

Minutes of the Full Council of Governors meeting (Public) Thursday 19th September 2019, 18.05pm Clinical Education Centre, Russells Hall Hospital, Dudley

Present: Name	Status	Representing
Mr Fred Allen	Public Elected Governor	Central Dudley
Mr Arthur Brown	Public Elected Governor	Stourbridge
Ms Sandra Harris	Public Elected Governor	Central Dudley
Mrs Maria Kisiel	Appointed Governor	University of Wolverhampton
Dr Atef Michael	Staff Elected Governor	Medical and Dental
Mrs Natalie Neale	Public Elected Governor	Brierley Hill
Mrs Margaret Parker	Staff Elected Governor	Nursing & Midwifery
Mr Rex Parmley	Public Elected Governor	Halesowen
Ms Yvonne Peers	Public Elected Governor	North Dudley
Mrs Karen Phillips	Staff Elected Governor	Non Clinical Staff
Mrs Patricia Price	Public Elected Governor	Rest of the West Midlands
Mrs Edith Rollinson	Staff Elected Governor	Allied Health Professional & Healthcare Scientists
Mrs Mary Turner	Appointed Governor	Dudley CVS
Mr Alan Walker	Staff Elected Governor	Partner Organisations
Mrs Farzana Zaidi	Public Elected Governor	Tipton & Rowley Regis

In Attendance:	Status	Representing
Mr Julian Atkins	Non-executive Director	DG NHS FT
Mrs Helen Board	Governor & Membership Manager	DG NHS FT
Dame Yve Buckland	Chairman Chair of meeting	DG NHS FT
Mr Liam Nevin	Trust Secretary	DG NHS FT
Ms Catherine Holland	Non-executive Director	DG NHS FT
Mr Ian James	Associate Non-executive Director	DG NHS FT
Mrs Karen Kelly	Chief Operating Officer	DG NHS FT
Mr Chris Leach	Emergency Planning Manager	DG NHS FT
Mr Andrew McMenemy	Director of Human Resources	DG NHS FT
Mr Richard Miner	Non-executive Director	DG NHS FT
Mr Andrew Rigby	Head of Facilities Management	DG NHS FT
Ms Diane Wake	Chief Executive	DG NHS FT
Ms Jo Wakeman	Deputy Chief Nurse	DG NHS FT

Apologies:	Status	Representing
Mr Marlon Amulong	Staff Elected Governor	Nursing & Midwifery
Ms Joanna Davies-Njie	Public Elected Governor	Stourbridge
Cllr Colin Elcock	Appointed Governor	Dudley MBC
Dr Richard Gee	Appointed Governor	Dudley CCG
Dr Anthea Gregory	Appointed Governor	University of Wolverhampton
Mr Mike Heaton	Public Elected Governor	Brierley Hill
Dr Julian Hobbs	Medical Director	DG NHS FT
Mr Jonathan Hodgkin	Non-executive Director	DG NHS FT
Mr Tom Jackson	Director of Finance	DG NHS FT
Mrs Hilary Lumsden	Public Elected Governor	Halesowen
Mrs Ann Marsh	Staff Elected Governor	Allied Health Professional & Healthcare Scientists
Ms Nicola Piggott	Public Elected Governor	North Dudley
Mrs Mary Sexton	Interim Chief Nurse	DG NHS FT
Mr Peter Siviter	Public Elected Governor	South Staffordshire & Wyre Forest
Mr Adam Thomas	Acting Chief Information Officer	DG NHS FT

COG 19/55.0	Welcome (Public & Press)
COG 19/55.1 18.05pm	Introductions & Welcome
	The chairman opened the meeting of the Full Council of Governors and welcomed all to the meeting.
	The chairman introduced and welcomed Ms Maria Kisiel from the University of Wolverhampton who had replaced Dr Anthea Gregory as the appointed governor.
	The chairman noted her thanks and gratitude for the commitment and support of Dr Gregory.
COG 19/55.2	Apologies Apologies had been received as above.
COG 19/55.3	Declaration of interest
	The chairman asked those present to indicate if there were any items to declare in respect of the published agenda.
	There were none.
	The chairman declared interests as Chair of the Royal Orthopaedic Hospital and Pro Chancellor of Aston University.
COG 19/55.4	Quoracy The meeting was declared quorate.
COG 19/55.5	Announcements
	Dudley Overview and Scrutiny Committee (OSC) meeting held 28 August 2019 The chairman provided feedback following the recent meeting of the Dudley Overview and Scrutiny Committee. The Trust had been invited to attend to provide an account of actions being taken to improve services reported as requiring improvement by the latest CQC report published July 2019. The meeting had been attended by a range of the Trust's senior clinical and management staff who were able to share in depth data that reflected improvement and details of initiatives in place. The Committee had provided positive feedback in respect of the information provided and the chairman anticipated that the minutes would reflect the assurance that the Committee and the support that it conveyed to the Trust. The minutes would be shared with Council members once available.
	Action minutes from Dudley OSC meeting held 28 August 2019 to be circulated to the Council of Governors when available Trust Secretary
COG 19/56.0	Previous meeting
COG 19/56.1 18.10pm	Minutes of the previous full Council of Governors meeting held on 27 th June 2019 (Enclosure 1)
	The minutes were accepted as an accurate record and would be signed by the chair.

COG 19/56.2	Matters arising There were none.
COG 19/56.3	 Action points All actions that were complete and would be removed from the list. Action COG19/52.2 - Mr Allen confirmed that Dr Gee had attended a meeting of the Risk and Assurance Committee and would provide feedback to the next meeting of the full Council. New action provide feedback from attendance at the Risk and Assurance
	Committee to the next meeting of the Full Council Dr Gee
COG 19/57.0 18.15pm	Chief Executive report and Chair's update (Enclosure 2) Ms Wake presented the report provided as enclosure two and asked those present to note the activities, updates provided and news items related to the Trust, the region and the wider national arena.
	Ms Wake highlighted the work undertaken by the Dudley Improvement Practice Team that continued to support a growing number of departments across the Trust to improve efficiency and effectiveness and gave examples which included the elderly care ward C3 Discharge Improvement Event. All involved had felt very positive that the changes made and planned would have a great effect on patient experience and patient care by reducing length of stay and delayed transfers of care. Ms Wake confirmed that more teams had come forward including theatres and encouraged governors to get involved.
	Mrs Board confirmed that the Improvement Practice Team maintained a contact with the Foundation Trust office and governors were regularly invited to participate when available.
	Ms Wake announced that two Trust services had recently received national recognition:
	 Anaesthetics Department which had achieved the prestigious Anaesthesia Clinical Services Accreditation (ACSA) for providing the highest quality care to patients. Stroke Services had been reviewed by the Sentinel Stroke National Audit Programme (SSNAP) that measures the quality and organisation of stroke care in the NHS and was the single source of stroke data in the UK. The audit had placed the Trust in the top 40 nationally and the best in the West Midlands.
	Mrs Price commented that during a recent visit to the stroke ward to observe an exercise session, she had been really impressed with the service that was offered to patients and noted the enthusiasm and dedication of the staff.
	The chairman noted that the CQC had indicated, through a reduced reporting requirement, that they recognised the progress made to improve services highlighted in their latest inspection report and thanked all the teams involved. She noted further the work underway to address issues raised in relation to imaging services had shown some good progress.

COG 19/58.0 18.25pm	Presentation
16.25011	Mr Rigby, Head of Facilities and Property Management and Mr Chris Leach, Emergency Planning Manager provided an overview of the emergency planning and security arrangements in place to keep patients, visitors and staff safe at each of the Trust sites.
	The chairman thanked Mr Rigby and Mr Leach for an informative presentation and invited questions. She highlighted the point made by one governor where they had felt that the Trust sites should have restricted access.
	Mr Rigby acknowledged the comment and confirmed that Trust had a robust approach to monitoring and intelligence gathering in line with all national and local protocols. He added that the CCTV system had been replaced in the last 6 months with latest technology including facial recognition which contributed to minimising security risks.
	Dr Michael asked if all clinical areas had cameras to monitor and record activity.
	Mr Rigby confirmed that whilst the cameras were located throughout the Trust sites, they were generally only installed in clinical areas to comply with privacy and dignity requirements. He added that there were exceptions which included the emergency department and monitoring installed at the entrances to the children's and maternity wards.
	Mr Walker confirmed that there was a small list of known individuals who, in liaison with the local police, were closely monitored as part of crime prevention.
	Mrs Zaidi asked about the warning letters issued to patients and visitors for unacceptable behaviour and if they were in force for a fixed period of time.
	Mr Rigby confirmed that the warning or exclusion letter would be in force for a period of 12 months before being reviewed by a panel that included the Local Security Management Specialist, clinical and nursing staff.
	The chairman thanked the presenters again adding that governors should draw assurance from the information provided.
	[Mr Rigby and Mr Leach Chris left the meeting at this point]
COG 19/59.0	Safe, caring and responsive
COG 19/59.1	Update from Experience and Engagement Committee (Enclosure 3)
18.40pm	Mrs Phillips presented the report from the last meeting held in July 2019 given as enclosure three and highlighted the following items discussed
	 Cannabis prescribing – the committee had been advised that the Trust had no one with authority to prescribe Invitation for Governors to attend committees of Board as observers Projects underway to support patients with learning difficulties and the

benefits of working alongside charities to improve the environment and the patient experience

- Governors 'out there' where the increased levels of activity had been acknowledged with more governors encouraged to get involved
- Governors invited to come forward to form a task and finish group to develop the governors and membership engagement plan

Mrs Phillips advised that following the recent restructure of the Council committees, the Terms of Reference would be subject to review to reflect the discussions held regarding arrangements in respect of sub groups to deliver the following:

- Governor training and development following a review of the training provided to governor there had been very positive feedback from governors and consideration would be given to establishing a sub group to monitor and refresh as required
- Charity activities supported by governors would also require the establishment of a sub group to implement
- Governor social activities would potentially require establishment of a sub group

The chairman asked if Mr Fernandez had responded to the action regarding cannabis prescribing.

Mrs Board advised that Mr Fernandez had provided information confirming that the Trust had developed a guideline to accommodate the safe storage of patients' cannabis-based products for medicinal use. Their continued use during their inpatient stay would remain acceptable provided they had been prescribed by a clinical specialist in another organisation who could be contacted if needed.

Mrs Neale asked what steps were being taken to enforce the smoke free site initiative.

Mrs Rollinson commented that she had seen many people smoking on the roadside.

Mr Parmley commented that vape shops had opened in hospitals in the local area and asked if the Trust planned to open a similar facility and whether vaping was allowed on site.

Mr McMenemy advised that more steps and resources were being allocated to the smoke free initiative and was pleased to note the significant reduction of patients and visitors smoking on site and virtually no staff smoking on Trust sites. He confirmed that either smoking or vaping were not allowed on Trust sites. The majority of effort focussed on entrances by maternity, ED and main reception. This involved patients and visitors being moved on and referred to smoking cessation if needed. He confirmed that the Dudley Council had recently issued some fines for littering on areas immediately outside of the Trust site.

Mrs Wake acknowledged it was an important issue and reported that it remained a hot topic on social media and had been raised during her on-line 'live chat' sessions with staff on many occasions.

The chairman acknowledged that there was still more work to do and referenced

	the time it had taken for public places such as pubs and restaurants to embed a non-smoking environment. The chairman confirmed that there were no plans to open a vape shop at any of the Trust locations.
	Mrs Neale commented that having recently attended the Russells Hall Hospital Emergency Department, she had been pleased with the care and treatment received but felt that her journey could have been quicker had she had not been asked to tell her story three times and one conversation with a medic had shown a lack of communication between clinical staff regarding availability of X-rays.
	Ms Wake apologised that the communication had not been as effective as it could have been and offered to share the feedback with the senior staff responsible for that area.
	Action share 'communications' feedback following recent attendance at ED with senior team responsible Ms Wake
COG 19/59.2 18.50pm	Update from Clinical Quality, Safety and Patient Experience Committee (Enclosure 4)
	Ms Holland presented the report given as enclosure four and advised the Council that the Integrated Performance Report had not been received at the July 2019 meeting.
	In addition, the Committee had expressed some concern at the meeting about the number of policies and Standard Operating Procedures (SOPS) that were out of date and it had been agreed that work would be undertaken to examine the scope for consolidating the number of policies.
	The Committee currently did not have the benefit of a member with clinical expertise but had benefitted from the advice of Kathryn Sallah who was assisting as a co-optee. It was noted that the Trust would be undertaking recruitment for this role in the near future.
	At the August meeting it had been noted that a corporate risk had been identified that Interserve could not guarantee an uninterrupted power supply to theatres and the Committee had requested further information and discussion on this matter.
	It was noted that the Committee had received a report on the CQC action plan and agreed that the format did not facilitate interrogation of the detail and this would therefore be reconsidered at the next meeting.
	It was further noted that the Trust faced a challenge to comply with the Dudley Clinical Commissioning Group (CCG) 90 day timescales for Root Cause Analysis (RCAs) reports when cases were referred to the Health Service Investigations Bureau (HSIB) because they had limited capacity to carry out investigations in the required timescale.
	The Committee was updated on the appointment of a designated safeguarding doctor post that had now been offered and was awaiting confirmation of a start date. It was further noted that a new head of safeguarding had been appointed and expected to be in post in November 2019.

	The Committee had been assured that the safe transport of critical patients had been addressed with a process whereby each patient would be risk assessed on an individual basis.
	Ms Holland reported that an external audit had been commissioned to review data that related to mortality and standards of care for patients with Sepsis.
	The chairman thanked Ms Holland for her report and invited questions.
	Mr Walker expressed his concern about the poor attendance and subsequent non- quoracy of meetings of the Decontamination Group which reported into the Infection Prevention and Control Group. He queried the effectiveness of the Group and sought assurance that an action had been followed up to improve attendance.
	Ms Holland advised that the matter of Quoracy at meetings of the Decontamination Group had been assigned as a management action to resolve.
	Mr Walker asked for clarification of the item relating to the uninterruptable power supply to theatres.
	Ms Holland advised that it referred to a recent lighting strike and the subsequent loss of power.
	The chair thanked Ms Holland for the update and noted that the Committee had shifted to a higher level of function with a focus on governance and challenge to provide assurance that was consistent with the primary themes of risks and their mitigation.
COG 19/60.0	Effective
COG 19/60.1 18.58pm	Update from Finance and Performance Committee (Enclosure 5)
10.50pm	Mr Miner presented the report given as enclosure five and advised that the Trust had secured Sustainability Funding (PSF) for the first quarter of the new financial year 2019/20 and noted that the Trust was currently approximately £2 million behind budget. There was £4 million in Cost Improvement Plan (CIP) that was currently being validated and allocated to divisions and the Trust was opening discussions with the Dudley CCG in relation to its forecast and cash flow.
	Mr Miner added that the Trust may still be a need to draw down funds to support it in November and December 2019. The proposed sale of land would be a positive factor in maintaining cash flow.
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	Mr Miner added that the Trust may still be a need to draw down funds to support it in November and December 2019. The proposed sale of land would be a positive factor in maintaining cash flow. Mr Miner noted the overall performance against national targets were generally being achieved with the exception of the Emergency Access target where Trust performance was in the upper 80 percent with plans in place to raise this to 90

Mr Miner explained the principal factors that would impact on monthly cash flow

	 movements and advised that that cash flow forecast scenarios were considered at each monthly meeting of the Finance and Performance (F&P) Committee and monitored to keep the cash in balance where possible. Mrs Neale stated that the Government had put more money into the NHS and asked how this would impact on the Trust's future planning, how Brexit would affect this and what issues were foreseen. Mr Miner advised that the increase would be reflected in the tariff that applied to services provided by the Trust. He asked governors to take assurance that the Trust continued to undertake in depth Brexit planning with arrangements subject to
	continual review as the exit date neared.
	Mrs Kelly advised that extra monies in lump sum amounts had been assigned to 20 hospitals across the country. She added that the Trust had established a Brexit Planning Group and regularly attended regional and national forums. Mrs Kelly asked governors to note for assurance, the increased frequency of meetings which were now weekly, with daily reporting in place from 23 September 2019. The Trust held stock as required and would continue to work closely with the national management structures for pharmaceutical items.
	Mr Parmley asked about the arrangements for collecting outstanding payments for EU patients after Brexit.
	Mrs Neale suggested that once the UK had left Europe, the Trust would need to tighten up its management of EU citizens accessing NHS services.
	Mr Miner confirmed that the F&P committee received a quarterly report that provided details of services provided to non UK patients and confirmed that the Trust was an exemplar in it collection efficiency. Mr Miner confirmed that the Audit Committee had received assurance by way of reports received that the process and systems used presently were robust.
	Mrs Kelly confirmed that a mutual agreement was in place across the EU where patients requiring emergency treatment would still be legally entitled to access as needed with reciprocal arrangements in place to ensure payment.
	The chairman thanked Mr Miner for the report and confirmed that Governors would be kept updated on a regular basis. She asked Governors to draw assurance from the contents of the report.
COG 19/60.2	Update from Audit Committee (Enclosure 6)
19.10pm	Mr Miner presented the report given as enclosure six that provided the highlights of the last meeting held in August 2019:-
	Business assurance framework would be reviewed to ensure that the information provided was fit for purpose and presented in a more succinct and effective format to ensure that the Board has the adequate sight of the key risks and mitigation.
	Audit report contained a list of the outstanding actions that were reviewed to ensure that they are being dealt with in a timely manner. He added that the report is a rolling list that reflected new actions being added and completed actions removed. The duty of the Audit Committee is to ensure that actions are completed within agreed timelines and any that required a time extension would need sign off

	by the Committee.
	The chairman thanked Mr Miner for the update and invited questions. There were none.
COG 19/61.0	Effective
COG 19/61.1	Update from Workforce & Staff Engagement Committee (Enclosure 7)
19.15pm	Mr Atkins presented his report given as enclosure seven and asked those present to note that the report contained an update from the meetings held in July and August 2019 and to be assured that matters associated with the Workforce and the Dudley People Plan are being managed and taken forward effectively and appropriately.
	Mr Atkins advised the Council that the Committee had been pleased to note that the Quarter 4 Staff Friends and Family results had recorded a significant increase in the amount of feedback received and the numbers recommending the Trust as a place to receive care and work.
	Mr Atkins then summarised the key concerns and assurances arising from the meetings:
	The Committee had discussed the corporate risk relating to senior clinical staff pension arrangements where those earning more than the threshold would see a negative impact on their pension and noted the ongoing national level discussions.
	Mr Atkins noted the assurance given that the Trust's apprenticeship programme would continue to expand with a 2019/20 target of 209. This would ensure that the Trust's contribution to the levy would be fully utilised.
	The Committee approved the Dudley People Plan and were advised that the national staff survey would commence in early October 2019.
	It was noted that the consultant job planning activity was largely complete and captured to the Trust's electronic rostering system.
	The Committee reviewed the mandatory training performance and noted some areas of poor performance and agreed that there would be a re-focus on which staff needed the mandatory training and for those staff identified who were not compliant who would receive a letter from the HR director.
	Concern was noted about the management of long term staff sickness absence and the Committee were advised that the Trust would appoint a substantive person with responsibility for increased management and support.
	Mr Atkins confirmed that that the Freedom to Speak Up (FTSU) initiative would provide additional training for guardians and champions and offered to arrange for a presentation to the Council at a future meeting.
	Action provide a FTSU presentation to the Council at a future meeting: date to be confirmed. Mr Atkins
	Mrs Neale asked if the FTSU initiative would include governors.

	The chairman confirmed that governors would not be formally included in the process which echoed the consensus from the Council members to remain objective in these matters. However, it was important for governors to know what to do if an issue was raised with them.
	Mrs Phillips asked how many guardian and champions were in place.
	Ms Wake confirmed that there were presently two part time guardians and 20 champions which would be expanded along with the creation of a permanent whole time equivalent post to support the initiative.
	Mrs Neale asked for an update on the governor's photos appearing in a display gallery at the Trust sites adding that it would help raise awareness of the Council for patients, visitors and staff.
	Mrs Board confirmed that a sample noticeboard was presently being trialled and once proven to be suitable would then be installed in five locations across the Trust sites.
COG 19/62.0	Well-led
COG 19/62.1	Trust Secretary update (Enclosure 8)
19.25pm	Mr Nevin introduced the report and asked those present to note the arrangements in relation to the present round of Council of Governors elections, the invitation that would be extended to council members to attend committees of board in an observational capacity and the review of the Trust's scheme of delegations with a report on the final outcome to be reported to the next meeting of the Full council.
	The chairman thanked Mr Nevin for his report and invited questions.
	There were none.
	Action Outcome of the review of the Trust's Scheme of delegation to be reported to the next meeting of the full council Trust Secretary
	[Mrs Neale left the meeting at this point]
COG 19/62.2	Update from Remuneration and Appointments Committee (Enclosure 9)
	Mr Nevin introduced the report to note the arrangements for the re-establishment of the Council's Remuneration and Appointments Committee and asked those present to formally approve the revised Terms of Reference.
	All present agreed to approve the revised Terms of Reference without abstention.
	Non-executive director recruitment The chairman was pleased to advise that interview activity earlier in the day had identified two candidates as potential appointees However, it was necessary to explore suitability further through references and the Chair was therefore seeking approval to confirm the appointment of the most suitable candidate on the basis that this would be subject to consultation with the stakeholder panel and the Council members.
	All present agreed without abstention.

COG 19/63.0	 Associate non-executive director recruitment The chairman advised that the recruitment process and interview activity earlier in the day had also identified two candidates to appoint to the associate NED role for a 12 month period. The chairman noted that the associate NED role was an integral part of the Board succession planning and offered opportunities for suitable candidates to gain experience with a view to progressing to the non-executive director post. All present agreed to appoint Vij Randeniya and Lowell Williams for a 12 month period without abstention. Remuneration would be set at the previously agreed rates for non-executive directors but the chair would have discretion to reduce this in relation to the associate non-executive directors dependent on the time commitment agreed with them. Governor matters (Verbal) This section relates to items raised by governors other than those covered on the meeting agenda. The lead governor declared that the following the items had been raised in advance of the meeting: 1. Incorrect telephone number provided on an appointment letter the chairman confirmed that the issue had been investigated and found to be an administrative error which had been rectified. 2. Time taken for the main hospital switchboard to answer incoming internal and external calls. Mr Walker confirmed details of the service level agreements in place and advised that the switchboard team operated within the prescribed boundaries set. 3. Time taken for staff to answer internal telephone calls Dr Michael noted the potential impact on patient care with staff in clinical areas not answering the phones in a timely manner and suggested that this may be a symptom of staff availability and resourcing challenges. Mrs Kelly acknowledged the need for effective communication to support the best outcomes for patients and undertook to review the call answering times for internal calls and the staff resourcing in wards and departm
	Action review the call answering times for internal calls and the staff resourcing in departments and wards Mrs Kelly
COG 19/64.0	 For Information (Enclosures 10 and 11) The chairman asked those present to note the following reports for information and invited questions. There were none. Integrated Performance Report Annual Complaints Report
COG 19/65.0 19.40pm	Any other Business There was none.
COG 19/66.0	Close of meeting and forward dates: 2019



Dame Yve Buckland, Chair of meeting

Signed...... Dated

Outstanding	Item to be addressed
To be updated	Item to be updated
Complete	Item complete

Council of Governors meeting held 19 September 2019

Item No	Subject	Action	Responsible	Due Date	Comments
COG 19/55.5	Dudley OSC August 2019 meeting minutes	minutes to be circulated to the Council of Governors when available	Trust Secretary	When available	Complete circulated 29 October 2019
COG 19/56.3	Risk and Assurance Committee	Provide feedback from attendance at the Risk and Assurance Committee to the next meeting of the Full Council	Dr Gee	19/12/2019	Dr Gee to provide update following his attendance at meetings in August and October 2019
COG 19/59.1	ED attendance – feedback from governor	Share 'communications' feedback following recent attendance at ED with senior team responsible	Ms Wake	20/9/19	
COG 19/61.1	Freedom to Speak Up (FTSU)	Provide a FTSU presentation to the Council at a future meeting: date to be confirmed	Mr Atkins	19/12/19	Agenda item Dec 2019 Complete
COG 19/62.1	Scheme of delegation	Outcome of the review of the Trust's Scheme of delegation to be reported to the next meeting of the full council	Trust Secretary	19/12/19	Agenda item Dec 2019 Complete
COG 19/62.2	Non-executive director appointments	Confirm non-executive appointments to the Full Council of governors	Chair of Appointments and Remuneration Committee	19/9/19	Complete

CoG 19/63.0		review the call answering times for internal calls and the staff resourcing in departments and wards	Mrs Kelly	19/12/19	
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