

Minutes of the 32nd Meeting of Sheffield Health and Social Care NHS Foundation Trust's Council of Governors held on Tuesday 8th July 2014 in the Mayfield Suite Trust Headquarters, Fulwood House, Old Fulwood Road, Sheffield S10 3TG

Council of Governors
7th October 2014
Item 3

Present:

Name	Governor Constituency	Name	Governor Constituency
Professor Alan Walker CBE	Trust Chair	John Kay	Lead Governor/Service User
Jean-Michel Bellas	Young Service User/Carer	Tina Levitt	Public SW
David Bussue	Appointed	Vin Lewin	Staff (Nursing)
Tyrone Colley	Service User	Enos Mahachi	Staff (Support Worker)
Dorothy Cook	Public SE	Dr Paul Miller	Staff (Medical & Clinical)
Joan Davies	Staff (Psychology)	Dr Abdul Rob	Appointed (PMS)
Cllr Roger Davison	Appointed	Sue Roe	Carer
Abbey George	Young Service User/Carer	Tamsin Ryder	Public SW
Cllr Adam Hurst	Appointed	Russell Shepherd	Service User
Elaine Hall	Staff (AHP)	Andrew South	Service User
Joan Healey	Appointed	Kate Steele	Service User
Sue Highton	Staff Side	Janet Sullivan	Appointed
Jules Jones	Public SE	Professor Peter Woodruff	Appointed

Apologies:

Name	Governor Constituency	Name	Governor Constituency
Afrah Alkheili	Public NE	Doug McCallum	Service User
Dan Creber	Staff (Social Work)	Lorraine Ricketts	Public NE
Ian Downing	Carer	Susan Rogers MBE	Non Executive Director
Sylvia Hartley	Public NW	Martin Rosling	Non Executive Director
Diane Highfield	Staff (Clinical Support)	Nev Wheeler OBE	Service User
Gill Holt	Carer		

In Attendance:

Name	Role	Name	Role
Clive Clarke	Deputy Chief Executive	Habiba Rob	Member
Anthony Clayton	Non Executive Director	Cllr Mick Rooney	Non-Executive Director
Chris Hall	Staff	Jason Rowlands	Director of Planning, Performance & Governance
Karen Jones	PA to Chair	Sam Stoddart	Membership Manager
Rosie McHugh	Board Secretary	Kevan Taylor	Chief Executive
Toby Morgan	Member	Mervyn Thomas	Non-Executive Director
Stephen Ripley	Member	Ian Warwick	Auditor

Minute	Item	Action
COG 32/1	<p>Chair's welcome and apologies</p> <p>The Chair welcomed everyone to the meeting and apologies were noted. The Chair extended a warm welcome to two of the new governors that were present; Enos Mahachi and Andrew South. The Chair also provided an update on recent governor changes. Sue Wood had sadly made the decision to resign due to ill health. Her position will be offered to another of the candidates who took part in the Public North West election. Three new governors have started; two</p>	

Minute	Item	Action
	appointed Sheffield City Labour Councillors (Cllr Adam Hurst was present and introduced himself) and Dani Hydes, Central Support Staff Governor. Elections are underway for two Service User Governors and the results will be announced on 11 th August. The Chair took the opportunity to remind the long standing governors present to return the appraisal questionnaires if not already done so. He also encouraged governors to attend the upcoming membership events at the Annual Wellbeing Festival on the 18 th July in Fargate and the Eid Festival at Millhouses Park on 3 rd August. For further information please contact Sam Stoddart.	All to note
COG 32/2	Declarations of Interest The Chair asked the members to make any declarations of interest known. The Non Executive Directors present declared an interest in items 9 and 10.	
COG 32/3	To receive and approve the minutes of the Council of Governors' meeting held on 8th April 2014 The minutes of the meeting held on 8 th April 2014 were agreed as correct.	Agreed
COG 32/4	Matters arising from the meeting held on 8th April 2014 The action arising from COG 31/1 had been completed by the Chair who had included a section on governor attendance in his monthly letter. On action arising from COG 31/9 the Chair provided a brief update on the recent independent investigation into overseas working which the Trust ended on 20 th April. The Chair explained the reasons for the investigations and that he now had the report findings. He gave a verbal summary but would table a paper at the next Council. He explained how, although the Trust had entered into these arrangements in good faith, the investigator had been asked to look at the way in which this work had been undertaken; the hurried nature in which it had been agreed and the lack of early notification to the Board. The investigator's job was to ascertain if there had been a breach in the Trust's constitution and financial standing instructions. The conclusion of the report finds no breach of the constitution. However, the Trust's financial standing orders had not been followed. Obviously the normal approval process was not adhered to and this is unacceptable. The Chair said he planned to meet with the Executive Directors and write formally to the Chief Executive to ensure steps are put in place to prevent this from happening again. A detailed paper will follow.	All to note
COG 32/5	To receive the Trust's Annual Report including Annual Accounts for the period 1st April 2013 to 31st March 2014 Copies of the Annual Report were received by governors. Kevan Taylor explained how all content was dictated by Monitor. Janet Sullivan asked if accessible summaries would be made available. Sam Stoddart said a summary would be available for the Annual Members Meeting on 22 nd September, 2014. The Chair asked that Council agree receipt of the Annual Report. This was duly received.	Received
COG 32/6	To receive the Trust's Annual Governance Report from the Auditors Ian Warwick, Manager at KPMG, the Trust's external auditors, attended to introduce two reports; the Annual Governance Report and the External Assurance on Quality Report (2013/14). Mr Warwick briefed everyone on the processes involved in producing these reports. He explained how the work carried out by his team of auditors was determined by Monitor and carried out in accordance with Auditor and Accounting Standards. Ian provided a brief overview of each of	

Minute	Item	Action
	<p>the reports highlighting any points of interest.</p> <p>Annual Governance Report – Ian explained that the report states that SHSC has adequate arrangements to ensure economy, efficiency and effectiveness in its use of resources. This is good news. It also states that the accounts are satisfactory. This too is good. Overall the Auditors found no matters to raise in the public interest. John Kay asked if the surplus formed part of the Auditors remit. Mr Warwick replied no, as long as any surpluses were reported. Paul Robinson expanded by adding that this was not the role of the auditor but is Monitor’s role to ensure that any surplus is used for reinvestment.</p> <p>The Chair asked the governors to accept receipt of the report and they agreed.</p>	Received
COG 32/7	<p>To receive the Trust’s External Assurance Report on the Trust’s Quality Report 2013/2014</p> <p>Mr Warwick explained how they carried out this work in line with written instruction from Monitor. The Trust is required to meet and include all requirements set out. The Auditors look at the report to ensure that it reflects all data accurately. Three indicators are selected (two mandatory chosen by Monitor and one local chosen by Governors):</p> <p>Mandated Indicator 1: Gate-keeping Figures were checked for accuracy and no matters were arising.</p> <p>Mandated Indicator 2: 7 Day follow up After looking at this reporting, two improvements were recommended. In future reporting needs to include all patients over 18 years of age including ‘older adults’ not just those in ‘adult’ specialties; the Trust must also revise the way it reports on same day follow-ups as day zero is not a correct indicator.</p> <p>Local Indicator 3: Average waiting times for people to be assessed within Community Mental Health Teams. This indicator was selected by the governors. The Auditors looked at the Trust’s two definitions for reporting on this indicator. One was found to be robust. However, the other highlighted that the Trust needs to make improvements to the systems and processes it uses to generate the data for this indicator and consequently, recommendations for improvement were raised.</p> <p>Overall, the Auditors opinion was a positive one.</p> <p>Peter Woodruff expressed his concerns on the limited scope of the report and asked how this was chosen. Ian reiterated that the reporting was standard and followed the same remit as every other Trust as pre-specified my Monitor.</p> <p>The Chair asked the governors to accept receipt of the report and they agreed. The Chair thanked Mr Warwick and his team.</p>	Received
COG 32/8	<p>Performance Report</p> <p>Copies of the monthly performance report (Month 2 – period to end May 2014) were distributed with the meeting papers. Jason Rowlands, Director of Planning, Performance & Governance, briefly ran through the report highlighting areas of interest. He informed Council of the recent changes and improvements to the report including graphs now showing information over a 2 year period and more</p>	

Minute	Item	Action
	<p>detailed analysis within the incident data. Future reports will contain benchmarking information. Jason explained the reasons for the apparent increase in bed occupancy levels within Older Adults. This is due to the approved reduction in the number of beds (from 44 to 30) which arose from the prolonged under occupancy and reduction in admissions. This is a positive indicator of the reduced need for inpatient care due to improved community support. On Care Programme Approach (CPA) reviews the target dropped slightly in May, but this was above 95% two weeks later and the service is on track to reach its target over the quarter. Jason drew attention to new dashboard information at the back of the report covering Community Mental Health Services and Inpatient Services. This has been included at the request of the governors and will continue to be developed and expanded to include more information and cover other services. A more in-depth presentation will be on the agenda at next Council of Governor meeting in October. Jason recommended that any governors who wished to raise issues could bring them to the Performance Overview Group meetings where they can be discussed in more detail.</p> <p>Referring to the reporting, Elaine Hall wished to draw attention to the referral data for community teams. She felt that this was not showing an accurate picture as key information is lacking. For example, a high number of referrals are wrongly referred. Jason agreed but explained how, by building relationships over time, the information would reflect and show what has happened.</p> <p>Peter Woodruff raised his concerns that the bed occupancy data was not the whole picture and that he and his colleagues regularly find it difficult to access beds when needed, especially on adult acute wards. It was his opinion that service users are only being admitted when they are extremely ill or under a Section leading to an un-therapeutic environment where the less ill don't want to be. He also wished to know what the Trust is doing to invest in inpatient acute services as he felt that there was chronic disinvestment in this area. Jason agreed that sometimes staff do raise concerns and that at times it is harder to find a bed. However, occupancy levels on adult acute wards are currently at about 97% compared with three years ago when they were at 110%. This reduction is very positive, reducing the need to send people out of Sheffield. Clive Clarke explained how the daily bed breakdown was routinely reporting empty beds, how investment in other services like the Crisis House and Early Intervention were relieving the pressures that were experienced 2 to 3 years ago. Investment is happening and will continue to be made in Inpatient Services to improve the environment and patient experience. Peter Woodruff questioned the effectiveness of community services. Kevan Taylor stated clearly the effectiveness of community services and added that it is the Trust's strategic direction to reduce admissions and to only admit people into hospital as the last resort as people want to remain at home at long as possible and receive help in the community. Mervyn Thomas voiced his disappointment at Peter's comments regarding 'disinvestments'. This is not the case. All changes were planned, shared with, and recommended by senior medical staff colleagues.</p> <p>Tamsin Ryder asked if there had been a change in criteria for admittance. Kevan replied that there had been no change to restrict access, just more people wanting community-based help.</p> <p>Jean-Michel Bellas expressed the need to ensure adequate support is available in the community especially for people in crisis. People need to be able to access</p>	<p>JR</p> <p>All to note</p>

Minute	Item	Action
	<p>early intervention and be provided with the skills to cope.</p> <p>Kate Steele said she had experienced considerable change in staff attitudes during her weekly visits to the Michael Carlisle Centre as a volunteer with the chaplaincy team, and would welcome any improvements in the ward environment (a lick of paint especially!).</p> <p>The Chair said that this subject needed further thought and that more discussion needed to take place around models of working together between acute and community services. He suggested that it returns to future Board of Directors and Council of Governors meetings.</p> <p>John Kay, as Chair of the Performance Overview Group, asked any governors that wished to raise any questions or required further clarification on the performance report, email them to Sam Stoddart and they could be discussed at the next Performance Overview Group on 2nd September, at which everyone is welcome.</p> <p>The Chair thanked Jason for his report.</p>	<p>All to note</p> <p>All to note</p>
COG 32/9	<p>Non-Executive Director Appraisals 2014: verbal report from the Chair The Chair asked the Non Executive Directors present to withdraw from the meeting during items 9 and 10.</p> <p>The Chair reported how he and the Lead Governor, John Kay, had appraised the Non-Executive Directors. This year's appraisal process was assisted by governors, who were asked to respond to a questionnaire on Non-Executive Director performance. The full report goes to the Nominations and Remuneration Committee but the Chair was happy to report that all Non Executive Directors are excellent and performing at a very high level.</p>	All to note
COG 32/10	<p>Non Executive Director Recruitment Process</p> <p>a) Proposal to approve a variation to the terms of appointment for Mick Rooney The Chair asked the Council to agree the extension to Mick Rooney's position for a further six months. This is sought due to the uncertainty of the Section 75 Partnership. Hopefully at the end of this period we should know if a Councillor is to remain on the Board. The Council of Governors agreed unanimously to Mick's continuation.</p> <p>Proposal to;</p> <p>b) to receive and approve the job description and person specification c) to receive and approve the terms and conditions d) to receive the candidate information pack e) to receive the recruitment process schedule</p> <p>The Chair asked for the Council's approval on the distributed documentation relating to the recruitment of the Non Executive Director (Finance) role. Martin Rosling is the current post holder with his term due to end on 31 October, 2014. The documentation is standard with the addition of Monitor's stipulation that the post holder should have an accountancy qualification and/or background. The post holder will be required to Chair the Audit and Assurance Committee. Within the terms and conditions documentation, Jules Jones asked that references to the Criminal Records Bureau be changed to Disclosure and Barring Services. The Chair agreed.</p>	<p>Agreed</p> <p>ACW</p>

Minute	Item	Action
	The Council of Governors accepted receipt of the above. The Non Executive Directors returned to the meeting.	Agreed
COG 32/11	<p>Chief Executive Update: opportunity for dialogue with Chief Executive on Trust issues</p> <p>Kevan Taylor started by sharing the exciting news that the Trust had been contacted by NHS England to ask if we would be willing to take over a GP practice in Barnsley from 1st July, 2014. This was discussed with the Chair, Executive and Non-Executive Directors and all agreed that it was an excellent opportunity for the Trust and a vote of confidence from NHS England. Following a hectic and swift tendering process, and a lot of hard work from contracting and finance staff, the Trust was successful. Kevan reassured everyone that there is no financial risk to the organisation. The Trust will take over management responsibility in the short term but long term plans are yet to be decided. Cllr Roger Davison asked what the resource implications would be as this was obviously a struggling practice. Clive Clarke reiterated the Chief Executive’s reassurance that the Trust would not suffer any financial risk. This is a great opportunity and endorsement from NHS England. Jules Jones said she was pleased with the Trust’s decision and wondered if the new practice would come under the ‘Clover’ banner. The Chief Executive confirmed that Clover management staff would be having an input.</p> <p>Kevan Taylor had further good news. The Trust had won the Substance Misuse contracts for both Opiate and Non-Opiate Drug Services.</p> <p>The Chair suggested that in light of these developments it would be good to discuss it in greater length and invite Ken Lawrie, Director of Commercial Relations, to expand on the current competitive climate and business opportunities for the Trust.</p>	Ken Lawrie
COG 32/12	<p>Governor Feedback</p> <p>Governor’s activity forms and feedback from Board questions were received for information.</p>	Received
COG 32/13	<p>Governance</p> <p>a) Sharing Confidential Board Minutes with Governors</p> <p>The Chair informed the Council that it had been discussed and decided at Board that the governors would have access to the Confidential Board minutes. John Kay, as Lead Governor, would routinely receive these and the governors would have access to read the minutes within the Council Office, where they would be required to sign a log. The Board thought this a reasonable compromise providing openness while respecting confidentiality.</p> <p><i>Please note item 13a) followed item 7 during the proceeding but for clarity and continuity will be recorded in sequence.</i></p> <p>b) Propose a motion that the Constitution should be amended to provide for the expansion of public membership to include people living outside Sheffield Electoral Wards.</p> <p>The Chair informed Council that this proposal had been approved by the Nomination and Remunerations Committee. The proposal would enable people from outside of Sheffield to become members and so increase numbers. The number of governors would increase by one from 43 to 44 to accommodate the additional constituency. This proposal produced much</p>	All to note

Minute	Item	Action
	<p>debate and conflicting opinions as to how, in the long run, this motion could influence Non-Executive Director recruitment. The Chair explained that ultimately any decision would rest with the governors as responsibility for non-executive director recruitment lay with them, and that at this present time he was just seeking acceptance of the proposal. He asked the governors present to vote on the motion to expand membership outside of Sheffield Electoral Wards and increase the number of governors by one. The governors voted: 18 in Favour, 4 Against. The Chair declared the motion carried.</p> <p>The Chair expressed this thanks and gratitude to all and closed the meeting.</p>	<p>Carried</p>