



With all of us in mind

Minutes of the Members' Council meeting held on 1 August 2012

Present:	Marios Adamou	Staff – Medicine and pharmacy
	Inara Bennett	Appointed – Staff side organisations
	Ian Black	Chair of the Trust
	Hilary Brearley	Appointed – Barnsley Hospital NHS Foundation Trust
	Doug Dale	Public – Wakefield
	Adrian Deakin	Staff – Nursing
	Netty Edwards	Staff – Nursing support
	David Gill	Public – Kirklees
	Claire Girvan	Staff – Allied Health Professionals
	Nasim Hasnie	Public – Kirklees
	John Haworth	Staff – Non-clinical support
	Andrew Hill	Public – Barnsley
	Grenville Horsfall	Public – Calderdale
	Margaret Isherwood	Appointed – Wakefield Council
	Robert Klaasen	Public – Wakefield
	Ruth Mason	Appointed – Calderdale and Huddersfield NHS Foundation Trust
	Bob Mortimer	Public – Kirklees
	Dave Rigby	Public – Kirklees
	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 (Lead Governor)
In attendance:	Peter Aspinall	Non-Executive Director
	Anna Basford	District Service Director, Calderdale and Kirklees
	Nisreen Booya	Medical Director
	Jennifer Boyle	Deloitte (to item 7)
	Tim Breedon	Acting Director of Nursing/District Service Director, Wakefield
	Bernie Cherriman-Sykes	Integrated Governance Manager (author)
	Alan Davis	Director of Human Resources and Workforce Development
	Julie Eskins	Assistant Director, Patient Safety
	Bernard Fee	Non-Executive Director
	Dawn Gibson	Deputy Director of Finance
	Paul Hewitson	Deloitte (to item 7)
	Steven Michael	Chief Executive
	Sean Rayner	District Service Director, Barnsley
	Dawn Stephenson	Director of Corporate Development and Constitutional Affairs
	Karen Taylor	Director of Service Improvement and Development
	Jo Vickerman	Assistant Director of Corporate Development (item 7)
	Helen Wollaston	Acting Deputy Chair
Apologies:	Shaun Adam	Public – Barnsley
	Mick Burns	Appointed – Secure Commissioning Group
	Sue Cannon	Appointed – NHS Calderdale
	Richard Kerry	Staff – Psychological Therapies
	Roman Logush	Staff – Social care staff working in integrated teams
	Margaret Morgan	Appointed – Barnsley Council
	Kath Padgett	Appointed – University of Huddersfield
	Graham Reason	Appointed – Calderdale Council
	Tom Sheard	Appointed – NHS Barnsley
	David Woodhead	Public - Kirklees

MC/12/26 Welcome, introduction and apologies (agenda item 1)

Ian Black, Chair of the Trust, welcomed everyone to the meeting and, in particular, Hilary Brearley, representing Barnsley Hospital NHS Foundation Trust, and Councillor Isherwood, representing Wakefield Council. The apologies, as above, were noted.

MC/12/27 Declaration of interests (agenda item 2)

The additional declarations were noted. There were no other declarations over and above those presented to the Members' Council in January 2012.

MC/12/28 Minutes of the previous meeting held on 25 April 2012 (agenda item 3)

The Members' Council APPROVED the minutes from the meeting held on 25 April 2012. There were two matters arising.

MC/11/59 Performance report – unannounced visits (page 2)

Both Ian Black and Dave Rigby commented how interesting and useful members of Trust Board and Council Members involved had found the experience. Dave Rigby suggested co-ordinating a group to exchange views for the next round of visits. Any Council Members interesting in participating were asked to let Bernie Cherriman-Sykes know in the first instance.

Steven Michael, Chief Executive, mentioned the visit from Ed Balls, Shadow Chancellor, to the Trust on 24 July 2012, which involved meeting service users. One issue raised was the perception that the new commissioning arrangements do not prioritise mental health and he offered his support in this area. Mr Balls was particularly interested in the Change Lab and visited Newton Lodge; however, no formal feedback has come from his office to date.

MC/12/05 Public engagement on services in Kirklees (page 2)

Dave Rigby confirmed that a meeting has been arranged as part of the review of in-patient services to which Kirklees publicly elected members have been invited on 31 August 2012.

MC/12/29 Chair's report (agenda item 4)

Ian Black highlighted two issues from Trust Board.

1. Trust Board approved an outline Estates Strategy on 31 July 2012 and will look at a detailed plan in October, the key points of which will be shared with the Members' Council.
2. The Trust's annual report, accounts and Quality Report were approved, sent to Monitor and laid before Parliament. These are now publicly available documents. Members of the Trust will be presented with the highlights at the annual members' meeting on Wednesday 10 October 2012 at Barnsley Civic Centre, Hanson Street, Barnsley, S70 2HZ.

Steven Michael went on to mention the following from Trust Board the previous day.

1. The Members' Council sent best wishes to Noreen Young and noted that Tim Breedon is Acting Director of Nursing and Calidicott Guardian for the Trust.
2. Trust Board discussed and agreed an approach to Improving Access to Psychological Therapies (IAPT) to develop a Trust-wide offer tailored to local requirements and commissioning.

3. The Trust has been re-accredited as an Investor in People following Barnsley services joining the Trust last year for a further three years. This reflects the success of the bottom-up approach adopted by the Trust.

MC/12/30 Consideration of the Trust's annual report and accounts for the period 1 April 2011 to 31 March 2012 (agenda item 5)

Ian Black confirmed that the Audit Committee approved the annual report, accounts and Quality Report on behalf of Trust Board and these were submitted to Monitor by the required date. The documents were then laid before Parliament on 19 June 2012 and formally presented to Trust Board at the end of June. They will be formally adopted at the annual members' meeting on 10 October 2012.

Dawn Gibson, on behalf of the Director of Finance, highlighted the key points from the accounts.

- The Trust acquired services on 1 April 2011 from NHS Calderdale and NHS Wakefield, and on 1 May 2011 from NHS Barnsley to a value of £100 million, increasing the Trust's turnover to £231 million.
- The Trust's planned annual surplus for 2011/12 was £6.3 million, which was achieved.
- Capital expenditure was £10.4 million against a plan of £10.7 million.
- Monitor's financial risk rating was 4.3 at 31 March 2012 against a planned rating of 3.8.

Bob Mortimer expressed a concern that, if the Trust is seen to make a surplus, its funding will be reduced accordingly. Steven Michael responded that the Trust has to operate as a sustainable and viable provider and, therefore, must generate a level of surplus to achieve a financial risk rating acceptable to Monitor. When it becomes cash, the Trust has to prioritise where it will be re-invested in services. This was part of the discussion Trust Board had had the day before.

Dave Rigby asked if the current reduction in the Trust's financial risk rating to 3.7 was significant. Dawn Gibson responded that the Trust was on target to achieve the 3.6 target contained in its annual plan. The risk rating is made up of a number of components and this is the level the Trust needs to re-invest and to remain sustainable and viable.

As Chair of the Audit Committee, Peter Aspinall commented that this was Deloitte's second audit since appointment by the Members' Council. The timetable set by Monitor was met and the Committee approved the annual report and accounts on behalf of Trust Board on 28 May 2012 with the Chair and Chief Executive in attendance.

On behalf of Deloitte, Paul Hewitson, Senior Manager, Audit and Assurance, outlined auditors' responsibilities and objectives in expressing an opinion on the accounts and how Deloitte came to its value for money conclusion. Key audit risks are identified at the beginning of the year and agreed with the Audit Committee. These are then scrutinised in detail during the audit. In summary, Deloitte:

- reported an unqualified opinion on the true and fair picture presented by the financial statements;
- concluded that, in all material respects, the accounts complied with the directions provided by Monitor;
- concluded that management had made proper arrangements for securing economy, efficiency and effectiveness in its use of resources.

In response to a question from Bob Mortimer, Paul Hewitson confirmed that, in relation to property, plant and equipment, the market had not moved significantly enough to make an adjustment in the accounts, therefore, the book value remained fair and was based on external advice.

Dave Rigby asked about the due diligence undertaken on iThinkSmarter. Paul Hewitson explained Deloitte's role in undertaking the due diligence for a potential partnership with the Trust. Ian Black commented that this was also discussed at Trust Board yesterday in relation to use of technology in the provision of services. He suggested bringing this issue back to the Members' Council at some point.

Paul Hewitson confirmed that the quality of working papers helps enormously in a successful financial audit.

Dave Rigby commented that the limited assurance opinions given following a review of the processes around serious incidents and medicines management seem quite serious. Both Bernard Fee, Chair of Clinical Governance and Clinical Safety Committee, and Nisreen Booya confirmed that the findings of both internal audit reports are taken extremely seriously, are backed up by robust action plans and reviewed at Clinical Governance and Clinical Governance Committee meetings.

Michael Smith asked how Deloitte came to its opinion that the Trust's preparation for payment by results (PbR) appears to be appropriate. Paul Hewitson responded that Deloitte uses guidance from the Department of Health and is involved at national level on PbR development. The focus is on governance and process rather than content and reflects the usual wording of auditors. The Trust has a good trajectory to implement PbR at the appropriate time. Steven Michael commented that the national methodology is based on the Trust's model developed in North Kirklees. He chairs a consortium of Trusts in the North East and Yorkshire and the Humber and there is an internal group and project plan, led by himself and Dr Booya. Peter Aspinall commented that it is important that the Trust understands its business down to individual service lines to remain sustainable, viable and competitive.

The Members' Council RECEIVED the Trust's annual report and accounts for the period 1 April 2011 to 31 March 2012.

MC/12/31 Quality Report 2011/12 external assurance review (agenda item 6)

Jennifer Boyle outlined the requirements of Deloitte and the process undertaken. In terms of consistency and content, it was concluded that:

- the content was in line with the Annual Reporting Manual (2011/12) issued by Monitor and consistent with documents reviewed;

- the format was improved from the 2010/11 report, including the use of graphs and diagrams to enhance understanding, which has improved the accessibility of the document to the public;
- priorities are set out in key sections; and
- going forward, the Trust should provide greater explanations of data tables particularly to explain actions being taken to address indicators which have not been met.

In terms of the performance indicator testing of two mandatory and one local target, the overall conclusion was satisfactory subject to implementation of a number of recommendations, which had been accepted by management.

Bernard Fee, as Chair of the Clinical Governance and Clinical Safety Committee, commented that he recognised and appreciated the role of the Members' Council throughout the year in developing the Quality Report. The Report has been regularly reviewed during the year and this will continue in 2012/13. The Committee very much recognised the improved presentation of the report; however, it equally recognised there is some room for improvement, which will be addressed this year. He also commented that the production this year was further complicated by the inclusion of Barnsley services with different targets set by NHS Barnsley before the transfer of services.

Tony Wilkinson asked whether Deloitte has experience in audit of Quality Reports in other Foundation Trusts and is Deloitte advising the Trust on simplifying its Quality Report. The Members' Council was assured that Deloitte has extensive experience and the Trust's Quality Report will be part of an overall review and benchmarking process. Deloitte will come back to the Trust with the results of this process to assist in developing the Report for 2012/13.

Paul Hewitson confirmed that the assurance process was part of the fee paid to Deloitte by the Trust.

The Members' Council RECEIVED the Trust's Quality Report and the report from Deloitte on its external review of the Report for 2011/12.

In relation to items 5 and 6, Dave Rigby commented that he would like to see an annual summary of performance and benchmarking against other Trusts. Bernard Fee confirmed this would be considered in the development of the Quality Report in 2012/13, which will particularly demonstrate what the Trust means by quality and how it performs against this. Deloitte confirmed it would appreciate early sight of a first draft to offer advice and guidance.

MC/12/32 Developing the next stage vision (agenda item 7)

A sense of clear direction and values underpins everything the Trust does. This session supports development of the Trust's vision for the next phase of strategic development and follows on from a series of workshops for staff across the organisation. The outcome of these workshops will be tested with stakeholders during the autumn in support of a revised integrated business plan.

The Members' Council was asked to consider three key questions in relation to the Trust's purpose (mission) linked to values, which also exemplify how people behave.

1. Does the mission still hold true and is it a reasonable reflection of why we exist?
2. How would you expect people to behave within this?
3. In five years' time, what would this look like?

There is a separate note of the outcome of the group work. In conclusion, there were consistent views and feedback across all groups and with the staff workshops. This was seen as a positive reflection that everyone sees the Trust as being here for the same reasons.

MC/12/33 Serious incidents annual report 2011/12 (agenda item 8)

Steven Michael introduced this item and began by explaining the huge degree of risk inherent in the provision of mental health services. The Trust sees individuals at their most distressed, vulnerable and often riskiest point in their lives. Mostly the Trust is able to eliminate risk but is unable to eliminate the risk completely. When this happens the Trust needs to learn from incidents at every point and across all services. The Clinical Governance and Clinical Safety Committee, supported by the Director of Nursing and Medical Director, scrutinises what the Trust does as a result of serious incidents and how the Trust learns. He stressed to the Members' Council that the Trust cannot eliminate risk completely.

Julie Eskins, Assistant Director, Patient Safety, gave a presentation on the key points from the serious incidents annual report 2011/12.

Nisreen Booya offered to provide an education/information event for the Members' Council to go through this report and other related reports in more detail, including the National Confidential Inquiry into suicide and homicide by people with mental illness, to look at themes and common practice issues.

Adrian Deakin asked for an indication of the size of the proposed serious incidents investigation team. Julie Eskins responded that the focus would be on red and amber incidents at the top of the scale.

Marios Adamou questioned the conclusion that there was no root cause for red incidents. Julie Eskins explained that this was most but not all incidents and meant there was no main or single factor in the cause of a suicide. The majority have a number of contributory factors.

Tony Wilkinson asked when an incident is reported whether consideration is given to reputation management. Steven Michael confirmed that the Chair and Chief Executive along with the Head of Communications are automatically notified of an incident to ensure liaison arrangements are in place with the police and media.

Dave Rigby commented that the issues relating to communication with carers is raised frequently in carers' groups and suggested involving carers in any learning or review of Trust practice.

MC/12/34 Performance report Quarter 1 2012/13 (agenda item 9)

This item was taken at the end of the meeting. The Chair, Ian Black, left the meeting at this point and the Deputy Chair of the Trust, Helen Wollaston, chaired the meeting for this item.

Steven Michael took the Members' Council through the headlines from the quarter 1 2012/13 performance report. He suggested that the cash expenditure plan, including the capital programme, is presented to the next meeting.

Dave Rigby asked whether the befriending service was a cross-Trust service. Dawn Stephenson responded that this was currently only provided in Wakefield; however, the Trust is looking at capacity to expand the service.

He also asked whether, where there is a comment in the narrative, it could be cross-referenced on the dashboard. This was agreed.

It was confirmed that the smoking target only applies to Barnsley and that figures for Calderdale, Kirklees and Wakefield are including in the CQUINs rating at the front of the report.

MC/12/35 Appointment of Deputy Chair/Senior Independent Director (agenda item 10)

Helen Wollaston left the meeting for this item.

The Members' Council AGREED the recommendation from the Nominations Committee that Helen Wollaston be appointed as Deputy Chair/Senior Independent Director of the Trust for three years from 1 August 2012 to the end of her current term of office on 31 July 2015.

Helen Wollaston re-joined the meeting.

MC/12/36 Membership of the Foundation Trust Governors' Association (agenda item 11)

The Members' Council AGREED the proposal to remain a member of the FTGA for a further year.

The Members' Council noted that Michael Smith is standing for election to the Board of the FTGA. Five places are available with 26 nominees and the outcome should be known after 15 August 2012.

MC/12/37 Members' Council Co-ordination Group annual report (agenda item 12)

The annual report was noted. Ian Black thanked members of the Co-ordination Group for their contribution and support during the past year. Any ideas for agenda items for the Group or the Members' Council should be given to the Chair, Dave Rigby as Chair of the Group or to Bernie Cherriman-Sykes.

MC/12/38 Feedback from Health and Social Care Act 2012 group (agenda item 13)

This item was noted. A further meeting of the Group will be held on 17 September 2012 and this will form the discussion item at October's full Members' Council meeting, which the Group will help plan. The plan is to approve any changes to current arrangements and changes to the Constitution at Trust Board in December 2012 and the Members' Council in January 2013 with an implementation date of 1 April 2013.

MC/12/39 Service user payment policy (agenda item 14)

This item was included on the agenda for information only as it does not apply to the Members' Council. Dave Rigby asked that the Trust monitors attendance at dialogue groups to ensure attendance levels are maintained and, if not, look at ways to encourage attendance.

MC/12/40 Dates of next meeting (agenda item 15)

The next meeting will be held in the afternoon of **Wednesday 31 October 2012** in the Rigby Suite, Barnsley Metrodome, Queens Ground, Queens Road, Barnsley, S71 1AN.

Signed **Date**