



With all of us in mind

## Minutes of the Members' Council meeting held on 31 January 2012

<b>Present:</b>	Shaun Adam	Public – Barnsley
	Inara Bennett	Appointed – Staff side organisations
	Ian Black	Deputy Chair of the Trust (Chair for this meeting)
	David Gill	Public – Kirklees
	Dawn Hanwell	Appointed – Barnsley Hospital NHS Foundation Trust
	Nasim Hasnie	Public – Kirklees
	Andrew Hill	Public – Barnsley
	Richard Kerry	Staff – Psychological Therapies
	Ruth Mason	Appointed – Calderdale and Huddersfield NHS Foundation Trust
	Bob Mortimer	Public – Kirklees
	Kath Padgett	Appointed – University of Huddersfield
	Simon Plummer	Staff – Allied Health Professionals
	Wendy Plummer	Public – Wakefield
	Dave Rigby	Public – Kirklees
	George Smith	Staff – Nursing
	Jeremy Smith	Public – Kirklees
	Michael Smith	Public – Calderdale
	Gordon Tennant	Public – Wakefield
	Hazel Walker	Public – Wakefield
	Peter Walker	Public – Wakefield
	Susan Walker	Appointed – Mid Yorkshire Hospitals NHS Trust
	Tony Wilkinson	Public – Calderdale
	David Woodhead	Public - Kirklees
<b>In attendance:</b>	Peter Aspinall	Non-Executive Director
	Anna Basford	District Service Director, Calderdale and Kirklees
	Adrian Berry	Director of Forensic Services
	Nisreen Booya	Medical Director
	Tim Breedon	District Service Director, Wakefield
	Joyce Catterick	Chair of the Trust
	Bernie Cherriman-Sykes	Integrated Governance Manager (author)
	Alan Davis	Director of Human Resources and Workforce Development
	Alex Farrell	Deputy Chief Executive/Director of Finance
	Bernard Fee	Non-Executive Director
	Julie Fox	Non-Executive Director
	Steven Michael	Chief Executive
	Sean Rayner	Transitional District Service Director (Barnsley)
	Dawn Stephenson	Director of Corporate Development and Constitutional Affairs
	Karen Taylor	Director of Service Improvement and Development
	Helen Wollaston	Non-Executive Director
	Noreen Young	Director of Nursing, Clinical Governance and Safety
<b>Apologies:</b>	Ranjan Basu	Staff – Medicine and Pharmacy
	Mick Burns	Appointed – Secure Commissioning Group
	Sue Cannon	Appointed – NHS Calderdale
	Doug Dale	Public – Wakefield
	Grenville Horsfall	Public – Calderdale
	Alison Hyde	Appointed – NHS Kirklees
	Mary Lowe	Public – Wakefield
	Margaret Morgan	Appointed – Barnsley Council
	Graham Reason	Appointed – Calderdale Council
	Tom Sheard	Appointed – NHS Barnsley
	Paul Silcock	Public – Calderdale
	Julie Spencer	Staff – Non-clinical Support
	Clive Tennant	Appointed – Wakefield Council

**MC/12/01 Welcome, introduction and apologies (agenda item 1)**

Ian Black, Deputy Chair of the Trust and Chair for this meeting, welcomed everyone to the meeting. The apologies, as above, were noted.

**MC/12/02 Declaration of interests (agenda item 2)**

The revised register of interests was noted. Council Members were reminded that they should inform Dawn Stephenson as Company Secretary when their declarations change.

**MC/12/03 Minutes of the previous meeting held on 28 October 2011 (agenda item 3)**

**The Members' Council APPROVED the minutes from the meeting held on 28 October 2011.**

There was one matter arising.

MC/11/59 Performance report – unannounced visits (page 5)

Dave Rigby asked whether there were any themes emerging from the unannounced visits to Trust services. Noreen Young responded that a report was to be presented to Trust Board at its meeting today and she agreed to share this with the Members' Council. Bernard Fee added that this will also be reviewed by the Clinical Governance and Clinical Safety Committee.

**MC/12/04 Chair's report (agenda item 4)**

As the Trust Board meeting followed the Members' Council meeting on this occasion, the Chair of the Trust, Joyce Catterick, highlighted a key issue for the Board in relation to Care Quality Commission (CQC) visits and the reports arising from these. She commented that the Trust receives very little negative feedback; however, the CQC is alerting the Trust to various issues, which it has a responsibility to address and to raise the expectations of service users.

Another key issue for the Board is the continued integration of services that transferred to the Trust under Transforming Community Services.

The Chief Executive, Steven Michael, added that the 'partnership' element within the Trust's name is increasingly important. The Trust must work with partners and work differently itself in a highly challenged and limited resource environment. The Trust is working proactively to seek out partnerships that bring benefits to the health and social care economy, to Trust services and to its service users.

He went on to update the Members' Council on the Change Lab process, in which a number of Council Members have been involved. A key theme running through all prototypes was improving the lives of service users and the communities in which they live. The 'prototypes' were assessed through a 'Dragon's Den' type forum, which as an excellent day and an Executive Director sponsor and appropriate resource identified for each prototype, which will be included in the integrated business plan for 2012/13.

He also welcomed Karen Taylor, newly appointed interim Director of Service Improvement and Development, to her first Members' Council meeting.

Joyce Catterick welcomed any questions and Bob Mortimer asked if there was any progress with the rehabilitation centre in Wakefield. Tim Breedon agreed to check on this and provide feedback outside of the meeting.

### **MC/12/05 Public engagement on the mental health services provided by the Trust in Kirklees (agenda item 5)**

Anna Basford gave a presentation on the public engagement process, the responses, a summary of the findings, the decision made by Trust Board at its meeting in December 2011 and the response from Kirklees Council's Overview and Scrutiny Committee on 23 January 2012.

The following comments and points were made during the discussion.

- Hazel Walker asked whether there were any plans to improve publicity and communication around the Single Point of Access. Anna Basford responded that several comments had been made in relation to this and the Trust intends to increase awareness as part of the action plan developed to address the comments made in the consultation. It was suggested that an update is brought to the next meeting. Bob Mortimer commented that this has also been raised in dialogue groups and Anna Basford confirmed that the Trust has already started working with the GP community to publicise the SPA.
- Tony Wilkinson asked when the interim arrangements would change to a permanent solution. Steven Michael responded that the Overview and Scrutiny Committee recognised that the Trust will be reviewing in-patient arrangements in the context of development of its Estates Strategy not only in Kirklees but across the Trust. In March/April 2012, the Trust will have a clear service offer to drive estate and the Trust is working with its P21+ partner to develop estate to deliver this service offer. He committed to sharing this with the Members' Council at an early stage although it is likely that it will be March 2013 before this major piece of work will be concluded.
- Dave Rigby commented that this had been a comprehensive exercise and it was very useful; however, it was not a consultation on in-patient services in Kirklees. He was pleased that the estate would be reviewed and asked that the Trust looks at the needs of service users for in-patient services before it then looks at the estate. At the start of the process to move from St. Luke's, it was agreed to set up a working group of the Members' Council to look at in-patient services in Kirklees and he would like to see this group established to ensure the review of the needs of service users is not lost. Steven Michael responded that the Trust was now operating in a very different financial environment to two years ago. Therefore, it has to look at how the system operates across the whole of its geography, what in-patient provision means across all districts, how community services support people not to be admitted to hospital and how local these should be. Dave Rigby responded that Huddersfield is the largest urban centre in the Trust's area and, therefore, he would expect to see in-patient provision within Huddersfield. Ian Black commented that the Estates Strategy will start with a review of needs and will look at existing estate. Bernard Fee also clarified that

this review would be led by outputs (what would have the best impact on quality outputs). There will undoubtedly be a gap between need and existing estate and the challenge will be to address these gaps in a way that brings the best benefits to service users and uses Trust resources effectively and efficiently.

### **MC/12/06 Performance report Quarter 3 2011/12 (agenda item 6)**

Alex Farrell took the Members' Council through the key headlines from the performance report.

Bob Mortimer asked if the Trust would lose any funds it had not spent by the end of the financial year. Alex Farrell responded that, as a Foundation Trust, the Trust is permitted to make a surplus, which cannot be clawed back, and an analysis of the current underspend demonstrates that the Trust is being prudent and planning well in advance. In a challenging environment, where the Trust is required to save 4% a year, it needs to plan for the future. Steven Michael added that not all Trusts in the area are in the same position and the Trust's current position shows Business Delivery Units are working to make services effective and efficient. Alex Farrell commented that the Operating Framework (issued by the Department of Health for the NHS) sets out expectations around contracting for the coming year and provides set parameters for commissioners in negotiations with Trusts. Efficiency savings year-on-year will be very challenging and, therefore, it is imperative that the Trust is prepared.

Michael Smith asked for an explanation of the Monitor financial risk rating and Alex Farrell confirmed that 4.3 out of a possible 5 was an excellent position. She added that Monitor publishes a quarterly report on the performance of all Foundation Trusts (on its website at <http://www.monitor-nhsft.gov.uk/home/about-nhs-foundation-trusts/nhs-foundation-trust-performance>). The Trust calculates its own risk rating against Monitor criteria around ability to plan, margin levels, cash position and assets. The Financial Strategy aims for a minimum of level 3.

Simon Plummer questioned the green rating against the Members' Council section in the performance report where one indicator was rated as amber. Alex Farrell responded that all indicators have a Director level lead and would be looked at 'in the round'. Following a further challenge that the indicator shows an 18% shortfall in membership of the Members' Council, Alex Farrell responded that the overall assessment recognises vacancies within the Members' Council, that there is a process in place for recruitment and this has been successful in the past. Dawn Stephenson added that the assessment involved a weighting between the three indicators and those with a green rating had a higher weighting.

Andrew Hill asked about the cost of the transfer of services in Barnsley from Highfield Grange to the private sector and the medical cover currently provided by the Trust. Sean Rayner responded that the service is commissioned by Barnsley Council and this is the model of integrated community care it wants to deliver. Barnsley Council intends to commission medical support from the private sector and the requirement is for providers to provide a full service specification, including suitable equipment. Andrew Hill responded that it would seem likely that the Trust would still be expected to provide cover as it is unlikely that GPs would do so. Sean

Rayner replied that the expectation is that contracts will be secured with GPs; however, the Trust is on standby to provide care should it be needed. In summary, Alex Farrell commented that, ultimately, the decision about care rests with the commissioner.

Wendy Plummer asked whether the new system for appraisals will have as one of its aims to be useful for staff participants and will not just enable the Trust to achieve its target. Alex Farrell assured the Members' Council that this would not be the case.

## **MC/12/07 Nominations Committee (agenda item 7)**

### **Item 7.1 Appointment of Lead Governor**

*Tony Wilkinson left the meeting for this item.*

In introducing this item, Dawn Stephenson commented that the Trust was lucky to get three excellent candidates for the role of Lead Governor. All three had attended informal interviews at the Nominations Committee on 18 January 2012 and the Committee unanimously agreed to recommend to the Members' Council that Tony Wilkinson be appointed as Lead Governor until the end of his current term of office on 30 April 2013.

**The Members' Council AGREED to appoint Tony Wilkinson as Lead Governor until the end of his current term of office on 30 April 2013.**

*Tony Wilkinson re-joined the meeting and took the Chair for the remainder of item 7.*

Tony Wilkinson thanked Irene Chaloner for her work to support the development of the Members' Council in its early days. (This was supported by Joyce Catterick later in the meeting.) He went on to say that he would welcome contact from Council Members and he would circulate his contact details.

*Peter Aspinall, Ian Black and Helen Wollaston left the meeting at this point.*

### **Item 7.2 Re-appointment of Non-Executive Directors**

**The Members' Council AGREED the recommendation from the Nominations Committee that:**

- **Ian Black be re-appointed as a Non-Executive Director of the Trust for a further four-year term from 1 May 2012 to 30 April 2016;**
- **Peter Aspinall be re-appointed as a Non-Executive Director of the Trust for a further three-year term from 1 May 2012 to 30 April 2015.**

### **Item 7.3 Remuneration of the interim Chair**

**The Members' Council AGREED the recommendation from the Nominations Committee that, as this is an interim position, remuneration is set for Ian Black at £42,500 pro-rated.**

### **Item 7.4 Appointment of interim Deputy Chair**

**The Members' Council AGREED the recommendation from the Nominations Committee to appoint Helen Wollaston as interim Deputy Chair/Senior Independent Director from 1 February 2012 to 30 April 2012 and to set her remuneration at £17,500.**

Hazel Walker asked why there was such a jump between the existing remuneration and that for the Deputy Chair. Dawn Stephenson responded that remuneration levels for Non-Executive Directors, the Deputy Chair and the Chair of the Audit Committee were agreed by the Members' Council on authorisation as a Foundation Trust in May 2009.

Item 7.5 Change to the Nominations Committee terms of reference

**The Members' Council AGREED to formally approve the changes to the Nominations Committee terms of reference.**

Dawn Stephenson informed the Members' Council that she was also seeking an additional member for the Nominations Committee due to a change in personal circumstances of one of the members. **The Members' Council AGREED to delegate authority to the Nominations Committee to fill the vacancy.**

Item 7.6 Update on Chair recruitment process

The update was noted.

*Peter Aspinall, Ian Black and Helen Wollaston re-joined the meeting and Ian Black re-took the chair for the meeting.*

**MC/12/08 Chair's appraisal (agenda item 8)**

*Joyce Catterick left the meeting for this item.*

Ian Black reminded the Members' Council why the decision had been taken to undertake the appraisal even though the Chair was not seeking re-appointment. He commented that the Trust was extremely fortunate in having Joyce as Chair and she that epitomises what the Trust's values. The comments made through the appraisal process demonstrate the enormously positive contribution she has made over the last four years. Joyce will be a very hard act to follow as Chair of the Trust.

Tony Wilkinson added that Joyce had been a magnificent Chair and the Trust was very lucky to have someone to build the ethos of the Trust, which is very much found in Joyce.

*Joyce Catterick re-joined the meeting.*

There was a presentation to Joyce by Tony Wilkinson who, on behalf of the Members' Council, expressed his thanks to Joyce for her style and ethos embedded within the Trust. Joyce responded that working with the Members' Council has enriched her understanding and knowledge of the communities and services the Trust serves. The Trust wants what is best for service users and it was her view that the Members' Council fully expounds this philosophy. She ended by saying that it had been a pleasure and a privilege to work with the Members' Council.

**MC/12/09 Members' Council elections (agenda item 9)**

The paper on the Members' Council elections was noted. Those standing down at the end of April were encouraged to re-stand.

