COUNCIL OF GOVERNORS

The minutes of the meeting of the Council of Governors of Poole Hospital NHS Foundation Trust held on 25 April 2013 at 5.30 pm in the Board Room, Poole Hospital.

Present:

Mrs A Schofield  Chairman
AVM G Carleton  Purbeck, East Dorset & Christchurch
Mrs L Cherrett  Clinical Staff
Mr A Creamer  Poole
Mrs V Duckenfield  Poole
Mr B Faith  Poole
Mrs R Gould  Purbeck, East Dorset and Christchurch
Mr G Hermsen  Poole
Mrs B Hooper  Purbeck, East Dorset and Christchurch
Mr R King  Poole
Mrs S Lowrey  Clinical Staff
Canon J LLoyd  Non-Clinical Staff
Miss K Knudsen  Clinical Staff
Dr C McCall  Dorset Clinical Commissioning Group
Mrs I McLellan  North Dorset, West Dorset, Weymouth and Portland
Mr B Newman  Bournemouth
Mr J Pride  Poole
Mrs E Purcell  Poole
Mr T Purnell  Bournemouth
Cllr. A Stribley MBE  Borough of Poole
Mrs S Yeoman  Poole

In attendance:

Mr M Beswick  Company Secretary
Mr C Bown  Chief Executive
Dame Yvonne Moores  Non-Executive Director (Vice-Chair)
Miss J Retigan  Minute Taker
Mr M Smits  Director of Nursing and Patient Services
Mr G Spencer  Senior Independent Director
Mr P Turner  Director of Finance

The Chairman welcomed the Governors and members of the public and staff present to the meeting. It was noted that Dr McCall was attending his first meeting of the Council of Governors and the Chairman welcomed him. The Chairman reported that Mr D Jones, Appointed Governor for Dorset County Council, had resigned his seat and a replacement was expected after the County Council elections in May.

CoG 030/13  Apologies for Absence

Apologies for absence were received from Cllr. J Adams, Bournemouth Borough Council

CoG 031/13  Declarations of Interest

It was noted that the Council of Governors could potentially have an interest in any item related to merger.
CoG 032/13  Minutes of the Meeting held of the 9 January 2013 (Paper 1)

Following discussion relating to minute 007/13 the minutes were APPROVED as a correct record of the meeting.

CoG 033/13  Matters Arising (Paper 2)

009/13 – The Chairman reported that Susan Barratt from Deloittes would be attending the July Informal Governor Briefing to provide a session on the audit process.

010/13 – Mr Bown reported he had attended a presentation on the Alcohol Strategy for Poole Borough that involved all agencies. He presented the results from a survey in 2010 that showed a high number of bed days and attendees in the Emergency Department identified as attributable to alcohol abuse. Mr Bown reported that a Specialist Alcohol Nurse worked in the department and a screening system was being implemented.

018/13 – The Chairman reported that the JGRG had received the suggestion for a presentation on communications be considered by JGRG for a future joint governor event. It was noted that the group were currently suspended due to the Competition Commission (CC) Undertakings.

It was noted that all actions, unless subject to this agenda, had been executed.

CoG 034/13  Chairman’s Comments

The Chairman reported that the new arrangements under the 2012 Health & Social Care Act had been implemented, leading to the disbanding of NHS Dorset and NHS Bournemouth & Poole. She noted the excellent working relationships enjoyed in the past and the positive relationship being built with the new Dorset Clinical Commissioning Group (CCG).

Dr Dan Poulter, the Health Minister, would be visiting both Poole Hospital and the Royal Bournemouth & Christchurch Hospitals (RBCH) on 9 May.

Matron Geoffrey Walker had been given the congratulations card signed by Governors following his achievement of being awarded Nurse of the Year.

There had been an unannounced visit by the CCG. Informal feedback was positive and the formal report was awaited.

At the last private meeting of the Council of Governors they had considered various reports including the merger workstream programme, the Strategic Risk Report and the process for the Annual Plan.

The Chairman reported that the Joint Governor Event scheduled for 7 May had been cancelled due to changes to the merger timeline. Further information would be sent to Governors.

The report was NOTED.

CoG 035/13  Ratify Changes to the Constitution (Paper 3)

Mr Beswick presented the report. He noted that the April 2013 Constitution had been approved by the Council in January. The Council of Governors was invited to formally ratify the constitution with the fifth Commencement Order of the 2012 Health & Social Care Act being enacted from 1 April 2013.
Mr Beswick noted that the ratification would exclude paragraphs 34.1, 34.2, 34.3, and 34.4 as these would be enabled when the relevant Commencement Order was enacted.

The changes to the Constitution were RATIFIED.

**CoG 036/13 Nomination of Appointed Governor to NREC (Paper 4)**

The Chairman reported that with the resignation of the appointed governor for Bournemouth University, there was a vacancy for an appointed governor on the Nomination, Remunerations & Evaluation Committee. The Chairman had approached Cllr. Stribley, who had indicated she would be willing to take up the position.

The nomination was fully supported and APPROVED.

**CoG 037/13 Council of Governors Governance Cycle (Paper 5)**

Mr Beswick presented the updated Governance Cycle which set out the standing business of the Council of Governors for 2013/14.

The Governance Cycle was APPROVED.

**CoG 038/13 Report from NREC Meeting 25 April 2013**

The Chairman reported that at their meeting, the NREC had considered the 2012/13 Annual Report on the work of the NREC and the 2012/13 Annual Council of Governors Assessment of Collective Performance. NREC had agreed a process and timetable for the reappointment or recruitment of Non-Executive Directors (NEDs). It was noted that the tenures of Dame Yvonne Moores and Mrs Jean Lang would expire at the end of October and November 2013 respectively. Both having served two, three year terms, means they would only be eligible for 12 month extensions. Mr Michael Mitchell whose tenure ends October 2013 would have served one three year term and would therefore be eligible for a further three year appointment. The views of the Non-Executive Directors concerned would be known following the appraisal process.

The report was NOTED.

**CoG 039/13 2012/13 Annual Council of Governors Assessment of Collective Performance**

The Chairman reported that NREC had received an early draft of the report, which would be circulated to Governors for comment. **ACTION: AB**

The final report would be received by the Council at their next meeting. **ACTION: JR**

The report was NOTED.

**CoG 040/13 Future Re-Appointment of Appointment of Non-Executive Directors**

The Chairman noted that this had been covered under minute CoG 038/13.


Mr Smits presented the report which contained the Executive Summary of the Francis Report and noted the full report was available on request. Mr Smits
provided the background to the investigation and gave his personal response to the findings. He noted that the report provided an opportunity to learn and make improvements for patients.

Mr Smits reported that a response from Poole Hospital to the Francis Report would be submitted to the Board of Directors in May. He noted that a series of listening events were underway and dates and details would be issued to Governors.  

**ACTION: MSm**

It was noted that Trust was engaging with a number of public and patient groups. Mr Smits reported that a complete analysis of the report was underway and following this a gap analysis would be undertaken and used to formulate a plan which would be part of the report submitted to the May Board meeting.

The report was discussed in great detail and it was agreed an event on the Francis Report would be held for Governors prior to the Informal Governor Briefing in June.  

**ACTION: MSm/AS**

It was agreed that bed occupancy would be a topic at the Governor Event and any other requests for particular issues to be covered would be sent to Mr Smits.  

**ACTION: ALL**

The report was NOTED.

**CoG 042/13 Report on Monitor’s Provider Licence (Paper 8)**

Mr Beswick reported that Monitor’s Provider Licence had been issued to existing Foundation Trusts and became effective from 1 April 2013. It was noted that the licence contained the obligations for providers of NHS services that allow Monitor to fulfil its new duties in relation to Setting prices for NHS funded care in partnership with the NHS Commissioning Board, Enabling integrated care and preventing anti-competitive behaviour which is against the interests of patients; supporting commissioners in maintain service continuity and enabling Monitor to continue to oversee the way that foundation trusts are governed.

Mr Beswick reported that consultation on the new Risk Assurance Framework was now closing and this would replace the compliance framework in October 2013.

The report was NOTED.

**CoG 043/13 Governor Voting Arrangements (Paper 9)**

Mr Beswick presented the report which provided a reminder of the voting arrangements as per the Constitution.

The report was discussed in detail and it was noted that there was no provision for postal voting.

The report was NOTED.

**CoG 044/13 Integrated Trust Performance Report (Paper 10)**

The Director of Finance introduced the report. He stated that the Trust would be reporting an operating surplus of £1.3 million for the year although this would be distorted in the annual accounts following a revaluation by the
District Valuer. It was noted that this revaluation had resulted in a technical adjustment and did not change the underlying position of the Trust.

Mr Turner stated that the Trust would report a cash balance of £15 million and £11.8 million had been invested in the hospital and equipment.

Mr Bown reported that during quarter four, targets had been narrowly missed for two targets. The Emergency Department four hour waiting time target had been missed by 0.15% and 27 cases of Clostridium Difficile had been reported against a target of 25.

Mr Bown detailed the significant pressures with unprecedented numbers attending the emergency Department with increased acuity and the outbreak of Norovirus. He noted that this could result in Monitor changing the governance rating from green to amber red and it was agreed that this was disappointing and did not reflect the hard work of staff.

The improvement in Endoscopy was noted and Mrs Lowrey and her team were thanked. It was noted that all cancer targets had been met and excellent results had been seen for fractured neck of femur.

Mr Smits noted that the target for Clostridium Difficile was a relentless improvement target and it was challenging to constantly improve on previous good performance but it was hoped that cases not attributable to the hospital could be discounted on review with the CCG.

Mr Smits reported that the hospital remained busy with high occupancy rates and a high number of outlying patients. All other quality indicators were good.

The improvements seen in delayed transfers of care was noted and discussed. Dr McCall reported that discussions between the CCG and the Local Authority were ongoing to address the issue with re-assessments for people who were self funding their care.

The report was discussed in detail and it was agreed that the operations team would check some of the March figures and re-issue the report to Governors.

ACTION: MShy

The report was NOTED.

CoG 045/13 Report on Mortality Rates (Paper 11)

Mr Talbot presented the report. He stated that Dr. Foster report the Hospital Standardised Mortality Ratio (HSMR) for all NHS hospitals each month. This was the number of deaths that occur and was compared with the expected number based on the reference population. Mr Talbot reported that a new measure called SHIMI, which included patients who died within 30 days of discharge from hospital, had also been introduced.

Mr Talbot detailed the report and the work undertaken by the Trust, and especially the Trust Mortality Group, who analysed results and worked to ensure data was recorded accurately.

The report was discussed and Mr Talbot was thanked for the helpful information.

The report was NOTED.

CoG 046/13 Merger Update (Paper 12)
The Chief Executive reported that the enquiry by the Competition Commission (CC) continued. He noted that the CC had stopped the clock to allow the two trusts time to provide the information that had been requested. Consideration was given to the resulting effect on timetables.

Mr Bown noted that the CC had undertaken some research and the survey results were now available on the CC website.

Mr Bown provided feedback from the formal hearing with the CC and noted that a separate hearing with RBCH had taken place. A response from the CC was awaited.

The report was discussed and NOTED.

**CoG 047/13** Director, Governor Interaction Best Practice Guide for Directors (Paper 13)

The Chairman noted that the report had been tabled at the January meeting of the Council and was on the agenda to provide an opportunity to consider it further. She reported that the Board of Directors was content to not pursue the developments at this time in light of current scenarios. The Council of Governors confirmed it agreed with this and the report should be revisited when a decision on the potential merger had been received. **ACTION: AS**

The report was NOTED.

**CoG 048/13** 2013/14 Governor Development Plan (Paper 14)

The Company Secretary introduced the report and noted that the 2012 Health & Social Care Act introduced new responsibilities for governors. He detailed the training options that were under consideration.

The report was discussed and the Council of Governors confirmed they were content with the plan.

The report was NOTED.

**CoG 049/13** Register of Interests (Paper 15)

The Chairman presented the paper and asked the Governors to report any corrections or changes to the Company Secretary.

The report was NOTED.

**CoG 050/13** Reports from Reference Groups

**Membership Engagement and Recruitment**

Mrs Yeoman detailed various membership recruitment events including attendance at a meeting of the Branksome West Residents Association and she thanked Mrs Bonham for accompanying her. She reported that Mrs Hooper had provided contacts at Poole Lighthouse and work with them was being pursued.

Mrs Yeoman reported that the youth membership application forms had been revamped and detailed work to engage with younger members of the community.
The report was NOTED.

**Future Plans & Priorities**

Mr Purnell reported that all required business of the group was being undertaken through the full Council of Governors.

The report was NOTED.

**Joint Governor Reference Group (JGRG)**

Mrs Duckenfield reported that the constructive work achieved by the group was currently on hold pending the CC review.

The report was NOTED.

**Quality Reference Group**

Mr Smits gave thanks on behalf of the Trust to those Governors who had taken part in the PLACE Assessment.

**CoG 051/13 Future Agenda Items**

The Chairman reported that as previously agreed the Council would maintain their focus on operational issues.

Following discussion there was a request for a presentation from the Ambulance Service. Mr King agreed to inform his manager and Chris Bown would contact the Chief Executive of the SWASFT.  

**ACTION:** RK/CB

Mrs Cherrett asked when the Trust would inform the public of their review of the Francis Report. The Chairman noted that this may be an item for the Annual Members Meeting in September.  

**ACTION:** MSm

Dr McCall responded that the CCG might wish to give a health community response and he would discuss this further with the CCG.  

**ACTION:** CMC

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**CoG 052/13 Notices of Motion**

No notices of motion were received.

**CoG 053/13 Urgent Notices of Motion**

No urgent notices of motion were received.

**CoG 054/13 Date of Next Meeting**

25 July 2013 at 5.30 pm in the Post Graduate Centre, Poole Hospital.

**CoG 055/13 Withdrawal of Press and Public**

The Chairman asked any members of the public and representatives of the press to withdraw from the meeting.

**Agreed as an accurate record of the meeting:**

Chairman:______________________________25 July 2013