

**Members' Council meeting  
9 May 2023 from 10.00 until 12.15**

**Large Conference Room (Hybrid meeting), Wellbeing and Development Centre, Fieldhead Hospital, Wakefield, WF1 3SP**

Item	Approx. Time	Subject Matter	Lead		Action	Minutes allotted	Page reference
	9.20	<i>New Governors introduction to the Board directors (new governors and directors only)</i>	<i>Marie Burnham, Chair</i>			10	
	9.30	<i>Governors only pre-meet (25 minutes followed by 5-minute break)</i>	<i>John Laville, Lead Governor</i>			25	
1.	10.00	Welcome, introductions and apologies	Marie Burnham, Chair	<b>Verbal</b>	To receive	3	
2.	10.03	Declarations of Interests	Marie Burnham, Chair	<b>Paper</b>	To receive	2	1 – 4
3.	10.05	Minutes of the previous Members' Council meetings held on 24 February 2023	Marie Burnham, Chair	<b>Paper</b>	To approve	5	5 – 22
4.	10.10	Matters arising from the previous meeting held on 24 February 2023 and action log	Marie Burnham, Chair	<b>Paper</b>	To receive	5	23 – 32
5.	10.15	Chair's report and feedback from Trust Board (to be taken as read and submit questions in advance)	Marie Burnham, Chair	<b>Paper</b>	To receive	5	33 – 41
6.	10.20	Chief Executive's comments on the operating context	Mark Brooks, Chief Executive	<b>Verbal</b>	To receive	10	

Item	Approx. Time	Subject Matter	Lead		Action	Minutes allotted	Page reference
7.		<b><u>Annual Items</u></b>					
	10.30	7.1 Annual report unannounced / planned visits	Darryl Thompson, Chief Nurse Director of Nursing, Quality and Professions	<b>Paper</b>	To receive	5	42 – 48
	10.35	7.2 Care Quality Commission (CQC) action plan	Darryl Thompson, Chief Nurse Director of Nursing, Quality and Professions	<b>Paper</b>	To receive	5	49 – 53
8.		<b><u>Members' Council business items</u></b>					
	10.40	8.1 Associate Non-Executive Director appointment(s)	Greg Moores, Chief People Officer	<b>Paper</b>	To approve	5	54 – 71
	10.45	8.2 Deputy Lead Governor appointment (to be taken as read and submit questions in advance)	Marie Burnham, Chair	<b>Paper</b>	To approve	5	72 – 76
	10.50	8.3 Governor feedback and appointment to Members' Council groups (to be taken as read and submit questions in advance)	John Laville, Lead Governor	<b>Verbal / Paper</b>	To receive	5	77 – 85
	10.55	8.4 Assurance from Members' Council groups and Nominations Committee including (to be taken as read and submit questions in advance):  ➤ Members' Council Co-ordination Group annual report 2022/23 including update to the Terms of Reference ➤ Members' Council Quality Group annual report 2022/23 including update to the Terms of Reference ➤ Nominations Committee annual report 2022/23 update to the Terms of Reference	Marie Burnham, Chair	<b>Paper</b>	To receive	5	86 – 129
	11.00	8.5 Consultation/ review of Audit Committee terms of reference (to be taken as read and submit questions in advance)	Mike Ford, Chair of Audit Committee	<b>Paper</b>	To receive	5	130 – 137

Item	Approx. Time	Subject Matter	Lead		Action	Minutes allotted	Page reference
	11.05	8.6 Members' Council elections – outcome	Andy Lister, Head of Corporate Governance (Company Secretary)	<b>Paper</b>	To receive	5	138 – 144
	11.10	<i>Break (10 mins)</i>					
		<b><u>Members' Council business items (presentations)</u></b>					
9.	11.20	Integrated Performance Report	Kate Quail, Non-Executive Director	<b>Presentation</b>	To receive	15	145 – 157
10.	11.35	<b>Closing remarks and annual work programme</b> ➤ Work programme 2023/24	Marie Burnham, Chair	<b>Paper</b>	To receive	2	158 – 160
11.	11.37	<b>Members' Council meetings:</b> Future meeting dates for approval:  ➤ <del>Tuesday 15 August 2023</del> ➤ <b>Wednesday 16 August 2023</b> ➤ Friday 29 September 2023 – Annual Members' Meeting ➤ Friday 17 November 2023 (including Joint Trust Board and Members' Council) ➤ <del>Tuesday 20 February 2024</del> ➤ <b>Friday 23 February 2024</b>	Marie Burnham, Chair	<b>Verbal</b>	To approve	3	
12.	11.40	<b>Any other business</b>	Marie Burnham, Chair	<b>Verbal</b>	To note	5	
	11.45	<b><i>Close of public meeting</i></b>					

Item	Approx. Time	Subject Matter	Lead		Action	Minutes allotted	Page reference
<b><u>Private session (governors only)</u></b>							
13.	11.45	Chair's appraisal input from governors	Mike Ford, Senior Independent Director	<b>Paper</b>	To discuss	30	161 – 189
	12.15	<b><i>Close of private meeting (lunch provided)</i></b>					
	12.45	<i>Governors only – Walkabout, Fieldhead Site including Mental Health Museum (optional)</i>	<i>Asma Sacha, Corporate Governance Manager and Governors</i>			40	

## Members' Council 9 May 2023 Agenda item 2

<b>Title:</b>	<b>Declaration of Interest</b>
<b>Paper presented by:</b>	<b>Marie Burnham - Chair of the Trust</b>
<b>Paper prepared by:</b>	Corporate Governance Team
<b>Purpose:</b>	The purpose of this item is to provide information regarding the declarations made by governors on their interests, as set out in the Trust's Constitution and NHS England - Code of Governance for NHS Provider Trusts (1 April 2023).
<b>Mission/values:</b>	Good governance supports the Trust to deliver its mission and adhere to its values.
<b>Any background papers / previously considered by:</b>	Not applicable.
<b>Executive summary:</b>	<p><b>Background</b> The Trust's Constitution and the NHS rules on corporate governance, the UK Corporate Governance Code, and NHS England require a register of interests to be developed and maintained in relation to the Members' Council. During the year, if any such Declaration should change, governors are required to notify the Trust so that the Register can be amended and such amendments reported to the Members' Council.</p> <p>Both the Members' Council and Trust Board receive assurance that there is no conflict of interest in the administration of the Trust's business through the annual declaration exercise and the requirement for governors to consider and declare any interests at each meeting.</p> <p>There are no legal implications arising from the paper; however, the requirement for governors to declare their interests on an annual basis is enshrined in the Health and Social Care Act 2012 in terms of the content of the Trust's Constitution.</p> <p><b>Process</b> The Corporate Governance Team is responsible for administering the process on behalf of the Chair of the Trust. The declared interests of governors are reported in the Trust's Annual Report and the Register of Interests is published on the Trust's website.</p>
<b>Recommendation:</b>	<b>The Members' Council is asked to RECEIVE the individual declarations from governors and to CONFIRM the changes to the Register of Interests.</b>
<b>Private session:</b>	Not applicable.

**Register of interests of the governors of the Members' Council  
(members of the board of governors)  
from 1 April 2023 to 31 March 2024**

All governors of Members' Council have signed a Code of Conduct for Governors on commencement.

Declarations of interest for individual governors are available on request by emailing Julie Williams, deputy director of corporate governance - [julie.williams2@swyt.nhs.uk](mailto:julie.williams2@swyt.nhs.uk)

Current governors (2023-24)

<b>Name</b>	<b>Declaration</b>
AGORO, Jacob Staff elected - Nursing	Received
BLAGBOROUGH, Howard Appointed – Calderdale council	Received
<i>BRAMWELL, Tanisha</i> <i>Publicly elected – Kirklees</i>	<i>Pending</i>
CLAYDEN, Bob Publicly elected – Wakefield	Received
DEN BURGER-GREEN, Claire Publicly elected - Kirklees	Received
DOOLER, Daz Publicly elected - Wakefield	Received
EASTWOOD Brenda Appointed – Barnsley Council	Received
ELLIOT, Charles Publicly elected – Wakefield	Received
ELLIS Gary Appointed – Mid Yorkshire Hospitals NHS Trust	Received
FAROOQ, Rumaysah Publicly elected - Kirklees	Received
GOFF, Daniel Publicly elected – Barnsley	Received
GILLIBRAND, Warren Appointed – University of Huddersfield	Received
GLEADALL, Leonie Staff elected – Non-clinical support	Received
GRACE, Ian Staff elected – Medicine and Pharmacy	Received
HABIB, Laura Staff elected - Nursing support	Received

Name	Declaration
JAVID, Sara <i>Publicly elected - Kirklees</i>	<i>Pending</i>
JHUGROO, Adam <i>Publicly elected - Calderdale</i>	<i>Pending</i>
KING, Rosie Publicly elected – Wakefield	Received
LAVILLE, John Publicly elected - Kirklees	Received
LYCETT, John Publicly elected – Barnsley	Received
MATEJAK, Christopher Publicly elected – Calderdale	Received
McCOURT, Andrea Appointed – Calderdale and Huddersfield NHS Foundation Trust	Received
MORGAN, Helen Staff elected – Allied Health Professionals	Received
MORSE, Bob Publicly elected - Kirklees	Received
PERVAIZ, Mussarat <i>Appointed – Kirklees MC</i>	<i>Pending</i>
SCHÜLE, Reini Publicly elected – Wakefield	Received
SHAHZAD, Fatima Publicly elected – Rest of Yorkshire, Humber and Neighbouring Counties	Received
SHELTON, Elaine Staff elected – staff side organisations	Received
SHIRE, Phil Publicly elected - Calderdale	Received
SPENCER, Susan Appointed – Barnsley Hospital NHS Foundation Trust	Received
STUART-CLARKE, Keith Publicly elected – Barnsley	Received
VLISSIDES, Nik Staff elected – Psychological therapies	Received

***Where no return has been received by the Trust, the current entry on the Register has been included in italics.***

**Minutes of the Members' Council meeting held at 09.30 on 24 February 2023**

**Hybrid meeting  
Large Conference Room, Fieldhead Hospital, Wakefield  
and Microsoft Teams**

<b>Present:</b>	Marie Burnham (MBu)	Chair
	Bill Barkworth (BB)	Public – Barnsley (Deputy lead governor)
	Cllr Howard Blagbrough (HB)	Appointed – Calderdale Council
	Bob Clayden (BC)	Public - Wakefield
	Jackie Craven (JC)	Public - Wakefield
	Daz Dooler (DDo)	Public – Wakefield
	Warren Gillibrand (WG)	Appointed – University of Huddersfield
	Laura Habib (LH)	Staff – Nursing support
	Tony Jackson (TJ)	Staff – Non-clinical support
	Adam Jhugroo (AJh)	Public - Calderdale
	John Laville (JL)	Public – Kirklees (Lead Governor)
	Andrea McCourt (AMc)	Appointed – Calderdale and Huddersfield NHS Foundation Trust
	Elaine Shelton (ES)	Appointed – staff side organisations
	Sue Spencer (SS)	Appointed – Barnsley Hospital NHS Foundation Trust
	Tony Wilkinson (TWi)	Public – Calderdale
<b>In attendance:</b>	Mark Brooks (MBr)	Chief Executive
	Mike Ford (MF)	Senior Independent Director
	Carol Harris (CH)	Chief operating officer
	Carmain Gibson-Holmes (CGH)	Deputy Director of Nursing, quality and professions <i>(deputising for Darryl Thompson, Chief Nurse and Director of quality and professions)</i>
	Lindsay Jensen	Deputy Chief People Officer <i>(deputising for Greg Moores, Chief People Officer)</i>
	Erfana Mahmood (EM)	Non-Executive Director
	Natalie McMillan (NMc)	Non-Executive Director
	Kate Quail	Non-Executive Director
	Mandy Rayner (MR) (previously Griffin)	Non-Executive Director/ Deputy Chair
	Dr Subha Thiyagesh (ST)	Chief medical officer
	Julie Williams (JW)	Deputy Director of Corporate Governance, performance and risk
	Asma Sacha (AS)	Corporate Governance Manager (Author)
	Gemma Lockwood (GL)	PA to Chair and Chief Executive (Presentation)



<b>Apologies:</b>	
<u>Members' Council:</u>	
Keith Stuart-Clarke (KSC)	Public - Barnsley
Dylan Degman (DDe)	Public – Wakefield
Cllr Brenda Eastwood (BE)	Appointed – Barnsley Council
Gary Ellis (GE)	Appointed – Mid Yorkshire Hospitals NHS Trust
Jackie Ferguson (JF)	Appointed – Wakefield Council
Claire Den Burger-Green (CDBG)	Public - Kirklees
Helen Morgan (HM)	Staff – Allied Health Professionals
Cllr Mussarat Pervaiz (MP)	Appointed – Kirklees Council
Beverley Powell (BP)	Public – Wakefield
Phil Shire (PS)	Public – Calderdale
Nik Vlissides (NV)	Staff – Psychological therapies
<u>Attendees:</u>	
Greg Moores (GM)	Chief People Officer (sent deputy)
Sean Rayner (SR)	Director of provider development
Adrian Snarr (ASn)	Executive Director of finance, estates and resources
Darryl Thompson (DT)	Chief Nurse and Director of quality and professions (sent deputy)
David Webster (DW)	Non-Executive Director
Salma Yasmeen (SY)	Deputy Chief Executive/ Director of strategy and change
Andy Lister (AL)	Head of Corporate Governance/ Company Secretary
Laura Arnold (LA)	Corporate Governance Officer

## **MC/23/01 Welcome, introductions and apologies (agenda item 1)**

Marie Burnham (MBu) formally welcomed everyone to the meeting, apologies were noted as above. The meeting was quorate and could proceed.

MBu reported that the meeting is being recorded to support minute taking. The recording will be deleted once the minutes have been approved (it was noted that attendees of the meeting should not record the meeting unless they had been granted authority by the Trust prior to the meeting taking place).

Due to technical difficulties with Microsoft teams, governors who were joining the meeting virtually could hear the meeting, but they could not be heard by Members' Council in the Large Conference Room. They were asked to use the chat function and apologies were conveyed to those joining virtually for the problems encountered.

MBu informed Members' Council that this was the last meeting for some of our governors. She thanked the following governors for their service to the Members' Council and to the Trust and wished them well.

MBu informed that Bill Barkworth (BB) has served as a public governor for Barnsley for 6 years and as a Lead Deputy Governor. She thanked him for his time and effort in

supporting the Lead Governor and the Members' Council. He was thanked for his contribution to the Members' Council and to the Members' Council groups.

MBu informed that Jackie Craven (JC) has now completed 3 terms as public governor for Wakefield and is not eligible for re-election, she also served as Lead Governor in her first term. JC has also attended numerous Welcome Events in the Trust. JC was thanked for her contribution as Lead Governor and public governor.

MBu informed that Dylan Degman (DD) could not join us today and he has decided to stand down and is not seeking re-election. DD has served 6 years as public governor for Wakefield and she thanked him for his contribution to Members' Council and to the Members' Council groups.

MBu informed that Tony Wilkinson (TW) has completed 3 terms as public governor for Calderdale and is therefore not eligible for re-election. She thanked him for his contribution to Members' Council and to the Members' Council groups.

MBu informed that Tony Jackson (TJ) will complete his first term on the 30 April 2023 and is seeking re-election to the Members' Council to represent non clinical support staff. MBu thanked Tony for his contribution to the Members' Council.

MBu and MBr thanked all governors for putting the voice of their constituents forward.

**It was RESOLVED to RECEIVE the welcome, introductions and apologies as described above.**

#### **MC23/02      Declarations of Interests (agenda item 2)**

No new declaration of interest.

Mike Ford (MF) asked whether he and Non-Executive Director, Kate Quail (KQ) need to log off for items 6.8 and 6.9. It was agreed that they would log off and be asked to return for these items.

**It was RESOLVED to NOTE the individual declarations from governors.**

#### **MC/23/03      Minutes of the previous Members' Council meeting and the Joint Trust Board and Members' Council meeting held on 9 December 2022 (agenda item 3)**

##### Members' Council meeting

Mandy Rayner (MR) asked to amend page 15 of the Members' Council minutes under heading; MC/22/64i Integrated Performance Report (item 7.9) paragraph 2; "since there are challenges with staffing" to be changed to "despite staffing challenges."

##### Joint Members' Council and Trust Board meeting

MR asked to amend the typo under Group E feedback, social responsibility and sustainability, which should read "strategy is now in place" and not "now and place".

**Action: Corporate Governance Team  
to amend the minutes of the 9 December 2022**

**It was RESOLVED to AGREE the minutes of the Members' Council meeting and the Joint Members' Council and Trust Board meeting held on 9 December 2022 as a true and accurate record with the noted amendments.**

**MC/23/04 Matters arising from the previous meeting held on 9 December 2022 and action log (agenda item 4)**

MC/22/63 Freedom to speak up development session

Bob Clayden (BC) enquired whether this development session has been arranged as he has not received the date and time. Julie Williams (JW) confirmed that the date is due to be released to all governors and it has been arranged for Wednesday 22 March 2023, 9.30 – 11am. The corporate governance team will confirm whether the meeting is hybrid or just on Microsoft Teams.

MC/22/52a Consultation around the sustainability and social responsibility work

BC asked whether governors have been consulted to take part. MBr informed the Members' Council that work is ongoing and we have planted around 400 trees around the Fieldhead site and 100 trees will be planted next week at Kendray Hospital. MBr confirmed this work is not one single event but a series of events and work which will take place over the next few years. BC asked whether governors have been specifically asked to be sustainability champions. JW said she will look into this action point.

**Action: Corporate Governance Team to liaise with the Sustainability Change Manager.**

**It was RESOLVED to NOTE the Action log of the Members' Council.**

**MC/23/05 Chair's report and feedback from Trust Board (agenda item 5)**

MBu asked for the paper to be taken as read to allow more time for discussion items and asked for any questions.

MBu said although it is detailed in the report, she would like to give a special mention to the engagement event with the University of Huddersfield on the 2 February 2023. She said it was attended by herself, John Laville (JL), Warren Gillibrand (WG), Tony Jackson (TJ) and Asma Sacha (AS). She said it was a fantastic event and they had a really good turnout. The students engaged well and 40 new members signed up to become a Member. She explained the intention is to arrange further engagement events in the future.

JL thanked WG for facilitating the event and to AS for their support in arranging the day. JL said there was a great interest from other places as well and it would be a good idea to arrange more events.

MBu thanked the Non-Executive Directors for their hard work since the last Members' Council meeting.

MBu informed Members' Council that at 11am we will be observing a minutes silence for Ukraine.

**It was resolved to NOTE the Chairs' report.**

## **MC/23/06 Members' Council Business items (agenda item 6)**

### **MC/23/06a Governor Feedback (item 6.1)**

JL provided a verbal update.

JL highlighted that the main feedback from staff is appointment wait times and staffing challenges and retention. He said there was good stories from nursing support in relation to development days and joint working between service users, carers and the Trust. JL said it was highlighted that induction was good in some areas but not as good in other areas.

JL said when we look at the recruitment figures, we have increased but some of them were new roles and movement within the workforce. He stated there were common themes such as people being barred from the crisis team. He said he has heard how some people being referred to IAPT for talking therapies but then referred to a third party charity.

JL said some individuals were moved from the enhanced to the core pathway without any communication with the carers although it was noted on clinical notes that carers were to be consulted.

JL said at the carers forum meeting last week they heard from one lady and her daughter's journey, and she said she felt abandoned. JL said there was a carers worker present at the meeting who will look into her individual case.

JL highlighted governors had observed two board committees. JL said he observed the clinical governance and clinical safety committee, and Tony Wilkinson (TW) observed the People and Remuneration Committee. JL said next week Beverley Powell (BP) will observe the Mental Health Act Committee. JL said it has been fantastic to observe the committees between the Non-Executive Directors and the Executive Directors and it was reassuring. JL said the corporate governance team circulate a schedule of Committee dates for the rest of the year and he encouraged governors to attend a Committee meeting. JL thanked MBu, MBr and all the Executive and Non-Executive Directors for giving this opportunity to governors.

MBu said it was important to receive this feedback. JL said they appreciate that they, as governors, will only hear one side of the story and it was important to feed this into the Trust.

Carol Harris (CH) informed JL that if there is no progress in the individual cases, he has mentioned then he can contact CH. JL confirmed he will contact her if needed.

Daz Dooler (DD) said he has lived experience and some of the feedback is poor, he said that we need to see a culture change. MBu said we will look into this and we are continually seeking improvement and she welcomes this feedback. JW said she will take the points raised by JL and DD and liaise with CH if needed.

**Action: JL and JW to discuss the issues in their monthly catch up and liaise with CH if needed.**

**It was resolved to RECEIVE the governor feedback.**

**MC/23/06b Assurance from Members' Council groups and Nominations Committee (To be taken as read and submit questions in advance) (item 6.2)**

The governors were presented with a paper to provide assurance to the Members' Council that the Members' Council Co-ordination Group, Quality Group, and the Nominations Committee were fulfilling their duties in accordance with their terms of reference. MBu noted that no questions had been submitted about the papers and they can be taken as read.

**It was RESOLVED to RECEIVE the Assurance from Members' Council groups and Nominations committee.**

**MC/23/06c Governor appointment to groups and Committees (To be taken as read and submit questions in advance) (item 6.3)**

Asma Sacha (AS) informed the Members' Council that this paper is to support the appointment of governors to the Members' Council groups.

On the 1 November 2022, nominations were received from Phil Shire (PS), public governor for Calderdale and Daz Dooler (DD) public governor for Wakefield expressing an interest to extend their membership to the Members' Council Quality Group. As their nominations were uncontested, they will automatically fill the two vacancies.

AS relayed there were 3 vacancies on the Members' Council Co-ordination Group and there was 1 vacancy on the Members' Council Quality Group although this seat could not be filled at present as we do not have a public governor for Rest of Yorkshire and Humber representatives.

JL said we have a lot of vacancies due a period of transition. There are also a few governors coming to their end of term and he is confident that from the 1 May 2023 we will fill the places when new governors are appointed.

JW said she will also go through the different Members' Council groups as part of the governors induction process.

**It was RESOLVED to RECEIVE the update on appointment to Members' Council groups and committees.**

**MC/23/06d Constitution, Standing Financial Instructions and Scheme of Delegation update (item 6.4)**

JW presented the Constitution; she said the primary purpose of the change was due to the change in the Health and Social Care Act 2022. She said it reflects the statutory changes to the NHS England Code of Governance for NHS provider Trusts, it will be effective from the 1 April 2023 and it reflects the organisational need. JW thanked BC for providing a comprehensive feedback and she will be working through them. She said none of the comments will effect the legality of the document. JW said the statutory changes are highlighted and changes to the Social Care Act have been added. She said the Integrated Care System (ICS) structures are referenced in the document as well as ICB and ICP. She said Monitor references have been removed and replaced with NHS England and BC has highlighted that there are some Monitor references in the document.

JW confirmed they have to remain as they are historic in terms of the structure of the Foundation Trust.

JW said the Standing Financial Instructions is to provide a framework for the proceedings and business of the Trust, this update follows previous updates agreed through the Audit Committee in October 2021 and January 2022.

BC informed JW that he has made a series of recommendations, JW confirmed that she has received his feedback and worked through them. BC said he could not feedback earlier because he did not receive his papers in the post and the papers were difficult to reference as they did not have page numbers. JW apologised and said she was aware of the issue with the post and provided assurance that this won't happen again.

BC asked about governor expenses and whether this could be extended to reimbursement of digital expenses as well as for physically travelling to a venue for Trust business. He asked whether they could be reimbursed for things such as printing and use of computers. JW said we are relying on the way to do business digitally more and more and she can look into this and find out what we can reimburse.

**Action: JW to confirm whether governors can be reimbursed for digital expenses**

BC said it was also written that Non-Executives Directors were able to apply for loss of earnings.

BC asked about the disqualification of membership. He said it seems to be unfair because if a member of staff attacks someone else then they wouldn't be barred from being a member but if a member of the public did the same then they would be disqualified from membership. BC said if a member of staff was consequently terminated from employment, then they could apply to become a member but if a member of the public did this then they could not become a member again. JW said this was standard constitution language and we can discuss this outside of the meeting. JW confirmed they were statutory requirements. It was agreed that subject to changes made following further feedback from BC then the Constitution was approved.

**Action: Corporate governance team to contact BC to note any further feedback**

PS said there was a new role added under the Foundation Trust Code of Governance and we are unable to amend anything as it has been added nationally.

JW said we have organisational policies and procedures in relation to staff and the constitution will be implemented as an overlay to them.

JW said the scheme of delegation has been reviewed and amended to include the following updates:

- Monitor references removed and replaced with NHS England
- Executive job titles updated
- Committee titles updated and Collaborative Committee added
- Trust Board strategy, plans and budgets updated to include the financial approval hierarchy table that has been updated to reflect the new limits

JW said the differential between a Non-Executive Director and the Associate Non-Executive Director roles have been added but they don't have a statutory role in the organisation.

JW said the Members' Council can stand up and stand down forums. She highlighted that it was discussed in the Members' Council Quality Group about pulling different teams together to make an improvement to services. JW said we have talked about governors supporting forums such as a young person's forum or a carers forum. This has been left vague on purpose in the report, so the Trust has the flexibility to choose.

The Trust seal has been updated to be signed by the Chief Executive (or his/her nominated deputy) and witnessed by the Company Secretary. This is to improve efficiency.

#### Scheme of Delegation

JW presented the changes to the scheme of delegation, there has been an update to appendix 4. This includes statutory changes and making sure documents support that.

BC said he wanted to give feedback regarding the scheme of delegation document, on page 13. He said under Members' Council it states; "Appoint and removal of the Chair and Non-Executive Directors." He asked whether this should include the Associate Non-Executive Directors. JW confirmed it doesn't include the Associate Non-Executive Directors because they are not statutory.

JW said the Constitution will be replaced by midnight from 31 March 2023 and she will feedback if there are any issues that need to come back to the Members' Council.

**It was RESOLVED to APPROVE the updates to the Constitution, Standing Financial Instructions and Scheme of Delegation as set out in the paper.**

#### **MC/23/06e Local Indicator for Quality Accounts (item 6.5)**

Carmain Gibson-Holmes (CGH) presented this paper and explained that this is an annual report that focuses on how the Trust performs against a set of quality priorities that have been set alongside a range of mandated items as identified by NHS Improvement (NHSI) and Department of Health and Social Care (DHSC). The Quality Account requirements/guidance is expected to be received by the end of February 2023. The preparation is underway to prepare the report as the Trust have done in the previous years. She explained that pre Covid-19 the Trust members were asked to identify quality indicators to review as part of the Trust's internal and external data quality checks. This requirement was stepped down and it is expected to remain this way but if this was to change then the Members' Council will be informed.

**It was RESOLVED to RECEIVE the update to the Local Indicator for Quality Accounts**

#### **MC/23/06f Members' Council elections (update) (item 6.6)**

JW updated the Members' Council in relation to the Members' Council elections. She informed that the Trust has had a very successful election campaign and nominations were concluded on 16 February 2023. JW thanked the Chair and governors for their support with the election campaign and a thank you to AS and TJ for their support with the engagement day.

JW informed the Trust has received 24 verified nominations for 14 vacancies.

She explained one place will be uncontested, and all other vacancies will be subject to an election process. One vacancy will remain which is for the social care staff (working in integrated teams).

JW provided a breakdown of vacancies and nominations as displayed in the following table;

<u>Vacancy type</u>	<u>Constituency</u>	<u>Number of vacancies</u>	<u>Number of nominations</u>
Public	Barnsley	2	4
Public	Calderdale	1	2
Public	Kirklees	4	5
Public	Wakefield	2	4
Public	Rest of Yorkshire etc	1	3
Staff	Non Clinical Support	1	2
Staff	Medicine and Pharmacy	1	1 (unopposed)
Staff	Nursing	1	3
Staff	Social care staff (working on integrated teams)	1	0

JW informed Members' Council that the voting packs will be circulated on 4 March 2023 and voting will close on 4 April 2023.

JW informed that there were a few young people who have applied as public governors and she would like to thank DD for his help and assistance with this. MBu also thanked DD and all the governors for all their help.

JW said the corporate governance team will also be working with the lead governor on the governor induction programme.

BC said he is unclear about the voting process. JW said she will liaise with BC outside of the meeting.

**Action: JW to meet with BC to explain the voting process.**

**It was RESOLVED to RECEIVE the update on Members' Council elections.**

#### **MC/23/06g Members' Council Objectives (item 6.7)**

JL said he has worked with governors on the Members' Council Objectives (1 April 2023 – 31 March 2025). JL thanked Claire Den Burger Green (CDBG), Tony Wilkinson (TW) Daz Dooler (DD) and Laura Habib (LH) for their help in drafting the objectives. JL explained he has discussed the headings with governors, and they have continued to use the same headings which are; Involvement, Quality and Effectiveness which has worked well previously.

JL explained the front sheet explains the statutory requirements of governors.

JL said there are 8 bullet points under Involvement and five of them are new.



JL went through some of the new objectives such as establishing a young people's forum and the Trust is seeking accreditation for triangle of care which is really positive.

JL said under quality we will continue the work of the Members' Council Quality Group and the interface with the Integrated Care System (ICS). He said governors will also support the Quality Monitoring Visits (QMV). JL explained they have specified that staff governors can also discuss the locality or team they work in rather than just the specific staff group they represent. JL asked for governors support and opened it up for discussion. BC asked why one of the bullet points has changed from "to work with" to "support". A discussion took place to clarify the work of the governors.

MBu agreed with the Members' Council that there were really good objectives. TW explained that the objectives do make it clear that governors are working in a much wider system now. Erfana Mahmood (EM) explained the Trust should also ensure that there is an improvement in diversity within our Membership and on our Members' Council. JD asked about younger governors and how we will engage them. DD said in Wakefield they have linked with the Young Lives Consortium. DD said he has also liaised with someone from the Wakefield Council who would be interested and helping governors get in touch with interested young members.

Andrea McCourt (AM) asked how they will measure progress. JL said they will implement different forums to assist with this.

Governors agreed to approve the Members' Council objectives subject to the following changes;

1. Involvement

1.8. "to support the Trust" will be changed to "to engage with the Trust"

2. Quality

2.5. "place visits" should read Patient Led Assessments of the Care Environment (PLACE)

**Corporate Governance Team to amend the Members' Council Objectives and to re-circulate this out to the Members' Council**

**It was RESOLVED to APPROVE the Members' Council Objectives from 1 April 2023 until the 31 March 2025.**

**MC/23/06h Review of Chair and Non-Executive Directors' remuneration (item 6.8)**

Lindsay Jensen (LJ) presented the paper on the review of the Chair and Non-Executive Directors remuneration. LJ explained the Members' Council undertake regular reviews of the remuneration. LJ explained that the Nominations Committee met on the 18 January 2023 to review the remuneration arrangements and agreed the current remuneration of the Trust Chair and Non-Executive Directors remains aligned to NHSE recommendations.

LJ highlighted that the Chair will be subject to a full annual appraisal in 2023 following which the Nominations Committee will review the Chairs remuneration and make a recommendation to the Members' Council. She explained should NHSE recommend any changes to the remuneration levels, a review will take place and Nominations Committee will be updated.

**It was RESOLVED to APPROVE the review of the Chair and Non-Executive remuneration.**

**MC/23/06i Re-appointment of Non-Executive Directors (item 6.9)  
(Mike Ford (MF) and Kate Quail (KQ) left the meeting)**

MBu explained MF is a very good SID and brings a lot of value to the Trust. MBu asked the Members' Council whether they agree to re-appoint MF for a further 3 years. It was agreed to re-appoint MF for a second term of office for three years from 1 September 2023 to 31 August 2026.

MBu explained again, KQ is a very good Non-Executive Director and she successfully chairs the Mental Health Act Committee and is involved in others areas of the Trust such as the board development work. MBu asked the Members' Council whether they agree to re-appoint KQ. It was agreed to re-appoint KQ for a third term of office subject to annual review from the 1 August 2023 to 31 July 2023.

BC asked whether the relevant checks will be done again when they are re-appointed. JW confirmed the Trust carries out a fit and proper person test annually.

**It was RESOLVED to APPROVE the re-appointment of Mike Ford and Kate Quail.**

**KQ and MF re-entered the Members' Council meeting.**

**MC/23/06j Re-appointment of Lead Governor (item 6.10)  
(JL left the meeting)**

MBu explained the corporate governance team wrote to all governors to express an interest for the lead governor role and JL self-nominated to be re-appointed as a lead governor. MBu said JL addressed the Nominations Committee on 18 January 2023 explaining why he would like to continue in his role as lead governor and how he would fulfil the role and what support he would need. She explained that the Nominations Committee considered JL's nomination and have made a recommendation the Members' Council to re-appoint JL as lead governor.

All governors expressed a view that JL was extremely likeable, worked really hard and engaged really well with the governors and constituents.

MBu said we haven't appointed to the Deputy Lead Governor and this discussion will continue outside of the meeting. MBu encouraged current governors to discuss this position with JL if they were interested. DD suggested a joint role or rotation until a permanent Deputy Lead was appointed. JW confirmed that they could do this in rotation as a temporary measure.

**Governors to discuss with JL whether they would like to self-nominate for a lead governor position (rotation will be considered).**

**It was RESOLVED to APPROVE the re-appointment of John Laville as Lead Governor.**

**MC/23/06k Integrated Performance Report (To be taken as read and submit questions in advance) (item 6.11)**

KQ joined the meeting virtually and due to the IT issues, could not present this paper.

It was agreed for MBr to present a brief summary.

MBr highlighted there were winter demands in the Trust as well as the Acute Hospitals and there was a huge increase in respiratory illnesses. MBr said various sectors have also had an impact in relation to industrial action. MBr explained that it has been challenging. The demands have been high in relation to complexity and acuity. The Trust has had out of area bed usage and this comes at a cost. MBr said the Trust have a 100 more staff and this might not always be in the areas of most need such as inpatient roles and this has been challenging for our teams. The performance metrics are holding up well and this is credit to all staff. He explained the Trust is getting more referrals from our primary care and delayed discharge. The sickness was high during the winter period and is coming down again.

MBr said financially the Trust has been fine for the last 3 years but next year it will be challenging for the NHS as a sector and for our Trust. MBr said although we are in difficult circumstances, and it was a great credit to our staff who are working hard across services.

*The Members' Council observed a minute's silence for Ukraine at 11.00.*

MBu explained we are doing well in relation to challenges that the Trust is facing. LJ said the Trust is seeing more starters and leavers and there are now 33 international nurses on our inpatient wards. LJ said the Trust is also looking at leavers survey and doing this much earlier rather than doing this when people have left.

DD said young people being admitted to an adult ward has doubled even though the numbers are small. CH commented that the Trust works closely with our partners and the demand has increased. DD asked about Red Kite View. CH explained the demand is significant and the level of observations of young people also has impact on this. MBr explained this also links in with acuity and staffing. MBr said between April – June 2019 compared to 2021, the number of referrals over the 4 places increased by 56%. DD said he understands there is a bigger picture and social issues needs to be resolved which then leads to mental health especially within the ICS. MBr said two members of staff were also hospitalised on our inpatient wards because they had been attacked by patients and this also has an impact on recruitment.

AJ said there was a serious incident in Manchester, and the Trust in Manchester were using nursing associates as nurses in charge, he asked whether this was happening within the Trust. CH said this does not happen routinely and they would not be put on a roster. CH commented that if this was to occur on an exception basis then it would be reviewed and go to the Nursing Directorate. CGH explained the Trust has a Safe care programme which is being rolled out and gives opportunity for clearer reporting on the quality of our staffing. CGH said the Nursing Directorate will be able to provide clearer reporting on this as the safe care programme progresses. AJ explained it isn't appropriate for a junior member of staff to lead a ward when there may be clinicians who were more qualified working in the crisis team. CH said they do have senior clinicians working on the wards and they look at staffing and the rosters. CH said our main decisions are based on patient safety. It was agreed for AJ to discuss this issue with CH outside of the meeting.

JW explained we haven't looked at safe care system in detail with governors, to look at this as a future session with governors. JL agreed with this.

**Action: AJ to contact CH to discuss his concerns about staffing, in particular the use of nursing associates**

**Action: Corporate Governance Team to add safe care system as a future focus item**

**It was RESOLVED to RECEIVE the Integrated Performance Report.**

**MC/23/07     Focus on item - Trust Teaching Hospital proposal (item 7)**

Dr Subha Thiyagesh (ST) presented this item.

She explained the Trust are going for the Teaching Hospital status and there is already a strong commitment to teaching, research and innovation.

ST highlighted that the Trust has established strong relationships with the University of Huddersfield, University of Sheffield and the University of Leeds.

She explained we already hold an Associated Teaching Trust status with the Leeds Medical School. She said the Trust trains medical students and nurses and allied health professionals and there maybe an opportunity to train pharmacy students.

ST said staff have managed to support these students throughout the pandemic.

ST explained that to allow the Trust to be recognised as a Teaching Trust, the Trust will have the name "Teaching" to reflect the significant teaching, training and research work of the Trust with our wide range of stakeholders including our Universities.

ST highlighted some key reasons why the Trust should apply to be a teaching hospital;

- Reflect the Trust's commitment to teaching and learning
- It was keeping with the Trust vision to provide outstanding physical, mental and social care in a modern health and care system
- In line with values of aiming to improve and be outstanding, relevant for today and ready for tomorrow.
- Supports our strategic objectives e.g. the Trust being a great place to work, and further, a great place to train our future workforce.
- Improves the visibility of the Trust as a learning organisation
- Will support attracting a high calibre workforce, whilst delivering high quality care to our service users and carers.
- Strengthens applications for research and development funding

ST explained that in relation to capacity, resources will need to be identified to support the project over a 6 month period and this has formed part of the planning and prioritisation discussions for 2023/24. She explained resource and capacity will be the main risk. ST said that costs associated with the name change, for example signage and templates will be updated as required rather than incurring a significant cost up front.

ST explained that there is limited guidance available to Foundation Trusts on how to gain Teaching Trust status and this has been established through engagement with other Trusts with experience of this process for example, through consultation with Humber Teaching NHS Foundation Trust and via engagement with the Executive Management Team (EMT), Committees and Board.

ST said this proposal was initially presented to EMT to gain Teaching Trust status in June 2022 and it was supported. The paper was then presented to the Clinical Governance and Clinical Safety Committee in November 2022 and there was agreement to progress. The paper was presented to Trust Board in November 2022 and an agreement was reached to commence consultation for obtaining Teaching Trust status with Members' Council for their consideration and approval.

ST said a steering group is being established which she will chair, and she will be responsible for oversight of all the workstreams including communications, engagement, corporate governance, legal, research and development and estates and facilities.

ST asked the Members' Council for their approval and to move to the next step of consultation. ST said the next step would be for MBu and MBr as Chair and Chief Executive to write to external stakeholders and NHSE.

ST made a recommendation to the Chair to write to the Trust membership with supported proposal asking for responses by exception.

MBu thanked ST for the presentation and explained that this would enhance the quality of people we attract and employ, and staff are regularly up to date with training and development.

TW asked whether patients will benefit directly. ST said patients will benefit from this and having the Teaching Trust status will attract the right calibre of staff and it also has a direct impact on the Trust clinical practice. The Trust would use research methodologies.

TW asked whether this would lead to greater staff turnover. ST said the workforce will be attracted by our culture and drawn by the ambition and learning. This will be linked to workforce recruitment and retention.

LH commented that this was a really good initiative and there will be a lot of support and we are heading in the right direction. MBu said there is fantastic learning and development drive. DD asked whether we would strip resources from our core services and we may lose staff from the core services to other projects. ST said this will attract people back into our services and she understands what he was saying, but this will enhance the Trust reputation and training. ST said we are validating what other staff are doing already, such as preceptorship and developing our staff further. DD said we need to reinforce that all staff are welcome and not everyone has to be ambitious as there are people who want to just do a good job. MBu and ST said this was a good point and as a Trust we will ensure we have an open message.

AJ asked whether people will be taking on extra roles on this project. ST said the Teaching Trust status will not change what people are already doing. ST said they have done a survey about looking at non-medical staff who want to engage in research and looking at the barriers. AJ said this was a good idea but what will happen in services if someone takes on an honorary lecturer role and they won't be on the ward. MBu said we are giving people acknowledgement for what staff are already doing and it is not giving them extra

roles. ST provided an example with her role and the application of her research. She said she was awarded the professor status at the University of Huddersfield.

WG explained many of his staff already work with NHS organisations and with SWYPFT as part of the nursing division and we can't disassociate from the teaching/ training and education. We need to bring the innovations together. WG said he has worked for different Trusts and as we move forward with digitalisation of care then we need to be at the forefront about bringing the education and research together. WG said the National Institute of Health Research have a programme which this Trust has got the success in achieving called research for patient benefit. It is solution focused and there are many benefits. This will also bring benefits and funding. DD relayed his concerns and WG said the patient interface will increase.

AJ said he can also see the benefits and he asked whether staff will be working in their own time and doing more than there allocated working hours. He asked how the organisation will help staff by making time out and back filling tasks. CH said if we create an improved learning environment, and this will help staffing and she is hopeful that it will help.

AM said she was very supportive of this. She asked whether the Trust has contacted other Trusts to consult on the process and who will be the ultimate decision maker as to whether the Trust receives the Teaching Status. ST said the Trust have worked with the Humber Teaching NHS Foundation Trust in relation to the governance process and also engaged with NHSE. MBu explained a few universities will also take this to Board to say they support our status and also the Members' Council would also have to support the status. MBu said the Trust will write to NHSE to request to add Teaching Status to our name.

JL said he fully supports this and asks whether it was too good to be true. He said it is positive that it was a 6 month timeline but there may be obstacles along the way. MBu explained that there are few mental health trusts with teaching hospital status, and our Trust is already doing a lot of work on Research and Development (R&D) and learning. ST said sometimes we need the right team to come together and have an ambition to go through this. MBu said the Trust already have an Associate Teaching Hospital status and we need to bring it together and receive this recognition. LH highlighted some research she is aware of on the wards which is really positive.

Cllr. Blagbrough asked when this will be communicated to the wider public. ST said we will do this once the steering group is established and once the Trust receives the status.

TW asked whether the community will care about this change as long as they receive the care they require. JL said he is happier to be treated at a Teaching Hospital than a non-teaching hospital. JL commented that there is perception that they may be better qualified staff at a Trust which is labelled "Teaching Hospital".

AJ asked whether the steering group will engage with service users. ST said there is a service user engagement and this is also applicable with research and development.

DD asked about evidence based and he asked whether as a Teaching Hospital they will have more influence. ST said they are already doing this. ST said we are already a specialist organisation and the Trust influences our discussions with our commissioners and look at our data in terms of waiting lists etc. MF commented that this was a good and effective debate.

**It was RESOLVED to RECEIVE and APPROVE the Trust Teaching Hospital proposal.**

**MC/23/08      Focus on item - Single Point of Access (SPA) (item 8)**

The team were presenting virtually so the item will be re-scheduled a later date.

JL highlighted he has discussed the crisis line at the Kirklees Mental Health Alliance, there has been various discussions about crisis lines being re-routed to NHS 111. JL said there were concerns in the MH Alliance as to the implications of this. JL asked whether this would include SPA and he also said there were great concerns as there are lengthy delays in them calling people back.

CH said she chairs the secondary care pathway meetings for the West Integrated Care System and 111 keeps us updated with their work. CH said she is relaying this from memory but the 111 will sit at the front but then they will re-route people to the most appropriate service and one of those services maybe the helpline. CH said she will raise his concerns and also receive an update and report back to JL. JL said they discussed at the meeting that if a member of the public was to call the 111 crisis line which was set up during the pandemic, this call would go to 111 and 111 may sign post people on but this may add delay. JL said the system leaders were equally concerned about this. CH said she will look to clarify the position and report back.

**Action: Carol Harris to update John Laville**

Cllr Blagborough asked how we deal with the homeless needing help. DD explained it may be the plan that everything is accessible via 111 which is easier to remember than individual service lines. DD said the change may be due to not many people getting the help they require from the existing SPA service.

AJ said that there will be difficulties with using 111, for example, with scarlet fever, people couldn't get through to 111, he explained he works in the GP practice and there were many people who needed antibiotics and when they called 111 they were informed that someone would call them back but then they received a second call saying they were too full and no one could call them back and their case was subsequently closed. AJ said this system would not work for people who were mentally distressed.

PS highlighted that SPA doesn't operate on weekends therefore there needs to be a discussion on how well the home based treatment teams worked at the weekends to handle the calls and whether the SPA team could include this in their presentation.

TW asked about engagement and consultation regarding this initiative. MBr said the Trust will get an opportunity to input within the consultation process. DD relayed that this was already happening in the South of England and it was creating a triage system.

**Action: Corporate Governance Team to relay the above messages to SPA to add this to their presentation.**

## **MC/23/09 Chair's appraisal (process) (item 9)**

Mandy Rayner (MR) discussed the process for MBu's annual appraisal process. She explained that as the Members' Council were only discussing the process that MBu can remain in the room unless there were any objections. No objections were received.

MR confirmed that MBu's appraisal will be by MF as Senior Independent Director (SID). She explained that the process for 2022/23 will follow that of previous years which will enable all members of the Trust Board, governors and key stakeholders to contribute. She explained that NHS England publish an appraisal framework for NHS provider chairs which is a standard approach across the system.

She explained that MBu has been Trust Chair since December 2021 and her full appraisal will be from 1 April 2022 until the 31 March 2023. MR asked if a Chair is appointed mid-term whether they will have to wait 18 months until they have a full appraisal. JL said MBu joined us in December 2021 and MF confirmed that MBu has received an interim appraisal.

**It was RESOLVED to RECEIVE an update on the Chair's appraisal process.**

## **MC/23/10 Closing remarks and work programme 2023/24 (item 10)**

The 2022/23 work programme was included in the Members' Council papers in error and the 2023/24 work programme was omitted. Apologies were relayed by AS and it was agreed to circulate the 2023/24 work programme to the Members' Council as soon as possible for comment and approval.

**Action: Corporate Governance Team to circulate the Members' Council work programme 2023/24.**

## **MC/23/11 Date of next Members' Council meeting (item 11)**

BC highlighted that the Members' Council Coordination Group were asked to agree the dates of the Members' Council meetings for 2023/24 and noted that the date in August had changed from 16 August 2023 to 15 August 2023. Discussion took place in relation to governor and Board unavailability on Tuesdays and Thursdays, therefore it was agreed to schedule future Members' Council meetings on either Wednesdays or Friday mornings.

Future dates:

- May 2023 – TBC
- August 2023 – TBC
- Friday 29 September 2023 – Annual Members' Meeting
- Friday 17 November 2023 (including Joint Trust Board and Members' Council)
- Tuesday 20 February 2024

**Action: Corporate Governance Team to reschedule the dates of future Members' Council meetings.**

**It was RESOLVED to APPROVE the Members' Council meeting dates for 2023/24 with the noted amendments.**



## **MC/23/12 Any Other Business (item 12)**

- BC said the 2021 cancer patient survey from NHSE showed that the two groups who are worse served as people with cancer were people with learning disabilities and those diagnosed with a mental illness. BC said he has been doing some work on this with them and is working with the cancer experience care lead from NHSE and they are doing work which will filter down to our Trust. He said they are working with local health teams and they are working with toolkits for professional use and reasonable adjustments mostly for acute health trusts and doctors. He said the group in Northumberland is working on patient passports and the local alliance is working on patient groups. BC said there are few mental health trusts getting involved with the process. CGH asked whether there was a system in place to determine that those people have a diagnosis of cancer and then the challenge of the treatment they receive. Natalie McMillan (NMc) explained as Chair of CG&CSC the Trust need to focus on this and she will take this as a discussion to the CG&CSC and to look at the the outcome of those with Learning Disabilities. She said we need to look at it as we have received the learning from deaths report, and it is about our learning of people from learning disabilities and to broaden it. NMc said it is about choices and how they can have this choice. AJ said it was an important piece of work and working in general practice there are people who are afraid of hospitals and an earlier input may have changed a persons prognosis. ST said this was part of our physical health strategy. ST said we are working with the executive trio to identify a strategy over the next 3 years and the use of more reasonable adjustments. EM said the Mental Health Act Committee also has data about rules about capacity and the MHAC also have other local authorities sitting on which providers assurance.

**Action: Natalie McMillan**

- BC said the West Yorkshire and Harrogate Cancer Alliance have got monies of around £100,000 for innovative research. ST said she will make a note of this and discuss this with the R&D team.

**Action: ST to discuss this information with the R&D Team**

- Asma Sacha (AS) informed Members' Council that although they are still considering different venues for hybrid Members' Council meetings for 2023/24, whether governors would be in agreement to hold the next meeting at Fieldhead Hospital to enable new governors to visit the site and for the corporate governance team to arrange a walk about. Members' Council agreed to this plan.

**Action: AS to arrange a walkabout of the Fieldhead site for all governors at the end of the next Members' Council meeting.**

- JC, TW and BB thanked everyone for supporting them throughout their term as governors. MBu thanked them for their contribution to the Members' Council.

**It was RESOLVED to NOTE any other business.**

*Close of Members' Council meeting*

## Members' Council 24 February 2023 – Action log Item 4

 = completed actions

### Actions from 24 February 2023

Minute ref	Action	Lead	Timescale	Progress
MC/23/03	<p><u>Members' Council meeting</u> Mandy Rayner asked to amend page 15 of the Members' Council minutes under heading; MC/22/64i Integrated Performance Report (item 7.9) paragraph 2; "since there are challenges with staffing" to be changed to "despite staffing challenges."</p> <p><u>Joint Members' Council and Trust Board meeting</u> Mandy Rayner asked to amend the typo under Group E feedback, heading; social responsibility and sustainability, which should read "strategy is now in place" and not "now and place".</p>	Asma Sacha, Corporate Governance Manager	March 2023	Complete.
MC/23/03	<p><u>MC/22/52a</u> Consultation around the sustainability and social responsibility work: Governors enquired whether they will be approached to be sustainability champions. It was agreed for Asma Sacha to check with Tony Wright, Sustainability Change Manager.</p>	Asma Sacha, Corporate Governance Manager	March 2023	Complete.  Tony Wright wrote to all governors on 15 March 2023 providing an update and for governors to contact him if they wished to be involved.

Minute ref	Action	Lead	Timescale	Progress
MC/23/06a	<u>Governor feedback</u> John Laville raised concerns from members of the public via the carers forum. It was agreed for John Laville to discuss these concerns further with Julie Williams in their monthly meetings and to raise any individual cases with Carol Harris if needed.	John Laville, Lead Governor and Julie Williams, Deputy Director of Corporate Governance	May 2023	In progress.  Meeting arranged for 2 May 2023.
MC/23/06d	<u>Constitution, Standing Financial Instructions and Scheme of Delegation</u> Julie Williams to confirm whether governors can be reimbursed for digital expenses (for example use of computers, Wi-Fi or printing).	Julie Williams, Deputy Director of Corporate Governance	May 2023	The Deputy Director of Corporate Governance is discussing this request with Finance and will report back to governors.
MC/23/06d	<u>Constitution, Standing Financial Instructions and Scheme of Delegation</u> Bob Clayden raised further feedback regarding the constitution and it was agreed for the Corporate Governance Team to contact him outside of the Members' Council meeting.	Asma Sacha, Corporate Governance Manager	March 2023	Complete.  Feedback was received and relayed to Julie Williams.
MC/23/06f	<u>Members' Council elections (update)</u> Bob Clayden asked for further clarity in relation to the voting process. It was agreed for Julie Williams to meet with Bob Clayden outside of the Members' Council meeting.	Laura Arnold, Corporate Governance Officer	March/ April 2023	Complete.  JW and BC met on the 19 April 2023.
MC/23/06g	<u>Members' Council Objectives 1 April 2023 – 31 March 2025</u> Governors agreed to approve the Members' Council objectives subject to the following changes;  1. <u>Involvement</u> 1.8. "to support the Trust" will be changed to "to engage with the Trust"  2. <u>Quality</u> 2.5. "place visits" should read Patient Led Assessments of the Care Environment (PLACE)	Asma Sacha, Corporate Governance Manager	March 2023	Complete.  The Members' Council objectives from 1 April 2023 – 31 March 2025 have been amended.  The final/ amended version has been presented to the Members' Council Co-ordination Group on 20 March 2023 and has been circulated to Members' Council on the 27 March 2023.  The objectives have also been

Minute ref	Action	Lead	Timescale	Progress
				uploaded to the Members' Council website.
MC/23/06j	<u>Re-appointment of Lead Governor</u> It was highlighted that the Members' Council have received no nomination to date for the Deputy Lead Governor role. It was agreed for governors to contact John Laville if they were interested in the position and to express an interest if they wished to do this on a rotation basis.	All governors	May 2023	Complete.  An email was sent to Members' Council on the 20 March 2024 and a reminder on the 24 March 2024. One self-nomination has been received which will be presented to Nominations Committee on the 3 April 2023.
MC/23/06k	<u>Integrated Performance Report</u> Adam Jhugroo to contact Carol Harris to discuss his concerns about staffing, in particular the use of nursing associates as nurse in charge.	Adam Jhugroo, public governor	May 2023	Complete.  Asma Sacha sent an email to Adam Jhugroo on the 27 March 2023 to remind him about this open action and to update Members' Council once he has contacted Carol Harris.
MC/23/06k	<u>Integrated Performance Report</u> Discussed safe care system and agreed for the corporate governance team to add this topic as a future focus on item	Members' Council Co-ordination Group	May 2023	Complete.  Added to Members' Council Co-ordination Group action log and to consider "safe care system" for future inclusion on a Members' Council agenda.
MC/23/08	<u>Focus on item – Single Point of Access (SPA)</u> Due to technical difficulties, it was agreed for this focused item to be brought back to the Members' Council meeting in May 2023.	Members' Council Co-ordination	May 2023	Complete.  Added to Members' Council Co-

Minute ref	Action	Lead	Timescale	Progress
		Group		ordination Group action log and to consider for future inclusion on a Members' Council agenda.
MC/23/08	<u>Focus on item – Single Point of Access (SPA)</u> John Laville and governors expressed their concerns about the crisis telephone helplines being re-routed to NHS 111 and the negative implications of this. It was agreed for Carol Harris to relay governor concerns to the SPA team who will bring the feedback back to the Members' Council meeting in May 2023.	Carol Harris, Chief Operating Officer	May 2023	Complete.  Single Point of Access (SPA) presentation has been provisionally scheduled for Members' Council meeting on 9 May 2023. Carol Harris has checked on the helpline position regarding the 111 option and shared governors concerns about losing the helplines. NHSE position at the moment is that direct access to helplines can continue.  Carol Harris will continue to check the position when updates are received.
MC/23/10	<u>Work Programme 2023/24</u> The Corporate Governance Team to circulate the 2023/24 work programme to Members' Council for comment and approval.	Laura Arnold, Corporate Governance Officer	March 2023	Complete.
MC/23/11	<u>Date and Time of Future Members' Council meetings</u> It was agreed by Governors and the Board to hold future Members' Council meetings on either Wednesdays or Fridays. The Corporate Governance Team to re-arrange any dates which fall on Tuesdays or Thursdays.	Laura Arnold, Corporate Governance Officer	March/April 2023	Complete.  Please see revised dates below for Members' Council 2023/24: ➤ <del>Tuesday 16 August 2023</del> ➤ <b>Wednesday 16 August 2023</b> ➤ Friday 29 September 2023 – Annual Members' Meeting ➤ Friday 17 November 2023 (including Joint Trust Board

Minute ref	Action	Lead	Timescale	Progress
				and Members' Council) → <del>Tuesday 20 February 2024</del> ➤ <b>Friday 23 February 2024</b>
MC/23/12	<u>Any Other Business</u> Bob Clayden said the West Yorkshire and Harrogate Cancer Alliance have got monies of around £100,000 for innovative research. Subha Thiyagesh said she will make a note of this and discuss this with the Research and Development team.	Subha Thiyagesh, Chief Medical Officer	May 2023	Complete.  Asma Sacha sent an email to Subha Thiyagesh on the 27 March 2023 as a reminder to discuss this information with the Trust Research and Development Team. The Trust R&D team can contact Bob Clayden via the corporate governance team for further discussion if required.
MC/23/12	<u>Any Other Business</u> BC said the 2021 cancer patient survey from NHSE showed that the two groups who are worse served as people with cancer were people with learning disabilities and those diagnosed with a mental illness. Natalie McMillan (NMc) explained as Chair of CG&CSC the Trust need to focus on this and she will take this as a discussion to the CG&CSC.	Darryl Thompson, Chief Nurse and Director Nursing, Quality and Professions.		Complete.  Added to the work programme for the committee.  Update from Natalie McMillan (NED): The Clinical Governance and Clinical Safety committee and Board have both received a report providing details about the learning disability improvement programme. This is being led by the Medical Director as the executive sponsor and gives us assurance as NEDs and the board that we are focussing on the experience and outcomes of those with learning disabilities.

Minute ref	Action	Lead	Timescale	Progress
MC/23/12	<u>Any Other Business</u> Corporate Governance Team to arrange a walkabout for all governors at the end of the next Members' Council meeting in May 2023.	Asma Sacha, Corporate Governance Manager and Laura Arnold, Corporate Governance Officer	May 2023	Complete.  Added to the agenda for Members' Council meeting on 9 May 2023 as optional for all governors.

### Actions from 9 December 2022

Minute ref	Action	Lead	Timescale	Progress
MC/22/63	<p><u>Chief Executive's Comments on the operating context (agenda item 6)</u></p> <p>MBr explained that an investigation into Edenfield will be completed in Manchester. Once it is made public our Trust can review and identify any learning for ourselves. This can be shared with governors, providing them with an opportunity to input to how we respond. The timing for completion of any investigation is not yet known to us.</p> <p>Darryl Thompson to update the governors once the investigation into Edenfield is complete and report on any identified learning to be taken for our Trust. He will liaise with the corporate governance team to brief and engage with the Members' Council.</p>	Darryl Thompson	To be arranged when the investigation findings are released.	<p>11 April 2023:</p> <p>No update at the time of writing this report.</p>
MC/22/63	<p><u>Chief Executive's Comments on the operating context (agenda item 6)</u></p> <p>Discussed the role of Freedom to speak up guardians. It was agreed for Julie Williams to arrange a freedom to speak up development session for governors.</p>	Laura Arnold	To be arranged between Jan 2023 – March 2023	<p>Complete.</p> <p>A governor development session on Freedom to Speak Up has been arranged for 22 March 2023, 9.30 – 11am, Microsoft Teams.</p>



### Actions from 16 August 2022

Minute ref	Action	Lead	Timescale	Progress
MC/22/52a	MBr reported the Trust is carrying out work on referrals and waiting lists to have access to all the information BP has suggested for all of the services and the Trust expects to have an update by November 2022. This will really help to understand how to improve the service provision as well as better understanding any possible equality issues. MBr noted this might be a helpful topic for a future meeting.	<b>Members' Council Co-ordination Group</b>	<b>May 2023</b>	Complete.  Work on waiting lists is still ongoing. Added to Members' Council Co-ordination Group action log and to consider for future inclusion on a Members' Council agenda.
MC/22/54	BP noted that health inequalities should be part of everything the Trust does, and it was agreed that an update should be received on progress on health inequalities data in the Members' Council meeting in November 2022 with a possible fuller discussion in relation to health inequalities taking place in the February 2023 meeting.	<b>Members' Council Co-ordination Group</b>	<b>May 2023</b>	Complete.  Added to Members' Council Co-ordination Group action log and to consider for future inclusion on a Members' Council agenda.
MC/22/54	Following the input in relation to CAMHS earlier in the meeting and given the national profile of the issues within the CAMHS team, CDBG asked for a progression update to be received either through the Members' Council Quality Group or the Members' Council meeting.	<b>Members' Council Quality Group / Members' Council Co-ordination Group</b>	<b>May 2023</b>	Closed.  <u>Update 13 March 2023</u> CAMHS was discussed in the agenda setting meeting between the Chairs of the Members' Council Quality Group and it was agreed that this has been through the Members' Council already and there are no specific updates that are required for the CAMHS team to attend again. It was highlighted that waiting times was an ongoing discussion which is being picked up as part of the Integrated Performance Report.  <u>3 May 2023</u>

Minute ref	Action	Lead	Timescale	Progress
				Going to Members' Council Quality Group on 3 May 2023.

**Actions from 10 May 2022**

Minute ref	Action	Lead	Timescale	Progress
MC22/38	Andy Lister to review amendments required to the nominations committee terms of reference in relation to the inclusion of the Non-Associate Directors.	Andy Lister	May 2023	<p>Complete.</p> <p>The recruitment of Associate Non-Executive Directors was discussed at the Nominations Committee on 8 November 2022.</p> <p>The terms of reference have been amended to include Associate Non Executive Directors following sign off of the amended constitution at the Members' Council in February 2023.</p>

## Members' Council 9 May 2023 Agenda item 5

<b>Title:</b>	<b>Chair's Report and feedback from Trust Board</b>
<b>Paper presented by:</b>	<b>Marie Burnham - Chair of the Trust</b>
<b>Paper prepared by:</b>	Corporate Governance team
<b>Purpose:</b>	<p>The purpose of this report is to keep Members' Council informed to enable governors to hold Non-Executive Directors (NEDs) to account for the performance of the Board.</p> <p>This report covers activity from <b>4 February 2023 until 25 April 2023</b>.</p> <p>In addition, Trust communications including the Headlines, The View and The Brief, are circulated to governors to provide up to date information on the Trust's performance and activities.</p> <p>Question and Answer (Q &amp; A) sessions are chaired by the Trust Chair and the Chief Executive is in attendance. These Q &amp; A sessions now have a focus on sub committees of the Board with NED chairs of committees, and lead directors being present to explain the Committees purpose and remit, and answer any questions from governors to improve governor insight into Board Committees.</p> <p>This report aims to supplement these by highlighting:</p> <ul style="list-style-type: none"> <li>• Chair and NED activity since the previous Members' Council meeting.</li> <li>• Key issues discussed at Board meetings in the last quarter; and</li> <li>• Any other current issues of relevance and interest to Governors not covered elsewhere in the agenda.</li> </ul>
<b>Mission/values:</b>	Good governance supports the Trust to deliver its mission and adhere to its values.
<b>Any background papers / previously considered by:</b>	Not applicable.
<b>Executive summary:</b>	<p><b><u>1. Governor Changes</u></b></p> <p>Since the last Members' Council meeting on the 24 February 2023, the election to our Members' Council has concluded and the following 14 governors have been elected and they have commenced from 1 May 2023;</p> <p><b>Governor: staff nursing</b> Jacob Agoro</p> <p><b>Governor: staff non-clinical support</b> Leonie Gleadall</p>

**Governor: medicine and pharmacy**

Ian Grace

**Governor: Public Wakefield**

Reini Schühle

Rosie King

Charles Elliott

**Governor: Public Kirklees**

Bob Morse

Tanisha Bramwell

Sara Javid

Rumaysah Farooq

**Governor: Public Calderdale**

Christopher Paul Matejak

**Governor: Public Barnsley**

Daniel Goff

John Lycett

**Governor: Public, Rest of Yorkshire and Humber and neighbouring counties**

Fatima Shahzad

**Governors leaving**

The following governors have resigned from their position in March and April 2023;

Jackie Ferguson, appointed governor for Wakefield Council

Beverley Powell, public governor for Wakefield

**2. Chair and Non-executive Director activity since from 4 February 2023 – 14 April 2023**

(Please note that NEDs are expected to work around 3 days a month and the Chair around 3 days a week, although in practice most work considerably longer.)

To support governors in their role of holding the Chair and NEDs to account, this section of the report highlights the activities NED's have been engaged in since the previous Chair's report to Members' Council meeting held on 24 February 2023.

**Trust Board – 25 April 2023**

On 25 April 2023, Trust Board heard a story from a family who had lost their loved one to Alzheimer's disease in December 2022. At the time of their passing, the family member was in the care of the Poplars ward, which is an older people's service ward based in Hemsworth near Pontefract. The family attended the Board in the company of the Poplars ward manager who was there in support. The family were extremely complimentary of the ward, staff and care that their loved one had received in the final weeks and days of her life on the ward. The story demonstrated the exceptional care that is being delivered throughout the Trust on a daily basis.

### **Excellence awards - 4 May 2023**

On 4 May 2023 the Trust will celebrate the achievement of our staff and volunteers at our annual Excellence awards. We are expecting over 210 people join us for the celebration event, in Huddersfield, including some of our governors. This year we received over 220 entries over the 10 categories, representing all of our care groups and geographical locations. The judging process was very challenging with so many worthy and outstanding entries. The Chair took part in the judging process, as did many of our Members' Council. The Chair would like to thank everyone who contributed. As well as the 10 awards judged, Mark Brooks and the Chair will also present 3 chair and chief executive awards, for those entries that stood out amongst the rest. Details of all the entries, the highly commended and winners, and photos from the celebration event can be found on the Trust website.

- **Governance meetings – Chair and NEDs:**

The Chair and NEDs continue to attend a wide range of webinars, development events and virtual meetings to keep up to date on policy and governance matters, both nationally and regionally. Here is a list of their activities:

### **Our non-executive directors have attended the following from the 4 February 2023 – 14 April 2023**

#### **Mike Ford:**

##### **Formal Meetings/Committees**

- Members' Council Meeting
- Trust Board
- Audit Committee
- Collaborative Committee (Feb and April)
- Charitable Funds Committee
- Equality Involvement & Inclusion Committee
- Finance Investment and Performance Committee (observing in role as Audit Committee Chair)

##### **Regular Meetings**

- NEDs Meeting
- Routine one to one with Chair including interim appraisal discussions
- Freedom to Speak Up 6 weekly Review Meeting (Feb and March)

##### **One-off meetings**

- Governor Q&A re Charitable Funds Committee
- Discussion re Terms of Reference for Collaborative Committee
- Discussion of 23/24 Internal Audit Plan with 360 Assurance
- Separate meetings with Lead Governor and Chief Executive in role as Senior Independent Director
- Further meeting with other Audit Committee Chairs across West Yorkshire ICS
- Discussion re development of Staff Disability Network
- Planning and delivery of development session on FTSU for Governors
- Review of EDS2 grading
- NHS Providers webinar for NEDs re FTSU
- GGI Webinar for NHS NEDs on options re approach to governance

	<ul style="list-style-type: none"> <li>• GGI Webinar re Provider Collaboratives</li> <li>• Comms and engagement Task and Finish Group</li> <li>• Freedom to speak up webinar</li> </ul> <p><b>Kate Quail:</b></p> <ul style="list-style-type: none"> <li>• Members' Council Meeting</li> <li>• Mental Health Act Committee</li> <li>• Clinical Governance and Clinical Safety Committee</li> <li>• Finance, Investment and Performance Committee</li> <li>• Audit Committee</li> <li>• Trust Board</li> <li>• Recovery college strategic review</li> <li>• Integrated performance report meeting</li> <li>• Mental Health Act Committee pre meeting</li> <li>• BAF risks meeting</li> <li>• Mental Health Act Committee agenda setting meeting</li> <li>• Consultant interview</li> <li>• Consultant interview panel discussion meeting</li> <li>• NEDs meetings</li> <li>• One to one with Chair</li> </ul> <p><b>Erfana Mahmood:</b></p> <ul style="list-style-type: none"> <li>• Members' Council meeting</li> <li>• Collaborative Committee</li> <li>• Equality, Involvement and Inclusion Committee</li> <li>• Charitable Funds Committee</li> <li>• Mental Health Act Committee</li> <li>• Finance, Investment and Performance Committee</li> <li>• Trust Board</li> <li>• Recovery college strategic review</li> <li>• Governor Q&amp;A pre meeting</li> <li>• Governor Q&amp;A aligned to charitable funds committee</li> <li>• EDS2 grading meeting</li> <li>• Conference, follow up meeting</li> <li>• Spirit in Mind event</li> <li>• NEDs meeting</li> <li>• One to one with Chair</li> </ul> <p><b>Natalie McMillan:</b></p> <ul style="list-style-type: none"> <li>• Members' Council Meeting</li> <li>• Clinical Governance &amp; Clinical Safety Committee</li> <li>• Finance, Investment and Performance Committee</li> <li>• People and Remuneration Committee</li> <li>• Audit Committee</li> <li>• Trust Board</li> <li>• Recovery college strategic review</li> <li>• Improvement Network</li> <li>• Mid Year review with Chair</li> <li>• Ey up away day</li> <li>• IHI certificate of Quality and Safety Action Learning Sets</li> <li>• Visit to Johnson Ward and Seclusion Suite on 3 April 2023</li> <li>• NEDs meeting</li> </ul>
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- One to one with Chair

**Mandy Rayner:**

- Members' Council meeting
- Trust Board
- Mental Health Act Committee
- Mental Health Act Committee prep and learning with the team
- Audit Committee
- Menopause accreditation and awareness session
- Recovery college strategic review
- Board development
- Agenda setting for People and Remuneration Committee
- Update meetings with Chief People Officer
- GPTW review and updates to strategy
- Mental Health Act committee preparation
- Excellence awards meeting
- BAF risks meeting
- Model for Improvement, QI skills booster session
- Consultant interview, pre meeting and post meeting
- Mid Year review with Chair
- NHS providers event
- IHI certificate of Quality and Safety Action Learning Sets
- Calderdale Cares Partnership Board
- Digital Strategy meetings
- Patient Knows Best meetings
- External horizon scanning meetings and round table discussions
- NEDs meeting
- One to one with Chair

**David Webster:**

- Trust Board
- Visit to Enfield Down
- Equality, Involvement and Inclusion Committee
- Audit Committee
- Finance, Investment and Performance Committee
- Collaborative Committee
- Agenda setting meeting for Finance, Investment and Performance Committee
- One to one with Chair
- IHI certificate of Quality and Safety Action Learning Sets
- Judging panel for the excellence awards
- Charitable Funds Committee
- NEDs meeting
- One to one with Chair

**The following gives a summary of the additional activity undertaken by the Chair during this period: 4 February 2023 – 14 April 2023**

**Chair engagement with SWYPFT staff, governors, NEDs, volunteers, service users and carers:**

- Members' Council meeting



- Monthly meetings with the Lead Governor
- Governor Q&A sessions
- 1:1 meetings with various key members of staff in the wider Trust
- Chaired Equality, Involvement & Inclusion Committee Meeting
- Clinical Governance Clinical Safety Committee
- Trust Welcome Events for new staff and volunteers x2 (monthly)
- 1:1 meetings with the chief executive (fortnightly)
- 1:1 meetings with the Deputy Chair (monthly)
- Extended Executive Management Team briefings (monthly)
- NEDs' meetings (monthly)
- Board agenda setting (monthly)
- Write 'The View' monthly following board meetings
- Collaborative Committee
- Governor induction meeting
- Members' Council Coordination Group
- People and Remuneration Committee
- Chaired Nominations Committee
- Recovery college strategic review
- Trust Board
- Attended training: IHI Certificate of Quality and Safety Action Learning Sets
- Non Executive Directors Mid Year reviews
- EDS2 grading meeting
- Spirit in Mind conference
- Operational plan – governance meeting
- Finance, Investment and Performance Committee
- Audit Committee
- Stage one appraisal meeting with SID

**Chair external activity:**

- CCG Lay Members and ICP
- Mental Health Chairs Weekly Conference
- NHS System Leads/MP Meeting
- WY Chairs catch up
- ICS Chair/SY Trust Chairs - SY ICB
- Regular meetings with other NHS chairs in region
- WY&H Chairs and Leaders Reference Group
- WY partnership Board
- WY Partnership Board (planning meeting)
- NHS Confederation Chairs meeting
- AGM Board of Trustees Penine Trust
- Wakefield Mental Health Alliance
- Barnsley Provider Alliance Committee
- WY Health and Care Partnership Monthly meeting with Local Authority Leaders, Health and Wellbeing Board Chairs, ICB Place Committee Chairs and NHS WY ICB Non-Executives
- MHLDA Chairs pre meeting
- WYMHSC Committees in common
- Barnsley place committee and partnership board

**4. Key issues discussed at Board meetings**

Since the previous Chair's report, the Board has met **three times**, and the key items discussed are highlighted below. Papers are available on our website six days before public meetings.

Governors are welcome and encouraged to attend all public Board meetings (virtually at present) and there is the opportunity to raise questions and comments at the end of each meeting, which are recorded in the minutes. Thank you to those governors who have attended Board meetings.

#### **Standing items at Board:**

There are 8 board meetings a year held in public, plus four strategic board meetings held in private. At every public board meeting, we have a **service user, carer or staff story**, receive a report from the Chief Executive, setting out the current context and relevant national developments, discuss the monthly **Integrated Performance Report (IPR)** including the finance report, receive updates on **business developments** in our two integrated care systems (West Yorkshire and South Yorkshire & Bassetlaw), and receive **assurance from the Board committees**.

In addition, at every *business and risk* meeting (quarterly), the **board assurance framework** is discussed (which sets out the key risks to the strategic objectives plus corresponding controls and assurance), and the **corporate/ organisational risk register**.

At every *performance and monitoring* meeting (quarterly), the quarterly **serious incident report** is discussed.

Additional items at each meeting are set out in the Trust Board work programme, which is received at every board meeting.

#### **28 February 2023 – Trust Board (strategic)**

##### Public

- December 2022 and February 2023 Board Development Sessions, Summary and next steps
- Strategic Overview of Business and Associated Risks (including PESTLE and SWOT) and an introduction to priorities for 23/24
- Quality Strategy
- Chief Executive and Chair final remarks and close of strategic board

##### Private

- Yorkshire & Humber Forensic CAMHS Lead Provider Collaborative

#### **28 March 2023 – Trust Board (Performance and Monitoring)**

##### Public

- Service user/ staff member/ carer story
- Chair's remarks
- Chief Executive's report
- Integrated performance report Month 11 2022/23
- Serious incident quarterly report
- Strategic Overview of Business and Associated Risk
- Review of risk appetite statement

	<ul style="list-style-type: none"> <li>• IPC Board Assurance Framework</li> <li>• Risk Assessment and Care Planning Assurance update</li> <li>• Assurance and receipt of minutes from Trust Board Committees and Members' Council</li> <li>• South Yorkshire update including and South Yorkshire Integrated Care System (SYICS)</li> <li>• West Yorkshire Health &amp; Care Partnership (WYHCP) including the Mental Health, Learning Disability and Autism Collaborative and place-based partnerships update</li> <li>• Provider Collaboratives and Alliances</li> <li>• Estates Strategy Update</li> <li>• Quality Strategy</li> </ul> <p><u>Private</u></p> <ul style="list-style-type: none"> <li>• Complex Incidents report</li> <li>• Assurance from Trust Board Committees</li> <li>• South Yorkshire update including and South Yorkshire Integrated Care System (SYICS)</li> <li>• Barnsley place agreement and terms of reference to Partner boards</li> <li>• West Yorkshire Health &amp; Care Partnership (WYHCP) including the Mental Health, Learning Disability and Autism Collaborative and place-based partnerships update</li> <li>• Provider Collaboratives and Alliances</li> <li>• LYPFT MH perinatal expression of interest to be coordinating provider</li> <li>• Operational Plan</li> <li>• Strategic Priorities and Programmes for 23/24</li> <li>• Barnsley Clinical Pharmacists update</li> <li>• Older people's transformation update</li> </ul> <p><b><u>25 April 2023 – Trust Board (Business and risk)</u></b></p> <p><u>Public</u></p> <ul style="list-style-type: none"> <li>• Service user / staff member / carer story</li> <li>• Chair's remarks</li> <li>• Chief Executive's report</li> <li>• Board Assurance Framework</li> <li>• Strategic risks for 2023/24</li> <li>• Corporate / organisational risk register</li> <li>• Data security and protection toolkit update</li> <li>• Draft Annual Governance statement</li> <li>• Executive Champion for Learning Disabilities role</li> <li>• Assurance and approved Minutes from the Trust Board Committees and Members' Council</li> <li>• Integrated Performance Report – month 12 2022/23</li> <li>• Financial and Operational planning</li> <li>• Safer staffing report</li> <li>• South Yorkshire update including and South Yorkshire Integrated Care System (SYICS)</li> <li>• West Yorkshire Health &amp; Care Partnership (WYHCP) including the Mental Health, Learning Disability and Autism Collaborative and place-based partnerships update</li> </ul>
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	<ul style="list-style-type: none"> <li>• Provider Collaboratives and Alliances</li> <li>• Compliance with NHS provider licence conditions and code of governance - self-certifications</li> <li>• Audit Committee annual report including committee annual reports and terms of reference</li> <li>• Going concern statement</li> <li>• Strategic objectives, priorities and programme 2023/24</li> <li>• Policy on policies</li> <li>• Standards of Conduct in Public Service Policy (conflicts of interest)</li> </ul> <p><u>Private</u></p> <ul style="list-style-type: none"> <li>• Corporate / organisational risk register</li> <li>• Assurance from Trust Board Committees – Collaborative Committee minutes</li> <li>• South Yorkshire update including and South Yorkshire Integrated Care System (SYICS)</li> <li>• South Yorkshire Committees in Common - Joint Working Agreement and Terms of Reference</li> <li>• West Yorkshire Health &amp; Care Partnership (WYHCP) including the Mental Health, Learning Disability and Autism Collaborative and place-based partnerships update</li> <li>• Provider Collaboratives and Alliances</li> <li>• Complex incidents update</li> <li>• Bretton Centre update</li> <li>• Investment Appraisal</li> </ul> <p><b>Marie Burnham</b> <b>Chair</b></p>
<b>Recommendation:</b>	<b>Governors are asked to RECEIVE the contents of this report and raise any questions or comments in advance of the meeting.</b>
<b>Private session:</b>	Not applicable.

**Members' Council  
9 May 2023**

<b>Agenda item:</b>	<b>Item 7.1a</b>
<b>Report Title:</b>	Unannounced / Planned CQC Visits Annual Report 2022-23
<b>Report By:</b>	Chief Nurse, Director of Quality and Professions
<b>Action:</b>	To receive

### **Introduction**

This paper provides the Members' Council with oversight and assurance around a recent unannounced inspection by the Care Quality Commission (CQC) to our Older People's Services. The paper also outlines an update on Quality Monitoring Visits (QMV's) for the last 12 months.

This report has excerpts from regular reports which are reviewed in detail at Clinical Governance Clinical Safety Committee and those shared with the Executive Management Team.

### **Summary**

The paper contains the following:

- Outline of the unannounced inspection by the CQC of our Older People's Services in November 2022.
- CQC findings during this visit and feedback provided to the Trust
- Feedback received from the CQC following the visit
- Detail on the Trusts internal quality oversight process, Quality Monitoring Visits
- Plan for QMV's and alignment with the CQC single assessment framework moving forward

### **Risk Appetite**

The Trust continues to maintain and provide assurance on the quality of our services with regular quality visits undertaken by the Nursing, Quality and Professions directorate in collaboration with operational teams and senior leaders. The Nursing, Quality and Professions directorate are responsive to changing needs and able to step up a visit at short notice when concerns are raised. Concerns raised are focussed on alongside an overall check for quality. The team work closely with matron teams, quality and governance leads within Care Groups and operational teams.

The future planning of QMV's allows for services to prepare themselves for a CQC visit, to learn and understand what is looked for during a CQC inspection, and for the Trust to maintain oversight of the quality of our services.

The clinical risk – risk to service user/public safety and risk to staff safety which is low risk appetite and a risk target of 1-6.

**Recommendation**

**The Members' Council is asked to RECEIVE the Unannounced / planned CQC Visits Annual Report (2022-23).**

**Members Council  
9 May 2023  
Agenda item 7.1b**

**Annual report of unannounced and planned CQC visits, including Quality Monitoring  
Visits (QMV)  
April 2022 – March 2023**

**1. Background**

In the last 12 months (April 2022 to March 2023) there has been one unannounced visit by the Care Quality Commission (CQC). This focused on our Older People's Services, with inspections on the Poplars community unit in Hemsworth, near Pontefract and on Ward 19, the Priestley Unit at Dewsbury Hospital. This took place in November 2022 and a report was provided to the Trust and published in March 2023.

The Trust oversees the quality of services through the Quality monitoring visit (QMV) Programme. This is a well-established internal governance framework which has been in place for many years. The QMV programme has been traditionally closely aligned with the Care Quality Commission (CQC) inspection regulatory process.

**2. Inspection of Older People's Services**

On 23<sup>rd</sup> November 2022 the CQC undertook an unannounced visit to the Poplars older people's ward. This was followed up by a subsequent visit the next day to Ward 19. This was reported to be undertaken due to concerns around unexpected deaths and an increase in falls. In November 2022, an anonymous whistle blower raised a number of concerns with the CQC which triggered a focussed inspection of the core service, as per the CQC's usual process.

During their inspections the CQC found variation in the quality of care between the two wards and paused the inspection to give the Trust opportunity to provide assurances on how it manages quality and to share with the CQC opportunities already in place to ensure consistent care and treatment across our services. A co-ordinated response was adopted, which included undertaking our own assurance visits to all Older Peoples wards, development of actions plans, both Trust-wide and at service and ward level. A written report was submitted to the CQC which provided assurance, responded to the concerns raised and outlined the action plans which had been developed.

Gemma Berry, Inspection Manager, confirmed the CQC had received sufficient assurances to end the inspection, allowing the Trust the opportunity to put the action plans in to place and maintain oversight of the key issues. Oversight on progress against these action plans are provided to the CQC during our local (monthly) and quarterly engagement meetings with our inspectors. The report following the focussed inspection was shared with the Trust. The report was completed by the CQC and shared with the Trust for comment. This was reviewed within the Trust and returned to the CQC with no factual inaccuracies noted. The report was published 15<sup>th</sup> March 2023, with the following summary:

Sarah Dronsfield, CQC deputy director of operations in the North, said:

*"When we inspected the wards for older people with mental health problems, we saw a happy workforce that worked well together with kind and considerate staff who worked hard to ensure people's needs were met."*

*However, we found some issues that required the trust to take action to ensure people were safe. It was reassuring that leaders responded positively to the points we raised and already had plans in place to make changes and improvements in the areas we highlighted. For example, leaders provided information which showed they were aware of issues with poor staff training compliance and were able to show us detailed plans to improve and manage risks in the meantime. In addition, the numbers of falls on the wards had been highlighted as an area for improvement and the trust were able to provide detailed action plans in relation to improving this area. Leaders were also taking steps to improve the environment to ensure it remained safe and fit for purpose.*

*It was lovely to hear that staff were so positive about the culture they experienced working for the trust, with many reporting they felt listened to and fully supported by managers. We will continue to monitor the trust, including through future inspections, to ensure the necessary improvements are made so people are safe and can continue to receive a good standard of care.*

During the inspection, the following findings were also noted:

- Patients and carers that we spoke to said they were happy with the level of care that they received and observed.
- Staff cared for patients and showed that they had a good understanding of their needs.
- The Trust had not ensured that all staff had the correct level of training to safely care for patients. Training compliance rates for managing violence and aggression, basic life support and immediate life support were low.
- Physical health observations were not always documented effectively, it was not always clear why they had not been carried out.
- Not all staff had been offered an appraisal of their work.
- The delivery and quality of care offered to patients was inconsistent across the sites visited.

The CQC have provided feedback regarding our approach to providing a response to the concerns and the inspection and have advised that they are pleased with our openness and candidness.

### **3. Actions following the CQC visit**

A number of actions for improvement were developed by the Care Group and the Directorate of Nursing, Quality and Professions. These actions have been incorporated into the ward and Care Group quality improvement action plans, and some Trust-wide actions have also progressed as a result. Actions include the following (list is not exhaustive):

- Review of the observation policy to ensure it supports service users who have fluctuating observation levels
- Review of fluid and hydration monitoring within our services to ensure the correct forms are used for the correct purpose
- Enhanced quality surveillance of monitoring and recording of physical health observations including National Early Warning Score (NEWS2) which helps to identify deterioration in physical health
- Actions to improve mandatory training compliance such as understanding best practice from high performing areas and targeted work with individuals
- Spot checks of bedrooms to ensure they are personalised
- Ward manager assurance checks to include risk assessment recording, observations and physical health monitoring
- Ensure inpatient environments are suitable to meet the needs of service users and undertaking an appropriate risk assessment tool to identify falls risks
- Strengthen the quality of Formulation Informed Risk Management (FIRM) assessments (the Trust's assessment and management tool for clinical risk).



These actions are overseen and monitored through the Care Group Governance Groups, with escalations through to the Trust-wide Governance Group, and then into the Clinical Governance and Clinical Safety Committee as required.

#### 4. Quality Monitoring Visit (QMV) Programme Update

A total of twelve visits have been completed in the last 12 months. These visits have been to both inpatient and community services. The visits were conducted based on the following:

- Concerns were raised about the service
- Potential concerns around quality and safety based on local intelligence
- Where services asked for an independent review

Visits have been undertaken to:

Service	Teams
<b>Early Intervention service</b>	<ul style="list-style-type: none"> <li>• Calderdale Early Intervention in Psychosis (EIP) team</li> </ul>
<b>Learning Disability inpatient services</b>	<ul style="list-style-type: none"> <li>• Horizon Centre</li> </ul>
<b>Adult community mental health</b>	<ul style="list-style-type: none"> <li>• Kirklees South Enhanced Team</li> <li>• Wakefield West Core Team</li> <li>• North Kirklees Enhanced Team 1</li> <li>• North Kirklees Enhanced Team 2</li> </ul>
<b>Adult inpatient mental health</b>	<ul style="list-style-type: none"> <li>• Ward 18</li> <li>• Elmdale</li> </ul>
<b>Rehabilitation and recovery</b>	<ul style="list-style-type: none"> <li>• Enfield Down</li> </ul>
<b>Forensics</b>	<ul style="list-style-type: none"> <li>• Appleton</li> <li>• Chippendale</li> <li>• Waterton</li> </ul>

#### Scope of the reviews

We assessed our practice against the following criteria:

- CQC improvement plans
- Previous QMV findings
- Local intelligence
- Risk assessment and care planning
- Safeguarding
- Infection prevention and control
- Medication management
- Culture

#### Visiting team representation:

There is a QMV lead who plans and facilitates the QMV programme. This is supported by two project leads from the Quality Improvement and Assurance Team.

A pool of staff exists which consists of people who have requested to actively participate in QMVs. We try to make sure the visit team consists of people with knowledge and skills of the

team being visited and the service user group. We also ask the following to nominate any staff who are interested in taking part in visits:

- Matrons/ Quality Governance Leads/ Practice Governance Coach
- Allied Health Professionals
- Nurses
- Doctors
- Infection Prevention Control Team
- Mental Health Act team
- Safeguarding
- Pharmacy
- Non-executive Directors
- Governors

### **Learning from QMV's**

The QMV process provides the visit team with the opportunity to feed back good practice to the teams receiving a visit. Staff in general were very appreciative of this feedback and are aware of the need for continuous improvement. Visit teams are also able to acknowledge the obvious challenges that services are currently facing.

In some cases, the QMV found concerns that needed immediate escalation due to the safety and the quality of care and support being delivered. Teams are expected to produce an action/improvement plan outlining the actions they will be taking to address areas for improvement. Any actions are again overseen and monitored through the Care Group Governance Groups, with escalations through to the Trust-wide Governance Group, and then into the Clinical Governance and Clinical Safety Committee as required. The teams are also expected to submit quarterly updates to the Quality, Improvement and Assurance Team. Teams are supported by the Nursing, Quality and Professions Directorate to drive forward with improvements.

### **Proposed schedule 2022/23**

The Trust are looking at introducing a Quality Surveillance Programme to oversee and monitor service performance and outcomes. This will be an addition to the Quality Monitoring Visit process.

In addition to this, the CQC have reviewed their regulatory processes and are looking to introduce a new 'Single Assessment Framework.' The CQC will continue to focus on the five key domains. However, the previous Key Lines of Enquiry (KLOE's) and prompts have been replaced by 'Quality Statements.' Each quality statement will be given a rating using the following criteria:

- 4 - Outstanding
- 3 - Good
- 2 - Requires Improvement
- Inadequate

We have adapted our QMV processes to align with CQC's new model and as such are planning to introduce our own ratings system when conducting future QMVs. This will be in addition to the existing QMV structure. There have been a further 10 QMVs planned before the end of June 2023. Two of these visits have already been completed, including one to a service where concerns were identified from a previous QMV.

### **Assurance**

The Trust continues to have a good governance system for assuring the quality of services. This includes a continued programme of Quality Monitoring Visits, aligned with improvement plans.

Ongoing assurance will be provided through:

- A robust structure is in place to respond to any announced or unannounced CQC inspections
- A continued programme of Quality Monitoring visits.
- Re-visits to services where the previous QMV has identified concerns.
- A responsive approach to ensure risk based QMV's are scheduled and prioritised.
- Improvement plans from visits to be monitored by Care Groups in their governance groups.
- Improvement plans will be reported and updated in the Clinical Governance Group.
- Oversight will continue by the Clinical Governance Clinical Safety Committee (CGCSC)

**Paper prepared by:**

**David White – Quality and Governance**

**Sarah Whiterod – Associate Director of Nursing, Quality and Professions**

**Members' Council  
9 May 2023**

<b>Agenda item:</b>	<b>Item 7.2a</b>
<b>Report Title:</b>	Care Quality Commission Action Plan Update
<b>Report By:</b>	Chief Nurse, Director of Quality and Professions
<b>Action:</b>	To receive

### **Introduction**

This paper provides assurance to the Members' Council of the work undertaken and that remains ongoing around the Care Quality Commission (CQC) actions from the Trust's last inspection in 2019. This report contains information from regular reports which are reviewed in detail at Clinical Governance and Clinical Safety Committee and the Executive Management Team.

### **Summary**

The CQC Action Plan update outlines the following:

- Highlights and Trust ratings given during the inspection in 2019
- 12 of our 14 core services were rated 'good' and over 87% of our individual domains were rated as 'good' or 'outstanding'
- 93% of our services were rated as 'good' or 'outstanding' for being caring and responsive
- Areas for improvement were noted around record keeping (with a particular focus on clinical risk assessment and care planning), safe medicines and reducing violence against staff
- Work which has been undertaken to address the actions highlighted during the inspection in 2019
- Work which remains underway against CQC actions from 2019 is also described in the paper
- Additional updates regarding our interface with the CQC, our governance processes and Trust oversight

### **Risk appetite**

The Trust continues to maintain and provide assurance on the quality of our services with regular quality visits undertaken by the Nursing, Quality and Professions directorate in collaboration with Operational teams and senior leaders.

The Nursing, Quality and Professions directorate are responsive to changing needs and are able to facilitate a CQC visit at short notice when required. Concerns raised are focussed on alongside an overall check for quality. The team work closely with matron teams and quality and governance leads within Care Groups and operational teams.

The Trust's internal Quality Monitoring Visits allow for services to prepare themselves for a visit and to learn and understand what is looked for during a CQC inspection and for the

Trust to have oversight of the quality of our services.

The clinical risk – risk to service user/public safety and risk to staff safety which is low risk appetite and a risk target of 1-6.

**Recommendation**

**The Members' Council is asked to receive the CQC Action Plan update.**

**CQC Action Plan update  
Members' Council meeting  
9 May 2023  
Item 7.2b**

## **1. Introduction**

As a Trust we continually focus on the quality, safety and governance of the services that we provide. Therefore, we would be prepared to be visited by the Care Quality Commission (CQC) at any time, to share with them an accurate view of the Trust's work. The most recent inspection by the CQC was undertaken in 2019 when the Trust received a 'good' rating overall. This inspection recognised the improvements that had been made since the previous inspection in 2018 and the quality of the services we provide. We had delivered on the actions raised during the 2018 inspection and this led to us being rated as 'good' in four out of the five domains.

There was no Trust-wide CQC inspection completed during 2022/23. However, we did receive an unannounced focussed inspection to two of our older people's wards in November 2022.

This paper will provide details of the work to address the actions from the 2019 inspection, and the findings and actions from the unannounced visit in November 2022.

## **2. 2019 CQC Inspection**

Overall, we are currently rated 'good' for being responsive, caring, well led and effective, and have a rating of 'requires improvement' for being safe. This means that overall we are rated 'good' as a Trust.

**12 of our 14** core services were rated 'good' and over **87%** of our individual domains were rated as 'good' or 'outstanding'. In summary:

- The majority of our services were rated as 'good' or 'outstanding'
- Our community based mental health services for working age adults had improved since the 2018 inspection and are now rated 'good'
- Improvements were found in our acute wards for adults of working age and psychiatric intensive care units
- We had improved and are now rated as 'good' for being responsive.
- 93% of our services were rated as 'good' or 'outstanding' for being caring and responsive
- Staff were found to be kind and caring towards service users, with positive relationships that demonstrated we knew them well
- The values of the organisation were understood and respected by both leaders and those working in core services
- Our strategy, vision and values were all identified as being patient centred

The CQC identified areas for improvement during the inspection. At the current time, delivery of improvements has progressed well and continues in the following areas:

- **Record keeping** – a Trust-wide improvement group focussing on care planning and risk assessment has been established to review all aspects of clinical record keeping and refresh the clinical record keeping audit. Quality improvement methodology has been adopted to support the improvement work and a partnership approach between the Nursing, Quality and Professions Directorate and the Integrated Change Team in leading the programme of improvement.

The group meet every three weeks and work to date has included: a deep dive into the problems and challenges; a driver diagram and change ideas have been identified; initial 'quick wins' have been implemented which have shown an impact on the performance measures and task and finish groups are in the process of being established to enable completion of the action plans behind the driver diagrams. The record keeping standards training is also being reviewed and refreshed.

Quality improvement methodology has been used with regards to the focus on clinical risk assessment and care planning performance, with a current rate of performance as follows:

- The number of people with a risk assessment/staying safe plan in place within 24 hours of admission – Inpatient – 89.9% against a target of 95%
- The number of people with a risk assessment/staying safe plan in place within 7 working days of first contact – Community (83.2% against a target of 90%)
- % Service users on CPA offered a copy of their care plan – 75.1% against a target trajectory of 80%

Whilst not yet at target, this is an improving position in comparison to earlier months.

- **Safe medicines** – Electronic Prescribing and Medicines Administration (EPMA) has been rolled out to all wards, ensuring the safe prescription and administration of medications, pharmacists to clinically review and reconcile medications and pharmacy technicians to input drug histories and order medications.
- **Reducing violence against staff** – The Reducing Restrictive Interventions (RRPI) Team continues to work with Care Groups, ensuring staff are trained and competent in de-escalation and RRPI techniques. They also provide specialist advice to services relating to service users with complex needs. They have recently maintained accreditation with the Restraint Reduction Network (RRN) which helps to ensure the training we provide to our staff is gold standard.

### 3. The Trust's routine interface with the CQC

The Directorate of Nursing, Quality and Professions continue to work closely with our CQC inspectors, with meetings held regularly to share updates and provide assurance and oversight of our services and any concerns which have been raised. We respond to any CQC enquiries in a timely manner, linking with our clinical services to ensure an accurate and thorough response is provided.

In addition, we proactively respond if there are a number of concerns coming through about any particular area, and facilitate a joint discussion between the CQC, the Care Group and the Directorate of Nursing, Quality and Profession, to ensure clarity with regards to any reported concerns and the action required to address those concerns. This approach is enabling a continued open and transparent relationship with the CQC.

### **3. Additional Updates**

The CQC have recently asked to observe our Clinical Governance and Clinical Safety Committee and more recently Trust Board. This is part of their usual assurance and oversight process.

**Paper prepared by:**  
**Sarah Whiterod, Associate Director of Nursing, Quality and Professions**  
**May 2023**



## Members' Council 9 May 2023 Agenda item 8.1

<b>Title:</b>	<b>Associate Non-Executive Director appointments</b>
<b>Paper presented by:</b>	Greg Moores - Chief People Officer
<b>Paper prepared by:</b>	Greg Moores - Chief People Officer Corporate Governance Team
<b>Purpose:</b>	To update the Members' Council on the recruitment process for the Associate Non-Executive Director's and agree the recommendations from Nominations committee to appoint Rachel Lee and Rokaiya Khan as Associate Non-Executive Directors.
<b>Mission/values:</b>	Good governance supports the Trust to deliver its mission and adhere to its values.
<b>Any background papers/ previously considered by:</b>	Not applicable.
<b>Executive summary:</b>	<p><b>Background</b></p> <p>In February 2022, the Members' Council approved the Trust progressing an intent to appoint two new Associate Non-Executive Director posts. This paper provides an update to the Members' Council on the outcome.</p> <p><b>Recruitment Process</b></p> <p>The Nominations Committee agreed for Green Park (recruitment consultant) to conduct the recruitment process for 2 Associate Non-Executive Director posts; Clinical and Non-Clinical.</p> <ul style="list-style-type: none"> <li>• W/c 6 February 2023 - Post advertised nationally</li> <li>• 15 March 2023 – advert closing date</li> <li>• 17 March 2023 - Longlist agreed by Nomination Committee</li> <li>• 3 April 2023 - Shortlist agreed by Nominations Committee</li> </ul> <p>7 shortlisted candidates (4 non-clinical and 3 clinical) were invited to meet two stakeholder groups and have a formal interview.</p> <ul style="list-style-type: none"> <li>• 17 April 2023 - Stakeholder Group Sessions comprising of service users, carers, governors and staff</li> <li>• 18 April 2023 – Final panel interviews</li> </ul> <p>The Members' Council is asked to consider and agree the recommendation from the Nominations Committee to appoint <b>Rachel Lee</b> as Associate Non-Executive Director (Clinical role) and appoint <b>Rokaiya Khan</b> as Associate Non-Executive Director (Non-Clinical role).</p>

	<p>The Members' Council have been sent confidentially, supporting statements, curriculum vitae's and stakeholder feedback for recommended candidates.</p> <p><b>Final Panel Interviews – summary</b>  <b>Rachel Lee</b> demonstrated a very strong understanding of, and commitment to, the Trust's values.</p> <p>The panel was unanimous in its view that she was an extremely strong candidate and would bring value, and challenge, to the Board using her clinical background.</p> <p>Rachel also demonstrated an aptitude to learning, and the panel felt that, despite not having Board exposure previously, she would very quickly adapt to the role of Associate Non-Executive Director.</p> <p><b>Rokaiya Khan</b> demonstrated her senior experience at interview and the panel was unanimous that, from a strong shortlist, she was the best candidate for the non-clinical role.</p> <p>Her broad leadership and management experience will benefit the Board, and her particular strengths around community engagement and the equality agenda will be of particular benefit.</p> <p>On confirmation of appointment, both Associate Non-Executive Directors will be supported through a full induction to the Trust by the people directorate and corporate governance team.</p>
<b>Recommendation:</b>	<p><b>The Members' Council is asked to APPROVE the recommendation from the Nominations Committee to appoint Rachel Lee to the role of Associate Non-Executive director (Clinical role) and to appoint Rokaiya Khan to the role of Associate Non-Executive director (Non-Clinical role) with South West Yorkshire Partnership NHS Foundation Trust for a two year term.</b></p>
<b>Private session:</b>	<p><b>Supporting papers for this item are confidential and circulated to the Members' Council separately.</b></p>

## Members' Council 9 May 2023 Agenda item 8.2

<b>Title:</b>	<b>Deputy Lead Governor appointment</b>						
<b>Paper presented by:</b>	<b>Marie Burnham – Chair of the Trust</b>						
<b>Paper prepared by:</b>	Corporate Governance Team						
<b>Purpose:</b>	To consider the recommendation from Nominations Committee to appoint Claire Den Burger-Green as Deputy Lead Governor.						
<b>Mission/values:</b>	Good governance supports the Trust to deliver its mission and adhere to its values.						
<b>Any background papers / previously considered by:</b>	Not applicable.						
<b>Executive summary:</b>	<p><b>Background</b></p> <ol style="list-style-type: none"> <li>1. The role of the Nominations' Committee is to ensure the right composition and balance of the Board and, secondly, to oversee the process for the identification, nomination and appointment of the Chair, Non-Executive Directors (NEDs), Associate Non-Executive Directors, Deputy Chair / Senior Independent Director, and the Lead Governor / Deputy Lead Governor.</li> <li>2. Bill Barkworth was appointed as Deputy Lead Governor on 1 May 2020 for three years and his current term ends on 30 April 2023.</li> <li>3. The Members' Council has previously agreed that the Lead Governor and Deputy Lead Governor should be appointed from the publicly elected governors and that the process should be overseen by the Nominations' Committee.</li> <li>4. The agreed process is as follows: <table border="1" data-bbox="596 1565 1461 1942"> <tr> <td>Step 1</td><td>Publicly elected governors are invited to self-nominate supported by a brief written explanation of why they are putting themselves forward and evidencing how they would be able to fulfil the role.</td></tr> <tr> <td>Step 2</td><td>The Nominations' Committee will review and shortlist the self-nominations and invite shortlisted candidates to make a brief presentation answering questions based on their 'application'.</td></tr> <tr> <td>Step 3</td><td>The Nominations' Committee will then consider the self-nominations and make a recommendation to the full Members' Council.</td></tr> </table> </li> </ol>	Step 1	Publicly elected governors are invited to self-nominate supported by a brief written explanation of why they are putting themselves forward and evidencing how they would be able to fulfil the role.	Step 2	The Nominations' Committee will review and shortlist the self-nominations and invite shortlisted candidates to make a brief presentation answering questions based on their 'application'.	Step 3	The Nominations' Committee will then consider the self-nominations and make a recommendation to the full Members' Council.
Step 1	Publicly elected governors are invited to self-nominate supported by a brief written explanation of why they are putting themselves forward and evidencing how they would be able to fulfil the role.						
Step 2	The Nominations' Committee will review and shortlist the self-nominations and invite shortlisted candidates to make a brief presentation answering questions based on their 'application'.						
Step 3	The Nominations' Committee will then consider the self-nominations and make a recommendation to the full Members' Council.						

	<p>5. The Corporate Governance officer wrote to all governors on 20 March 2023 inviting them to self-nominate and a reminder was sent on 24 March 2023. One self-nomination was received.</p> <p>6. On 3 April 2023, the Nominations Committee considered the self-nomination from Claire Den Burger-Green and made a recommendation to the Members' Council for appointment.</p> <p>7. Details of the role is attached for information along with Claire Den Burger-Greens supporting statement.</p>
<b>Recommendation:</b>	<b>The Members' Council is asked to APPROVE the RECOMMENDATION from Nominations Committee to appoint Claire Den Burger-Green as Deputy Lead Governor for three years term of office from 1 May 2023 to 30 April 2026.</b>
<b>Private session:</b>	Not applicable.

**Deputy Lead Governor arrangements**  
*Approved by Nominations Committee 6 March 2020*

Since October 2009, the Trust has been required by its regulator, NHS Improvement (previously Monitor), to appoint a Lead Governor. The role of a nominated lead governor is outlined in Monitor's The NHS Foundation Trust Code of Governance (Appendix B). In addition, following a review of the Trust Constitution in 2019/20, it was agreed to introduce the role of Deputy Lead Governor to support the Lead Governor to fulfil their role and to provide cover for the Lead Governor as required.

The main duties of the Deputy Lead Governor are to:

1. In the absence of the Lead Governor, chair any parts of Members' Council meetings that cannot be chaired by the person presiding (that is, the Chair or Deputy Chair of the Trust) due to a conflict of interest in relation to the business being discussed
2. Be a member of the Nominations' Committee (except when the appointment of the Deputy Lead Governor is being considered)
3. Be involved in the assessment of the Chair and Non-Executive Directors' performance;
4. Deputise as Chair the Co-ordination Group (as required) in the absence of the Lead Governor to assist in the planning and setting of the Members' Council agenda and governor development
5. Support new governors
6. Support the Trust / Members' Council Chair in dealing with governor conduct issues
7. Liaise with the Chair of the Trust / Members' Council.

The individual appointed should be confident they can undertake the duties outlined above. The individual should also:

- Have the confidence of governors and of Trust Board
- Be able to commit the time necessary should the need arise, which may be at very short notice
- Have effective communication skills, including the ability to influence and negotiate
- Be able to present a well-reasoned argument
- Be committed to the success of the Trust and to its mission, vision, values and goals
- Have the ability to chair both large and small meetings effectively
- Be able to act as an ambassador for the Members' Council and the Trust
- have the ability to work with others as a team and to encourage participation from less experienced governors
- Demonstrate an understanding of the Trust's Constitution and how the Trust works with other organisations.

Time commitment - meetings

In addition to attendance at Members' Council meetings (held quarterly), the Deputy Lead Governor may be **required** to:

- Undertake induction on appointment
- In the absence of the Lead Governor, act as chair for items at Members' Council meetings where the Chair of the Trust has a conflict of interest;
- In the absence of the Lead Governor, be the chair of and attend Members' Council Co-ordination Group meetings (held quarterly, in Fieldhead)

- Be a member of and attend Nominations' Committee (held as required in Fieldhead);
- In the absence of the Lead Governor, act as chair for items at Nominations' Committee meetings where the Chair of the Trust has a conflict of interest;
- Attend and represent the governors at the Annual Members' Meeting (held annually in different locations within the Trust's geography);
- In the absence of the Lead Governor, take part in any Chair or Non-Executive Director (NED) recruitment processes
- Attend an annual one-to-one review meeting with the Chair of the Trust.

#### Process for appointment

The Members' Council has previously agreed that the Lead Governor should be appointed from publicly elected governors and that this process should be overseen by the Nominations' Committee. The process agreed is as follows.

<b>Step 1</b>	Publicly elected Council Members are invited to self-nominate supported by a brief written explanation of why they are putting themselves forward and evidencing how they would be able to fulfil the role.
<b>Step 2</b>	The Nominations' Committee will review and shortlist the self-nominations and invite shortlisted candidates to make a brief presentation answering questions based on their 'application'.
<b>Step 3</b>	The Nominations Committee' will then consider the self-nominations and make a recommendation to the full Members' Council.

**Members' Council  
9 May 2023  
Self-nomination  
Item 8.2c**

**Deputy Lead Governor – Supporting Statement  
Claire Den Burger-Green, Kirklees**

To whom it may concern,

I am writing to put myself forward for the role of deputy lead Governor for the Trust.

As a public governor now for nearly 2 years, I feel I have gained experience and grown in confidence within the role. I continue to raise issues, bring to light good practice and be a voice for service users and carers throughout the trust.

I feel I can offer dedication, passion and compassion to the role of deputy lead governor, bringing my own previous professional experiences of Mediator, current role as Autism Specialist Mentor at the University of Bradford and my periodic work for the Care Quality Commission as part of the inspectorate team.

My links with carers organisations as well as coproduction work with Kirklees Council adult social care services ensure that I have networks in which to gain invaluable feedback. Through my professional and voluntary work, I strive to be organised, efficient and a spokesperson for those who may feel unheard.

Thank you for your consideration.

Yours Faithfully

Claire den Burger-Green  
Elected Public Governor – Kirklees South West Yorkshire NHS Trust

26.03.2023

## Members' Council 9 May 2023 Agenda item 8.3

<b>Title:</b>	<b>Governor engagement feedback</b>			
<b>Paper presented by:</b>	<b>John Laville – Lead Governor</b>			
<b>Paper prepared by:</b>	Corporate Governance Team			
<b>Purpose:</b>	The following events were attended by governors since the last Members’ Council meeting on 24 February 2023 to 2 May 2023 (note, this does not include Members’ Council meetings).			
<b>Mission/values:</b>	Good governance supports the Trust to deliver its mission and adhere to its values.			
<b>Any background papers / previously considered by:</b>	Not applicable.			
<b>Executive summary:</b>		<b>Name / representing</b>	<b>Groups / committee / forum</b>	<b>Involvement activity</b>
		AGORO, Jacob Staff elected - Nursing		
		BLAGBROUGH, Howard Appointed – Calderdale Council		
		BRAMWELL, Tanisha Publicly elected – Kirklees		
		CLAYDEN, Bob Elected – public Wakefield	<ul style="list-style-type: none"><li>20.03.23 Co-ordination Group</li></ul>	Every Tuesday – Portobello craft and camera group
		DEN BURGER- GREEN, Claire Elected – public Kirklees		<ul style="list-style-type: none"><li>04.05.23 Excellence Awards</li></ul>
		DOOLER, Daz Elected – public Wakefield		<ul style="list-style-type: none"><li>07.03.23 Members’ Council Development Session – Trauma Informed Organisation</li></ul>
		EASTWOOD, Brenda		



	Appointed – Barnsley Council		
	ELLIOT, Charles Publicly elected – Wakefield		
	ELLIS, Gary Appointed – Mid Yorkshire Hospital NHS Trust		
	FAROOQ, Rumaysah Publicly elected - Kirklees		
	GOFF, Daniel Publicly elected – Barnsley		
	GILLIBRAND, Warren Appointed – University of Huddersfield		<ul style="list-style-type: none"> <li>• 07.03.23 Members' Council Development Session – Trauma Informed Organisation</li> </ul>
	GLEADALL, Leonie Staff elected – Non- clinical support		
	GRACE, Ian Staff elected – Medicine and Pharmacy		
	HABIB, Laura		<ul style="list-style-type: none"> <li>• 07.03.23 Members' Council Development Session – Trauma Informed Organisation</li> </ul>
	JAVID, Sara Publicly elected - Kirklees		
	JHUGROO, Adam Elected - public Calderdale	<ul style="list-style-type: none"> <li>• 20.03.23 Co-ordination Group</li> </ul>	<ul style="list-style-type: none"> <li>• 17.04.23 Associate Non Exec Director Stakeholder Group - (governor involvement)</li> </ul>
	KING, Rosie Publicly elected – Wakefield		
	LAVILLE, John Elected - public Kirklees	<ul style="list-style-type: none"> <li>• 17.03.23 Nominations Committee</li> </ul>	<ul style="list-style-type: none"> <li>• 07.03.23 Members' Council Development Session – Trauma</li> </ul>

		<ul style="list-style-type: none"> <li>20.03.23 Co-ordination Group</li> <li>03.04.23 Nominations Committee</li> </ul>	Informed Organisation <ul style="list-style-type: none"> <li>2023 Excellence wards judging panel</li> </ul>
	LYCETT, John Publicly elected – Barnsley		
	McCOURT, Andrea Appointed – Calderdale and Huddersfield NHS Trust	<ul style="list-style-type: none"> <li>17.03.23 Nominations Committee</li> <li>03.04.23 Nominations Committee</li> <li>26.04.23 Nominations Committee</li> </ul>	
	MORSE, Bob Publicly elected - Kirklees		
	MORGAN, Helen Staff – Allied Health Professionals		<ul style="list-style-type: none"> <li>07.03.23 Members' Council Development Session – Trauma Informed Organisation</li> </ul>
	PERVAIZ, Mussarat Appointed – Kirklees Council		
	SHAHZAD, Fatima Publicly elected – Rest of Yorkshire, Humber and Neighbouring Counties		
	SCHÜLE, Reini Publicly elected – Wakefield		
	SHELTON, Elaine Appointed – Staff Side Organisations		<ul style="list-style-type: none"> <li>07.03.23 Members' Council Development Session – Trauma Informed Organisation</li> </ul>
	SHIRE, Phil Elected – public Calderdale	<ul style="list-style-type: none"> <li>06.02.23 Quality Group</li> </ul>	<ul style="list-style-type: none"> <li>2023 Excellence awards judging panel</li> </ul>

	SPENCER, Susan Appointed – Barnsley Hospital NHS Foundation Trust		<ul style="list-style-type: none"> <li>• 30.03.23 NHS Providers – core skills</li> <li>• 16.05.23 Mental Health Act Committee – observing</li> </ul>
	STUART-CLARKE, Keith Elected - public Barnsley	<ul style="list-style-type: none"> <li>• 16.01.23 Co-ordination Group</li> </ul>	<ul style="list-style-type: none"> <li>• 2023 Excellence awards judging panel</li> <li>• 04.05.23 Excellence Awards</li> </ul>
	VLISSIDES, Nik Staff – Psychological therapies		
<b>Recommendation:</b>	<b>The Members' Council is asked to RECEIVE the update.</b>		
<b>Private session:</b>	Not applicable.		

## Members' Council 9 May 2023 Agenda item 8.3

<b>Title:</b>	<b>Governor appointments to the Members’ Council and Trust Board Groups and Committees</b>					
<b>Paper presented by:</b>	<b>John Laville – Lead Governor (Chair of Members’ Council Co-ordination Group)</b>					
<b>Paper prepared by:</b>	Corporate Governance Team					
<b>Purpose:</b>	The purpose of the paper is to support the appointment of governors to the Members’ Council groups, Nominations Committee and Trust Board Equality & Inclusion Committee.					
<b>Mission/values:</b>	Good governance supports the Trust to deliver its mission and adhere to its values.					
<b>Any background papers / previously considered by:</b>	Not applicable.					
<b>Executive summary:</b>	<div><div><b>Background</b><div><div>1. The Members’ Council has the following process for appointing governors to the Members’ Council groups and committees (full process is attached):</div><table><tr><td>Step 1</td><td>When a vacancy arises, governors are invited to self-nominate, supported by a brief verbal or written statement about why they are putting themselves forward. If only one self-nomination is received, they will automatically fill the vacancy, otherwise the process will move to Step 2.</td></tr><tr><td>Step 2</td><td>If more than one self-nomination is received for a vacancy, the Members’ Council Co-ordination Group will discuss the self-nominations, supported by input from the Chair, and make a recommendation to the full Members’ Council.</td></tr></table></div><div>2. It is expected that governors are a member of only one group to allow opportunities for more governors to be involved. However, if sufficient membership is not reached through the self-nomination process this would be extended to two. It is noted that the one group rule does not apply to the Lead Governor, Deputy Lead Governor and the representative for the Rest of Yorkshire and the Humber representatives.</div></div><div><b>Process</b><p>An email was sent to all governors on 6 March 2023 inviting self-nominations for the vacancies listed below, accompanied by a personal brief statement, with a closing date of 13 March 2023. Self-nominations</p></div></div>		Step 1	When a vacancy arises, governors are invited to self-nominate, supported by a brief verbal or written statement about why they are putting themselves forward. If only one self-nomination is received, they will automatically fill the vacancy, otherwise the process will move to Step 2.	Step 2	If more than one self-nomination is received for a vacancy, the Members’ Council Co-ordination Group will discuss the self-nominations, supported by input from the Chair, and make a recommendation to the full Members’ Council.
Step 1	When a vacancy arises, governors are invited to self-nominate, supported by a brief verbal or written statement about why they are putting themselves forward. If only one self-nomination is received, they will automatically fill the vacancy, otherwise the process will move to Step 2.					
Step 2	If more than one self-nomination is received for a vacancy, the Members’ Council Co-ordination Group will discuss the self-nominations, supported by input from the Chair, and make a recommendation to the full Members’ Council.					

received by the closing date are shown on the table below and the attached sheet includes their self-nomination statement.

<b>Members' Council Co-ordination Group</b>	<u>Current vacancies</u> <ul style="list-style-type: none"> <li>- Public governor, Kirklees</li> <li>- Public governor, rest of Yorkshire &amp; the Humber representatives</li> <li>- Appointed governor</li> </ul>	<ul style="list-style-type: none"> <li>- No nominations received.</li> <li>- No nomination received.</li> <li>- No nominations received.</li> </ul>
<b>Members' Council Quality Group</b>	<u>Current vacancies</u> <ul style="list-style-type: none"> <li>- Public governor, rest of Yorkshire &amp; the Humber representatives</li> </ul> <u>Vacancies available from:</u> <ul style="list-style-type: none"> <li>- 1 May 2023 - Public governor, Barnsley</li> </ul>	<ul style="list-style-type: none"> <li>- No nomination received.</li> <li>- No nominations received.</li> </ul>
<b>Nominations Committee</b>	<u>Current vacancies</u> <ul style="list-style-type: none"> <li>- No vacancies</li> </ul> <u>Vacancies available from:</u> <ul style="list-style-type: none"> <li>- 1 May 2023 – Public governor</li> <li>- 1 May 2023 – Staff elected governor</li> </ul>	<ul style="list-style-type: none"> <li>- Phil Shire - Public governor, Calderdale</li> <li>- No nominations received.</li> </ul>
<b>Equality, Involvement and Inclusion Committee</b>	<u>Current vacancies</u> <ul style="list-style-type: none"> <li>- No vacancies</li> </ul>	

<b>Recommendation:</b>	<b>The Members' Council is asked to RECEIVE the update and NOTE Phil Shire has filled the public governor vacancy for Nominations Committee from 1 May 2023.</b>
<b>Private session:</b>	Not applicable.

## **Governor appointment to Members' Council groups and committee**

*Approved by Members' Council 2 November 2018*

### **Process for appointment**

When vacancies arise, the proposed process for appointment recommended is a shortened version of the process for the appointment of the Lead Governor, which has been in place since 2009.

Step 1	When a vacancy arises, governors are invited to self-nominate, supported by a brief verbal or written statement about why they are putting themselves forward. If only one self-nomination is received, they will automatically fill the vacancy, otherwise the process will move to Step 2.
Step 2	If more than one self-nomination is received for a vacancy, the Members' Council Co-ordination Group will discuss the self-nominations supported by input from the Chair and make a recommendation to the full Members' Council.

The recommended term of membership on a group for any new members will be for three (3) years to allow for consistency of membership. If a governor wishes to stand down from a group, or is not re-elected / re-appointed as a governor on the Members' Council during the three years, the above process would take place to fill the vacancy.

It is expected that governors are a member of only one group to allow opportunities for more governors to be involved, however if sufficient membership is not reached through the self-nomination process this would be extended to two.

Current members on all groups remain until the end of their governor term or until they step down.

All governors continue to be welcome to attend and participate at the Members' Council Co-ordination Group and Members' Council Quality Group even if they are not 'formal' members. Non-members would not normally attend the Nominations' Committee, for reasons of confidentiality, unless invited by the Chair.

**Members' Council  
9 May 2023  
Item 8.3c**

**Self-nomination statement – Nominations Committee**

**Phil Shire – Public Governor (Calderdale)**

I would like to nominate myself as a member of the Nominations Committee. I have been on the Members' Council for eight years and I currently chair the Members' Council Quality Group, making a significant contribution and ensuring that the group is working effectively and fulfilling its terms of reference. In many other ways I have been an active and conscientious governor and have helped to ensure that it carries out its functions effectively on behalf of wider FT members and service users.

The Nominations Committee is critically important in ensuring that we have a good Trust Board and overseeing the key appointments to both the board and the Members' Council, and directors' remuneration. I can bring significant knowledge and expertise to this role, including my previous experience as a senior officer at Calderdale Council and my ongoing role as a trustee at a multi-academy trust, where I have been closely involved in senior appointments, including academy head teachers. If selected, I will give my total commitment to carrying out the role diligently.

Phil Shire  
7 March 2023



## Members' Council 9 May 2023

### Agenda item 8.4

<b>Title:</b>	<b>Assurance from Members' Council Groups and Nominations Committee including:</b> <ul style="list-style-type: none"> <li>➤ <b>Members' Council Co-ordination Group annual report 2022/23 including update to the Terms of Reference</b></li> <li>➤ <b>Members' Council Quality Group annual report 2022/23 including update to the Terms of Reference</b></li> <li>➤ <b>Nominations Committee annual report 2022/23 including update to the Terms of Reference</b></li> </ul>						
<b>Paper prepared by:</b>	Corporate Governance Team on behalf: Members' Council Co-ordination Group Members' Council Quality Group Nominations Committee						
<b>Purpose:</b>	The purpose of this paper is to provide assurance to the Members' Council that their <b>Co-ordination Group</b> , <b>Quality Group</b> and the <b>Nominations Committee</b> are fulfilling their remit and meeting their terms of reference through the quarterly assurance update (below).						
<b>Mission/values:</b>	Good governance supports the Trust to deliver its mission and adhere to its values.						
<b>Any background papers / previously considered by:</b>	Not applicable.						
<b>Executive summary:</b>	<p><b>Members' Council Co-ordination Group (MCCG)</b>            The Co-ordination Group co-ordinates the work and development of the Members' Council and:</p> <ul style="list-style-type: none"> <li>• with the Chair, develops and agrees the agendas for Members' Council meetings.</li> <li>• Works with the Trust to develop an appropriate development programme for governors both as ongoing development and as induction for new governors.</li> <li>• Acts as a forum for more detailed discussion of issues and opportunities where the Trust seeks the involvement of the Members' Council.</li> </ul> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;"><b>Date</b></td><td><b>20 March 2023</b></td></tr> <tr> <td><b>Presented by</b></td><td>John Laville, Lead Governor (Chair)</td></tr> <tr> <td><b>Key items for</b></td><td> <ul style="list-style-type: none"> <li>• Governor involvement relating to changes to the website were discussed.</li> </ul> </td></tr> </table>	<b>Date</b>	<b>20 March 2023</b>	<b>Presented by</b>	John Laville, Lead Governor (Chair)	<b>Key items for</b>	<ul style="list-style-type: none"> <li>• Governor involvement relating to changes to the website were discussed.</li> </ul>
<b>Date</b>	<b>20 March 2023</b>						
<b>Presented by</b>	John Laville, Lead Governor (Chair)						
<b>Key items for</b>	<ul style="list-style-type: none"> <li>• Governor involvement relating to changes to the website were discussed.</li> </ul>						

Members' Council 9 May 2023

Assurance from Members' Council Groups and Nominations Committee including:

- Members' Council Co-ordination Group annual report 2022/23 including update to the Terms of Reference
- Members' Council Quality Group annual report 2022/23 including update to the Terms of Reference
- Nominations Committee annual report 2022/23 including update to the Terms of Reference

**With all of us in mind.**

	<b>Members' Council to note</b>	<ul style="list-style-type: none"><li>• Phil Shire (PS) was automatically appointed as member of Nominations Committee.</li><li>• Governor attendance at Members' Council meetings were discussed.</li><li>• The update for the governor training and development programme was received.</li><li>• The group approved the biennial evaluation survey questions and agreed to defer to after the Members' Council meeting in August 2023.</li><li>• The group received the update for the current Members' Council Objectives 2023 – 2025.</li><li>• The group approved the governor handbook for 2023.</li><li>• The group received the quarterly insight report and a presentation.</li><li>• The group received a summary of the governor only meetings.</li><li>• Reviewed the draft Members' Council agenda.</li><li>• The group reviewed and approved the MCCG annual report and terms of reference.</li></ul>
	<b>Approved notes of previous meeting/s to be received</b>	Approved notes of the meeting held on <b>16 January 2023</b> attached.  <i>Please note these notes may be redacted if they contain personal, sensitive or confidential information.</i>

**Members' Council Quality Group (MCQG)**

The Quality Group supports the Trust in its approach to quality through the Trust's quality priorities and:

- has high-level discussions on quality of care (using the quality performance report to lead the discussion).
- monitors the quality of care and facilitates discussion on patient experience, patient safety and clinical effectiveness.
- supports the production of the Trust's Quality Account.

<b>Date</b>	<b>6 February 2023</b>
<b>Presented by</b>	Darryl Thompson, Director of Nursing, Quality and Professions (Chair) Phil Shire, Public Governor Calderdale (Co-Chair)
<b>Key items for Members' Council to note</b>	<ul style="list-style-type: none"><li>• The action log of the Members' Council quality log was discussed.</li><li>• The group received the Integrated Performance Report (IPR).</li><li>• The group received a presentation for the 'Older Peoples Transformation'.</li><li>• The group received an update for the Care Quality Commission (CQC).</li></ul>

Members' Council 9 May 2023

Assurance from Members' Council Groups and Nominations Committee including:

- Members' Council Co-ordination Group annual report 2022/23 including update to the Terms of Reference
- Members' Council Quality Group annual report 2022/23 including update to the Terms of Reference
- Nominations Committee annual report 2022/23 including update to the Terms of Reference

		<ul style="list-style-type: none"> <li>The group reviewed and approved the Members' Council Quality group annual report and terms of reference.</li> <li>The group received an update for the Quality Strategy update.</li> <li>The group received an update for the Covid-19 Inquiry.</li> </ul>
	<b>Approved Minutes of previous meeting/s to be received.</b>	<p>Approved notes of the meeting held on <b>7 November 2022</b> attached.</p> <p><i>Please note these notes may be redacted if they contain personal, sensitive or confidential information.</i></p>
	<p><b>Nominations Committee</b></p> <p>The Nominations Committee ensures the right composition and balance of the Board and oversees the process for the:</p> <ul style="list-style-type: none"> <li>identification, nomination and appointment of the Chair and Non-Executive Directors of the Trust.</li> <li>identification, nomination and appointment of the Deputy Chair and Senior Independent Director of the Board.</li> <li>identification, nomination and appointment of the Lead Governor and Deputy Lead Governor of the Members' Council.</li> </ul>	
	<b>Dates</b>	<p><b>17 March 2023 – long list discussion</b></p> <p><b>3 April 2023 – short list discussion</b></p> <p><b>26 April 2023 – recommendation</b></p>
	<b>Presented by</b>	Marie Burnham, Chair of the Trust and Nominations Committee
	<b>Key items for Members' Council to note</b>	<ul style="list-style-type: none"> <li>The committee made a recommendation to the Members' Council to appoint Claire Den Burger-Green as deputy Lead Governor.</li> <li>The committee reviewed and discussed the longlist for Associate Non-Executive Director recruitment.</li> <li>The committee reviewed and discussed the shortlist for Associate Non-Executive Director recruitment.</li> <li>The committee reviewed and approve the Nominations Committee annual report and terms of reference.</li> <li>The committee made a recommendation to appoint Rachel Lee and Rokaiya Khan as Associate Non-Executive Directors.</li> </ul>
	<b>Approved Minutes of previous meeting/s</b>	Approved notes of the meeting held on <b>18 January 2023, 17 March 2023 and 3 April 2023</b> attached.

Members' Council 9 May 2023

Assurance from Members' Council Groups and Nominations Committee including:

- Members' Council Co-ordination Group annual report 2022/23 including update to the Terms of Reference
- Members' Council Quality Group annual report 2022/23 including update to the Terms of Reference
- Nominations Committee annual report 2022/23 including update to the Terms of Reference

	<div>for receiving</div> <div>Please note these minutes may be redacted if they contain personal, sensitive or confidential information.</div>
<b>Recommendation:</b>	<p>The Members' Council is asked to:</p> <ul style="list-style-type: none"> <li>• <b>RECEIVE</b> the assurance and approved notes/minutes from the Members' Council Co-ordination Group, Members' Council Quality Group and Nominations Committee.</li> <li>• <b>RECEIVE</b> the annual reports for 2022/23 and <b>APPROVE</b> the updated Terms of Reference for the Members' Council Co-ordination Group, Members' Council Quality Group and Nominations Committee.</li> </ul>
<b>Private session:</b>	Not applicable.

Members' Council 9 May 2023

Assurance from Members' Council Groups and Nominations Committee including:

- Members' Council Co-ordination Group annual report 2022/23 including update to the Terms of Reference
- Members' Council Quality Group annual report 2022/23 including update to the Terms of Reference
- Nominations Committee annual report 2022/23 including update to the Terms of Reference

**Notes of the Members' Council Co-ordination Group  
held on 16 January 2023 from 14.00 while 16.00**

**Meeting held Virtually by Microsoft Teams**

<b>Present:</b>	Marie Burnham (MBu) Bob Clayden (BC) Laura Habib (LH) John Laville (JL) Mandy Rayner (MR) Keith Stuart-Clarke (KSC)	Chair of the Trust Public - Wakefield Staff – Nursing support Public – Kirklees (Lead Governor) Chair of the Group Non-Executive Director Public - Barnsley
<b>In attendance:</b>	Laura Arnold (LA) Bill Barkworth (BB) Andy Lister (AL) Asma Sacha (AS)	Corporate Governance Officer (Author) Public – Barnsley (Deputy lead governor) Head of Corporate Governance (Company Secretary) Corporate Governance Manager
<b>Apologies:</b>	Adam Jhugroo (AJh)	Public – Calderdale

**1. Welcome, introductions and apologies (agenda item 1)**

John Laville (JL) welcomed everyone to the meeting. Introductions were made and the apologies, as above, were noted.

The meeting was noted at quorate.

**2. Declarations of interest (agenda item 2)**

There were no declarations of interest in relation to the agenda.

**3. Notes of the previous meeting held on 28 September 2022 (agenda item 3)**

The notes were agreed as a true and accurate record of the meeting.

**4. Action log from previous Co-ordination Group meetings (agenda item 4)**

Actions from 28 September 2022:

Item 4 – Andy Lister (AL) noted that there is ongoing work to make the Trust website as accessible as possible and hoped to have this action close by the end of February 2023. Bob Clayden (BC) noted that he has also been working alongside Paul Cartwright, Head of Marketing and Communication, to correct any website errors or links that are not working that he has come across. MBu commented that she was not aware of links failing on the website and noted that she will raise this point with Chief Executive as a matter of urgency.

Item 7 – It was noted in the meeting that three of the internal training courses in November 2022 had to be cancelled due to no interest or limited interest. These courses will be rescheduled in Summer 2023.

Item 11 – Health inequalities to remain as an open action and to consider as a future item for a Members' Council meeting.

Item 14 – People strategy to remain as an open action and to consider as a future item for a Members' Council meeting.

Item 14 – BC commented that the closed action regarding the Care Group structures that were circulated to governors needs to be more detailed. BC mentioned that governors are struggling to find contact details of who to contact in certain areas for community health and teams. AL asked if it was worth including this information in the governor handbook, JL agreed. Action to be reopened.

Laura Habib (LH) commented that there have been management changes around management and leadership within some of the care groups and there is currently a process of updating sections on the intranet and website.

Marie Burnham (MBu) commented that there is a clear management structure on the website and changes may happen continually.

#### Actions from 20 June 2022:

Item 12 – Organisational development to remain as an open action and to consider as a future item for a Members' Council meeting.

#### Actions from 13 December 2021:

Item 9 – AL noted that there is ongoing work regarding this action, to remain open.

#### Actions from 27 September 2021:

Item 4 – Gavin Richardson is currently progressing the Governor publicity video. JL commented that there is a short timescale to complete this in line with the elections.

### **Members' Council Development**

#### **5.1 Membership on Members' Council Groups (agenda item 5.1)**

The group noted the self-nominations to the Members' Council Quality Group. Following the process for appointing governors to the Members' Council groups, Phil Shire and Daz Dooler automatically filled the vacancy they self-nominated for.

The Corporate Governance team will continue to promote vacancies within the Groups and Committees.

## **5.2 Governor attendance at Members' Council meetings (agenda item 5.2)**

There are currently three governors who have missed three consecutive Members' Council meetings. The process is currently being followed for these governors.

## **5.3 Governor training - update (agenda item 5.3)**

It was noted in the meeting that three of the internal training courses in November 2022 had to be cancelled due to no interest or limited interest. These courses will be rescheduled in Summer 2023.

## **5.4 Members' Council biennial evaluation (agenda item 5.4)**

The group agreed for the action to log to be closed.

## **5.5 Members' Council Objectives (agenda item 5.5)** **a) 2021 – 2023 to review**

JL presented the current objectives and noted the objectives which are currently green are being progressed and the objective which is currently red involves working alongside the Communication, Equality and Engagement team and no activity is planned yet.

### **b) New Members' Council Objectives – plan**

There has been engagement from all governors through the virtual governor only meetings and the input has been positive. There have been a number of ideas for the new Members' Council Objectives and how to structure them. One of them is for the objectives to be aligned to the Trust values and another to align to Care Quality Commissioners (CQC) domains. Although there have been contrary views that aligning the objectives with CQC domains may look like 'inspections' which is not a duty of the governors.

JL will be working with a small group of governors to develop a draft which can be circulated to all governors by the end of Jan 2023 and then for any amendments to have been accounted for and the final version presented at Members' Council in February 2023.

BC noted that the objective reference 19/7 from 2019/20 regarding governor involvement for the website needs to be reopened.

**Action: Corporate Governance team**

## **5.6 Governor feedback – issues emerging from governor forums and the governor insight report (agenda item 5.6)**

AL noted that Dawn Pearson, Involvement Lead, will be joining the next Members' Council Co-ordination Group in March 2023 to give an explanation for how the purpose of the insight report to assist the group in how to appropriately read the document.

Bill Barkworth (BB) commented that the report contains raw and concerning information and asked the audience of the report. BB also asked if there is an interim plan to address the issues listed in the report.

AL replied commenting that the report is a live intelligence report containing a summary of the key areas of the Trust. The issues in the report are currently being dealt with and there are no actions listed.

BC commented that there are acronyms used which are not explained and the document contains spelling and grammatical errors.

MBu noted that the author of the report should be present to answer questions and to explain the purpose and the function of the report and questioned the purpose of this report being presented in the Members' Council Co-ordination Group.

BB asked if the Healthy Minds service had been decommissioned. AL agreed to find out.

**Action: Andy Lister**

JL gave a brief verbal update for the governor only meetings, noting there has been good attendance from governors.

#### Kirklees

There was an issue with a letter that a service user had received in Kirklees, yet to have governor only meeting.

#### Calderdale

Experiencing long waiting times and lists and differential services provided in the areas the Trust serves.

#### Staff

High pressures in working environments for staff including pressures of recruitment and retention although there is currently good operational support for staff side.

#### Wakefield

Currently working on publicity of the Trust.

### **6. Future Members' Council agenda and discussion items for consideration – 24 February 2023 (agenda item 6)**

AL gave a brief overview for the draft Members' Council agenda, noting that an item for Non-Executive Director re-appointment will need to be added.

**Action: Corporate Governance team**

It was noted that the People Strategy will be presented at Trust Board in March 2023 and will not be available for the Members' Council meeting in February 2023.

The group agreed to condense the Members' Council business items and amend the Focus on items to 40 mins each. The focus items were agreed as Single Point of Access (SPA) and Health inequalities data update and the meeting to be held as a hybrid meeting at Fieldhead Hospital.

**Action: Corporate Governance team**



## **7. Members' Council elections (agenda item 7)**

AL gave a verbal update for this item stating that the elections will be live on 19 January 2023 and there had been a meeting last week to discuss recruitment for young governors. The age to become a member of the Trust is 11 years old and all members can vote in an election, the age to become a governor is 16 years old. It was also noted that there are links to young people through the governors and the Involvement team. A letter has also been sent to the social care staff working integrated teams to engage and help recruit the current governor vacancy.

MBu commented that the timescales are short and asked if there were any planned visits to help promote the elections.

**Action: Corporate Governance team**

## **8. Members' Council Co-ordination work programme (agenda item 8)**

The group received the work programme.

## **9. Any other business (agenda item 9)**

None.

## **10. Date of future Co-ordination Group meetings for 2023/24 for approval (agenda item 10)**

- Monday 20 March 2023 from 13.30 – 15.30
- Monday 26 June 2023 from 13.30 – 15.30
- Monday 2 October 2023 from 13.30 – 15.30
- Monday 8 January 2024 from 13.30 – 15.30
- Monday 18 March 2024 from 13.30 – 15.30

The group approved the above dates.

*JL closed the meeting.*

**Notes of the Members' Council Quality Group  
held on 7 November 2022 at 15.00 while 17.00**

**Meeting held Virtually by Microsoft Teams**

<b>Present:</b>	Darryl Thompson (DT)	Director of Nursing, Quality and Professions (Chair)
	Phil Shire (PS)	Public – Calderdale (Co-Chair)
	Bill Barkworth (BB)	Public – Barnsley (Deputy Lead Governor)
	Sue Spencer (SS)	Appointed – Barnsley Hospital NHS Foundation Trust
<b>In attendance:</b>	Laura Arnold (LA)	Corporate Governance Officer
	(Author)	
	Marie Burnham (MBu)	Chair of the Trust
	Emma Cox (EC)	Associate Director of Nursing, Quality and Professions
	John Laville (JL)	Public - Governor Kirklees (Lead Governor)
	Natalie McMillan (NMc)	Non-Executive Director
	Liam Redican (LR)	Quality Improvement and Assurance Lead (item 9)
	Asma Sacha (AS)	Corporate Governance Manager
	Julie Williams (JW)	Deputy Director of Corporate Governance
<b>Apologies:</b>	Claire Den Burger-Green (CDBG)	Public - Kirklees
	Daz Dooler (DD)	Public - Wakefield
	Helen Morgan (HM)	Staff - Allied Health Professional
	Keith Stuart-Clarke (KSC)	Public - Barnsley

**1. Welcome, introductions and apologies (agenda item 1)**

Phil Shire (PS) welcomed everyone to the meeting. Introductions were made and the apologies, as above, were noted.

The meeting was noted at quorate.

**2. Declarations of interest (agenda item 2)**

There were no declarations of interest in relation to the agenda.

**3. Notes and actions from the meeting held on 8 August 2022 (agenda item 3)**

The notes were agreed as a true and accurate record of the meeting.

Darryl Thompson (DT) gave a verbal update for the incomplete action from 6 September 2021, stating the integrated Performance Report (IPR) percentage of people of BAME background is 14.1%. The workforce is representative of populations and the specific figure for the IAPT workforce with a BAME background is 15.1%. This action is now marked as complete.

#### **4. Integrated performance report (agenda item 4)**

The group agreed to defer this item until the next meeting due to time constraints and asked the group for any questions that could not wait until then.

JL asked about the £1.1 million surplus in Child and Adolescent Mental Health service (CAMHS) and asked if the surplus could be used to decrease the waiting time. DT commented that the neurodevelopmental services are currently exploring to source additional support. DT noted that this issue is a national workforce issue.

#### **5. Patient experience update report (agenda item 5)**

PS asked the group for any questions regarding the report.

Bill Barkworth (BB) highlighted that he could see a delay in the process of complaints when the complaint reached the Trio stage (General manager, Clinical lead, and Practice governance coach) and asked how this delay could be mediated.

DT commented that the Trio ensure accuracy, learning and to make sure all questions are answered. The response needs to be of clinical context and a particular tone in order to recognise the difficulty in raising a concern or complaint. A dedicated staff member is currently leading a quality improvement review of the complaints process

MBu reiterated DT's comments and commented that the process is still taking too long and the process is currently being re-engineered to a system which includes a timely and quality response.

BB asked the reason for the number of complaints received via the Care Quality Commission (CQC).

DT replied noting the main two reasons are

Frustration with the response time

Some complainants would direct their concern/complaint straight to the CQC and bypass the customer services team within the Trust.

NMc commented that the report has been and will be continued to be developed into a broader sense of the patient experience, not just complaints and data.

John Laville (JL) asked about the complaints grading and what entails the different colour of grading.

DT replied the grading is the perceived level of harm described in the complaint and this will include immediate learning and or risk. This information is then fed back into the care group for their action. The customer service team grade the individual complaint and line management are available when needed.

JL asked about the MP (Member of Parliament) contacts and noted the number of complaints against CAMHS. JL commented that the 40 working days for a response is a poor target and asked for the action page.

DT replied noting that all progress of the complaint is overseen by the complaint handler. The improvement action plan, specifically addressing timeliness and quality is fed into the Executive Management Meetings (EMT).

BB commented that the report is open and transparent. The document includes several slides of learning and how this is put into practice. BB asked about the low level of satisfaction in the Friends and Family test for the ADHD service.

DT replied stating that there has been an increase in referrals into the service way beyond the Trust is commissioned to undertake. Also, many patients arrive with a desire for a diagnosis and this might not always be what they receive.

## **6. Care Quality Commission (CQC) update (agenda item 6)**

DT noted that this item will be included in the single assessment framework presentation (item 9).

## **7. Quality Account annual Plan (agenda item 7)**

The Trust is yet to receive the expectations for next year. The quality accounts have been submitted each year as required and the current understanding is that the expectation will be different for the coming year.

The quality account will be presented at the Members' Council Quality Group as required for engagement from the group.

## **8. Quality Monitoring Visits (QMV) Annual report (agenda item 8)**

PS noted on pages 98-99 does not include much detail regarding learning points and challenges. PS asked if the Clinical Governance and Clinical Safety Committee (CGCS) are presented with more details. DT confirmed the report is the same. There is a detailed report per visit which remain at the care group and improvements are driven at that level.

NMc commented that this report is one part of a broader level of quality and personally feels the level of detail is appropriate.

Julie Williams (JW) also commented that the Trust triangulates the evidence and intelligence, and outcomes are discussed at EMT.

Emma Cox (EC) commented that a QMV was conducted last week, and the full report and actions were aligned to those responsible and developed by the care group.

JL commented that he feels there is no visibility as the governors involved in a QMV do not receive an update of the progress for the action plan which has been received by the care group.

NMc commented that there needs to be the right balance of assurance without being operational but agreed regarding feedback on those involved in a QMV.

## **9. Single assessment framework (agenda item 9)**

Liam Redican (LR) joined the meeting and gave a presentation (appendix 1) for this item. This included the Care Quality Commission (CQC) update (agenda item 6). LR highlighted the new

fundamental standards of care and a strategy was launched last year by the CQC but is not yet live, this includes four themes.

LR has written a summary regarding the last 12 months and will share with the group.

**Action: Liam Redican**

PS commented that the presentation showed that the Trust is inspection ready and thought this was a positive and embracing approach. LR replied stating the Trust are continually looking for improvements using an evidence submission system, all cultures are open and transparent.

DT commented that staff would not feel nervous about CQC inspections and view this as a normal day at work. Trust colleagues are proud of what they do.

Sue Spencer mentioned that at Barnsley NHS Foundation Trust have individual governance and CQC governance which meet once a month as an oversight group. DT to liaise with Chief Nurse at Barnsley Hospital NHS Foundation Trust.

**Action: Darryl Thompson**

JL commented that he felt the presentation was refreshing and the Trust came across as proactive and inspection ready. Positive culture is important and was assured by the positivity.

## **10. Review or Members' Council Quality Group terms of reference (agenda item 10)**

PS gave a verbal overview for this item stating there is not much overlap between the terms of reference for the Members' Council Quality Group (MCQG) and the Clinical Governance and Clinical Safety Committee (CGCS).

The terms of reference for the CGCS are granular and detailed which include responsibilities, this gives assurance of Non-Executive Directors operating effectively in their role. Whereas, the MCQG operates on a patient orientated perspective, representing the constituencies.

MBu commented that most Foundation Trusts do not have a Quality Group in place and questioned if it duplicated the roles of other groups/committees in the Trust. MBu stated that this group may overlap assurance from the governance system already in place. There needs to be a balance of evolving an open and transparent system, but not duplicating other groups/committees already in place.

PS commented that he has attended CGCS, but did not have access to the papers and he felt the meeting was difficult to follow and did not understand what was being discussed. He stated papers should be provided in advance to contribute or observe.

MBu replied stating observers should not contribute to the meeting, they must observe and certain items in meetings are private and confidential, observers should not have access to these.

NMc agreed with MBu stating the Trust needs to be careful with the legal statutory position and to not expose governors in terms of liability. The Trust needs to make sure the group does not duplicate work of the CGCS. Governors observing committees will have the chance to ask questions after the meeting and this can be used as a better way to engage.

JL commented that governors will only observe committees and use this as a way to hold Non-Executive Directors to account for the performance of the Board, one of their statutory duties.

BB commented that he thought the MCGQ has a distinct terms of reference and is a useful group to look at service delivery issues.

Julie Williams (JW) stated that there is a new Code of Governance which will come into effect on 1 April 2023 and governors should only receive reports which are relevant to their role. The terms of reference for the MCQG needs to be updated which takes into account the governance structure already in place. JW to convene a small group to assist her in developing revised terms of refence for MCQG.

**Action: Julie Williams**

**11. Members' Council Quality Group Work programme (agenda item 11)**

The group received the up-to-date work programme.

**12. Any other business (agenda item 12)**

None.

**13. Items to raise at Members' Council (agenda item 13)**

None.

**14. Date of next meeting(s) (agenda item 14)**

➤ 6 February 2023 at 10:00 - 12:00

Dates for 2023/24 for approval:

- Tuesday 2 May 2023 at 12.30 – 14.30
- Tuesday 1 August 2023 at 12.30 – 14.30
- Tuesday 7 November 2023 at 12.30 – 14.30
- Tuesday 6 February 2024 at 12.30 – 14.30

The group approved the above dates.

*PS closed the meeting.*

**Nominations Committee  
18 January 2023 from 10.00 to 12.00  
Virtual meeting via Microsoft Teams**

<b>Present</b>	Marie Burnham (MBu) - Trust Chair Bill Barkworth (BB) - Deputy Lead Governor, Publicly Elected Governor, Barnsley Tony Jackson (TJ) - Non-clinical staff support, governor John Laville (JL) - Lead Governor, Publicly elected governor Kirklees Andrea McCourt (AMc) - Appointed Governor – Calderdale and Huddersfield NHS Foundation Trust
<b>Apologies</b>	Dylan Degman (DDe) – Public Governor Wakefield
<b>In attendance</b>	Mark Brooks (MBr) - Chief Executive Andy Lister (AL) - Head of Corporate Governance (Company Secretary) Greg Moores (GM) - Chief People Officer

**NC/23/01 Welcome, introductions and apologies (agenda item 1)**

Marie Burnham (MBu) welcomed everyone to the meeting and noted apologies.

**NC/23/02 Declarations of Interests (agenda item 2)**

Bill Barkworth reported he knows Emma Pickup from GatenbySanderson in a professional capacity

**NC/23/03 Minutes from previous meeting held on 13 July 2022 (agenda item 3)**

**It was RESOLVED to APPROVE the Minutes as a true and accurate record of the meeting held 8 November 2022.**

**NC/23/04 Matters arising from previous meeting held on 8 November 2022 – Action log (agenda item 4)**

**NC/22/07** – Andy Lister (AL) confirmed the Associate Non-Executive role has been updated in the constitution and will be presented to Trust Board on 28 January 2023 prior to going to the Members Council for ratification on 24 February 2023.

**It was RESOLVED to NOTE the updates to the action log.**

**NC/23/05 Lead Governor and Deputy Lead Governor re-appointment/appointment (agenda item 5)**

MBu asked to take the paper as read noting the process for the appointment of lead governor is stipulated within the paper. MBu reported John Laville (JL) has submitted his self-nomination to be re-appointed as lead governor for the Trust for a further three years. MBu reported there

have been no self-nominations for the role for Deputy lead governor at this time and BB is standing down as a public governor at the end of his current term in April 2023.

AL informed the committee there is interest in the deputy lead governor role, but no applications had been made prior to this meeting. Further applications will be requested for the April nominations committee meeting which would mean, should an appointment be recommended to the Members Council in May the role would be vacant for a very limited period.

MBu invited JL to address the committee in relation to his self-nomination.

JL informed the committee his honoured to have held the role of lead governor and very much looks forward to continuing in the role and thanked his fellow governors and the Chair for their support.

JL noted in relation to the deputy governor vacancy he was aware of two potential candidates who had shown interest but had been unable to commit to the role at this time but were hopeful their circumstances may change in the near future.

MBr noted he is here as an advisor to the committee, but on behalf of the executive team endorsed JL as a lead governor and thanked him for his support of the Trust and promotion of service user and carer voice in all that the Trust does.

BB informed the committee that he felt JL had been a tremendous lead governor and offered his full support to JL continuing in the role.

**It was RESOLVED to RECOMMEND the re-appointment of John Laville as lead governor, to the Members Council in February 2023 for another three year term.**

### **NC/23/06 Non-Executive Director re-appointment (agenda item 6)**

MBu reported this item looks to approve the re-appointment of two Non-Executive Directors, Mike Ford (MF) and Kate Quail (KQ). MBu noted the papers presented reflect her views on each of the directors and why she would like them to continue in their role.

MBu stated MF is a good audit committee chair and effective non-executive colleague. KQ is the chair of the mental health act committee and has completed two three years terms as non-executive director. In order to support recent changes to the Board, MBu would like to maintain stability in the non-executive members of Board and as such is requesting to extend KQ into a third three-year term, subject to annual review.

AL noted an error in KQ's term stated in the paper resolution and confirmed it should read 1 August 2023 to 31 July 2026.

MBr noted that KQ provides recent and relevant clinical experience from a non-executive perspective for the Board and therefore supported her re-appointment.

JL supports the re-appointment of both non-executive directors.

BB reported a reservation of extending a non-executive director for a third term but in the case of KQ appreciated the value she brings to the Board and therefore supports the proposal.



Greg Moores (GM) noted he had shared BB's view but acknowledged that due to the number of Board changes that have taken place, KQ has not been part of a static board group in recent months, and in light of this agreed with the proposal.

AM supported BB's comments but queried if KQ's term was for a further three-year term, or one year term.

AL confirmed it for a further three years, subject to annual approval through Nominations Committee.

AM queried if both non-executives directors have been subject to satisfactory appraisal.

MBu confirmed both non-executive directors are about to have their mid-year appraisals and there are no current concerns.

AM asked that the appraisal position is included in the papers to members council.

**Action: Andy Lister**

**It was RESOLVED to AGREE and SUPPORT the recommendation to the Members' Council to re-appoint Mike Ford for a second term of office for three years from 1 September 2023 to 31 August 2026.**

**SUPPORT the recommendation to the Members' Council to reappoint Kate Quail for a third term of office for three years (subject to annual review) from 1 August 2023 to 31 July 2023.**

#### **NC/23/07 Review of Chair and Non-Executive Director remuneration (agenda item 7)**

MBu reported that the chairs and non-executive directors' remunerations are aligned to NHS England.

MBr queried if MBU should leave the meeting for this discussion.

GM reported this is a briefing paper on current position, and process, the committee are not being asked to make any decision today in respect of the chair's remuneration.

GM reported the chair remuneration is aligned to NHSE guidance and will be subject to review on completion of a full annual appraisal process. Nomination committee will review the chairs remuneration on completion of her full annual appraisal. Non-executive director remuneration remains at £13,584 until NHSE recommend any changes to this position. There is an additional £2k available at present to the Audit Committee chair, and deputy chair roles.

BB reported he had read the NHSE report (2019) and suspected the Trust is now in the bottom quartile for the NED remuneration and suggested the Trust needs to be aware of this when further recruitment processes take place.

GM noted BB's comments, but reiterated NED remuneration should be in line with NHSE guidelines and as such would be cautious about deviating from this position. GM further noted that NHSE will now be involved in future recruitment processes.

AM reported non-executive salaries in her Trust were slightly lower and they had recently recruited into posts. The chairs salary for her Trust is slightly higher, but noted she works for an acute trust and therefore the comparisons are slightly different.

**It was RESOLVED to RECEIVE the update in relation to Chair and Non-Executive remuneration and SUPPORT no changes at this time. A paper on the outcome of the Nominations Committee's consideration will be presented to the next Members' Council meeting.**

### **NC/23/08 Update on Associate Non-Executive Director recruitment (item 8)**

GM presented the item and highlighted the following points:

- At the last meeting the committee approved the process to start the appointment of up to two associate non-executive directors with the help of an agent
- Committee agreed one associate non-executive director should be from a clinical background
- Committee agreed a salary of £8k a year for the role
- GM's team have two recruitment agent options for committee to consider today, GatenbySanderson and Green Park
- GatenbySanderson are known to the Trust, Emma Pickup will be the lead for this exercise
- The Trust hasn't used Green Park before.
- The information from Green Park is very comprehensive and explains their process
- GM reports his research about Green Park has shown that they are strong in terms of diversity

AM noted from a value for money perspective, the cost of the agents is three times that of the associate non-executive director salary and queried if there is another way of conducting the recruitment process.

GM noted this is a valid point, but the salary of the post doesn't reflect the importance of the role due to it being a Board level role for 2-3 days a month. The alternative is to conduct the recruitment process in house.

AM reported the recruitment of associate non-executive directors within her own Trust had been conducted internally.

MBr noted AM's comments but reported that when the Trust has tried to perform internal recruitment processes for similar roles, they have been unsuccessful due to not having the required contacts.

BB has knowledge of both companies. GatenbySanderson's strengths are health, local knowledge and local market, based in Leeds. Green Park are based in London, but have a good reputation and are very strong on equality diversity and inclusion. BB felt this was a good opportunity to try someone new and felt Green Park would be his recommendation.

JL reported his experience of GatenbySanderson has not always been positive but had no knowledge of Green Park.

MBu reported BB's views are useful and she has knowledge of GatenbySanderson.

MBr reported recruitment is about relationships and GatenbySanderson have not excelled in this area in recent processes but reiterated Emma Pickup is professional and would be happy to work for her if she is leading the process. MBr reported it would be useful to try another company to give the Trust options.

AM supported the committees' views and is happy to support Green Park.

**It was RESOLVED to APPROVE the appointment of Green Park to support the recruitment of up to two Associate Non-Executive Directors**

**NC/23/09 Work Programme (agenda item 9)**

The work programme was reviewed, and no comments received.

**It was RESOLVED to APPROVE the Work Programme for 23/24.**

**NC/23/10 Any other business (agenda item 10)**

None.

**NC/23/11 Issues and items to bring to the attention of Trust Board / Members' Council (agenda item 11)**

None.

**NC/23/12 Dates of future Nominations Committee meetings (agenda item 12)**

- 10.30 – 12.30 on 5 April 2023
- 10.30 – 12.30 on 5 July 2023
- 10.30 – 12.30 on 11 October 2023
- 11.30 – 13.30 on 24 January 2024

**Close of meeting.**

**Nominations Committee  
17 March 2023 from 09.30 to 10.30  
Virtual meeting via Microsoft Teams**

<b>Present</b>	Marie Burnham (MBu) - Trust Chair Bill Barkworth (BB) - Deputy Lead Governor, Publicly Elected Governor, Barnsley Tony Jackson (TJ) - Non-clinical staff support, governor John Laville (JL) - Lead Governor, Publicly elected governor Kirklees Andrea McCourt (AM) - Appointed Governor – Calderdale and Huddersfield NHS Foundation Trust
<b>Apologies</b>	Dylan Degman (DDe) – Publicly elected governor, Wakefield
<b>In attendance</b>	Mark Brooks (MBr) - Chief Executive Andy Lister (AL) - Head of Corporate Governance (Company Secretary) Greg Moores (GM) - Chief People Officer Emma Law – Green Park Richard Grayling – Green Park

**NC/23/13 Welcome, introductions and apologies (agenda item 1)**

Marie Burnham (MBu) welcomed everyone to the meeting and noted apologies. The meeting was declared to be quorate and can proceed.

**NC/23/14 Declarations of Interests (agenda item 2)**

Greg Moores (GM) declared he had previously worked with a candidate for the clinical associate Non-Executive Director (NED) list.

Bill Barkworth (BB) declared he knows six of the individuals on the list and will declare interests if they form part of today's discussions.

John Laville (JL) declared he knows one of the candidates.

MBu declared she knows two of the candidates.

**NC/23/15 Minutes from previous meeting held on 18 January 2023 (agenda item 3)**

**It was RESOLVED to APPROVE the Minutes as a true and accurate record of the meeting held 18 January 2023.**

**NC/23/16 Matters arising from previous meeting held on 18 January 2023 – Action log (agenda item 4)**

**It was RESOLVED to NOTE the updates to the action log.**

### **NC/23/17 Deputy Lead Governor appointment update (agenda item 5)**

Andy Lister (AL) provided the following verbal update to the committee:

- An email was sent to all governors inviting a self-nomination statement on 7 March 2023 with a deadline of 13 March 2023 for the position of deputy lead governor. No self-nominations were received.
- A further request will be circulated to all governors prior to the Nominations Committee taking place on 3 April 2023

A conversation took place as to when further requests will go out. JL reported it could be difficult for a new governor to take up this role dependent on their level of experience. JL would hold conversations with governors that had expressed an interest. The committee agreed a further circulation should take place next week in line with AL's suggestion.

**Action: Andy Lister**

**It was RESOLVED to NOTE the update in relation to the Deputy Lead Governor.**

### **NC/23/18 Associate Non-Executive director recruitment – longlist discussion (agenda item 6)**

Emma Law (EL) and Richard Grayling (RG) from Park Green presented the item in order to produce a longlist for the two Associate Non-Executive Director vacancies.

EL reported the clinical position has drawn candidates from a smaller pool, due to it being a more specified area of expertise.

RG reported backgrounds of candidates for the non-clinical role include communities and social sectors such as housing, local authorities, education and charities. Green Park has reached out to approximately 140 people, with a good level of return and good potential candidates.

EL reported candidate sifting for the clinical role was quite straight forward. For the non-clinical role Green Park used the job description and person specification but included looking for candidates from differing backgrounds (non-NHS), and wider community needs, as part of the role. EL reported the Committees will decide today which candidates progress to the next stage.

MBu reported she is encouraging applicants from people with lived experience, local community backgrounds, and the housing sector to add to the skill mix and level of diversity on the Trust Board.

AL reminded the Committee that following the extension of constitutional boundaries in 2021 an additional clause was added to the Constitution stating that any Non-Executive Directors and Associate Non-Executive Directors recruited from the above public constituency (1.5), MUST be able to demonstrate a commitment to, and significant knowledge of, the communities the Trust serves.

The Committee agreed to discuss the clinical position candidates first and decide whether any candidates from the B and C list should be brought forward.

MBu asked committee members if they wanted to bring anyone forward from the B and C list for the clinical role.

The committee agreed to move one candidate from the non-clinical list to the longlist interview stage with Green Park.

BB queried how many candidates are going to be interviewed at this stage?

EL reported the longlist should be 8-10 candidates and then 4-5 put through to the shortlist for the final interview, but there may be more due to there being two roles to recruit to. If the Committee feel there are borderline candidates these would go through for interviews with Green Park.

JL reported the Trust has employed Green Park to carry out a recruitment process and he is happy to take all four A candidates through to the next stage.

MBu confirmed that the Committee agreed to take four candidates through to the longlisting stage for the clinical role.

MBu asked the Committee to now consider the A list candidates for the non-clinical role.

*(JL briefly left meeting at 10:04 hrs, the meeting remained quorate)*

*(JL returned to the meeting 10:07hrs)*

The committee agreed to move one non-clinical candidate into the clinical category.

MBu summarised 9 candidates are to progress to the next stage for interviews with Green Park for the non-clinical role.

MBu confirmed that five candidates would not progress to the next stage.

EL reported the next stage will be for Green Park to interview all of the candidates and asked the Committee to identify things to draw out in the interview stage. Motivation for the role and time commitment will be tested.

MBr asked for candidates to be asked about their understanding of a unitary board and be able to demonstrate examples of the Trust's values and behaviours.

**Action: Emma Law**

AL noted they should be asked about their knowledge of the communities the Trust serves.

**Action: Emma Law**

JL asked for candidates to demonstrate their experience of how to think outside of the box and do things differently, and evidence they have led delivery.

**Action: Emma Law**

AM queried if the role is a development role for a NED role for SWYPFT or across the Board in general.

AL reported he believed the Trust position was that these are development roles for becoming a Non-Executive Director but there was no guarantee of obtaining a Non-Executive Director position with the Trust.

AM reported this should be made clear to candidates as they go through the process.

**Action: Greg Moores**

It was **RESOLVED** to **AGREE** that five candidates would move forward to the next stage of the recruitment process for the clinical role and **AGREE** the nine candidates would progress to the next stage for the non-clinical role.

**NC/23/19 Work Programme for 2023/24 (agenda item 7)**

The work programme was reviewed, and no comments received.

It was **RESOLVED** to **APPROVE** the Work Programme for 23/24.

**NC/23/20 Any other business (agenda item 8)**

Nil.

**NC/23/21 Issues and items to bring to the attention of Trust Board / Members' Council (agenda item 9)**

MBr asked that any panel used to interview the candidates should be appropriately diverse.

**Action: Greg Moores**

JL noted there are a number of female candidates and the number of female non-executive directors already on the Board.

MBr reported this was counter balanced by the number of male executive directors to female executive directors, but the Board is balanced as a whole.

**NC/23/22 Dates of future Nominations Committee meetings (agenda item 12)**

- 09.30 – 11.30 on 3 April 2023
- 10.30 – 12.30 on 5 July 2023
- 10.30 – 12.30 on 11 October 2023
- 11.30 – 13.30 on 24 January 2024

**Close of meeting.**

**Nominations Committee  
3 April 2023 from 09.30 to 11.00  
Virtual meeting via Microsoft Teams**

<b>Present</b>	Marie Burnham (MBu) - Trust Chair (Chair) Bill Barkworth (BB) - Deputy Lead Governor, Publicly Elected Governor, Barnsley Tony Jackson (TJ) - Non-clinical staff support, governor John Laville (JL) - Lead Governor, Publicly Elected Governor, Kirklees Andrea McCourt (AM) - Appointed Governor – Calderdale and Huddersfield NHS Foundation Trust
<b>Apologies</b>	Dylan Degman (DDe) – Publicly Elected Governor, Wakefield
<b>In attendance</b>	Mark Brooks (MBr) - Chief Executive Andy Lister (AL) - Head of Corporate Governance (Company Secretary) Emma Law (EL) – Green Park (item 4) Diane Taylor (DT) – (Deputising for Greg Moores) Laura Arnold (LA) – Corporate Governance Officer (Author)
<b>Apologies (in attendance)</b>	Greg Moores (GM) - Chief People Officer

**NC/23/23 Welcome, introductions and apologies (agenda item 1)**

Marie Burnham (MBu) welcomed everyone to the meeting and introductions were made. Apologies were noted and the meeting was declared to be quorate and could proceed.

**NC/23/24 Declarations of Interests (agenda item 2)**

No further declarations were recorded.

**NC/23/25 Minutes from previous meeting held on 17 March 2023 (agenda item 3)**

**It was RESOLVED to APPROVE the Minutes as a true and accurate record of the meeting held 17 March 2023.**

**NC/23/26 Matters arising from previous meeting held on 18 January 2023 – Action log (agenda item 4)**

Diane Taylor (DT) gave a verbal update for the following open actions:

NC/23/18

Candidates were all aware that this role would not automatically lead to a substantive Non-Executive Director role within the Trust.

NC/23/21



The interview panel has been confirmed as appropriately diverse:

- Marie Burnham
- Mandy Rayner
- John Laville
- Jacob Agoro
- Kate Quail

Emma Law (EL) joined the meeting and gave a verbal update for the following open actions:  
NC/23/18

One candidate has withdrawn from the recruitment process and had second thoughts on the role.

The committee agreed to cover the remaining open actions in item 6 - Associate Non-Executive director recruitment – shortlist.

**It was RESOLVED to NOTE the updates to the action log.**

#### **NC/23/27 Deputy Lead Governor appointment (agenda item 5)**

The committee considered the self-nomination for Deputy Lead Governor; Claire Den Burger-Green and agreed to recommend to Members' Council for appointment.

**The Committee RESOLVED to RECOMMEND Claire Den Burger-Green for the role of Deputy Lead Governor to the Members' Council for appointment for a term of office for three years from the 1 May 2023 to 30 April 2026.**

#### **NC/23/28 Associate Non-Executive director recruitment – shortlist discussion (agenda item 6)**

EL gave an overview for this item and recommended for the committee to choose six candidates forward for the interview.

MBu asked for comments, questions or observations.

John Laville (JL) commented that he has the same travel time into the Trust as one of the candidates and 5 days a month is within the job description.

Andrea McCourt (AM) commented that connections to local communities was confirmed as being paramount and therefore chose to support three candidate's applications.

The Committee agreed to recommend three candidates for formal interviews for the clinical role.

MBu asked for comments, questions or observations.

AL asked if one of the candidates could demonstrate any links to the areas of the Trust? EL commented that their home address is based in the neighbouring county and therefore more remote than other candidates.

Bill Barkworth (BB) asked for the experience required in the Associate Non-Executive Director role.

The Committee agreed the list for the 'not recommended candidates'.

The Committee discussed the possibility of interviewing 7 candidates in total and the implications this included.

JL commented that to exclude a strong candidate on the purpose of the time provisions on the day can seem unfair.

MBu asked to try and distinguish between the candidate in terms of the type of experience they may bring, MBr commented that he is unable to distinguish at this level of the recruitment process.

The committee agreed to recommend 4 candidates to the interview stage of the process and limit interview to 45 mins and to the stakeholder panel group to 45 mins.

**Action: Diane Taylor**

The committee chose four candidates for the non-clinical role.

JL asked the recruitment agency the process around informing the candidates who were unsuccessful. EL confirmed that all candidates will be made aware of the outcome as soon as possible and then constructive feedback and a briefing session is given.

AL asked in terms of the action log (ref. NC/23/18) if any social media and internet searches were complete. EL confirmed that sweeps of social media and internet searches were conducted and included up to three years of history for all candidates. The searches highlighted no areas for concern. EL commented that this check will be conducted again for the seven recommended candidates for interview.

**Action: Emma Law**

**It was RESOLVED to AGREE that the following candidates would move forward to the next stage of the recruitment process for the clinical role; Rachel Lee, Jayne Lowe and Ben Powell, and AGREE the following candidates would progress to the next stage for the non-clinical role: Gavin Hoban, Rokaiya Khan, Humma Nizami and Guy Van Dichele.**

**NC/23/29      Review of Nominations Committee effectiveness and annual report (agenda item 7)**

**It was RESOLVED to APPROVE the Nominations Committee annual report for 23/24.**

**NC/23/30      Review of Nominations Committee terms of reference (agenda item 8)**

**It was RESOLVED to APPROVE the Nominations Committee terms of reference.**

**NC/23/31      Work Programme for 2023/24 (agenda item 9)**

The work programme was reviewed, AL commented that Associate Non-Executive Director remuneration would need to be added to the work programme as required.

**Action: Corporate Governance team**

It was RESOLVED to RECIEVE the Work Programme for 23/24, noting the above amendment.

**NC/23/32 Any other business (agenda item 10)**

Nil.

**NC/23/33 Issues and items to bring to the attention of Trust Board / Members' Council (agenda item 9)**

Interviews are confirmed for 18 April 2023, and an extraordinary Nominations Committee meeting is being arranged for 26 April 2023 for the recommendation.

Committee agreed to use candidate supporting statement and CV's as part of the papers. AL to look into this and confirm confidentiality agreement.

**Action: Andy Lister**

**NC/23/34 Dates of future Nominations Committee meetings (agenda item 12)**

- 10.30 – 12.30 on 5 July 2023
- 10.30 – 12.30 on 11 October 2023
- 11.30 – 13.30 on 24 January 2024

***Close of meeting.***

## **Members' Council Co-ordination Group**

### **Members' Council Co-ordination Group Annual Report 2022/23**

#### **Purpose of the Report**

This report provides the Members' Council with an update on the work of the Co-ordination Group over the past year.

#### Overall aim

The Co-ordination Group's primary purpose is to co-ordinate the work and development of the Members' Council.

#### Duties

The Co-ordination Group will:

- a) In conjunction with the Chair of the Trust, develop and agree the agendas for Members' Council meetings.
- b) Work with the Trust to develop an appropriate development programme for governors both as ongoing development and as induction for new governors.
- c) Act as a forum for more detailed discussion of issues and opportunities where the Trust seeks the involvement of the Members' Council.
- d) Consider advice and feedback from other Members' Council working groups as appropriate.

#### Membership

Membership consists of governors (with representation from public, staff and appointed governors) plus the Chair and Deputy Chair of the Trust. The Head of Corporate Governance (Company Secretary) also attends meetings of the Co-ordination Group.

The Members' Council policy is that the term of office for any new members of the Group is three years to allow for consistency of membership. If a governor wishes to stand down from the group or is not re-elected/re-appointed as a governor on the Members' Council during the three years, the individual taking their seat does not automatically take the place on the Group.

The membership of the Co-ordination Group from 1 April 2022 to 31 March 2023 was as follows:

- Chair of the Trust – Marie Burnham
- Deputy Chair of the Trust – Mandy Rayner
- Lead Governor (publicly elected, Kirklees) – John Laville (Chair)
- Governor (publicly elected, Barnsley) – Keith Stuart-Clarke
- Governor (publicly elected, Calderdale) – Adam Jhugroo
- Governor (publicly elected, Kirklees) – vacant
- Governor (publicly elected, Wakefield) – Bob Clayden
- Governor (publicly elected, publicly elected Rest of Yorkshire and the Humber, Cumbria, Durham, Lancashire, Greater Manchester, Derbyshire, Nottinghamshire, and Lincolnshire) – vacant
- Governor (staff elected) – Laura Habib (from May 2022)
- Governor (appointed) – Tony Wright, Staff side organisations (until September 2022)

- *Governor (appointed) – currently vacant*

All governors continue to be welcome to attend meetings of the Co-ordination Group, even if they are not formal members.

## **What the Co-ordination Group has done**

### Agenda setting

The Co-ordination Group has met on a regular basis throughout the year, approximately six weeks prior to each Members' Council meeting and has worked with the Chair of the Trust to develop and agree the agenda for Members' Council meetings. This has allowed sufficient time for agenda planning and given the opportunity for members to suggest items for inclusion. The Co-ordination Group has also reviewed and inputted to the Members' Council work programme and also considered what discussion topics to focus on, including consideration of items suggested by governors.

In agreeing the Members' Council agenda for each meeting, the Co-ordination Group takes the following into account:

- Action log from the previous Members' Council meetings
- Feedback received from governors on the last Members' Council meeting and from governor forums
- Items from the Members' Council work programme
- Items from the Members' Council Quality Group
- Items from the Nominations' Committee
- Items from the Trust Board and committees
- Items requested by individual governors
- Items deferred from previous Members' Council meetings

### Members' Council and governor development

The Co-ordination Group has:

- Contributed to the development of the governor training programme
- Monitored and reviewed actions from the biennial evaluation session in 2021.
- Reviewed and made recommendations to the Members' Council for membership on Members' Council groups.
- Reviewed governor attendance at Members' Council meetings and identified if and where additional support was required to enable governor attendance.
- Continually reviewed their Members' Council Objectives for 2021 – 2023 and made a recommendation to the Members' Council for the new objectives for 2023 – 2025
- Received and discussed the insight report
- Received summaries and issues emerging from governor forums
- Contributed to the development and update of the governor handbook.
- Contributed to the work plan of governors holding Non-executive directors to account
- Contributed to the planning of the Annual Members' Meeting.
- Discussed the consultation process with governors in regard to Members' Council workplan, Members' Council meeting days, face to face meetings and blended meetings.
- Received updates regarding the Members' Council election process

### Forum for discussion

The Co-ordination Group regularly considers other issues relevant to the Members' Council. The following examples give an indication of the range of discussion. The Co-ordination Group has:

- Worked in conjunction with the Company Secretary to re-design the Members' Council work programme to ensure statutory business items are reviewed when required. In addition the workplan prioritises focus items for discussion by taking items as read on a rotational basis. The Co-ordination Group takes decisions on priority areas for forthcoming focus on presentations in the Members' Council meetings.
- Implemented a focus group made up of Co-ordination Group members to develop a guide for governors who volunteered to observe Trust Board Committees.
- Played a key role in the development and update of the Trust website in relation to the Members' Council including providing videos of their experience as a governor on the Members' Council.

## **How have we done**

The Co-ordination Group considers that it has carried out its remit over the past year, where possible within the restrictions of the Covid-19 pandemic, as demonstrated by the activity outlined above. The Co-ordination Group is aware that other governors may wish to comment on the work undertaken or to suggest further issues the Co-ordination Group could focus on.

The Co-ordination Group is supported effectively by the Corporate Governance Team, who prepare agendas and papers, take, and distribute minutes, organise governor training sessions, enable the setting up and running of governor forums, maintain effective communications with and between governors, and answer queries. The Co-ordination Group would like to thank the Corporate Governance Team for their professional support throughout the year.

The Co-ordination Group's sincere thanks are also extended to previous members for both for their support and contribution.

## **Recommendation**

The Members' Council is asked to review and approve the Members' Council Co-ordination Group Annual Report for 2022/23.

**Members' Council Co-ordination Group  
Terms of Reference**  
*To be approved by Members' Council on 9 May 2023*

**Purpose**

The Members' Council Co-ordination Group's prime purpose is to co-ordinate the work and development of the Members' Council.

**Duties**

- a) In conjunction with the Chair of the Trust, develop and agree the agendas for Members' Council meetings.
- b) Work with the Trust to develop an appropriate development programme for governors both as ongoing development and as induction for new governors.
- c) Act as a forum for more detailed discussion of issues and opportunities where the Trust seeks the involvement of the Members' Council.
- d) Consider advice and feedback from other Members' Council working groups as appropriate.

**Membership**

Membership consists of:

- Eight governors: the Lead Governor, one representative from each public constituency, one staff governor, and one appointed governor.
- The Chair
- Deputy Chair

Governors are appointed to the Co-ordination Group by the Members' Council, on the recommendation of the Members' Council Co-ordination Group. The normal term of office is three years. If an individual resigns or is not re-elected / re-appointed onto the Members' Council during the three-year period, the seat becomes vacant and the individual taking their governor seat does not automatically take the place on the Group.

Governors are invited to self-nominate to vacancies on the group on a quarterly basis.

Membership at 1 April 2023:

John Laville, Lead Governor (publicly elected governor – Kirklees) (Chair of the group)

Keith Stuart-Clarke (publicly elected governor – Barnsley)

Adam Jhugroo (publicly elected governor – Calderdale)

*Vacant (publicly elected governor – Kirklees)*

Bob Clayden (publicly elected governor – Wakefield)

*Vacant (publicly elected governor – Rest of Yorkshire & the Humber)*

Laura Habib (Staff elected governor)

*Vacant (appointed governor)*

Marie Burnham (Chair of the Trust)

Mandy Rayner (Deputy Chair of the Trust)

In attendance:

Andy Lister, Head of Corporate Governance (Company Secretary)

Deputy Lead Governor

**Attendance**

All governors are welcome to attend meetings of the Co-ordination Group, even if they are not formal members. The Head of Corporate Governance (Company Secretary) and Deputy Lead Governor is in attendance at meetings. The Chief Executive, Directors, and relevant officers will be invited to attend as appropriate.

Administrative support is provided by the Corporate Governance team.

**Quorum**

Meetings are chaired by the Lead Governor. In the unusual event that the Lead Governor is absent from the meeting, the Deputy Lead Governor will chair the meeting.

The quorum will be a minimum of three Members' Council representatives (including the Lead Governor or Deputy Lead Governor as Chair of the Group) plus a member of Trust Board. Members are expected to attend all meetings.

**Frequency of meetings**

The Group will meet four times per year approximately six weeks prior to formal Members' Council meetings. Additional meetings will be arranged as needed.

**Reporting to the Members' Council**

The Group minutes will be received by the Members' Council once approved, and the Group will report to the Members' Council on any issues it feels should be escalated to the full Members' Council. The Group will provide an annual report on its activities each year.

**To be approved by Members' Council: 9 May 2023**

**Next review due: May 2024**



## **Members' Council Quality Group**

### **Members' Council Quality Group Annual Report 2022/23**

#### **Purpose of the Report**

This report provides the Members' Council with an update on the work of the Quality Group over the past year.

#### Overall aim

The Members' Council Quality Group's primary purpose is to support the Trust in its approach to quality through the Trust's quality priorities.

#### Duties

The Quality Group will:

- a) Review the content of the Trust's quality performance report and provide high level scrutiny on behalf of the Members' Council.
- b) Support the Trust in developing its annual Quality Accounts.
- c) Raise any concerns with the Trust, through Director-representation on the Group, about quality of care.
- d) Support governors to visit services as appropriate.

#### Membership

Membership consists of governors (with representation from public, staff and appointed governors) and the Chief Nurse and Director of Quality and Professions as lead director. The Assistant or Associate Director of Nursing Quality and Professions also attends meetings of the Quality Group.

The Members' Council policy is that the term of office for any new members of the Group is three years to allow for consistency of membership. If a governor wishes to stand down from the group or is not re-elected/re-appointed as a governor on the Members' Council during the three years, the individual taking their seat does not automatically take the place on the Group.

The Quality Group membership from 1 April 2022 to 13 March 2023:

- Chief Nurse and Director of Quality and Professions (lead Director) – Darryl Thompson (Co-Chair)
- Deputy Lead Governor (publicly elected, Barnsley) – Bill Barkworth
- Governor (publicly elected, Calderdale) – Phil Shire (Co-Chair)
- Governor (publicly elected, Barnsley) – Keith Stuart-Clarke
- Governor (publicly elected, Kirklees) – Claire Den Burger-Green (from August 2021)
- Governor (publicly elected, Wakefield) – Daz Dooler
- Governor (publicly elected, Rest of Yorkshire & the Humber) – Jo Gander (from June 2022 to July 2022)
- Governor (publicly elected, Rest of Yorkshire & the Humber) – *Currently vacant*
- Governor (staff elected) – Helen Morgan
- Governor (appointed) – Sue Spencer (From September 2022)

All governors continue to be welcome to attend meetings of the Group, even if they are not formal members.

## **What the Quality Group has done**

The Quality Group has met on a regular basis throughout the year to consider quality issues and other issues relevant to the Members' Council. The following examples give an indication of the range of discussion. The Quality Group has:

- Reviewed the content of the Trust's quality performance report (Integrated Performance Report) at most meetings of the Quality Group and provided high level scrutiny on behalf of the Members' Council.
- Supported the Trust in developing its annual Quality Accounts. Although the Quality Group had some input through submitting comments via email, this was not required to be at the same level as in previous years due changes in audit requirements post Covid-19.
- Raised and discussed any areas of quality concerns with the Chief Nurse and Director of Quality and Professions, including review of the annual patient experience report, the serious incident annual report, Incident Management annual report and the CQC action plan. It has also followed up specific quality issues raised by governors.
- Continued to discuss governors' involvement in quality monitoring visits, including hybrid visits in August, November and December 2022. The Quality Group has emphasised the importance of seeing what these visits tell us about the bigger quality picture.

The Quality Group has also received presentations on Single assessment framework, Flexible Assertive Community Treatment (FACT), single point of access and Risk assessment and care planning, which have enabled it to gain a more in-depth insight into these services.

## **How have we done**

The Quality Group considers that it has carried out its remit over the past year effectively, within the restrictions of the Covid-19 pandemic, as demonstrated by the activity outlined above. Meetings have been held virtually via Microsoft Teams and attendance has generally been good. The Quality Group has been able to consider the pandemic's impact on quality and how services have adapted. The Quality Group is aware that other governors may wish to comment on the work undertaken and suggest further issues the Quality Group could focus on.

The Quality Group's thanks are extended to previous members for both for their support and contribution.

## **Recommendation**

The Members' Council is asked to review and approve the Members' Council Quality Group Annual Report for 2022/23.

**Members' Council Quality Group  
Terms of Reference**  
*To be approved by Members' Council on 9 May 2023*

**Purpose**

The Members' Council Quality Group's prime purpose is to support the Trust in its approach to quality through the Trust's quality priorities.

**Duties**

The Quality Group will:

- a) Review the content of the Trust's performance report to gain a more in depth understanding of the quality and safety of services and provide high level scrutiny on behalf of the Members' Council.
- b) Support the Trust in developing its annual Quality Accounts.
- c) Raise any concerns with the Trust, through the Deputy Director Corporate Governance, who is responsible for the production of the performance report.
- d) Invite Executive Directors and or Senior Officers of the Trust to provide greater understanding of quality items identified by the group.
- e) To support the Members' Council with an understanding of system working and how it impacts on quality of care.
- f) Support governors to visit services as appropriate.

The Members' Council Quality Group will help to implement the following Members' Council Objectives:

- Endeavour to ensure continuous improvement throughout the Trust by providing feedback and constructive challenge from the communities that they serve.
- Increase Governor opportunities to see the Trust at work through planned visits to services, Quality Improvement and Care Groups (CG) visits in order to gain a wider perspective, understanding and knowledge of the Trust's services and that they are appraised of actions and follow up.
- Have access to patient experience intelligence and insight and to understand corrective action and follow up.
- The Groups objectives will be reviewed annually to reflect any changes to Members' Council Objectives.

**Membership**

Membership consists of:

- Eight governors: Deputy Lead Governor, one representative from each public constituency, one staff governor, and one appointed governor.
- The Deputy Director of Corporate Governance
- Chief Nurse and Director of Quality and Professions

The Members' Council Quality Group is chaired by a publicly elected governor.

Governors are appointed to the Quality Group by the Members' Council, on the recommendation of the Members' Council Co-ordination Group. The normal term of office is three years. If an individual resigns or is not re-elected / re-appointed onto the Members' Council during the three-year period, the seat becomes vacant and the individual taking their governor seat does not automatically take the place on the Group.

Governors are invited to self-nominate to vacancies on the group on a quarterly basis.

### **Membership as at 1 April 2023:**

Darryl Thompson, Chief Nurse and Director of Quality and Professions  
Phil Shire, Governor (publicly elected Calderdale) (Chair of the group)  
Bill Barkworth, (Deputy Lead Governor) (publicly elected governor, Barnsley)  
Keith Stuart-Clarke, Governor (publicly elected, Barnsley)  
*Vacant, Governor (publicly elected, Kirklees)*  
Daz Dooler, Governor (publicly elected, Wakefield)  
*Vacant, Governor (publicly elected Rest of Yorkshire and the Humber, Cumbria, Durham, Lancashire, Greater Manchester, Derbyshire, Nottinghamshire, and Lincolnshire)*  
Helen Morgan, Governor (staff elected)  
Sue Spencer, Governor (appointed)  
Julie Williams, Deputy Director of Corporate Governance (performance)

### **In attendance:**

John Laville, Lead Governor (publicly elected Kirklees)  
Executive Directors, Non-Executive Directors and or Senior Officers to be in attendance as required by workplan.

### **Attendance**

All governors are welcome to attend meetings of the Quality Group, even if they are not formal members. Executive Directors, Non-Executive Directors and or Senior Officers are to be in attendance as required by workplan to ensure the Members' Council responsibilities in relation to the Quality Accounts are met. Administrative support is provided by the Corporate Governance team.

### **Quorum**

Meetings are chaired by the chair. In the unusual event that the chair is absent from the meeting, another governor will be asked to chair the meeting.

The quorum will be a minimum of three Members' Council representatives, plus the Deputy Director of Corporate Governance (performance) and Chief Nurse and Director of Quality and Professions. Members are expected to attend all meetings. In the unusual event that the Deputy Director Corporate Governance (performance) and/or Chief Nurse and Director of Quality and Professions are absent from the meeting, a deputy will be in attendance.

### **Frequency of meetings**

The Group will meet four times per year prior to formal Members' Council meetings. Additional meetings will be arranged as needed to ensure the timescales for approval of the Quality Accounts are met.

### **Reporting to the Members' Council**

The Group minutes will be received by the Members' Council once approved, and the Group will report to the Members' Council on any issues it feels should be escalated to the full Members' Council. The Group will provide an annual report on its activities each year.

**To be approved by Members' Council: 9 May 2023**

**Next review due: May 2024**

## **Nominations Committee**

### **Nominations Committee Annual Report 2022/23**

#### **Purpose of report**

The purpose of the report is to provide a summary of the Committee's activities during the financial year 2022/23 to provide assurance and evidence to the Members' Council of its effectiveness and impact through compliance with its Terms of Reference.

#### **Background**

The Nominations Committee was established in May 2009 to allow Members' Council to exercise its statutory duties to appoint the Chair, Non-Executive Directors and Associate Non-Executive Directors of the Board, to appoint the Deputy Chair and Senior Independent Director of the Board and to appoint the Lead Governor and Deputy Lead Governor of the Members' Council. It has no executive powers. The authority of the Nominations Committee is limited to those powers specifically delegated to it in the Committees terms of reference and, as appropriate, by the Members' Council.

#### Overall aim

The Nominations Committee's purpose is to ensure the right composition and balance of the Board and to oversee the process for the identification, nomination and appointment of the following roles:

- Chair, Non-Executive Directors and Associate Non-Executive Directors of the Trust Board
- Deputy Chair and Senior Independent Director of the Trust Board
- Lead Governor and Deputy Lead Governor of the Members' Council

#### Duties

The Nominations Committee will:

- a) Regularly review the structure, size and composition (including the skills and experience) of Trust Board and make recommendations to the Board and Members' Council regarding any changes and appropriate processes.
- b) Ensure there is a formal, rigorous and transparent procedure for the appointment of the Chair, Non-Executive Directors and Associate Non-Executive Directors of the Board, which fit the criteria set out by the Committee as a result of its regular review and meets the requirements of a confidential recruitment process.
- c) Give full consideration to succession planning in respect of the Chair, Non-Executive Directors and Associate Non-Executive Directors of the Board, taking account of the challenges and opportunities facing the Trust and the skills and expertise required by the Board.
- d) Make recommendations to the Members' Council on the appointment of the Chair, Non-Executive Directors and Associate Non-Executive Directors ensuring all information, such as job descriptions, person specifications and process, are available to Members' Council to make an informed decision.
- e) Make recommendations to the Members' Council regarding any uplift to the Chair's remuneration, based on benchmarking information as applicable and the pay spine point,

and dependant on the outcome of the Chair appraisal process through the Members' Council.

- f) Make recommendations to the Members' Council regarding any uplift to Non-Executive Directors' and Associate Non-Executive Directors remuneration based on benchmarking information as applicable.
- g) Ensure there is a formal, rigorous and transparent procedure for the appointment of the Deputy Chair and Senior Independent Director of the Board, which fits the criteria set out by the Committee as a result of its regular review (as above).
- h) Ensure there is a formal, rigorous and transparent procedure for the appointment of the Lead Governor and Deputy Lead Governor for the Members' Council, which fits any criteria set out by the Committee and meets the requirements of a confidential recruitment process.

#### Changes to Committee terms of reference

From the 1 April 2022 until the 31 March 2023, there were no changes to the Terms of Reference except for membership details.

#### Reporting to Members Council

Under its Terms of Reference, the Committee is required to produce a brief annual report on its activities, which is presented formally to the Members' Council. The Committee's minutes are presented to the Members' Council once ratified.

#### Membership

Membership consists of governors (with representation from public, staff and appointed governors) and the Chair of the Trust. The Head of Corporate Governance (Company Secretary), the Chief Executive and the Chief People Officer (formerly Director of Human Resources, Organisational Development and Estates) attend meetings of the Nominations Committee.

The Members' Council policy is that the term of office for any new members of the Committee is three years to allow for consistency of membership. If a governor wishes to stand down from the Committee or is not re-elected/re-appointed as a governor on the Members' Council during the three years, the individual taking their seat does not automatically take the place on the Committee.

The Nominations Committee membership from 1 April 2022 to 31 March 2023:

<b>Name / role</b>	<b>Attendance 2022/23</b>
Chair of the Trust – <b>Marie Burnham</b>	5/6
Lead Governor (publicly elected, Kirklees) – <b>John Laville</b>	6/6
Deputy Lead Governor (publicly elected, Barnsley) – <b>Bill Barkworth</b>	6/6
Governor (publicly elected, Wakefield) – <b>Dylan Degman</b>	1/6
Governor (Staff - Non-clinical support services) <b>Anthony Jackson</b>	5/6
Governor (Appointed - Calderdale and Huddersfield NHS Foundation Trust) <b>Andrea McCourt</b>	4/6

## Review of Committee activities

The activities during 2022/23 have been cross-referenced to the purpose of the Committee as outlined in the Terms of Reference below:

Activities	Progress
<p>Regularly review the structure, size and composition (including the skills and experience) of Trust Board and make recommendations to the Board and Members' Council regarding any changes and appropriate processes.</p>	<p>The Committee reviewed the structure, size and composition of the Trust Board as part of the following items:</p> <p>Review of Chair and Non-Executive Remuneration in April 2022.</p> <p>Review of skills and expertise required on the Board, including Chair and Non-Executive Director terms of office in April 2022.</p> <p>Non-Executive Director appointment - recommendation to Members' Council in April 2022</p> <p>Review of Chair and Non-Executive Director terms of office in July 2022.</p> <p>Review of skills and expertise required on the Board, including Chair and Non-Executive Director terms of office in November 2022.</p> <p>Associate Non-Executive recruitment in November 2022.</p> <p>Review of Chair and Non-Executive Director remuneration in January 2023.</p> <p>Non-Executive director re-appointment in January 2023.</p> <p>Update on Associate Non-Executive Director recruitment in January 2023.</p> <p>Associate Non-Executive director recruitment – longlist discussion in January 2023.</p>
<p>Ensure there is a formal, rigorous and transparent procedure for the appointment of the Chair, Non-Executive Directors and Associate Non-Executive Directors of the Board, which fits the criteria set out by the Committee as a result of its regular review and meets the requirements of a confidential recruitment process.</p>	<p>The Committee oversaw the recruitment process for one Non-Executive Director in 2022/23, including the recommendation for appointment in its meeting in April 2022 which was approved by Members' Council on 19 April 2022.</p> <p>The Committee oversaw the process for re-appointment of two Non-Executive Directors in 2022/23, including the recommendation for re-appointment in its meeting in January 2023 which was approved by Members' Council on 24 February 2023.</p> <p>The Committee supported the recruitment of two Associate Non-Executive Directors from November 2022. The long list meeting was held</p>

Activities	Progress
	in March 2023.
Give full consideration to succession planning in respect of the Chair, Non-Executive Directors and Associate Non-Executive Directors of the Board, taking account of the challenges and opportunities facing the Trust and the skills and expertise required by the Board.	<p>The Committee reviewed the skills and expertise required on the Board, including Chair and Non-Executive Director terms of office in April and November 2022. As part of this process the committee confirmed the appointment of a Non-Executive Director and re-appointment of two Non-Executive Directors.</p> <p>The Committee progressed the recruitment of two Associate Non-Executive Directors from November 2022 with appointments looking to be made in early 2023.</p>
Make recommendations to the Members' Council on the appointment of the Chair, Non-Executive Directors and Associate Non-Executive Directors ensuring all information, such as job descriptions, person specifications and process, are available to Council Members to make an informed decision.	<p>The committee reviewed and recommended the appointment of a new Non-Executive Director for an initial three-year term with effect from the 1 May 2022, providing all information necessary for the Members' Council to confirm the appointment.</p> <p>The committee reviewed and recommended the re-appointment of two Non-Executive Directors for a second term of office and for a third term of office (annual review required) (three years), providing all necessary paperwork to support the Members' Council to make the re-appointments.</p>
Make recommendations to the Members' Council regarding any uplift to the Chair's remuneration based on benchmarking information as applicable and the pay spine point, and dependant on the outcome of Chair appraisal process through the Members' Council.	The committee reviewed the Chair remuneration in April 2022 and January 2023 and provided relevant information to Members' Council on 24 February 2023 for approval.
Make recommendations to the Members' Council regarding any uplift to Non-Executive Directors' and Associate Non-Executive Directors remuneration based on benchmarking information as applicable.	The committee reviewed the Non-Executive Director remuneration in January 2023 and provided necessary information to Members' Council on 24 February 2023 for approval.
Ensure there is a formal, rigorous and transparent procedure for the appointment of the Deputy Chair and Senior Independent Director of the Board, which fits the criteria set out by the Committee as a result of its regular review (as above).	The Committee recommended and oversaw the separation of roles of Deputy Chair and Senior Independent Director from the 1 April 2022.
Ensure there is a formal, rigorous and transparent procedure for the appointment of the Lead Governor for the Members' Council, which fits any criteria set out by the Committee and meets the requirements of a confidential recruitment process.	The committee oversaw the process for re-appointment of Lead Governor in January 2023 and made a recommendation to the Members' Council for approval on 24 February 2023.



## **Review of Committee administrative arrangements**

The Committee met **six** times in 2022/23 and has been quorate at each meeting. The requirement to send papers out five working days has been met throughout the year in the main. There have been some instances where individual papers have been submitted outside of this timeframe due to the timescales relating to recruitment processes.

## **Recommendation**

The Members' Council is asked to review and approve the Nominations Committee Annual Report for 2022/23.

**Nominations Committee  
Terms of Reference**

*To be approved by Members' Council 9 May 2023*

**Purpose**

Under the terms of the Trust's Constitution as a Foundation Trust, the Members' Council may not delegate any of its powers to a committee or sub-committee; however, it may appoint committees consisting of its members, Directors, and other persons to assist it in carrying out its functions. The Nominations Committee is, therefore, a standing Committee of the Members' Council set up to assist with exercising their statutory duties to appoint the Chair, Non-Executive Directors and Associate Non-Executive Directors of the Board, to appoint the Deputy Chair, Senior Independent Director of the Board and to appoint the Lead Governor and Deputy Lead Governor of the Members' Council.

The Nominations Committee was established in May 2009. It has no executive powers. The authority of the Nominations Committee is limited to those powers specifically delegated to it in these terms of reference and, as appropriate, by the Members' Council. Committees are expected to conduct their business in accordance with the 7 principles of public life (Nolan principles): selflessness, integrity, objectivity; accountability; openness; honesty; and leadership.

**Duties**

- a) Regularly review the structure, size and composition (including the skills and experience) of Trust Board and make recommendations to the Board and Members' Council regarding any changes and appropriate processes.
- b) Ensure there is a formal, rigorous and transparent procedure for the appointment of the Chair, Non-Executive Directors and Associate Non-Executive Directors of the Board, which fits the criteria set out by the Committee as a result of its regular review and meets the requirements of a confidential recruitment process.
- c) Give full consideration to succession planning in respect of the Chair, Non-Executive Directors and Associate Non-Executive Directors of the Board, taking account of the challenges and opportunities facing the Trust and the skills and expertise required by the Board.
- d) Make recommendations to the Members' Council on the appointment of the Chair, Non-Executive Directors and Associate Non-Executive Directors ensuring all information, such as job descriptions, person specifications and process, are available to Council members to make an informed decision.
- e) Make recommendations to the Members' Council regarding any uplift to the Chair's remuneration, based on benchmarking information as applicable and the pay spine point, and dependant on the outcome of the Chair appraisal process through the Members' Council.
- f) Make recommendations to the Members' Council regarding any uplift to Non-Executive Directors' and Associate Non-Executive Directors remuneration, based on benchmarking information as applicable.
- g) Ensure there is a formal, rigorous and transparent procedure for the appointment of the Deputy Chair and Senior Independent Director of the Board, which fits the criteria set out by the Committee as a result of its regular review.

- h) Ensure there is a formal, rigorous and transparent procedure for the appointment of the Lead Governor and Deputy Lead Governor for the Members' Council, which fits any criteria set out by the Committee and meets the requirements of a confidential recruitment process.

## **Membership**

Membership consists of:

- Five governors: the Lead Governor, Deputy Lead Governor, one publicly elected governor, one staff governor, and one appointed governor.
- The Chair

Governors are appointed to the Nominations Committee by the Members' Council, on the recommendation of the Members' Council Co-ordination Group. The normal term of office is three years. If an individual resigns or is not re-elected / re-appointed onto the Members' Council during the three-year period, the seat becomes vacant and the individual taking their governor seat does not automatically take the place on the Committee.

Governors are invited to self-nominate to vacancies on the Committee on a quarterly basis.

### Membership as at 1 April 2023:

Marie Burnham, Chair of the Trust (Chair of the Committee)  
John Laville, Lead Governor (publicly elected governor – Kirklees)  
Bill Barkworth, Deputy Lead Governor (publicly elected governor – Barnsley)  
Dylan Degman, Governor (publicly elected – Wakefield)  
Anthony Jackson, Governor (staff - Non-clinical support services)  
Andrea McCourt, Governor (appointed - Calderdale and Huddersfield NHS Foundation Trust)

### In attendance:

Andrew Lister, Head of Corporate Governance (Company Secretary)  
Mark Brooks, Chief Executive  
Greg Moores, Chief People Officer

## **Attendance**

The Head of Corporate Governance (Company Secretary) is in attendance at meetings. The Chief Executive and the Chief People Officer (or Deputy) may also be asked to attend meetings to offer specialist or expert advice to the Committee. Administrative support is provided by the Corporate Governance team.

## **Quorum**

The Nominations Committee is chaired by the Chair of the Trust.

The quorum will be three members of the Committee. Members are expected to attend all meetings. In the absence of the Chair of the Trust or when the Committee is considering matters relating to the appointment of the Chair, the Committee will be chaired by the Lead Governor. If the Lead Governor is unavailable, the Committee can either ask the Deputy Lead Governor or Deputy Chair or Senior Independent Director to chair the meeting if there is no conflict of interest or agree one of its members to act as Chair for that meeting, again if there is no conflict of interest.

### **Frequency of meetings**

The Committee will meet as necessary to ensure a timely and efficient process is in place to appoint a Chair, Non-Executive Director, Associate Non-executive Director, Deputy Chair, Senior Independent Director, and Lead Governor or Deputy Lead Governor for the Members' Council and will always meet following the resignation of an individual from one of these posts from the Board or Members' Council. In the absence of any other meetings, the Committee should meet a minimum of once per year to ensure a regular review of the structure, size and composition of the Board is undertaken, at a time which fits with the business cycle of the Trust Board.

### **Authority**

The Committee is able to seek any information it requires from any employee in relation to the duties of the Committee and all employees should co-operate with any request made by the Committee. The Committee is also able to obtain outside legal or other independent professional advice and to secure the attendance of outsiders with relevant experience and expertise if it considers this necessary to fulfil its duties.

### **Reporting requirements into the Committee**

The Nominations Committee receives reports on and discusses the skill mix and expertise of the Board, Board recruitment planning and processes, and remuneration for the Chair, Non-Executive Directors, Associate on-Executive Directors and recruitment.

### **Reporting to the Members' Council**

The Members' Council will receive the minutes of the Committee. The Committee will also report to the Members' Council annually on its work.

**To be approved by Members' Council: 9 May 2023**

**Next review due: May 2024**

## Members' Council 9 May 2023 Agenda item 8.5

<b>Title:</b>	<b>Consultation / Review of Audit Committee terms or reference</b>
<b>Paper presented by:</b>	<b>Mike Ford – Chair of Audit Committee</b>
<b>Paper prepared by:</b>	Corporate Governance team
<b>Purpose:</b>	The purpose of this item is to consult with the Members' Council on the updates to the Audit Committee's Terms of Reference. The updates were approved by the Trust Board at their meeting on 25 April 2023.
<b>Mission/values:</b>	Good governance supports the Trust to deliver its mission and adhere to its values.
<b>Any background papers / previously considered by:</b>	Not applicable.
<b>Executive summary:</b>	<p><b>Background</b></p> <ol style="list-style-type: none"> <li>1. In 2015, at the request of the Audit Committee, the Committee received a presentation from Deloitte on audit committee effectiveness and best practice. The Committee compared well against best practice and a number of actions were identified for further development. These were agreed with the Chair of the Committee and included a small number of suggested revisions to the Committees terms of reference. The terms of reference continue to be reviewed on an annual basis to ensure they remain fit for purpose as part of the Committee's annual report to Trust Board, which is presented in April each year.</li> <li>2. One of the actions suggested by Deloitte and agreed with the Chair to take forward was consultation with the Members' Council on the Audit Committee's Terms of Reference. This reflects provision <u>C.3.2b</u> in NHS Improvement / Monitor's Code of Governance for foundation trusts that "<i>The council of governors should be consulted on the terms of reference, which should be reviewed and refreshed regularly</i>". In accordance with the Members' Council work programme any updates to the Audit Committee's Terms of Reference are presented for the Members' Council to consider.</li> <li>3. In 2022, the Audit Committee expanded its remit to include providing assurance to the Board that the Trust has effective arrangements for the management of safety and emergency response including through the receipt of assurance reports provided by the Health and Safety TAG.</li> </ol>

	<p><b>Update for 2023</b></p> <p>In early January 2023, the Terms of Reference for the Audit Committee were amended to reflect a recent review conducted by “Aqua” (private company) as part of the Trusts preparation for a well led inspection by the Care Quality Commission (CQC).</p> <p>“Aqua” identified that the Audit Committee terms of reference should document that at least one non-executive member of the committee should have recent and relevant finance experience.</p> <p>Feedback from the head of internal audit, in the Audit Committee meeting held on 10 January 2023, asked for the terms of reference to be updated to align with the Healthcare Finance Management Association (HFMA) Audit Committee Handbook as below:</p> <ul style="list-style-type: none"> <li>• The Chair of the Audit Committee is appointed by Trust Board and the Chair of the Committee cannot be the Chair of the Trust.</li> <li>• The Audit Committee will meet with the External Auditor and Head of Internal Audit in private, on at least one occasion, per year.</li> <li>• The External Auditor and Head of Internal Audit have the right of direct access to the Audit Committee Chair.</li> </ul> <p>The Counter fraud specialist also asked for the following updates to be made:</p> <ul style="list-style-type: none"> <li>• The Committee shall review the work and findings of the Local Counter Fraud Specialist as set out in the Government Functional Standard 013: Counter Fraud (Functional Standard)</li> <li>• The Committee has a responsibility to refer any suspicions of fraud, bribery and corruption to the NHS Counter Fraud Authority</li> </ul> <p>These updates were approved by Trust Board on 31 January 2023, and were not subject to any further changes following review at Audit Committee on 11 April 2023 and are submitted to the Members’ Council for receipt.</p>
<b>Recommendation:</b>	<b>The Members’ Council is asked to RECIEVE and CONSIDER the updates to the Terms of Reference for the Audit Committee.</b>
<b>Private session:</b>	Not applicable.

## **AUDIT COMMITTEE**

### **Terms of Reference**

All Trust Board Committees are responsible for the scrutiny, monitoring and provision of assurance to Trust Board on key issues set out in their terms of reference and/or allocated to them by the Board. Agendas are set to enable Trust Board to receive assurance that scrutiny and monitoring processes are in place to allow the Trust's strategic objectives to be met and to address and mitigate risk.

The Audit Committee was established in June 2002. The Terms of Reference of the Committee are reviewed annually and, if appropriate, amended to reflect any changes to the Committee's remit and role, any changes to other committees and revised membership. The Audit Committee is a non-executive committee of the Board and has no executive powers other than those specifically delegated in these terms of reference and, as appropriate, by Trust Board. Committees are expected to conduct their business in accordance with the 7 principles of public life (Nolan principles): selflessness, integrity, objectivity; accountability; openness; honesty; and leadership.

### **Purpose**

The Audit Committee's prime purpose is to keep an overview of the systems and processes that provide controls assurance and governance within the organisation as described in the Annual Governance Statement on behalf of Trust Board and that these systems and processes used to produce information taken to Trust Board are sound, valid and complete. This includes ensuring independent verification on systems for risk management and scrutiny of the management of finance. On behalf of the Trust Board, it will have an oversight of related risks, providing additional scrutiny of any such risks which are outside the Trust's Risk Appetite, giving assurance to the Board around the management of such risks.

### **Membership**

Taking guidance from Monitor (referred to as NHS England & Improvement) and the Department of Health into consideration, neither the Chair of the Trust or the Chief Executive attends this Committee unless invited to do so. The Chair of the Committee is appointed by Trust Board and the Chair of the Committee cannot be the Chair of the Trust.

The Committee is always chaired by a Non-Executive Director of the Trust and the membership consists of a minimum of two other Non-Executive Directors. At least one Non-Executive member of the Committee should have recent and relevant financial experience.

#### *Membership as at 1 May 2022*

Chair – Non-Executive Director – Mike Ford

Non-Executive Director - David Webster

Non-Executive Director - Mandy Rayner.

### **Attendance**

The Director of Finance and Resources is in attendance (as lead Director) at meetings. The Company Secretary also attends meetings. Representatives of internal and external audit are also invited and expected to attend. The local counter fraud specialist is required to

attend a minimum of two meetings a year.

The Chair of the Trust, the Chief Executive, other Directors, and relevant officers attend the Audit Committee by invitation. Administrative support is provided by the Personal Assistant to the Director of Finance and Resources.

### **Quorum**

The quorum will be two Non-Executive Director members. Members are expected to attend all meetings. In the unusual event that the Chair is absent from the meeting, the Committee will agree another Non-Executive Director to take the chair.

### **Frequency of meetings**

The Committee will meet a minimum of four times per year to reflect best practice. The Audit Committee will meet with the External Auditor and Head of Internal Audit in private, on at least one occasion, per year. The Chair of the Committee, External Auditor or Head of Internal Audit may request a meeting if they consider one is necessary. The External Auditor and Head of Internal Audit have the right of direct access to the Audit Committee Chair.

There will also be an additional annual meeting to approve the annual report, accounts and Quality Accounts.

It is the responsibility of the Lead Director to ensure items are identified for the Committee's agenda in line with the Committee's terms of reference, its work programme agreed at the beginning of each year and the current risks facing the organisation, and to agree these with the Chair of the Committee.

### **Authority**

The Committee is authorised by Trust Board to investigate any activity within its terms of reference. It is authorised to seek any information it requires from any employee and all employees are directed by Trust Board to co-operate with any request made by the Committee. The Committee is also authorised by Trust Board to obtain external legal or other independent professional advice and to secure the attendance of external bodies or individuals with relevant experience and expertise if it considers this necessary.

### **Sub-committees**

To fulfil its duties and to ensure the Trust complies with its statutory responsibilities and duties, the Committee will receive reports from identified sub-committees.

Health and Safety - (moved across from Clinical Governance and Clinical Safety Committee wef 1<sup>st</sup> April 2022)

### **Duties**

#### Governance, risk management and internal control

The Committee shall review the establishment and maintenance of effective systems and processes that provide internal control within the organisation. In particular, the Committee will review the adequacy of:

- All risk and control related disclosure statements, in particular, the Annual Governance Statement and declarations of compliance with value for money assessments together



with any accompanying Head of Internal Audit statement, external audit opinion or other appropriate independent assurances, prior to endorsement by Trust Board.

- The underlying assurance processes that indicate the degree of achievement of corporate objectives, the effectiveness of management of principal risks and the appropriateness of the above disclosure statements. This includes assessing the fitness for purpose of the assurance framework including risk appetite and providing assurance that action plans are in place to address significant control issues.
- The policies and processes for ensuring compliance with relevant regulatory, legal and code of conduct requirements, including the NHS England & Improvement risk assessment framework.
- The systems for internal control including the risk management strategy, risk management systems and the risk register.
- The policies and procedures for all work related to fraud and corruption as set out in the Secretary of State's directions and as required by the Counter Fraud and Security Management Service.
- The work of other committees whose work can provide relevant assurance regarding the effectiveness of controls and governance arrangements.

In carrying out its work, the Committee will primarily utilise the work of Internal and External Audit; however, it will not be limited to these audit functions. It will also seek reports and assurances from Directors and managers concentrating on the over-arching systems of governance, risk management and internal control, together with indicators of their effectiveness. The Committee will use the Trust's Assurance Framework to guide its work and that of the audit and assurance functions reporting to it.

The Committee will also review arrangements that allow Trust staff (and other individuals where relevant) to raise, in confidence, concerns about possible improprieties in matters of financial reporting and control, clinical quality, patient safety or other matters. The Committee will ensure that:

- Arrangements are in place for the proportionate and independent investigation of such matters and for appropriate follow-up action.
- Ensure safeguards for those who raise concerns are in place and that these safeguards operate effectively.
- Such processes enable individuals or groups to draw formal attention to practices that are unethical or violate internal or external policies, rules or regulations and to ensure valid concerns are promptly addressed.
- These processes reassure individuals raising concerns that they will be protected from potential negative repercussions.

### Internal Audit

The Committee shall consider the appointment of the Internal Auditor (for approval by Trust Board) and ensure there is an effective internal audit function established by management that meets Public Sector Internal Audit Standards, that provides appropriate independent assurance to the Audit Committee, Chief Executive, Chair and Trust Board. This will be achieved by:

- Consideration of the provision of the Internal Audit service, the cost of the audit and any questions of resignation or dismissal.
- Review and approval of the Internal Audit approach, operational plan and more detailed programme of work, ensuring that this is consistent with the audit needs of the organisation as identified in the Assurance Framework.

- Consideration of the major findings of internal audit work (and management's response) and ensure co-ordination between internal and external auditors to optimise audit resources.
- Ensure the Internal Audit function is adequately resourced and has appropriate standing within the organisation.
- Annual review of the effectiveness of internal audit.

#### External audit

The Committee shall review the work and findings of the External Auditor appointed by the Members' Council and consider the implications and management's responses to its work. This will be achieved by:

- Consideration of the appointment and performance of the External Auditor, as far as NHS England & Improvement's rules permit.
- Discussion and agreement with the External Auditor, before the audit commences, of the nature and scope of the audit as set out in the annual audit plan and ensure co-ordination, as appropriate, with other external auditors in the local health economy.
- Discussion with the External Auditors of its local evaluation of audit risks and assessment of the Trust and associated impact on the audit fee.
- Review of External Audit reports, including agreement of the annual audit letter before submission to Trust Board and any work carried on outside of the annual audit plan, together with the appropriateness of management responses.
- Review of each individual provision of non-audit services by the External Auditor in respect of its effect on the appropriate balance between audit and non-audit services.

The Committee will also advise the Members' Council with regard to the appointment and removal of the Trust's external auditors and, to inform this advice, carry out a market testing exercise for the appointment of the external auditor at least every five years.

#### Counter fraud

The Committee shall review the work and findings of the Local Counter Fraud Specialist as set out in the Government Functional Standard 013: Counter Fraud (Functional Standard) and as required by the NHS Counter Fraud Authority. In particular:

- Consider the appointment of the Trust's Local Counter Fraud Specialist, the fee and any questions of resignation or dismissal;
- Review the proposed work plan of the Trust's Local Counter Fraud Specialist ensuring that it promotes a pro-active approach to counter fraud measures;
- Receive and review the annual report prepared by the Local Counter Fraud Specialist;
- Receive update reports on any investigations that are being undertaken.
- Have a responsibility to refer any suspicions of fraud, bribery and corruption to the NHS Counter Fraud Authority

#### Financial reporting

The Committee has responsibility for approving accounting policies. It also has delegated authority from Trust Board to review the annual report and financial statements, both for the Trust and for charitable funds, and the Quality Accounts/Report on its behalf and to make a recommendation to the Chair and Chief Executive on the signing of the accounts and associated documents prior to submission to NHS England & Improvement, Trust Board and the Members' Council.

In particular, the Committee shall focus on:

- Changes in, and compliance with, accounting policies and practices.
- Major judgemental areas.
- Significant adjustments arising from the annual audit.
- The wording in the annual governance statement and other disclosures relevant to the terms of reference of the Committee.
- Unadjusted misstatements in the financial statements.
- Letters of representations.
- Explanations of significance variances.

The Committee also ensures that the systems for, and content of, financial reporting to Trust Board, including those of and for budgetary control, are subject to review so as to be assured of the completeness and accuracy of the information provided to Trust Board.

The Committee also:

- Reviews proposed changes to the Trust's Standing Orders, Standing Financial Instructions and Scheme of Delegation before these are laid before Trust Board;
- Examines the circumstances associated with each occasion Standing Orders are waived.
- Reviews schedules of losses and compensations on behalf of Trust Board.

#### Other Compliance

1. To provide assurance that the Trust has effective arrangements for the management of safety and emergency response including through the receipt of assurance reports provided by the Health and Safety TAG.

### Other Assurance Functions

The Audit Committee shall review the findings of other significant assurance functions, both internal and external to the organisation, and consider the implications for the governance of the organisation.

These will include any reviews by the Department of Health and Social Care, arms-length bodies, or regulators/inspectors (e.g. Care Quality Commission and NHS Improvement, NHS Resolution, etc) professional bodies with responsibility for the performance of staff or functions (e.g. Royal Colleges, accreditation bodies, etc.)

### Relationship with the Members' Council

To reflect best practice and NHS England & Improvement's Code of Governance, Trust Board will consult with the Members' Council annually on the Audit Committee's terms of reference. At the discretion of the Chair of the Committee and/or the Chair of the Trust, governors may be invited to attend meetings of the Committee to support the Members' Council in meeting its duty to hold Non-Executive Directors to account for the performance of the Board.

### Monitoring

The Committee will monitor its performance both in terms of providing assurance to Trust Board and in terms of ensuring it meets the remit as set out in its terms of reference through agreement of an annual work plan, inclusion in the work plan of any items delegated to the Committee by Trust Board and through the Assurance Framework, monitoring implementation of the annual work plan, assessment of the Committee's performance

through an annual self-assessment, and an evaluation of the Committee's performance through an annual report to Trust Board.

The Committee will assess, measure and evaluate its impact, both quantitatively and qualitatively, and include the outcome of this in its annual report to Trust Board.

### **Reporting to Trust Board**

Trust Board will receive the minutes of Committee at the Trust Board meeting following the Committee meeting. The Committee will also report to the Board annually on its work and include commentary on its support of the Annual Governance Statement, the effectiveness of assurance systems, the work of internal and external audit and the annual accounting process.

All Trust Board Committees have a responsibility to ensure they foster and maintain relationships and links between Committees and Trust Board. Each Committee also has a responsibility to ensure action identified and agreed is placed within the organisation either through the Executive Management Team or other internal groups, such as Trust-wide Action Groups.

**Approved by Trust Board: 25 April 2023**

**Next review due: April 2024**

## Members' Council 9 May 2023 Agenda item 8.6

<b>Title:</b>	<b>Members' Council Elections – outcome</b>																													
<b>Paper prepared by:</b>	Corporate Governance Team																													
<b>Purpose:</b>	The purpose of this paper is to update the Members' Council on the outcome of the election process for 2023.																													
<b>Mission/values:</b>	Good governance supports the Trust to deliver its mission and adhere to its values.																													
<b>Any background papers / previously considered by:</b>	Not applicable.																													
<b>Executive summary:</b>	<p><b>Background</b></p> <p>When the Trust was working towards Foundation Trust status, a decision was made by the Trust Board to stagger the terms of office for the governors elected in the first elections to the Members' Council to ensure that not all left at the same time. The Trust, therefore, holds elections every year during the spring for terms of office starting on 1 May each year.</p> <p>The election process was presented to the Members' Council meeting on 9 December 2022 and an update provided at the meeting on 24 February 2023.</p> <p><u>Election process</u></p> <p>Civica Election Services (CES) manages the election process on behalf of the Trust. This is to make sure that the elections are managed impartially and fairly and that the process is independent and transparent. Elections are held in accordance with the Model Election Rules which are included as an appendix within the Trust's Constitution.</p> <p>The Nominations process opened on 19 January 2023 and closed on 16 February 2023. Nominations were received as follows:</p> <table><tr><th><u>Constituency</u></th><th><u>Number of vacancies</u></th><th><u>Number of nominations</u></th></tr><tr><td>Public, Barnsley</td><td>2</td><td>4</td></tr><tr><td>Public, Calderdale</td><td>1</td><td>2</td></tr><tr><td>Public, Kirklees</td><td>4</td><td>5</td></tr><tr><td>Public, Wakefield</td><td>2</td><td>4</td></tr><tr><td>Public, Rest of Yorkshire, Humber and neighbouring counties</td><td>1</td><td>3</td></tr><tr><td>Staff, Non Clinical Support</td><td>1</td><td>2</td></tr><tr><td>Staff, Medicine and Pharmacy</td><td>1</td><td>1 (unopposed / automatic appointment)</td></tr><tr><td>Staff, Nursing</td><td>1</td><td>3</td></tr></table>			<u>Constituency</u>	<u>Number of vacancies</u>	<u>Number of nominations</u>	Public, Barnsley	2	4	Public, Calderdale	1	2	Public, Kirklees	4	5	Public, Wakefield	2	4	Public, Rest of Yorkshire, Humber and neighbouring counties	1	3	Staff, Non Clinical Support	1	2	Staff, Medicine and Pharmacy	1	1 (unopposed / automatic appointment)	Staff, Nursing	1	3
<u>Constituency</u>	<u>Number of vacancies</u>	<u>Number of nominations</u>																												
Public, Barnsley	2	4																												
Public, Calderdale	1	2																												
Public, Kirklees	4	5																												
Public, Wakefield	2	4																												
Public, Rest of Yorkshire, Humber and neighbouring counties	1	3																												
Staff, Non Clinical Support	1	2																												
Staff, Medicine and Pharmacy	1	1 (unopposed / automatic appointment)																												
Staff, Nursing	1	3																												

Staff, Social care staff (working on integrated teams)	1	0
<p><u>Outcome</u></p> <p>As a result of the nominations process, the following were elected unopposed from 1 May 2023 for a period of three years. (See uncontested report attached from CES).</p>		
<b>Constituency</b>		<b>Elected Governor/s</b>
Staff – Medicine and Pharmacy		Ian Grace
<p>The election process took place between 9 March 2023 and 4 April 2023. The results of the election are as follows (report of voting attached):</p>		
<b>Constituency</b>		<b>Elected Governor/s</b>
Staff - Nursing		Jacob Agoro
Public – Wakefield		Reini Schühle
Public – Wakefield		Rosie King
Public – Wakefield		Charles Elliott
Public - Kirklees		Bob Morse
Public – Kirklees		Tanisha Bramwell
Public – Kirklees		Sara Javid
Public - Kirklees		Rumaysah Farooq
Public - Calderdale		Christopher Matejak
Public - Barnsley		Daniel Goff
Public - Barnsley		John Lycett
Public – Rest of Yorkshire, Humber and neighbouring counties		Fatima Shahzad
Staff – Non Clinical Support		Leonie Gleadall
<p>Following the completion of the election process in 2023 there remained the following vacant seats on the Members’ Council.</p>		
<b>Constituency</b>		<b>Number of vacancies</b>
Staff – Social care staff in integrated teams		1
<b>Recommendation:</b>	<b>The Members’ Council is asked to RECEIVE the update.</b>	
<b>Private session:</b>	Not applicable.	

**SOUTH WEST YORKSHIRE PARTNERSHIP NHS FOUNDATION TRUST****ELECTION TO THE COUNCIL OF GOVERNORS****CLOSE OF NOMINATIONS: 5PM ON 16 FEBRUARY 2023**

Further to the deadline for nominations for the above election, the following constituencies are uncontested:

**STAFF: MEDICINE AND PHARMACY  
1 TO ELECT**

The following candidate is elected unopposed:

Ian Grace

**STAFF: SOCIAL CARE IN INTERGRATED TEAMS  
1 TO ELECT**

No valid nominations were received

*1 vacancy remains*

**Ciara Hutchinson**  
**Returning Officer**  
**On behalf of South West Yorkshire Partnership NHS Foundation Trust**

## SOUTH WEST YORKSHIRE PARTNERSHIP NSH FOUNDATION TRUST

## ELECTION TO THE MEMBERS' COUNCIL

CLOSE OF VOTING: 5PM ON 4 APRIL 2023

**CONTEST: Staff: Nursing**

*The election was conducted using the single transferable vote electoral system.  
The following candidate was elected:*

ELECTED		
Jacob AGORO		

Number of eligible voters		1,439
Votes cast online:	226	
Total number of votes cast:		226
Turnout:		15.7%
Number of votes found to be invalid:		0
Total number of valid votes to be counted:		226

**CONTEST: Public: Wakefield**

*The election was conducted using the single transferable vote electoral system.  
The following candidates were elected (in order of election):*

ELECTED		
Reini SCHÜHLE		
Rosie KING		
Charles PH ELLIOTT		

Number of eligible voters		2,131
Votes cast by post:	55	
Votes cast online:	24	
Total number of votes cast:		79
Turnout:		3.7%
Number of votes found to be invalid:		1
Total number of valid votes to be counted:		78



### CONTEST: Public: Kirklees

*The election was conducted using the single transferable vote electoral system.  
The following candidates were elected (in order of election):*

ELECTED		
Bob MORSE		
Tanisha BRAMWELL		
Sara JAVID		
Rumaysah FAROOQ		

Number of eligible voters		3,142
Votes cast by post:	60	
Votes cast online:	48	
Total number of votes cast:		108
Turnout:		3.4%
Number of votes found to be invalid:		2
Total number of valid votes to be counted:		106

### CONTEST: Public: Calderdale

*The election was conducted using the single transferable vote electoral system.  
The following candidate was elected:*

ELECTED		
Christopher Paul MATEJAK		

Number of eligible voters		1,234
Votes cast by post:	22	
Votes cast online:	23	
Total number of votes cast:		45
Turnout:		3.6%
Number of votes found to be invalid:		2
Total number of valid votes to be counted:		43

### CONTEST: Public: Barnsley

*The election was conducted using the single transferable vote electoral system.  
The following candidates were elected (in order of election):*

ELECTED		
Daniel GOFF		
John Anthony LYCETT		

Number of eligible voters		1,386
Votes cast by post:	28	
Votes cast online:	31	
Total number of votes cast:		59
Turnout:		4.3%
Number of votes found to be invalid:		0
Total number of valid votes to be counted:		59

**CONTEST: Public: Rest of Yorkshire, Humber and neighbouring counties**

*The election was conducted using the single transferable vote electoral system.  
The following candidate was elected:*

<b>ELECTED</b>
Fatima SHAHZAD

Number of eligible voters		544
Votes cast by post:	10	
Votes cast online:	7	
Total number of votes cast:		17
Turnout:		3.1%
Number of votes found to be invalid:		0
Total number of valid votes to be counted:		17

**CONTEST: Staff: Non Clinical Support**

*The election was conducted using the single transferable vote electoral system.  
The following candidate was elected:*

<b>ELECTED</b>
Leonie GLEADALL

Number of eligible voters		982
Votes cast online:	219	
Total number of votes cast:		219
Turnout:		22.3%
Number of votes found to be invalid:		0
Total number of valid votes to be counted:		219

The result sheets for each election form the Appendix to this report. They detail:-

- the quota required for election
- each candidate's voting figures, and

- the stage at which successful candidates were elected.

Civica Election Services can confirm that, as far as reasonably practicable, every person whose name appeared on the electoral roll supplied to us for the purpose of the election:-

- a) was sent the details of the election and
- b) if they chose to participate in the election, had their vote fairly and accurately recorded

The elections were conducted in accordance with the rules and constitutional arrangements as set out previously by the Trust, and CES is satisfied that these were in accordance with accepted good electoral practice.

All voting material will be stored for 12 months.

**Ciara Hutchinson**  
**Returning Officer**  
**On behalf of South West Yorkshire Partnership NHS Foundation Trust**



# Performance & Finance update

**Quarter 4 - 2022/23**

**Members' Council**

**9 May 2023**

**Item 9**



# Agenda

- Summary Performance Metrics
- Quality
- Covid response
- National metrics
- Workforce
- Finance

# Summary Performance Metrics

KPI	Threshold	June 22 Q1	Sept 22 Q2	Dec 22 Q3	March 23 Q4
NHS England Oversight Framework	N/A	2	2	2	2
Children and Young People in adult inpatient adult wards	0	1	2	4	6
% Service Users followed up within 72 hours of discharge	80%	84.6%	89.0%	88.1%	87.8%
% clients in settled accommodation	60%	88.3%	87.2%	85.7%	84.5%*
Improving access to psychological therapies (IAPT) - Proportion people completing treatment & moving to recovery	50%	53.4%	53.9%	47.1%	54.9%
Inappropriate out of area bed days		1245	874	1359	1504
Number of compliments received		68	54	72	131
Safer staffing fill rates (inpatients)	90%	116.6%	118.4%	118.1%	119.3%
Delayed transfers of care	3.5%	2.1%	2.8%	3.8%	3.5%

\* provisional data

With **all of us** in mind.

# Summary Performance Metrics

KPI	Threshold	Jun-22	Sep-22	Dec-22	Mar-23
		Q1	Q2	Q3	Q4
Patient & Safety Incidents involving moderate or severe harm or death (quarter)		91	87	103	110
Information Governance confidentiality breaches	<36	40	32	32	33
CAMHS referral to treatment < 18 weeks	Trend monitor	61.3%	53.0%	70.0%	78.0%
Surplus/(deficit)		£1.5m	£4.3m	£3.5m	£3.2m
Agency spend	£5.3m (full year)	£2.4m	£4.9m	£7.2m	£10m
Sickness absence (includes Covid absence from July 22)	4.50%	4.8%	4.8%	6.3%	5.1%
Turnover external (Rolling 12 months)	10%	15.4%	14.8%	14.2%	13.5%

With **all of us** in mind.

# Covid-19 Response Metrics



South West  
Yorkshire Partnership  
NHS Foundation Trust

KPI	Apr-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23
Staff off sick – not working	33	95	94	111	111	80	53	9	21
Staff working from home related to Covid-19	16	66	62	50	57	32	14	8	4

- Routine testing for patients on admission and at days 3 and 5 – dashboard in place to provide assurance and oversight
- Outbreak management response remains mature.
- In March 2023 there was an increase in ward outbreaks and areas being monitored, which has increased the numbers of inpatient cases.
- Care homes – enhanced support offer remains in place and is well regarded
- Infection Prevention and Control requirements continue to be reviewed and updated in line with emerging national guidance and staff feedback

With **all of us** in mind.



# Quality Update 2022/23 – Q4

## Patient Experience – Friends and Family Test (FFT)

- 95% of respondents in March 2023 would recommend community health services
- 83% of respondents in March 2023 would recommend mental health services
- We continue to explore other creative ways of gaining feedback on our services

## Out of area Placements

- Continued use of out of area beds continue. There are several reasons for the increase including staffing pressures across the wards, increased acuity, Covid outbreaks and challenges to discharging people in a timely way.
- The inpatient improvement programme is aiming to address many of the workforce challenges.
- The Trust had 15 people placed in out of area beds at the end of March 2023 due to system pressures.

# Quality Update 2022/23 – Q4



South West  
Yorkshire Partnership  
NHS Foundation Trust

## Safer Staffing (inpatient wards)

March saw a greater demand placed on the flexible staffing resource than in the previous month. This has been for a number of reasons including; ongoing increased acuity on the inpatient areas, substantive staff utilising their annual leave prior to the year end, ongoing sickness and vacancies. There continues to be fluctuations within most wards with an overall decrease in the total fill rate.

### The fill rate figures (%) for March 2023:

- Registered staff – Days 83.4%
- Registered staff - Nights 96%
- Registered average fill rate – Days and nights 89.7%
- Overall average fill rate all staff - 119.3%
- Fill rate does not provide blunt assurance as it might not reflect acuity.
- Where gaps cannot be filled by registered staff we will utilise unregistered colleagues where possible to maintain safety.
- These fill rates reflect the acuity and challenges that clinical areas are facing
- Currently undertaking establishment reviews of older people's services, forensics and mental health inpatients

With **all of us** in mind.

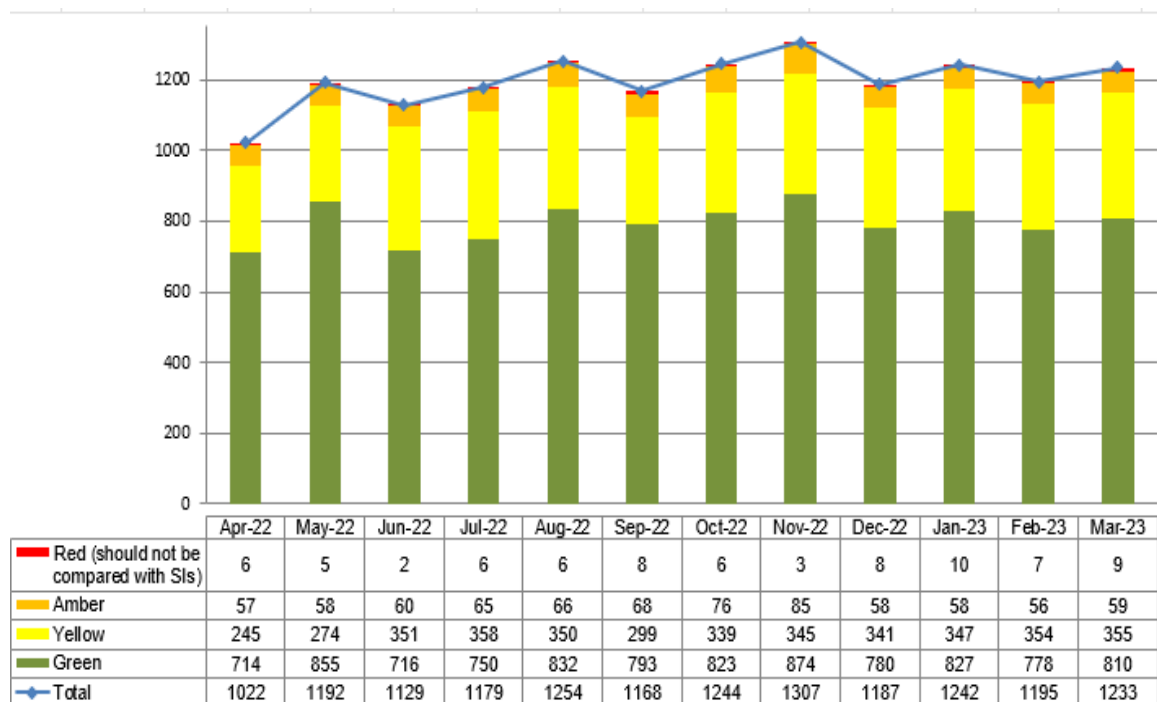
# Quality Update 2022/23 – Q4



South West  
Yorkshire Partnership  
NHS Foundation Trust

## Incident Reporting

- All serious incidents investigated using route cause analysis techniques.
- Weekly risk panel scans for themes and COVID-19 related incidents.
- The weekly risk panel now also has a section to ensure any staffing related Datixes are reviewed, irrespective of severity
- No 'Never Events' reported in March 2023.
- 96% of incidents reported in March 2023 resulted in no harm or low harm or were not under the care of SWYPFT.



With all of us in mind.

# National metrics

## Access standards and Outcomes – Trust Performance

KPI	Threshold	Q1 22/23	Q2 22/23	Q3 22/23	Q4 22/24
Maximum time of 18 weeks from point of referral to treatment – Incomplete pathway	92%	98.5%	96.1%	93.5%	97.5%
% Admissions Gatekept by Crisis Response Teams	95%	96.2%	99.3%	99.6%	98.7%
% Service Users followed up within 72 hours of discharge	95%	84.6%	89.0%	88.1%	87.8%
Improving Access to Psychological Therapies - Treatment within 6 weeks of referral	75%	94.7%	97.5%	98.4%	97.8%*
Improving Access to Psychological Therapies - Treatment within 18 weeks of referral	95%	100%	100%	99.8%	99.9%*
Early Intervention in Psychosis – 2 weeks (NICE approved care package) Clock Stops	50%	85.5%	90.1%	91.5%	89.5%
Maximum 6 week wait for diagnostic procedures	99%	91.7%	95.9%	86.2%	79.8%
Improving Access to Psychological Therapies – Proportion of people completing treatment who move to recovery	50%	53.4%	53.9%	47.1%	54.9%*

\* provisional figures

With all of us in mind.

- Bank and agency spend continue to remain high to support the safer staffing gaps in workforce caused by absence and vacancies in the services. This is primarily in our ward-based service areas.
- Vacancies remain high across the Trust although decreased slightly from the end of Q3 which was 18.1% compared to 17.6% at the end of Q4.
- Staff turnover for the year was 13.5%. This is an improvement on previous quarters (Q1 15.4%, Q2 14.8%, Q3 14.2%)
- Recruitment activity was up during Q4 2022/23. 193.6 WTE starters joined in the period. 141.7 WTE staff left during the quarter.
- Sickness absence rates in Q4 2022/23 (including Covid absence) remain at 5.3%, this is the same level as reported at Q3 and remains above the target of 4.5%.

# Financial Performance



**South West  
Yorkshire Partnership**  
NHS Foundation Trust

## Key performance indicators

Performance Indicator		Year to Date March 22/23
1	Surplus / Deficit	£3.2m
2	Agency Spend	£10m 4.2% of total pay bill
3	Cash	£74.6m
5	Capital	£7m
6	Better Payment Practice Code	95%

With **all of us** in mind.

# Financial Performance – Highlights

- Surplus of £3.2m. This is as per the system financial performance measure.
- The target of £3.2m surplus has been achieved in line with plan.
- Agency costs are £10m for the year. National maximum spending targets have been re-introduced from September 2022. For 2022 / 23 expenditure is £2.2m more than cap.
- The Trusts cash balance remains positive at £74.6m. This has reduced in March with the payment of Public Dividend Capital (PDC) made in month.
- We have continued to pay suppliers promptly; 95% of all valid invoices within 30 days.
- Capital spend for 2022/23 is £7m. The forecast was revised in year to take account of the Trust decision to pause a major scheme. Significant work has been completed in year including works on inpatient areas, safety, fire and compliance areas and investment in IM & T.

**With all of us in mind.**



**Members' Council annual work programme 2023/2024**

**Key**

**○** – take as read submit questions in advance

**✖** - statutory item

**#** - deferred

	Strat	Bus	Strat	AMM	Bus	Strat
Agenda item/issue	24 Feb 2023	9 May 2023	16 Aug 2023	29 Sept 2023	17 Nov 2023	14 Feb 2024
Declaration of interests	✖	✖	✖		✖	✖
Minutes of the previous Members' Council meeting	✖	✖	✖		✖	✖
Matters arising from the previous meeting and action log	✖	✖	✖		✖	✖
Chair's report and feedback from Trust Board	○	✖	○		✖	○
Chief Executive's comments on the operating context		✖			✖	
Governor feedback	○	✖	○		✖	○
Assurance from Member's Council groups and Nominations Committee	○	✖	○		○	✖
Integrated performance report	○	✖	○		✖	○
Governor appointment to groups and committees <i>(if required)</i>	○	✖	○		✖	○
Appointment / Re-appointment of Non-Executive Directors and Associate Non-Executive Directors <i>(if required)</i>	✖					
Ratification of Chief Executive appointment <i>(if required)</i>						
Review of Chair and Non-Executive Directors' remuneration (subject to NHSE guidance and appraisal)	✖				✖ <small>*recommendation for Chair's remuneration only</small>	✖

	Strat	Bus	Strat	AMM	Bus	Strat
Agenda item/issue	24 Feb 2023	9 May 2023	16 Aug 2023	29 Sept 2023	17 Nov 2023	14 Feb 2024
Evaluation / Development session <i>(will take place outside MC meetings through the year)</i>	(Held on 15 November 2022)					
Local indicator for Quality Accounts	✕					✕
Annual report unannounced / planned visits		✕				
Care Quality Commission (CQC) action plan		✕				
Private patient income (against £1 million threshold) <small>*not required if under threshold</small>		(Not required)				
Annual report and accounts			✕			
Quality report and external assurance			✕			
Freedom to Speak Up – Annual survey results			✕			
Patient Experience annual report					✕	
Incident Management annual report					✕	
Strategic meeting with Trust Board					✕	
Trust annual plans and budgets, including analysis of cost improvements					✕	
Members' Council elections	✕ <small>*update</small>	✕ <small>*outcome</small>			✕ <small>*process</small>	✕ <small>*update</small>
Chair's appraisal	✕ <small>*process</small>	✕ Appraisal input from governors (private)	✕ Final appraisal (private)			✕ <small>*process</small>
Biennial evaluation (2023)		✕ Presentation of findings				
Review and approval of Trust Constitution	✕					✕
Consultation / review of Audit Committee terms of reference		✕				

	Strat	Bus	Strat	AMM	Bus	Strat
Agenda item/issue	24 Feb 2023	9 May 2023	16 Aug 2023	29 Sept 2023	17 Nov 2023	14 Feb 2024
Members' Council Co-ordination Group annual report		✗				
Members' Council Quality Group annual report		✗				
Nominations' Committee annual report <sup>1</sup>		✗				
Appointment of Lead Governor (every three years)	✗					
<b>Appointment of Trust's external auditor</b>						
Review of Members' Council objectives (every three years)	✗					
Review of Members' Council declaration and register of interests (including gifts and hospitality policy) (every three years – next due 2024)		✗				
Members' Council meeting dates and annual work programme	✗					✗
Freedom to speak up planning tool			✗			
Focus on items to be discussed and agreed at Co-ordination Group meetings to ensure relevant and topical items are included.  <b>To include SPA (deferred from Members' Council meeting on the 24 February 2023)</b>	✗ (2 items)	✗ (1 item)	✗ (2 items)		✗ (1 items)	✗ (2 items)