



Minutes of Trust Board meeting held on 25 March 2014

Present:	Ian Black	Chair
	Peter Aspinall	Non-Executive Director
	Bernard Fee	Non-Executive Director
	Julie Fox	Non-Executive Director
	Jonathan Jones	Non-Executive Director
	Helen Wollaston	Deputy Chair
	Steven Michael	Chief Executive
	Nisreen Booya	Medical Director
	Tim Breedon	Director of Nursing, Clinical Governance and Safety
	Alan Davis	Director of Human Resources and Workforce Development
	Alex Farrell	Deputy Chief Executive/Director of Finance
In attendance:	Adrian Berry	Director, Forensic Services (from item 8.1)
	James Drury	Deputy Director, Strategic Planning (for item 8.1)
	Bronwyn Gill	Head of Communications
	Sean Rayner	District Director, Barnsley and Wakefield (from item 8.1)
	Diane Smith	Interim Director of Service Innovation and Health Intelligence
	Dawn Stephenson	Director of Corporate Development
	Karen Taylor	District Director, Calderdale and Kirklees (from item 8.1)
	Robert Toole	Deputy Director of Finance (to item 8.2)
	Bernie Cherriman-Sykes	Board Secretary (author)
Apologies:	None	

TB/14/09 Welcome, introduction and apologies (agenda item 1)

The Chair (IB) welcomed everyone to the meeting. He particularly welcomed Diane Smith (DSm), Interim Director of Service Innovation and Health Intelligence, attending her first meeting of Trust Board. Although a public Trust Board meeting, IB commented that no members of the public were present. He assured Trust Board that there had been the usual notification of the meeting in advance.

TB/14/10 Declaration of interests (agenda item 2)

The following declarations of interests were considered by Trust Board.

Name	Declaration
CHAIR	
Ian Black	Non-Executive Director, Benenden Healthcare (mutual) Non-Executive Director, Seedrs (with small shareholding) Private shareholding in Lloyds Banking Group PLC (retired member of staff) Chair, Family Fund (UK charity) Member, Advisory Group for the Point of Care Foundation's development of a report on health service leadership and management Member, Whiteknights, a charity delivering blood and organs on behalf of hospitals in West and North Yorkshire
NON-EXECUTIVE DIRECTORS	
Peter Aspinall	Director, Honley Show Society Ltd.
Bernard Fee	No interests declared
Julie Fox	No interests declared; however, does work with the Care Quality Commission in work and inspection with children and young people who offend and child protection issues. This is

Name	Declaration
	not likely to conflict with the non-executive director role.
Jonathan Jones	Member, Squire Sanders (UK) LLP Member, Squire Sanders MENA LLP Spouse, shareholder in Barcelona Hold Co (holding company of Zenith Vehicle Contract Limited)
Helen Wollaston	Director, Equal to the Occasion (consultancy) Director, WISE (Women in Science and Engineering) Partner is Fitness to Practice Panellist with the Medical Practitioners' Tribunal Service
CHIEF EXECUTIVE	
Steven Michael	Member of Huddersfield University Business School Advisory Board Member, Leeds University International Fellowship Scheme Partner, NHS Interim Management and Support Trustee, Spectrum People NHS Confederation selected Chief Executive representative, Mental Health Network Board Health and Wellbeing Boards, Wakefield and Barnsley Involvement in Care Quality Commission mental health inspection arrangements
EXECUTIVE DIRECTORS	
Nisreen Booya	Honorary President of the Support to Recovery (Kirklees mental health charity) Appointed member, Yorkshire and Humber clinical senate, providing independent source of clinical advice for Yorkshire and the Humber Involvement in Care Quality Commission mental health inspection arrangements
Tim Breedon	No interests declared
Alan Davis	No interests declared
Alex Farrell	Spouse is General Practitioner based in Beeston, Leeds
OTHER DIRECTORS	
Adrian Berry	No interests declared
Sean Rayner	Member, Independent Monitoring Board for HMP Wealstun Trustee, Barnsley Premier Leisure
Diane Smith	No interests declared
Dawn Stephenson	Voluntary Trustee for Kirklees Active Leisure
Karen Taylor	Trustee, Barnsley Hospice

There were no comments or remarks made on the Declarations, therefore, **it was RESOLVED to formally note the Declarations of Interest by the Chair and Directors of the Trust.** It was noted that the Chair had reviewed the declarations made and concluded that none present a risk to the Trust in terms of conflict of interests. It was also noted that all Non-Executive Directors had signed the declaration of independence.

TB/14/11 Minutes of and matters arising from the Trust Board meeting held on 28 January 2014 (agenda item 3)

It was RESOLVED to APPROVE the minutes of the public session of Trust Board held on 28 January 2014 as a true and accurate record of the meeting.

There was one matter arising.

TB/13/67 Specialist services commissioning The Chief Executive (SM) informed Trust Board that a letter has been sent on behalf of clinical leads and Chief Executives from forensic providers in northern England to NHS England. Contact has been made by Richard Barker,

Head of Commissioning at NHS England in the north; however, NHS England appears to be keeping to its position on differential commissioning. Bernard Fee (BF) asked that the Trust agrees a contingency plan, particularly given the amount of investment in and development of forensic services, if the commissioning position changes significantly from the current, public plans.

TB/14/12 Assurance from Trust Board Committees (agenda item 4)

TB/14/12a Audit Committee 21 January 2014 (agenda item 4.1)

Peter Aspinall (PA) drew Trust Board's attention to page 6 of the minutes, which referred to an audit of financial management arrangements, including a review of the Trust's progress against the recommendations from the internal audit report on procurement (non-pay purchasing). This was likely to provide a substantial assurance opinion with no significant risks to report. As a result, KPMG has confirmed that a substantial opinion for core controls of financial management would support a clean Head of Internal Audit Opinion.

He also commented on an early stage internal audit report on data quality, which shows some progress with other areas requiring attention. The Committee will consider the report at its meeting on 8 April 2014.

TB/14/12b Clinical Governance and Clinical Safety Committee 11 February 2014 (agenda item 4.2)

Helen Wollaston (HW) raised two issues. The last meeting demonstrated the need for operational input to items on the agenda. BDU Directors will be invited to attend meetings in future. She also commented on the item on page 7 of the minutes in relation to service users into employment. The paper presented resulted in a lengthy discussion at the meeting and is an issue of concern for the Committee. The Trust's approach will be picked up through the transformation programme and development of the recovery college approach.

TB/14/12c Mental Health Act Committee 25 February 2014 (agenda item 4.3)

Julie Fox (JF) commented on four issues in relation to the e-learning package for the Mental Health and Mental Capacity Acts, which has potential for income generation, the progress on refurbishment of seclusion rooms, the Care Quality Commission's (CQC) focus on community services, and the review of the capacity of Section 136 suites, which has arisen as a result of the Crisis Concordat issued by the Department of Health.

IB asked if the attendance of local authority representatives gave cause for concern. JF responded that there had been changes to local authority representation and it has been suggested that, if a representative cannot attend, they should send a brief report to the meeting.

TB/14/12d Remuneration and Terms of Service Committee 4 February 2014 (agenda item 4.4)

SM updated on a key item for the Committee in relation to performance against the gateway objectives for Directors. BF commented that Trust Board should consider the Government's position on pay in the NHS in general when determining Director and senior level pay.

TB/14/13 Chief Executive's report (agenda item 5)

SM reported on the following.

- The Strategic Outline Case in Calderdale and Greater Huddersfield is currently with clinical commissioning groups for public engagement and consultation. Regular updates will be provided to Trust Board within the project framework. The Secretary of State has

responded to the proposed transformation work in Wakefield and North Kirklees, 'Meeting the Challenge', and given conditional approval with a number of reservations regarding the provision of community services as alternatives to hospital provision. The Trust is a joint signatory and is involved in different parts of the project, including mental health, which is linked to the Trust's transformation programme, and care closer to home. SM commented that clarity on who is leading the programme is needed to ensure it covers the health economy in Wakefield and North Kirklees. The Trust also remains involved in the integrated health and social care pilot in Barnsley, which is one of the 'Pioneer' sites as part of the Government's policy to support the implementation of integrated services. Joint work has also been agreed with Barnsley Hospital NHS Foundation Trust on provider contribution to the Better Care Fund.

- Both he and Nisreen Booya (NHB) have been involved in the CQC's first wave inspections. Trust Board were interested in and would welcome further information and discussion time on the Trust's approach and how it can learn from others' experience.
- SM also commented on the review of the Trust's rehabilitation and recovery services by Mental Health Concern, mental health currency and parity of esteem for mental health.

TB/14/14 Strategic delivery framework and corporate objectives 2014/15 (agenda item 6)

SM commented that development of the strategic framework builds on the work done at the strategy session in February 2014 and clearly sets out the mission, values, high level objectives (both delivery and organisational development) and key performance indicators (both delivery and organisational development). The key performance indicators will be further reviewed and refined to ensure they are measurable. JF commented that she thought this was a good, clear framework but would like to see the Trust aspire to do the 'day job' excellently not just well and for the strategic objectives to focus more on outcomes.

It was RESOLVED to APPROVE the strategic framework and underpinning delivery and organisational development objectives. There will be a further refinement to form the basis of the Board assurance framework for Trust Board in July 2014.

TB/14/15 Performance reports month 11 2013/14 (agenda item 7)

TB/14/15a Performance report (item 7.1)

Alex Farrell (AF) highlighted the following.

- There is a trajectory of improvement for data quality issues around clinical recording, care programme approach and CQUINs in relation to routine access and gatekept admissions; however, this needs to continue in 2014/15 as it will have an impact on the Trust's income position.
- The pressure on beds continues as evidenced by the level of out-of-area placements; however, the introduction of patient flow co-ordination has reduced the need to outsource beds. Again, this will have an impact next year on the Trust's financial position if not managed closely.

JF asked why the indicator for service users into employment was reported as green with an assurance level of 4 given the underperformance and concerns raised at the Clinical Governance and Clinical Safety Committee. It was agreed the indicator should be rated red. SM asked when performance triggers an in-depth report to a Committee or Trust Board. Tim Breedon (TB) responded that, following the concerns expressed at the Clinical Governance and Clinical Safety Committee, a further review of what action the Trust can take to support and facilitate service users into employment should be taken to the Committee in June 2014 and, if necessary, escalated to Trust Board in July 2014. A session was suggested at the

May strategy meeting on the recovery model, the shift in emphasis to self-care and the shift to the Trust being a recovery-based organisation. This should include an understanding of the labour market, which does present difficulties for service users seeking employment.

TB/14/15b Finance report month 11 2013/14 (item 7.2)

AF highlighted the following.

- Confirmation that planning permission for Aberford Field will not be realised in this financial year has resulted in a surplus reduction of £1.3 million. To balance this, a sum of £1 million has been released from the provision for ongoing re-structuring costs in 2013/14. The positive impact of the revaluation of the land is expected to materialise in 2014/15 and is reflected in the revised financial plan.
- The Trust is £1.7 million adrift on its cost improvement programme; however, non-recurrent mitigation has been identified by BDUs, which will be reflected recurrently in 2014/15.
- The report contains information on Monitor benchmarking. BF asked if the worsening position of acute trusts would affect the nature of the partnerships the Trust enters into. AF responded that the Trust is very aware of the position and will seek to protect the services it provides when considering or entering into any partnership. IB also pointed out that the worsening position is across the sector, not just acute trusts.
- The Trust is on target to achieve the revised capital plan.
- Robert Toole (RT) commented that the Trust is incurring considerable costs in relation to out-of-area placements, which is presenting a cost pressure for 2014/15. Effective bed management internally will become increasingly important in the coming year.

TB/14/15c Exception reports and action plans – Information Governance 2013/14 (item 7.3(i))

AF confirmed that the Trust has achieved level 2 for the Information Governance Toolkit, which is supported by internal audit and will be presented to the Audit Committee in April 2014, and has achieved the 95% training target. HW asked if more effort will be put into 'phasing' the training in 2014. AF responded that BDUs are actively trying to manage this and it is hoped to implement a phased performance next year.

It was RESOLVED to NOTE the position in relation to information governance and APPROVE the submission of the Toolkit outcome for 2013/14.

TB/14/15d Exception reports and action plans – Eliminating mixed sex accommodation – Trust compliance statement (item 7.3(ii))

It was RESOLVED to APPROVE the compliance declaration.

TB/14/16 Governance issues (agenda item 8)

TB/14/16a Annual planning and budget setting 2014/15 to 2015/16 (item 8.1)

Trust Board received an update on the development and content of the two-year operational plan, including:

- annual planning requirements;
- six key aspects for future delivery;
- key points in the plan for 2014/15 to 2015/16 around doing the 'day job' well, delivering transformation and managing partnerships;
- timescales;
- workforce;
- capital expenditure;
- financial position;
- service developments and cost pressures; and
- quality improvements and efficiency savings.

It was agreed that there would be a session for Trust Board in advance of the meeting in June 2014 to consider the detail of the five-year strategic plan and subsequent submission to Monitor.

IB referred to the rigorous process undertaken prior to Trust Board, particularly the session held the previous week, led by AF. Trust Board provided robust challenge in a number of areas focussing on:

- the cost improvement programme, the timescales for achievement and the feasibility of achieving such a challenging programme;
- the Quality Impact Assessments undertaken to assess risk to services and the assurance this process provides to Trust Board;
- the Trust's transformation programme and how and when it would produce the service changes and efficiencies needed for future years;
- workforce efficiencies and changes required to support transformation;
- the Trust's proposed capital programme to support service transformation;
- how Trust Board would receive assurance that the plan was deliverable.

BDU Directors provided assurance on delivery of the plan and it was agreed that there would be robust and close monitoring by Trust Board of delivery in 2014/15 through the performance and finance reports.

The Chair asked for a formal vote on this item and **it was unanimously RESOLVED to:**

- **APPROVE the annual budget for the two-year submission to Monitor for 2014/15 to 2015/16;**
- **DELEGATE authority to agree any refinement needed in relation to workforce numbers and additional costs of impairments prior to the submission date of 4 April 2014 to the Chair and Chief Executive;**
- **APPROVE the annual budget for 2014/15;**
- **APPROVE the summary annual plan submission to Monitor;**
- **APPROVE the allocation of capital funding for 2014/15; and**
- **RECEIVE the outcome of an independent review of the Trust's plans for implementation at April's meeting.**

TB/14/16b Annual Governance Statement (item 8.2)

It was RESOLVED to APPROVE the Annual Governance Statement for 2013/14 and to DELEGATE authority to the Audit Committee to approve the final version as part of its approval of the annual report and accounts for 2013/14 on 23 May 2014.

TB/14/16c Monitor Code of Governance (item 8.3)

It was RESOLVED to RECEIVE the self-assessment and CONFIRM that it provides assurance that processes are in place to ensure the Trust complies with the Monitor Code of Governance.

TB/14/16d Monitor Licence (item 8.4)

It was RESOLVED to CONFIRM that the report provides assurance that the Trust is complying with its Licence conditions. The implications for the Trust as being a Licence holder were noted.

TB/14/17 Use of Trust seal (agenda item 9)

It was RESOLVED to NOTE the use of the Trust's seal since the last report in December 2013.

TB/14/18 Date and time of next meeting (agenda item 10)

The next meeting of Trust Board will be held on Tuesday 29 April 2014 in the Shibden room, 5th floor, F Mill, Dean Clough, Halifax. He also highlighted the Members' Council meeting on 30 April 2014 at 13:00 in the legends suite, Barnsley Football Club, and the role of Non-Executive Directors in the discussion item.

Signed **Date**