

**SEPT**  
**MINUTES OF CLOSED BOARD OF DIRECTORS**  
**PART 1**  
**held on 27 June 2012**  
**in Training Room 1, The Lodge**

**Members Present:**

|                          |  |
|--------------------------|--|
| Lorraine Cabel           | Chair  |
| Janet Wood               | Vice-Chair/Non-Executive Director                              |
| Randolph Charles         | Non-Executive Director   |
| Dr Dawn Hillier          | Non-Executive Director   |
| Alison Davis             | Non-Executive Director   |
| Dr Patrick Geoghegan OBE | Chief Executive/Executive Nurse                                |
| Sally Morris             | Executive Director of Specialist Services/<br>Contracts        |
| Amanda Reynolds          | Executive Director of Partnerships & Social<br>Care            |
| Andy Brogan              | Executive Interim Director of Clinical<br>Governance & Quality |
| Peter Wadum-Buhl         | Executive Director of Strategy & Business<br>Development       |
| Malcolm McCann           | Executive Director of Integrated Services –<br>Essex           |
| Richard Winter           | Executive Director of Integrated Services –<br>Beds & Luton    |
| Nikki Richardson         | Director of Corporate Services/Customer Care                   |
| Dr Pauline Roberts       | Executive Medical Director                                     |

**Also Present:**

|                   |                     |
|-------------------|---------------------|
| Teresa Matthews   | Board Secretary     |
| Cathy Lilley      | Trust Secretary     |
| Cynthia Fernandez | Director of Finance |

Members were reminded of the Trust's vision statement.

|               |                              |
|---------------|------------------------------|
| <b>110/12</b> | <b>APOLOGIES FOR ABSENCE</b> |
|---------------|------------------------------|

Apologies were received from Ray Jennings, Steve Cotter & Steve Currell.

**111/12 DECLARATIONS OF INTEREST**

There were no declarations of interest.

**112/12 MINUTES OF THE last meeting held on 30 May 2012**

The minutes of the meeting held on 30 May 2012 were agreed and will be signed by Lorraine Cabel, as an accurate record.

**113/12 MATTERS ARISING****i) Sustainability Issues Meeting Update**

Dawn Hillier advised she will discuss with Faye Swanson what information should be included in next years Annual Report. Peter Wadum-Buhl confirmed that information was included in this years Report

**ii) Consumables Overspend**

Malcolm McCann advised he has discussed this with Alison Davis and gave assurance that this overspend will be back in line within the next two months.

**iii) Recruitment of AHMs in Beds & Luton**

Amanda Reynolds advised she is currently preparing a letter to be sent to staff who have retired within the past three years inviting them to be an Associate Mental Health Act Manager. Amanda also confirmed there are already three possible members for the Beds & Luton area.

Dr Patrick Geoghegan also requested that Amanda write to the NHS Retirement Fellowships requesting they also ask their members to consider becoming Associate Mental Health Act Managers. Amanda agreed to action.

Randolph Charles asked whether the Trust advertise nationally. Alison Davis commented the postholders must have some involvement with panels and decision making in relation to the Mental Health Act and therefore it is preferable to recruit retired staff or staff from other Mental Health organisations.

**Action: Amanda Reynolds to write to the NHS Retirement Fellowships**

**iv) Spiritual & Pastoral Care Policy – Patient Stories Update**

Amanda Reynolds circulated patient stories outlining how the Policy is applied.

Randolph Charles asked whether the Trust has a chaplaincy team in place. Amanda confirmed there are a number of chaplains in post and the Trust is currently recruiting to one vacant post. Amanda advised there are also a number of Faith Leaders for specific religious groups and the Trust is developing links with the ethnic community. Amanda confirmed this work is co-ordinated by the Equality & Diversity Steering Group.

Dawn Hillier commented this is part of the nursing pre registration training and it is important time is available for them to undertake this work. Dr Patrick Geoghegan advises spiritual help/counselling is available for staff and patients. It was agreed that Amanda Reynolds with Malcolm McCann and Richard Winter would promote the policy and use the patient stories to publicise this further.

**Action: Amanda Reynolds/Richard Winter/Malcolm McCann to publicise the policy using patient stories**

**v) Notification of changes to Board of Directors Meetings to be held in Public**

Dr Patrick Geoghegan confirmed the change to the Board of Directors meetings from September will be publicised widely and taken forward by Communications.

## **114/12 INTEGRATED PERFORMANCE**

Dr Patrick Geoghegan presented the performance report and confirmed no new hot spots are escalated since the May Board meeting.

Patrick reminded members that in April four hotspots were escalated ie NPSA reporting rate, Outpatients Did not Attend Rate, Mandatory Training and Chlamydia Screening and advised a full report and update will be available for the July Board meeting.

### ***CQC Registration Standards***

Dr Patrick Geoghegan updated members on the progress made with CQC findings by outcome and the compliance actions required.

Randolph Charles commented on the table which outlines the outcomes and action taken and asked how these actions improve patient outcomes. Peter Wadum-Buhl commented improvement is measured by achievement of the CQC standards which is essential.

Lorraine Cabel commented that Randolph can undertake a random check to get assurance on this and review one of the action plans. Dr Patrick Geoghegan

also confirmed that the Audit Department do randomly select action plans for review which gives the Trust added assurance.

**Data Quality and Consistency** – Patrick commented that several indicators have been identified by Monitor for assessing data quality and the Trust is using additional indicators to ensure that data is recorded accurately. Patrick confirmed the outcome of recent audits of data quality has identified some concerns in respect of data completeness and action is being taken to address this.

Dawn Hillier asked whether there are any underlying problems in relation to this. Peter Wadum-Buhl commented it will take a significant amount of time to ensure data quality is correct especially when acquiring new services and to ensure the data is collected to SEPT standards. Peter also commented there are some issues in relation to methodology and capture of data in community services which will be addressed.

Janet Wood advised this was discussed by the Audit Committee in relation to the Quality Accounts and it was agreed an audit would be carried out. This was welcomed by Board members.

**Action: Dr Patrick Geoghegan to update members on progress as part of the Performance Report at the July Board meeting**

## 115/12 FINANCIAL PERFORMANCE AS AT MONTH 2 – MAY 2012

Cynthia Fernandez presented the Month 2 position and confirmed the Trust has achieved an actual surplus of £3.5m against the plan of £4.7m with a predicted risk rating of 4. Cynthia commented that if the Trust does not achieve the planned surplus the risk rating will deteriorate. Cynthia confirmed there are no underlying problems in relation to liquidity or cash but Monitor measures how we perform throughout the year and if the surplus reduces this impacts on the risk rating.

Cynthia advised that there has been a slight underspend on Cost Improvement Plans (CIPs) against the target and pointed out it is important we achieve the CIPs agreed. Patrick commented Executive Directors must take action to address this and reminded Executives they agreed with the Commissioners to deliver the CIPs. Lorraine Cabel raised concern that there are a number of CIPs due to be completed at the end of the financial year and there are already concerns raised in relation to achieving some of the smaller CIPs. Lorraine commented it is important this is addressed. Patrick supported this and confirmed that action will be taken but stressed that the Trust will not compromise patient care but budgets must be managed robustly.

Cynthia then highlighted that the Essex inpatient services are continuing to overspend despite additional resources allocated at the beginning of the year. Cynthia advised the current overspend is £340K.

Lorraine Cabel commented she was very disappointed at the overspends at Month 2 ie overspends within Essex inpatient services, forensic services and Bedford community services. Richard Winter confirmed that the total variance within Bedford Community Services is now £23K but this has not been added to the financial ledger.

Peter Wadum-Buhl commented there are a number of overspends but it is important there is remedial action in place to address this.

Malcolm McCann commented that following changes in portfolios he is now reviewing the budgets within his service as the overspend within the Essex inpatients has been ongoing for sometime and not just happened this year. Once this has been reviewed the outcome of findings will be presented to the Executive Team Operational Committee. Malcolm commented there are a number of areas overspending while the staffing expenditure is 20-30% in excess of the establishment. Malcolm confirmed he is undertaking an analysis ward by ward and also comparing the Essex inpatient services with Bedfordshire & Luton in relation to rotas etc. Andy Brogan commented he welcomed the benchmarking against inpatient wards in Bedfordshire & Luton but it is also important long term to determine staffing structures and skill mix to modernise the nursing workforce.

Dr Patrick Geoghegan welcomed this review but advised Malcolm there is no additional resources available and therefore the budgets must be managed within the agreed allocation as this is what was signed off at budget setting.

Dr Pauline Roberts confirmed she has asked the medical staff to assist the Operational staff in reviewing the inpatient budgets in terms of observation levels etc. Early indications highlight that intensive care has increased on the elderly wards mainly due to falls etc. Alison Davis commented that it is important the quality of staff on the wards is taken into account when reviewing rotas ie not using bank and agency staff where possible. Randolph Charles commented if there is a high bank and agency staff usage due to staff sickness this may impact on quality. Patrick advised the Trust do work very closely with Occupational Health and although the current sickness rate is below the national average there are hot spots within Directorates which Directors and Senior Staff must address.

Janet Wood commented that she will arrange via the Audit Committee for an audit to take place in relation to the budget setting process. This was supported by Board members.

Malcolm McCann gave assurance that work is ongoing in relation to the patient profile and the CIP targets for 2013/14 are factored into the review. Malcolm also reminded Board members that some of the CIPs are now not deliverable due to the PCT not taking these forward. Richard Winter confirmed this is the case in relation to Biggleswade Hospital and he is currently preparing an options paper for the Clinical Commissioning Group to consider.

Lorraine Cabel requested a report be prepared by Malcolm McMann and Richard Winter updating on the overspends, what action is being taken to address this and any issues in relation to CIPs to be circulated in August. PG suggested Ray Jennings would arrange an update briefing session for the Board on the financial position/challenges facing the Trust.

#### **THE BOARD:**

- 1 **AGREED that Malcolm McCann/Richard Winter would prepare an update to be circulated to Board members in August**
- 2 **NOTED Monitor Financial Risk Rating at Month 2**
- 3 **NOTED the Income and Expenditure Account at Month**
- 4 **NOTED the key indicators from the Statement of Financial Position**
- 5 **AGREED Janet Wood, Chair of the Audit Committee would arrange for an audit in relation to the budget setting process to be carried out**

#### **116/12 BOARD ASSURANCE FRAMEWORK**

Dr Patrick Geoghegan presented the Board Assurance Framework. Peter Wadum-Buhl confirmed that a number of items were identified as part of Board Development Sessions and these have been assessed and have been included on Directorate Risk Registers.

Patrick requested the removal of one risk – ‘A further 0.5% of efficiencies required annually’. This was approved by the Board.

Janet Wood asked whether the issues in relation to the Financial Plan should be included. It was agreed Peter Wadum-Buhl and his team would re-assess the risk in the context of the Board’s discussion and add to the Board Assurance Framework if appropriate.

#### **THE BOARD**

- 1 **DISCUSSED and NOTED the above**
- 2 **APPROVED the risks included within the Board Assurance Framework**
- 3 **APPROVED the removal of the above risk**
- 4 **AGREED the issues in relation to the Financial Plan would be assessed and added to the Board Assurance Framework if necessary**

## **117/12 SUB-COMMITTEES**

### **(i) Executive Team Operational Committee**

Dr Patrick Geoghegan presented the minutes of the Executive Team Operational Committee held on 22 & 29 May and 12 June 2012 and advised no new risks were identified.

Alison Davis commented on the minutes of 29 May in relation to the report on MCA/DOLs and asked whether there are any issues in relation to compliance. Amanda Reynolds commented it is a challenge to meet the new legislation but this is being taken forward pro-actively.

Lorraine Cabel commented on the minutes of 12 June in relation to Constituency meetings and requested an update. Dr Patrick Geoghegan commented all Directors are aware of which meetings they are attending and therefore this has been addressed.

### **THE BOARD**

- 1 **NOTED the minutes of the meetings held on 22 & 29 May and 12 June 2012**

### **(ii) Audit Committee**

Janet Wood presented the minutes of the meeting held on 22 March 2012 and 3 May 2012.

### **THE BOARD**

- 1 **NOTED the minutes of the meeting held on 22 March & 3 May 2012**

**118/12 TRUST POLICIES****i) Appraisal and Development Policy for Medical Staff**

Dr Pauline Roberts presented the above policy. Randolph Charles asked whether the funding of £200K is a one off cost. Pauline confirmed this is required for setting up of the admin function and will be reviewed next year.

**THE BOARD****1 APPROVED the above policy****ii) Overarching Clinical Policy**

Andy Brogan presented the above policy for approval. Alison Davis commented this does not cover podiatry and it was therefore agreed that Andy would review the title of the policy to reflect the services it covers. The Board approved the Policy with the proviso that Andy amends the title.

**THE BOARD****1 APPROVED the above policy****119/12 REPORT FROM TRUST SECRETARY**

Cathy Lilley presented the Trust Secretary's report. Cathy confirmed there are no live consultations from Monitor. Cathy updated the publications from Monitor including Director-governor interaction in NHS Foundation Trusts and Model Core Constitution.

Cathy also updated on the Health & Social Care Act and advised the FTN has made representations to the Department of health about the timescales for implementing the different parts of the new legislation

With regard to the Licence Lessons, Dr Patrick Geoghegan advised one of the recommendations is that providers should be able to use temporary closures to address financial or quality problems while permanent solutions are sought.

Nikki Richardson commented on Page 2 of the report it makes reference to the changing role of governors and supporting governors in adapting to the enhanced role and recommends a review of the Trust's practices take place. Nikki stated this could impact on the Board. Dr Patrick Geoghegan stated that once further guidance is available the Board will be in a position to consider this. Lorraine Cabel confirmed this and advised the outcome will then be fed back to the Council of Governors.

**THE BOARD****1 NOTED the above**

**120/12 NURSING AGENDA UPDATE**

Andy Brogan presented an update on the nursing agenda in a response to the Nursing Roadmap for Quality which identified a number of existing practical tools and making use of the modernising nursing agenda to improve quality.

A number of reports have been published and to support the need for change the Prime Minister announced a new drive to free up nurses to provide the care patients and relatives expect and therefore agreed the establishment of a Nursing and Care Quality Forum. The Energise for Excellence programme was launched in July 2011 to encourage Boards to sign up and adopt E4E as part of their organisational commitment. Andy explained this is an over arching approach to the implementation of improvement initiatives such as high impact actions, productive care, safety express, essence of care.

Andy then highlighted the work already taking place across the Trust including staffing review, productive series roll out, essence of care launch and roll out of first class care, safety thermometer, patient experience CQUIn schemes in progress, staff experience including competencies, feedback to staff re audits, team meetings etc.

Alison Davis commented she was pleased with the initiatives taking place within the Trust. Andy Brogan commented the Trust is also ensuring that any recommendations from the Frances report are cascaded across the organisation including ensuring the nursing curriculum is robust. Dawn Hillier stated the nurse training is very academic and therefore it is important there is appropriate leadership/supervision for practical work in place. Dawn also commented it is important to focus on managing students and newly qualified staff.

Amanda Reynolds commented there is an opportunity for SEPT as a mental health and learning disability organisation to look at an integrated role for the nursing staff. Patrick stated he will raise this but will also be discussing with ARU that nurse training must also include basic nursing care training.

Dr Patrick Geoghegan commented he and Andy Brogan are currently reviewing leadership of nursing staff across the organisation and has set up a group of Senior Nursing staff to take this forward. Patrick extended an invitation to Dawn Hillier to join this group.

Malcolm McCann commented that staff within mental health do undertake dedicated training in relation to care plans and this needs to be cascaded across the Trust. Patrick welcomed this but stated it is important this is taken forward within existing resources.

**THE BOARD**

- 1 **DISCUSSED and NOTED the above**
- 2 **AGREED that Dawn Hillier should become a member of the Senior Nurse Group**

**121/12 DNA PROGRESS REPORT**

Dr Pauline Roberts commented the DNA review is ongoing and focusing on the patients pathway. Pauline also advised there are different systems in different localities which makes this very complex.

Pauline advised that pilots are being carried out by Consultants ie booking their own appointments etc and agreed to update the Board in September on progress.

**THE BOARD**

- 1 **DISCUSSED AND NOTED the above**

**122/12 PROCUREMENT STRATEGY**

Cynthia Fernandez presented the above report which includes updates on e-procurement and technology advances, acquisition of community services, pharmacy procurement, the new DoH Procurement Strategy, the new NHS standards for procurement and procurement for carbon reduction. Cynthia explained the strategy promotes local purchasing where appropriate to the point of delivery.

Dawn Hillier commented on the SWOT analysis on Page 6 of the report where one of the key drivers of change was a review of the skill mix and asked what action is being taken to address this. Dr Patrick Geoghegan commented if the Procurement Strategy is approved a review of the skill mix will take place

Dawn Hillier asked whether the Trust has an Ethical Procurement Policy in place. Dr Patrick Geoghegan commented he will ask Ray Jennings to check on this and send out information to Board members.

Randolph Charles asked whether there would be savings in combining insurance policies. Dr Patrick Geoghegan commented as part of the financial challenges facing the Trust this will take into account to ensure we get value for money. Cynthia Fernandez commented that wherever possible insurance policies will be harmonised and integrated.

**THE BOARD**

- 1 APPROVED the Trust's Procurement Strategy**
- 2 AGREED Ray Jennings would circulate information on the Trusts Ethic Procurement Policy**

**123/12 RISK MANAGEMENT FRAMEWORK**

Peter Wadum-Buhl presented the above Framework which is reviewed annually and has been updated due to the acquisition of services, changes in Committee structures etc.

Dr Patrick Geoghegan commented that he will be re-visiting the sub-committee structure to ensure it is robust and in line with governance requirements.

**THE BOARD**

- 1 APPROVED the Risk Management Framework**

**124/12 APPROVAL OF QUALITY ACCOUNTS 2011/12**

Dr Patrick Geoghegan presented the final draft Quality Account for 2011/12 which will be submitted on 30 June 2012.

Patrick advised the Quality Account includes comments from external agencies and was pleased with the feedback received especially from LINKs.

Patrick wished to extend the Trust's sympathy to the family of Arthur Dennis, Chair of LINKs who sadly passed away recently. This was re-echoed by Board members.

**THE BOARD**

- 1 APPROVED the Quality Account 2011/12 for submission on 30 June 2012**

**125/12 AMENDMENTS TO CONSTITUTION**

Cathy Lilley presented an updated version of the Trust's Constitution following the review of a Governors term of office. At the Council of Governors meeting on 18 June 2012 consideration was given to the length of office a governor should hold in order to remain effective. At the meeting it was agreed to extend a

term of office of up to nine years in aggregate with a maximum of three terms of office, with one abstention.

Cathy confirmed the Constitution has now been amended accordingly.,

## THE BOARD

### 1 APPROVED the change to the Constitution

#### 126/12 SAFEGUARDING UPDATE

Andy Brogan presented an update on the Trust's safeguarding service. Andy confirmed the Trust has received a number of inspections from Ofsted and CQC and a number of audits carried out.

***Ofsted/CQC Inspection & Intensive Support Team Visit to Beds & Luton*** – A joint Ofsted/CQC inspection took place within Beds & Luton. Andy confirmed that lessons learned from the process have been cascaded to staff across the organisation.

Andy confirmed that the inspections were good or adequate but Central Bedfordshire Council and Bedford Borough Council received an inadequate rate for the health needs of looked after children. Many of the findings identified were as a result of commissioning arrangements for looked after children and at the time of the inspection no Designated Doctor or Designated Nurse within the PCT.

Andy confirmed SEPT will work with the Local Authority and support them and take forward local action plans in localities.

Alison Davies commented on Page 5 of the report in relation to CAMHS it states there is good engagement with CAMHS and the service has good systems and processes in place. Alison asked whether this can be cascaded across the organisation. Andy Brogan commented this has already been actioned.

Lorraine Cabel asked whether the PCT have now employed a Designated Doctor or Designated Nurse. Andy Brogan confirmed this has been actioned in the short term.

Dr Patrick Geoghegan commented he has received good feedback on the improvements SEPT has made in relation to the safeguarding agenda and advised this is being publicised via a GP Newsletter.

Andy Brogan commented the CQC Inspection stated the Trusts safeguarding practice was outstanding. Patrick welcomed this but stated it is important that this is communicated to all interested parties. Amanda Reynolds commented it would be useful if the GP Newsletter was also circulated to Local Authorities.

**THE BOARD****1 DISCUSSED and NOTED the above****127/12 CQC UPDATE**

Richard Winter gave assurance to the Board that CQC spot checks are continuing and he is working with the Performance Department to address any actions identified.

Malcolm McCann updated on the publication of the Basildon MHU report. Amanda Reynolds commented there have been a number of Mental Health Act Commission visits and will work with Operational Directors to take forward any identified actions.

Dr Patrick Geoghegan commented that overall the reports are positive but there are still actions to be taken which are minor and requested that Directors take action to address them

Patrick also stated that the national CQC themed review report has been published in relation to Learning Disability Services. The Trust only had minor concerns identified which is excellent. Patrick wished to congratulate staff for this achievement. This was re-echoed by the Board.

**THE BOARD****1 NOTED the above****128/12 RESPONSIBLE OFFICER PROFESSIONAL STATEMENT UPDATE**

Dr Pauline Roberts presented the Organisational Readiness Self-Assessment (ORSA) which is completed every three months and returned to the Strategic Health Authority.

Pauline commented there are sections in the report where the Trust states No on the return. This is in relation to the first year of integration of the appraisal system with Beds & Luton and community services. Pauline confirmed further guidance is due to be published on completion of appraisal paperwork and this will therefore be included in the next return.

**THE BOARD****1 DISCUSSED and NOTED the above**

**129/12 USE OF CORPORATE SEAL**

Dr Patrick Geoghegan advised the Corporate Seal has been used on the following occasions since the last meeting:

31 May 2012 – Lease document – 15 Cardiff Road & 17 Cardiff Road, Luton

**THE BOARD**

1 NOTED the above

**130/12 INDUSTRIAL ACTION**

Nikki Richardson updated on the BMA day of industrial action. The Trust was very pro-active prior the day of industrial action and met with the LNC and agreed a plan of action. Nikki therefore confirmed that disruption was minimal with Doctors available to see any emergency patients

Dr Pauline Roberts commented very few issues were identified and very few patients affected. Dr Patrick Geoghegan wished to put on record his thanks to Dr Pauline Roberts and Nikki Richardson for their work in liaising with the LNC and Staffside and also thanked the medical staff for putting the needs of patients first. This was re-echoed by Board members.

**THE BOARD**

1 NOTED the above

**131/12 CORRESPONDENCE CIRCULATED TO BOARD MEMBERS SINCE THE LAST MEETING**

No correspondence has been circulated.

**THE BOARD**

1 NOTED the above

**132/12 NEW RISKS IDENTIFIED THAT REQUIRE ADDING TO THE TRUST RISK REGISTER OR REMOVED FROM THE REGISTER**

One risk identified in relation to a review of the financial position and it was agreed an update would be available at the July Board meeting.

**133/12 ANY OTHER BUSINESS**

**Biggleswade Hospital**

Dr Patrick Geoghegan advised there are no plans to close Biggleswade Hospital with the final decision made by Commissioners. Patrick confirmed there are only two patients in the Hospital at the current time. Patrick also advised the Commissioners have agreed to undertake a bed review. Patrick agreed to keep Board members updated on progress.

**THE BOARD**

**1 NOTED the above**

**140/11 DATE AND TIME OF NEXT MEETING**

The next meeting will take place on 25 July 2012 at 1.00pm at the Rufus Centre, Flitwick.

Signed ..... Date .....