



With all of us in mind

### Minutes of the Members' Council meeting held on 6 May 2016

<b>Present:</b>	Marios Adamou	Staff – Medicine and pharmacy
	Ian Black	Chair of the Trust
	Garry Brownbridge	Staff – Psychological Therapies
	Bob Clayden	Public – Wakefield
	Jackie Craven	Public – Wakefield
	Andrew Crossley	Public – Barnsley
	Adrian Deakin	Staff – Nursing
	Michael Fenton	Public – Kirklees
	Claire Girvan	Staff – Allied Health Professionals
	Stefanie Hampson	Appointed – Staff side organisations
	Nasim Hasnie	Public – Kirklees
	John Haworth	Staff – Non-clinical support
	Andrew Hill	Public – Barnsley
	Carol Irving	Public – Kirklees
	Ruth Mason	Appointed – Calderdale and Huddersfield NHS Foundation Trust
	Bob Mortimer	Public – Kirklees
	Daniel Redmond	Public – Calderdale
	Jeremy Smith	Public – Kirklees
	Hazel Walker	Public – Wakefield
	Gemma Wilson	Staff – Nursing support
<b>In attendance:</b>	Bernie Cherriman-Sykes	Integrated Governance Manager (author)
	Laurence Campbell	Non-Executive Director
	Jon Cooke	Interim Director of Finance
	Alan Davis	Director of Human Resources and Workforce Development
	Mike Doyle	Deputy Director, Nursing, Clinical Governance and Safety
	James Drury	Acting Director, Strategic Planning
	Charlotte Dyson	Non-Executive Director
	Alex Farrell	Interim Chief Executive
	Julie Fox	Deputy Chair
	Carol Harris	Director of Forensic and Specialist Services
	Kate Henry	Director of Marketing, Engagement and Commercial Devel.
	Chris Jones	Non-Executive Director
	Diane Smith	Director of Health Intelligence and Innovation
	Dawn Stephenson	Director of Corporate Development
<b>Apologies:</b>	Shaun Adam	Public – Barnsley
	Stephen Baines	Appointed – Calderdale Council
	Michelle Collins	Appointed – Wakefield Council
	Emma Dures	Appointed – Barnsley Council
	Trudi Enright	Public – Calderdale
	Chris Hollins	Public – Wakefield
	Sarah Kendal	Appointed – University of Huddersfield
	Jules Preston	Appointed – Mid Yorkshire Hospitals NHS Trust
	Phil Shire	Public – Calderdale
	Peter Walker	Public – Wakefield
	David Woodhead	Public - Kirklees

#### MC/16/12 Chair's appraisal (agenda item 1)

Led by Julie Fox, Deputy Chair, Governors participated in the Chair's appraisal. A report on the outcome will come to the meeting in July 2016.

### **MC/16/13 Welcome, introduction and apologies (agenda item 2)**

Ian Black, Chair of the Trust, welcomed everyone to the meeting, in particular new members:

Shaun Adam, public – Barnsley

Bob Clayden, public – Wakefield

Trudi Enright, public – Calderdale

Stefanie Hampson, appointed – staff side

Carol Irving, public – Kirklees

Sarah Kendal, appointed – University of Huddersfield

Phil Shire, public – Calderdale

Jeremy Smith, public – Kirklees

Gemma Wilson, staff – nursing support

He also formally recorded the retirement of Michael Smith and Tony Wilkinson, publicly elected governors in Calderdale and the current and previous Lead Governors, following the recent election process. On behalf of the Members' Council, Bob Mortimer thanked both for their significant contribution and support both for the Trust and for the Members' Council.

### **MC/16/14 Declaration of interests (agenda item 3)**

The Members' Council **NOTED** the individual declarations from newly appointed or elected governors and **CONFIRMED** the changes to the Register of Interests.

### **MC/16/15 Minutes of the previous meeting held on 12 February 2016 (agenda item 4.1) and notes from the joint meeting with Trust Board held on 12 February 2016 (agenda item 4.2)**

The Members' Council **APPROVED** the minutes from the meeting held on 12 February 2016 and **NOTED** the notes from the joint meeting with Trust Board on the same day. There were no matters arising.

### **MC/16/16 Chair's report and feedback from Trust Board/Chief Executive's comments (agenda item 5)**

#### Chair's report

Ian Black began his remarks by commenting on one of his objectives for the year – "to get out more". In the spirit of meeting this objective, he provided feedback from the recent NHS Providers Board meeting. The financial position nationally is getting tighter and tighter as, indeed, it is at this Trust. This Trust's strong position is by no means universal across the NHS and it will be a difficult year to deliver against plans. Bob Mortimer asked if the Trust underspends whether it would receive less funding in the following year. The Chair responded that Trust Board set a budget and will deliver against it; however, Trust Board is not yet entirely confident of achieving the financial plan for 2016/17. In terms of taking money from the Trust, Trust Board is clear on its capital programme and use of the Trust's cash reserves to fund it; however, it will remain a pressure on the Trust throughout the year and will also be covered at future meetings.

The Chair went on to comment on the Junior Doctors' industrial action and the assurance provided to the Department of Health that the Trust has robust and effective plans in place to address any pressures as a result of the action. The Trust has relatively few junior doctors and its services do not have significant reliance on junior doctors in contrast with many trusts in the acute sector. Plans are in place to ensure junior doctors' work is not scheduled for the periods of industrial action or that alternative cover is provided. To date, there has been minimal impact to the Trust's planned services. He also commented that it is positive that both sides have plans to continue talks.

Barnsley 0-19 services were tendered by Barnsley Council with a reduction in funding. Trust Board took the decision, following advice from the Medical Director and Director of Nursing

as a result of detailed clinical and managerial analysis of risk, that it could not be assured that the proposed service model could be delivered safely within the financial envelope available. The decision was not an easy one to take but was absolutely the right one for the Trust. Barnsley Council will take the services in-house and the Trust is currently in discussions about transition and handover. Adrian Deakin asked if there was any pressure from commissioners for the Trust to continue to deliver the services. Ian Black responded that it was a decision for the Trust alone to make and it is now working with the Council to transfer the services and staff safely. Claire Girvan asked if the Trust knows when services will come up for tender. Alex Farrell responded that there is a stocktake by Trust Board in April each year supported by a quarterly update. She would be happy to share this with the Members' Council. Jackie Craven asked whether the decision in Barnsley has impacted on other parts of the Trust. Ian Black responded that Barnsley is the only district where the Trust provides these services; however, many other services across the Trust will be subject to tender. He confirmed that the Trust's contract has been extended to 30 June 2016 to allow for the transfer of services. Andrew Hill asked who would monitor the quality of services in future. Alex Farrell responded that the Council has commissioned an external adviser to support the transition, the Care Quality Commission will inspect services and commissioners will also assess the impact on other services, such as primary care. The Trust has a responsibility to ensure the services are transferred safely. This will no doubt be the subject of ongoing discussion between the Trust, commissioners and the Council.

Ian Black went on to report that the Trust has won two awards recently – one for the development of Laura Mitchell House and the other for nomination of the Calderdale and Kirklees Police liaison service from the Health Service Journal.

Ian Black welcomed Carol Harris, Director of Forensic and Specialist Services, and Mike Doyle, Deputy Director of Nursing. He also bid farewell to Alex Farrell as this was her last meeting. In planning, budgeting and delivery, the Trust has achieved what it said it would under her stewardship. From a staff point of view, Marios Adamou commended the security and safety the finance team has provided for the delivery of care under Alex Farrell's leadership. Ian Black also thanked Jon Cooke for his contribution and support during his time as interim Director of Finance, which will end at the beginning of June 2016.

#### Chief Executive remarks

Alex Farrell began her comments by thanking people for their kind words and wished everyone on the Members' Council well for the future. She raised a number of matters.

- The Trust has entered a transition phase for 0-19 services in Barnsley with the local authority and commissioners. Imperative is the safe delivery of services and that staff are protected.
- The Trust's accounts and quality accounts for 2015/16 are currently with the Trust's auditors.
- All contracts with commissioners have been signed and the Trust is not in arbitration with any contractor. The Trust has secured inward investment for early intervention in psychosis, child and adolescent mental health services (CAMHS) and dementia services.
- The Trust has embarked on a new service in partnership with Leeds Community Healthcare NHS Trust to provide CAMHS to Wetherby Young Offenders' Institution and Adel Beck Secure Children's Home. This is an excellent example of the Trust working in partnership with other organisations.
- She then provided an update on the four Vanguards the Trust is involved in and the development of Sustainability and Transformation Plans (STPs) across South and West Yorkshire. STPs aim to bring all health and social care providers together to develop a system-based approach to improve health outcomes. In South Yorkshire, the STP is chaired by Sir Andrew Cash, Chief Executive of Sheffield Teaching Hospitals NHS

Foundation Trust, and, in West Yorkshire, it is chaired by this Trust's Chief Executive designate, Rob Webster. Each district will have its own plan with cross-cutting themes and mental health is a priority in both. Plans are due to be submitted by 30 June 2016. An outline of the content will be presented to Trust Board in June 2016 and the Members' Council in July 2016.

- Bob Mortimer asked what influence the Trust has on local authorities with regard to the pathway to recovery. Alex Farrell responded that this is monitored through delayed transfers of care, which highlights instances where an individual is ready to move on but no place is available. Although there are some within the Trust, it is not at a level which would cause significant problems for the Trust.

### **MC/16/17 Annual plan and budget 2016/17 (agenda item 6)**

James Drury took the Members' Council through the content of the operational plan. Adrian Deakin asked if the national promise of investment in CAMHS had materialised and where it was going. It was confirmed that plans at a national level were set out in 'Future in Mind' and that the Trust has received direct investment to provide an eating disorder service, investment to support liaison with primary care in schools and investment in a single point of access in one area. The Trust will also benefit from additional investment in other services within its area. The Trust will also take advantage of the inward investment to develop its attention deficit hyperactivity disorder (ADHD) service.

Daniel Redmond asked if there had been any progress with the Priory development. Alex Farrell responded that negotiations have re-opened on the Tier 4 CAMHS proposal but no timescales have been confirmed.

Andrew Hill commented on the proposed move of rehabilitation services at Mount Vernon to the general hospital in Barnsley. Alex Farrell responded that this was part of a wider review of intermediate care in Barnsley by the clinical commissioning group (CCG) and the outcome will be known shortly. Mount Vernon is not necessarily fit for purpose in the longer-term and will be part of the review.

Jon Cooke outlined the financial aspects of the Trust's plan and provided assurance to the Members' Council that robust contingency and handover processes are in place during changes at senior level. He went on to comment that NHS Improvement set control totals for provider Trusts in England in order to bring the NHS back into balance. The requirement for this Trust is £1.2 million; however, it is making a £750,000 investment in safer staffing, which means that the plan submission recognises a £500,000 surplus budget. There are also £10 million efficiencies, which will be challenging, and the focus will be on reduction in management and administration costs rather than front-line services.

Adrian Deakin commented that taking £5.1 million out of agency spend is a big sum year-on-year. Ian Black responded that this is a big number but the Trust must seek to reduce its spend in this area. John Haworth commented that doctor vacancies contribute to agency spend and he was aware recruitment is ongoing. He asked how spend on covering vacancies compared to the use of agency staff to cover short and/or long-term absence. It was agreed the Trust would provide the figures.

Marios Adamou asked if there was provision for investment in information management and technology (IM&T). Jon Cooke responded that planned capital investment of £1.1 million is planned in 2016/17 and there will also be a focus on implementing a digital strategy across the Trust. Marios Adamou asked if this would cover support for enhanced medical technology. Ian Black responded that this should also be an area for development and it may be that pressure on spend means investment in IM&T has to increase.

Andrew Crossley asked what would happen if the Trust did not deliver its cost improvement programme. Ian Black responded that the Trust would not deliver a surplus and, at the current time, he was not yet entirely confident that the cost savings would be fully achieved. Once the outcome of the CQC inspection is known, Trust Board can review whether the investment in safer staffing is sufficient. This will also provide information on two/three months of trading needed before Trust Board can review and assess the position. He is nervous; however, Trust Board has taken the right decision to approve the operational plan and budget. He undertook to provide an update to July's meeting.

Nasim Hasnie asked how far digitalisation has been embraced in comparison with other Trusts. Ian Black responded that he did not think that it had been far enough. Alex Farrell added that the Trust had been asked to complete a survey on its position along with other providers in the area. Some areas were not as advanced; however, in some areas, the Trust is performing well. The outcome also offers good benchmarking for the future.

In response to a question from Daniel Redmond, Ian Black confirmed that the Trust is responsible for developing its own IM&T Strategy and for developing a response to its own needs. Part of this strategy is to enhance and support the interface with other organisations.

John Haworth commented that the plan assumes that Commissioning for Quality and Innovation targets (CQUINs) will be met but last year the Trust did not achieve the full monies available. He asked what plans were in place to address any risk this year. Jon Cooke responded that contract negotiations have ensured that the Trust jointly agrees CQUINs with commissioners that act as an incentive and stretch to improve the quality of services delivered. The risk has not been eliminated but achievement is more likely. Alex Farrell added that there were two areas where the Trust under-achieved in 2015/16 in relation to physical and mental health, and recording of mental health clusters/currency. Performance is much improved but the Trust was unable to meet its targets. Negotiations with commissioners for 2016/17 means the Trust is in a much better position to be able to meet its targets.

Ian Black committed to providing a further update in July 2016. The priority for Trust Board is safety and the most effective delivery of services. The budget/money is just one aspect of this.

#### **MC/16/18 Transformation update (agenda item 7)**

Ian Black invited questions from the Members' Council. John Haworth asked for an explanation of the acute and community mental health stepped model. Alex Farrell responded that it provides a tiered explanation of the Trust's service response to the needs of individuals presenting in services. In response to comments from Jackie Craven, Alex Farrell commented that all recovery colleges have developed a prospectus to describe what they offer and confirmed Trust support for this.

#### **MC/16/19 Implementation of the upgrade to the Trust's clinical information system (RiO) (agenda item 8)**

Jon Cooke updated the Members' Council on the current position. The perspective from staff governors was that the situation was getting better and support has been available; however, the issues have caused frustration and have reduced confidence in the system.

Dawn Stephenson confirmed that she has commissioned an independent review from Deloitte. Terms of reference and the scope have been agreed and the investigation has begun. The draft report with clear recommendations will be received in the week beginning

23 May 2016 for presentation to the Board Information Management and Technology Forum on 13 June 2016 prior to Trust Board on 28 June 2016.

Stefanie Hampson asked if the Trust could be confident that, if this was to happen again, staff would still be able to function. Alex Farrell responded that there will be a re-launch of this version of RiO with additional training for staff to see the benefits of the upgrade. Contingency plans are in place for teams, which will be reviewed when issues are resolved. John Haworth expressed a concern regarding other packages, such as e-learning, which also have problems and frustrations for staff. Alex Farrell responded that the current situation also provides an opportunity to review how the Trust manages external IT packages. John Haworth also asked if the investigation would cover the Trust's IT provider, Daisy. Alex Farrell responded that the independent investigation will cover all aspects of the upgrade, including the Trust, its preparation, the support provided and the IT provider.

Ian Black commented that the fundamental driver for new and existing systems is that data held on individuals is completely confidential. Alex Farrell confirmed that the Trust is compliant with access requirements for service user information and processes are in place to request access. Ian Black added that the Trust makes extensive use of social media, both internally and externally.

Jeremy Smith asked why the Trust had not simply gone back to V6 of the RiO system. Alex Farrell responded that this was considered and a formal review of the options undertaken. The technical issues involved would have meant there could be no guarantee that data input since the upgrade would be transferred.

#### **MC/16/20 Performance report Quarter 4 2015/16 (agenda item 9)**

The performance report was noted. Ian Black commented that the Trust is looking to change the format and presentation of the report and work has begun to do this.

#### **MC/16/21 Care Quality Commission – update on our inspection (agenda item 10)**

Mike Doyle presented an update on the inspection undertaken by the CQC. Ian Black explained that the Trust was aiming for 'good'. For him, that staff were found to be caring without exception was the main feature of the informal feedback from the CQC. The whole organisation was involved in the inspection and inspectors were treated in the proper manner; however, in the end, it is the job staff do every day that matters. Mike Doyle added that there will be a quality summit involving the Trust, its stakeholders, users of services and people consulted as part of the inspection. This will take place over the summer. He also advised that there will be fourteen reports and ratings to reflect core services with one overarching report and rating.

Bob Mortimer commented that governors had had a constructive and supportive meeting with the CQC. Nasim Hasnie confirmed that it had been a good experience and governors were able to demonstrate the support they provided to the Trust. John Haworth commented that the Trust's co-ordination and administration of the inspection visit functioned very well organisationally and was exemplary. Adrian Deakin commented that staff had not behaved any differently because the inspectors were on site; however, there were some difficulties with the involvement of carers and relatives and their willingness to speak to the CQC.

Ian Black commented that he will ensure governors are informed of the outcome as soon as is practicable.

**MC/16/22 Members' Council business items (agenda item 11)**

Members' Council elections (agenda item 11.1)

The report from Dawn Stephenson was noted.

Appointment of Lead Governor (agenda item 11.2)

A paper was circulated outlining the role and process for the appointment. Governors were asked to discuss any interest with Ian Black before making an application. Ian Black also advised that he was seeking governors to join the Members' Council Co-ordination Group, the Nominations Committee and the Members' Council Quality Group. New governors were welcome to join the groups as their input is equally as valuable as that of more experienced governors. He confirmed that Andrew Hill has been invited to Chair the next meeting of the Co-ordination Group.

**The Members' Council supported the proposed process for formal approval of an appointment at July's meeting.**

Review of Audit Committee terms of reference (agenda item 11.3)

Dawn Stephenson introduced this item. Laurence Campbell, Chair of the Audit Committee, commented that this was an important part of Trust Board assurance regarding the systems and controls in place and that Committees are fulfilling their terms of reference.

**The Members' Council noted the Audit Committee terms of reference.**

Chair's appraisal – next steps (agenda item 11.4)

Julie Fox provided a follow up to the interactive process earlier in the meeting. Governors that could not attend this session will be given an opportunity to complete the questionnaire electronically. Trust Board has also completed a questionnaire and Ian Black a self-assessment. The outcome of the three strands will be pulled together for Julie Fox to feedback to the Chair to identify good practice and areas for development. Any further comments from governors were welcomed. The outcome will be presented to the Members' Council in July 2016.

**MC/16/23 Date of next meeting (agenda item 12)**

The next meeting will be held in the morning of Friday 22 July 2016 in the Legends Suite, Oakwell Stadium, Barnsley FC, Grove Street, Barnsley, S71 1ET.

In his closing remarks, Ian Black observed that one of the best ways for governors to hold Non-Executive Directors to account is through attendance at Trust Board meetings and he encouraged all governors to do so. He also advised that he is looking to change the date of the October meeting and further information will be sent out in due course.

On behalf of the Members' Council, Andrew Hill made a presentation to Alex Farrell who thanked governors and commented that she had enjoyed working with everyone and wished governors every success in the future.

**Signed .....** **Date .....**