

Board Part 1

DRAFT Minutes of the Trust Board meeting held on Thursday 27 April 2017, at 2pm at the Unison Centre, 130 Euston Road, London NW1 2AY

Present:	Marie Gabriel	Trust Chair
	Millie Banerjee	Non-Executive Director
	Ken Batty	Non-Executive Director
	Paul Calaminus	Chief Operating Officer
	Kevin Cleary	Chief Medical Officer
	Steven Course	Chief Financial Officer
	Mary Elford	Non-Executive Director
	Navina Evans	Chief Executive Officer
	Mason Fitzgerald	Director of Corporate Affairs
	Paul Hendrick	Non-Executive Director
	Jenny Kay	Non-Executive Director
	Kingsley Peter	Non-Executive Director
	Robert Taylor	Non-Executive Director
	Jonathan Warren	Chief Nurse and Deputy Chief Executive
	Mohit Venkataram	Director of Commercial Development
	Stefan Priebe	Board Academic Adviser (non-voting)
 In attendance:	Steve Gladwin	Associate Director of Communication and Engagement (Interim)
	Elizabeth Holford	Corporate Minutes Taker
	Ahmad Khouja	Deputy Medical Director and Senior Clinical Director Forensic Services, Tees, Esk and Wear Valleys NHS Foundation Trust (shadowing Navina Evans)
	Nicola McCoy	Corporate Secretariat Manager
	Shirley Biro	Public Governor
	Zara Hosany	Public Governor, Deputy Chair of Council of Governors
	Keith Williams	Public Governor
	Rosamund Mykura	Newham Save Our NHS
 Apologies:	None	

The minutes are produced in the order of the agenda

1 Welcome and apologies for absence

1.1 The Chair welcomed everyone to the meeting and particularly Paul Calaminus, Chief Operating Officer, to his first Board meeting. She also welcomed Dr Ahmad Khouja, Deputy Medical Director and Senior Clinical Director Forensic Services of Tees, Esk and Wear Valleys NHS Foundation Trust who was observing the meeting.

1.2 There were no apologies for absence.

2 Declarations of Interest

2.1

- Mary Elford declared an interest in health education policy matters as she is

a Non-Executive Director of Health Education England.

- Dr Mohit Venkataram declared an interest as Chief Executive of Newham GP Federation.

3 Patient Story

3.1 The Chair welcomed Andrea who had offered to share her experience of working with the complaints team to improve the trust's processes and reduce bureaucracy. Andrea highlighted:

- Involvement in complaints processes internationally, nationally and locally shows common factors that affect the well-being of service users.
- The key to resolving complaints well is to base the process on human interaction and compassion.
- The aim of the complaints process should be to transform the original negative event into a positive one through care and understanding.
- Drop-in sessions for patients to talk about their complaint and resolve them there and then, are a promising development.

3.2 The Board noted the following:

- ELFT is involving service users in writing complaints responses. Andrea had not yet had personal experience of this but would support it.
- ELFT is seeking to improve complaints responses by asking Directorates to take a lead and service managers to work with service users to find the best way forward. This will reduce bureaucracy.
- ELFT is changing the culture of how complaints are dealt with, looking at when and how apologies should be made (according to the individual circumstances of service users) and avoiding formal investigations if not helpful.

3.3 The Chair thanked Andrea on behalf of the Board for her excellent insights and suggestions and for the time she has selflessly put into improving the complaints process. Board members looked forward to viewing the video Andrea had compiled.

4 Minutes of the previous meeting held in public on 23 February 2017

4.1 The Board APPROVED the minutes of the meeting held on 23 February 2017 as an accurate record subject to the following amendments:

- Page 1, page 3 (6.1), and 11 (20.1): Correct the surname of Zara Hosany (recorded in error as Hussein)
- Page 3, 6.1: Amend to read: 'The Board joined the Chair in warmly congratulating Zara Hosany, Deputy Chair of Council of Governors, for being awarded a Doctorate'
- Page 6, 8.1: Insert definition of "institutional death" to provide clarity for the public.
- Page 11, 14.1, third bullet point: Rephrase to state: The staff survey 2016/17 shows that 51% of staff feel the appraisal process is worthwhile. The new approach which includes a section on values has had good feedback so future results are expected to be improved.
- Page 11, 15.1, fourth bullet point: correct sentence to state '360 degree appraisal'.

5 Action Log and Matters Arising from the Minutes

5.1 Matters arising:

- Page 4, 6.4: With reference to the funding for the Bedfordshire employment service, the Director of Commercial Development advised that discussions continue.
- Page 7: 9.1, The Chief Nurse advised that discussions with Health Education England with regard to nurse funding of salary support continue.

6 Chair's Report

6.1 The Chair summarised points to note from the recent Council of Governors meeting as follows:

- Governors welcome implementation of integrated care but commented it requires resources and good partnership arrangements.
- A recent Open Governors Forum had suggested extension of governor terms and the Council had initial discussion about governors being able to serve three terms. Amendment to the Constitution will be required and it will be considered by the Council in July and the Board in September 2017.

6.2 The Chair reported that, as recommended by the Well Led Board Review, Non-Executive Directors have established a programme of visits. Kingsley Peter and Paul Hendrick gave a verbal report, commending the good practice evident in the Newham Adult Mental Health services which they visited. Mary Elford also reported on her productive visit to the inpatient wards at Luton and Bedford and to her visit with the Chair to Newham community services.

6.3 Other Chair's activities highlighted included:

- Welcoming Tower Hamlets community staff to the Trust in April 2017
- QI conferences in March 2017 and hosting an Experience Day as part of the 2017 International Forum on Quality and Safety.
- Thinking about what the NHS 'Five Year Forward View Next Steps' might mean for ELFT and how to engage staff, service users and Governors in taking this forward.

6.4 The Chair sought Board's approval for consultants selected for appointment by the Advisory Appointments Committee. In discussion, the Board noted with concern the declining number of applicants for consultant posts relating to care for elderly and CAMHS, acknowledging that this is a systemic issue for which Health Education England is producing a strategy in June 2017.

6.5 The Board **RECEIVED** the report and **APPROVED** Chair's action in appointing the following three consultants: Dr Sangeetha Kolli, Dr Sanjay Nelson, Dr Sally-Ann Porter.

7 Chief Executive's Report

7.1 In presenting her report, the Chief Executive highlighted the following key activities and developments since the last Board meeting:

- The QI conferences in Bedfordshire and East London in March 2017 showed the positive impact of innovation across a range of services.
- Community health services have been strengthened – ELFT welcomed 270 community health staff in Tower Hamlets transferring from Barts Health NHS

Trust.

- The staff survey results show positive findings but also areas for improvement; a separate item was later on the agenda
- Award of a global research grant to Professor Stefan Priebe, building on links with a Uganda health provider.
- Consultation in relation to the Newham Acute Day Hospital has been reviewed by the primary care team. Feedback from stakeholders indicated that transport to the day service base is important.

7.2 The Board noted that Lord Carter's report on operational productivity in community and mental health will be brought to the Board once published.

7.3 The Board joined the Chair in congratulating Professor Stefan Priebe on the research award.

7.4 The Board **RECEIVED** and **NOTED** the report

8 Staff Survey Results

8.1 The Director of Corporate Affairs presented the highlights of the Trust's results in the National Staff Survey and the framework for further improvement. In discussion, the following comments were noted:

- ELFT achieved the top staff engagement score of any mental health and community trust, and the top score in the country on 10 indicators.
- ELFT does less well on levels of violence and aggression experienced by staff, concerns about career progression and discrimination. Scores vary across directorates.
- ELFT's approach to improvement is to focus on a small number of issues relevant to staff and to link with QI projects.
- The four actions already put in place by the executive team to address issues are: Executive walkabouts to find out what matters to staff; creating a 'thank you' culture; time for team reflection; developing inclusive leadership.
- 3,694 comments on discrimination have been analysed.
- Qualitative analysis suggests that "overbearing supervision" feels like harassment.
- Violence is being addressed via a QI project.
- Work is taking place to learn from the teams in which a high proportion of staff feel the Trust is a good place to work, so that the positive conditions can be replicated.
- Work is also taking place to learn from Trusts who are 'ahead' of ELFT.
- A "reverse mentoring/straight allies" approach may be valuable.
- Persisting culture differences between different parts of the Trust, two years after merger, may be a factor in variation in scores.
- The Board has strong concerns that some issues (violence, feeling of discrimination in career progression) have persisted for 2-3 years and that, on the face of it, interventions are not working. Ineffective interventions need to cease (based on month on month evaluation).
- Emerging findings from narrative responses from staff, and other analysis, indicate that lack of posts is the main barrier to career progression.
- The staff survey action plan will be brought to the Board in June.

ACTION: Mason Fitzgerald

8.2 With the above comments, the Board **NOTED** the report.

9 Quality Report

9.1 The Chief Medical Officer introduced the report and invited Board comments. The following key points were noted from the discussion:

- The tragic unexpected deaths of three children who had complex conditions.
- An increase in use of prone restraint which, whilst non-statistically significant, requires continued scrutiny in line with ELFT's aspiration to eliminate this practice. Assurance is required with regard to the percentage of people subject to prone restraint who have learning disabilities.

ACTION: Jonathan Warren

- The number of staff leaving Luton and Bedfordshire services and the appraisal figures are of concern. These are being addressed and updates are included in the Performance Report.
- Work will be undertaken with staff teams to determine how they view quality control, quality assurance and quality improvement as relevant to their role and to quality of care for service users.
- With regard to discharge of service users, the Board was advised that not turning up at an appointment did not automatically lead to discharge. Each case is considered individually.

9.2 With the above comments and actions agreed, the Board **NOTED** the report.

10 Safe Working Hours Doctors and Dentists in Training: 1 February – 23 March 2017

10.1 The Chief Medical Officer presented the first report to the Board from the Guardian of Safe Working for doctors in training.

The Board noted the following main points:

- Although there have been no exceptions to safe working hours to date, the national shortage of doctor applicants may be a future risk for ELFT.
- It will take 15-20 years for recent government investment in two medical schools to yield results. Recruiting doctors from overseas is a traditional option; more radical options are being considered as part of ELFT's workforce planning.

10.2 The Board **RECEIVED** and **NOTED** the report.

11 Strategic Activity Update

11.1 The Director of Corporate Affairs provided an update on progress with the Sustainability and Transformation Plans (STPs) and sought the Board's approval to the revised Partnership Agreement of the North East London STP. The following points were noted and action agreed:

- The Partnership Agreement would not be legally binding.
- Concerns remain about the arrangements for first-hand service user involvement via the Community Group which is restricted to nominating only two representatives to the Partnership Board.
- There is a risk that nominees from national charities may dominate to the detriment of local voices.
- ELFT cannot approve the Partnership Agreement unless revisions are made

to the Community Group arrangements to ensure nominees to the Partnership Board are service users with first hand local experience of services.

- The Partnership Agreement should be amended to include reference to input of Foundation Trust governors and Housing Associations.

ACTION: Mason Fitzgerald

11.2 Subject to the above comments and amendments, the Board **APPROVED** the North East London Partnership Agreement.

12 Update on the People Participation Strategy

12.1 The Head of People Participation updated the Board on progress with the People Participation Strategy. The Board noted and commented on the following aspects:

- The People Participation strategy is currently being updated.
- The range of involvement activity, succinctly presented, is to be commended.
- The proposed eight priorities are supported by the Board.
- There are differences in approach and in scale of activity in East London and Bedfordshire and Luton. These reflect the stage of development of People Participation Involvement activities and the 'bottom up' principle crucial to effective engagement work.
- The Trust will also publish a report on its approach to service user involvement and how and why it works.

12.2 The Board **RECEIVED** and **NOTED** the report.

13 Finance Report Month 12

13.1 The Chief Financial Officer provided an overview of finances as at 31st March 2017.

The Board noted main points, and commented as follows:

- The net surplus of £4.7m is below the Control Total (£11.7m) resulting in a combined risk rating of "2". The risk rating is disappointing because it arises from the high control target set for the Trust by NHS Improvement compared to other Trusts. The year-end position is however in line with the revised forecast submitted to NHSI in September.
- Income variance of £2.2m relates predominantly to under recovery of non-contractual activity income.
- Expenditure was overspent by £4.8m, with significant slippage on delivery of CRES schemes in year.
- Over-achievement on overseas income is explained by implementation of systems put in place over the last 2-3 years.
- Difficulties in keeping within the cap for spending on agency staff (£5m over the £12.8m cap) are unlikely to abate for the foreseeable future as national factors are in play.
- Executive Directors are to be congratulated for meeting some challenging targets.

13.2 The Board **RECEIVED** and **NOTED** the report.

14 Performance and Compliance Report

14.1 The Director of Commercial Development provided an update on performance and compliance. The main points noted were:

- Most targets have been achieved.
- The relatively low figures for 'primary diagnosis – inpatient' (data quality) are explained by the fact that these figures are not entered on RIO.
- Presentation of data in score cards and dashboards is welcome, though run charts still have insufficient runs of data to provide assurance.
- There are two tests that determine whether an indicator is used for performance purposes – is it used at directorate level and do they find it useful?
- The Board Assurance Framework is to be refreshed.
- The current commercial model used for the Flu update to be considered for future similar targets.

ACTION: Paul Calaminus

14.2 The Board **RECEIVED** and **NOTED** the report.

15 Workforce Report

15.1 The Board **RECEIVED** and **NOTED** the report.

16 Criteria for discussing confidential business in private

- 16.1 The Board **ENDORSED** the principles for business to be discussed in private, subject to:
- Adding specificity to criterion ii (types of confidential information) that this applies to both staff and patients;
 - Indicating the nature of duties to third parties
 - Clarifying the status of whistleblowing cases and reporting themes to the Part 1 meeting

17 Review of Committee Terms of Reference

17.1 The Board **APPROVED** revised terms of reference for the Appointments and Remuneration Committee, the Quality Assurance Committee and the Finance, Business & Investment Committee.

The Board **NOTED** that the terms of reference for the Audit Committee had been reviewed and remain unchanged and that those of the Mental Health Act Committee and the People Participation Committee will be brought to the Board at a later date.

18 Reporting Committees

- **Audit Committee Chair's update from meeting held on 17 January 2017**
- **Public Participation Committee approved minutes from meeting held on 15 December 2016**
- **Quality Assurance Committee approved minutes from meeting held on 6 February 2017**
- **Quality Assurance Committee Chair's update from meeting held on 3 April 2017.**

18.1 The Board **NOTED** the contents of minutes from reporting committees

19 Any Other Urgent Business

19.1 There was none.

20 Questions from the Public

20.1 Zara Hosany, Deputy Chair of Council of Governors

- Question on consultation on changes at Weller House.
Response: The nature and scale of change do not meet the criteria for public consultation.
- Question on bullying and harassment initiatives – are people advised that this is unacceptable?
Response: yes, unacceptability of this behaviour is core to organisational culture and backed up by management intervention.

20.2 Keith Williams, Public Governor

- How will staff be kept informed about changes at Charter House?
Response: Project managers are being appointed. Their role will include communication with staff and sorting out who is going where, with plans firmed up over summer 2017.

20.3 Ros Mykura, Member of Public – Newham Save Our NHS

- With reference to paragraph 5.1 of the Chief Executive's report, is there a list of partners that ELFT is working with on integrated care?
Response: ELFT website provides information.
- Questions relating to minutes and papers that are not literally attached to agendas.
Response: Members of the public are asked to contact the Board secretary if they plan to attend Board meetings so that arrangements can be made to provide them with papers.
- With reference to lack of investment in mental health services, does the Board think there will be a higher budget or a reduction?
Response: This information is available from the CCG.

20.4 Martin, Member of Public - Newham Save Our NHS

- Question relating to the Tower Hamlets Parent and Carer Adviser team – is it not wasteful of investment to be cutting well-functioning teams?
- Response: changes are in response to requests from the CCG. ELFT has negotiated for improvements to what the CCG was suggesting, including asking for social work assessment for affected families before any changes are put in place.

21 Dates of Future Meetings

- Thursday 29 June 2017
- Thursday 14 September 2017
- Thursday 19 October 2017
- Thursday 14 December 2017
- Thursday 22 February 2018

The meeting closed at 4.45pm.