
University of Sheffield – one seat
Sheffield Hallam University – one seat

The Chairman thanked Governors for their feedback which was generally positive and was much appreciated.

(b) Update from Council of Governors' Nominations and Remuneration Committee

George Clark gave an update from the meeting of Nominations and Remuneration Committee held on 18th January 2017 and highlighted the following points:

- The following Governors had resigned from the Committee:
 - Nicola Smith – Appointed Governor
 - Craig Stevenson – Staff Governor
 - Chris Monk – Staff Governor
- The following Governors had agreed to sit on the Committee:
 - Amanda Forrest – Appointed Governor
 - Cath Hemingway – Staff Governor
 - Irene Mabbott – Staff Governor
- John Warner and George Clarke were coming to the end of their terms of office and were due to step down from the Committee on 30th June 2017. The process to replace them had commenced and the Chairman had requested expressions of interest from Public and Patient Governors to join the Committee. To date one expression of interest had been received.
- As mentioned earlier in the meeting, the Committee had discussed whether or not to reappoint, without the need to go through a competitive selection process, Annette Laban and Martin Temple who were coming to the end of their first four year term of office on 30th June 2017. The Committee unanimously agreed to reappoint both of them due to the value they brought to the organisation. That action was supported and approved by the Council of Governors.
- The Chairman would undertake the annual appraisal of the Non-Executive Directors and at the same time as the Nominations and Remuneration Committee undertook the annual appraisal of the Chair.

(c) Governors' Visit/Presentation Reports

(i) Report on Visit to Estates Department - 4th November 2016

The COG **RECEIVED** and **NOTED** the report on the visit to the Estates Department on 4th November 2017.

The Chairman asked if Governors' visits were being organised as they would wish. Kath Parker confirmed that the arrangements for visits were satisfactory.

COG/17/05

Governors' Open Forum Discussion

(a) Primary Care Strategy for Sheffield

Representatives from the Sheffield Clinical Commissioning Group the Primary and Community Services Directorate were in attendance and gave a joint presentation (copy attached to the minutes) on the Primary Care Strategy and Out of Hospital Care.

The presentation focussed on the work being taking forward to better integrate Hospital and Primary Care Services and to enable people to be less reliant on the NHS and to give them the ability to solve some of their problems themselves.

The Chairman commented that both organisations had good staff who all wanted to do the right thing but last year there were a number of challenges that meant that patients' discharges from hospital were delayed. He emphasised that it was important that both organisations worked together to resolve the matter.

Tim Moorhead felt that demand had increased and there was not enough funding available in the system. He also stated that he shared the Chairman's concerns about the way Social Services responded to the problems that arose last year but felt that there was a range of reasons why that situation suddenly occurred.

It was agreed that it was crucial that both organisations focus on developing the partnership and an increased understanding of each other's difficulties.

The Chairman emphasised that he wanted Sheffield to be a role model and it was vital that the problems were resolved in the next twelve months.

The following points were made during discussion:

- Governors felt it was an excellent presentation although the abbreviations used were a little confusing.
- The range of deprivation across the city illustrated the challenge ahead and the issues were much wider than what secondary and primary care services were able to deal with. It was noted that the Sheffield CCG was working with neighbourhoods to make sure that services were provided for their population.
- The plan to further integrate services was the right direction of travel.
- Michael Warner asked how much funding was spent of prevention. The response was that most of the work on prevention came under the Public Health Department but primary care supported that work.

The Chairman thanked the attendees for coming and for a detailed presentation and invited them back to provide an update in progress in 2018.

Action: Sandi Carman/Jane Pellegrina

COG/17/06

Chief Executive's Report

(a) **South Yorkshire and Bassetlaw Sustainability and Transformation Plan (SY&BSTP)**

The Chief Executive briefed Governors on matters relating to the SY&BSTP and the Sheffield Place Based Plan and Working Together. He highlighted the following points:

- One of the aims of the Sheffield Place Based Plan was to address inequality of access to health services across its population.
- A sustainable services exercise would be undertaken across the seven hospitals in order to identify which of the clinical services may not be sustainable in the future.

- A Commissioning Review would be undertaken.
- A Memorandum of Understanding would be drawn up by the end of April 2017 which would be discussed with Governors.

Action: Sir Andrew Cash

The Chief Executive reported that a report on the Five Year Forward View - Next Steps drafted by NHS England and NHS Improvement would be published on 28th March 2017. The report outlined progress on the ambitions set out in the original Five Year Forward View published in October 2014 and also set out what still needed to be achieved over the next two years and how that would be achieved. Governors raised the following questions

- Peter Hewkin asked whether there would be the same number of Clinical Commissioning Groups and whether there would be fewer Trusts carrying out emergencies? The Chief Executive stated that after the next Election there may be a Bill that would change the way of working from one of competition to collaboration. He also envisaged that there would be a small Commissioning Office for Sheffield.
- Ian Merriman asked about the purchasing of drugs and whether the Trusts working together would have more purchasing power. The Chief Executive reported that the seven hospitals in Working Together had been working together for the last two years to secure better deals on procurement for a number of supplies. There had been considerable success in that area to date.

(b) Trust Operations

- (i) Electronic Patient Record – Mrs. Tracey Scotter, Informatics Director gave a brief update on the Electronic Patient Record by way of a presentation.

The Director of Strategy and Operations briefed Governors on a matter which was discussed in the March 2017 public Board meeting.

Created Not Printed Issue (Lorenzo) – It was identified by chance in August 2016 that the design of Lorenzo had enabled users to create, but unknowingly, fail to print letters in Lorenzo. The Trust took the following immediate action:

- Looked at patients whose appointments date had passed and had not received a formal notification
- Compiled a list of those patients with dates
- Reviewed all the letters that were generated and not sent
- Worked with CSC on resolving the problem
- Alerted other users of Lorenzo of the problem.

Following detailed analysis the Trust identified a total of 14,588 patient records who could potentially have been affected through non-receipt of a communication to book health care activity. That failure created two potential risks:

- patients not receiving health care they need; and
- the organisation would have inadvertently closed some referral to treatment pathways due to non-response or non-attendance.

All 14,588 patient records have now been reviewed and details of the action taken and the number of patients identified at each stage was reported.

CSC (supplier of Lorenzo) applied a tactical fix in Lorenzo on 16th November 2016 to stop the issue and local processes were put in place to ensure that should the problem recur it would be identified immediately.

Now that the review had been concluded the next steps were:

- to have a detailed discussion with the ophthalmology patient where the delay may have contributed to a deterioration in the vision in one eye.
 - to enter into discussions with CSC and NHS digital regarding the issue and to prevent it from happening again.
 - The Data Quality Team were working with the IT Trainers, to identify and contact all staff members who had 'created and not printed' letters to confirm that they were following the standard operating procedure correctly and no outstanding training requirements remain.
Review performance impact with
- (ii) Update on New Cancer Breach Allocation Rules – The Director of Strategy and Operations reported that the Trust continued to work closely with District General Hospitals regarding late referrals which the Trust continued to receive.
- (ii) Infection Control – The Deputy Chief Nurse gave a brief verbal update on infection control matters and reported that the Trust was experiencing the normal winter issues relating to Flu and Norovirus.
- (c) Integrated Performance Report (IPR) – the IPR was taken as read and no specific questions were raised.
- (d) Awards and Events – The Chief Executive reported that the Trust had won and been shortlisted for a number of national and regional awards over the last few months. Four teams had been named as finalists in the HSH Value in Healthcare Awards as detailed in his report. The winners of the HSH Awards would be announced on 24th May 2017.

COG/17/07

CQC Action Plan

The Assistant Chief Executive referred to the paper circulated with the agenda papers (enclosure E) which set out the new reporting format for the Care Quality Commission (CQC) Action Plan progress reports. She explained that the Chair of the Healthcare Governance Committee had felt it would be helpful for Governors to see the full Action Plan.

The following points were highlighted:

- The new reporting format provided 'at a glance' information focussing on issues of most importance.
- The report provided 'drill down' options to view the more detailed supporting data.
- A new repository for the collation of quarterly progress reports against CQC actions was being established which would enable information to be collected in the new reporting format and to transfer easily into the report.
- The full action plan was reviewed and monitored by the Healthcare Governance Committee.

Governors noted the new CQC Action Plan reporting format and pointed out that Action Point 4 – Nurse Staffing (on Page 1) was not colour coded.

COG/17/08

To Note

(a) **Report on 2017 Elections to Council of Governors**

The Membership Manager referred to her report (Enclosure F) circulated with the agenda papers which provided details of the seats coming up for election in the next few months and the timetable to be followed.

(b) **Final Operational Plan 2017 – 2019**

The Director of Strategy and Operations reported that the copy of the Operational Plan 2017-19 circulated with the agenda papers(Enclosure G) was the final version and had been submitted to NHS Improvement.

(c) **Quarterly Complaints and Feedback Reports**

The Council of Governors **RECEIVED** and **NOTED** the Quarterly Complaints and Feedback Reports for the following periods:

- Period: April to June 2016
- Period: July to September 2016

Harold Sharpe felt it would be helpful if the subject matter of complaints could be identified in the report as that would help to identify any trends and where to target efforts for improvement. The Deputy Chief Nurse explained that the Trust did look at the subject matter of complaints in order to identify any emerging themes and outlined the table on Page 13 of the reports which set out the top ten subjects/themes raised in formal complaints by Care Group.

The Deputy Chief Nurse welcomed feedback on ideas for improvement.

COG/17/09

Any Other Business

(a) **Governors holding Non-Executive Directors (NEDs) to Account**

Peter Hewkin raised the issue of NEDs attending COG meetings which would provide an opportunity for Governors to interact with more frequently with NEDs and see how they worked.

The Chairman explained that it was not a requirement for NEDs to attend COG meetings but that there were other opportunities for Governors and NEDs to observe each other and interact including Board meetings and Committees..

The Chairman explained that NEDs appraisal should be based on their contribution in Board meetings, Board Committee meetings and elsewhere across the Trust.

(b) **Staff Survey**

The Director of Human Resources reported that the results of the Staff Survey had been published and he had held a briefing for Governors on 20th March 2017. He reported that the staff engagement score of 3.82 was up on last year's score of 3.72 and was better than the national average of 3.79.

Sally Craig thanked the Director of Human Resources for his excellent presentation on 20th March 2017.

(c) Freedom to Speak Up Guardians

It was noted that Cath Hemingway and Irene Mabbott had been appointed Freedom to Speak Up Guardians and arrangements had been made for them to meet with the Director of Human Resources on a monthly basis to review the performance of the Trust and how it could involve Advocates across the organisation.

It was important to note that Freedom to Speak Up Guardians did not replace the Trust's normal arrangements for raising concerns but were seen as an integral part of the whole process.

COG/17/10

Date of next Meeting:

The next meeting of the Council of Governors would be held at 5.00 pm on Tuesday 27th June 2017 in the Undergraduate Common Room, Medical Education Centre, Northern General Hospital.