

Minutes of the Board of Directors Meeting held at 1pm on Wednesday 27 April 2016  
 at Sentinel House, 4-6 Nuffield Road, Poole, Dorset, BH17 0RB

**Present:**

Ann Abraham	Chair
Fiona Haughey	Acting Chief Executive and Director of Nursing & Quality
David Brook	Non-Executive Director
Lynne Hunt	Deputy Chair and Non-Executive Director
John McBride	Non-Executive Director
Sarah Murray	Non-Executive Director
Peter Rawlinson	Non-Executive Director
Nick Yeo	Non-Executive Director
Linda Boland	Locality Director-Poole and East Dorset
Jackie Chai	Director of Finance
Colin Hague	Director of Human Resources
Nick Kosky	Medical Director
Sally O'Donnell	Locality Director-Dorset
Nicola Plumb	Director of Organisational Development, Participation and Corporate Affairs
Eugine Yafele	Locality Director – Bournemouth and Christchurch

**In Attendance:**

Jacqueline Stratford	PA to the Chair
Phil Morgan	Trust Lead for Recovery and Social Inclusion (attended for minute 550/16 along with members of the Hidden talents Project)

**Apologies:**

Ron Shields	Chief Executive
John Hughes	Non-Executive Director
Keith Eales	Trust Secretary

**Governor Observers:**

Chris Balfe	Public Governor (Dorset RoE) (Lead Governor)
Scottie Gregory	Public Governor (Dorset RoE)
Sue Howshall	Public Governor (Dorset RoE)
Justine McGuinness	Public Governor (Dorset RoE)
Jan Owens	Public Governor (Dorset RoE)
Angela Reed	Public Governor (Dorset RoE)
Patricia Scott	Public Governor (Poole)
Anna Webb	Public Governor (Poole)
Angela Bartlett	Staff Governor
Steve Clark	Staff Governor
Pat Cooper	Staff Governor
Becky Aldridge	Partner Governor (Service User Group Representative)
Bill Batty-Smith	Partner Governor (Dorset District Councils)

### **538/16 Welcome and Apologies**

The Chair welcomed members to the meeting and reported the apologies received.

### **539/16 Patient Story**

The meeting commenced with a story illustrating the experience of a carer and her engagement with Trust services whilst caring for her father.

Board members considered that the story highlighted the importance of focussing on care provided in the widest sense, not just the clinical aspects of the support provided to patients.

It was recognised that feedback from patients and their carers had a significant role to play in driving behavioural change in the Trust. The Acting Chief Executive and Director of Nursing and Quality commented that taking forward the quality priorities for 2016/17 would provide a focus for emphasising the importance of providing personalised care to patients.

### **540/16 Declarations of Interests in Relation to Agenda Items**

No declarations were made.

### **541/16 Minutes and Notes of Previous Meetings**

The Board approved as a correct record the minutes of the last meeting held on 30 March 2016 subject to the following amendment to the third bullet point in minute 535/15:

The replacement of 'it was suggested that there was merit in the Board receiving.....' with 'the Board should receive....'

The revised wording would read

- The Board should receive a story from a patient with autism

The Workshop notes of 6 April 2016 were approved.

### **542/16 Matters Arising**

The Trust Secretary submitted a report on matters arising from previous meetings.

**The Board noted the report.**

### **543/16 Chair's Update**

The Chair gave her monthly update to the Board.

The Chair referred to her attendance at the opening, in the previous week, of the Art of Wellbeing Exhibition at the Russell Cotes Museum in Bournemouth. The Exhibition highlighted work by clients of the Bournemouth East Community Mental Health Team. The Chair commended the Exhibition, which ran until 8 May, to Board members.

**The Board noted the report.**

#### **544/16 Chief Executive's Update**

The Acting Chief Executive and Director of Nursing and Quality submitted a report on behalf of the Chief Executive setting out key issues of concern and interest.

The Acting Chief Executive and Director of Nursing and Quality drew particular attention to the Care Quality Commission (CQC) national investigation into learning from deaths, progress with contract discussions with commissioners and the development of the Trust budget for 2016/17, the development of Sustainability and Transformation Plan (STP) for Dorset, the Clinical Services Review (CSR) and the recent publication of safeguarding reports.

The Locality Director, Bournemouth and Christchurch, updated the Board on the latest position with regard to negotiations with commissioners on the main contract for 2016/17. The Locality Director, Bournemouth and Christchurch, advised that agreement had been reached in respect of each of the three main areas of discussion-parity of esteem funding, the use of non-recurrent funding to support recurrent cost pressures and risk-sharing in respect of out of area placements. Further information would be provided at the Board Workshop on 4 May.

The Acting Chief Executive and Director of Nursing and Quality advised that there had been minimal disruption to Trust services as a result of the industrial action by junior doctors, which had taken place over the last two days.

Clarification was sought with regard to the alignment of public consultation on the CSR, which would not be completed before the end of the year, with the requirement for the STP to be submitted by the end of June. It was recognised that consultation on the CSR was likely to be on high-level themes rather than detailed proposals. The Director of Organisational Development, Participation and Corporate Affairs commented that the STP would reflect the main themes in the CSR consultation. Should these change following consultation, there was likely to be an impact on the STP.

Clarification was sought with regard to the timing of discussions in respect of the affordability of the proposals in the CSR. It was noted that the likely capital costs of the reconfiguration of acute provision in the County would feature in the consultation proposals, along with anticipated savings. Further savings to support the cost of change would flow from the reconfiguration of services.

**The Board noted the Chief Executive's report.**

#### **545/16 Board Integrated Corporate Dashboard**

The Medical Director submitted the Integrated Corporate Dashboard for March.

The Medical Director commented that this was the last occasion on which the dashboard would be presented to the Board in this form. The revised dashboard would be submitted to the May meeting.

The Medical Director drew attention to the following:-

- The number of patients reporting that they did not feel safe had decreased for the fourth month in a row.

- The number of patient falls resulting in injury in hospital had dropped slightly.
- The percentage of staff being up to date with mandatory training had risen slightly over the last four months.

The Medical Director commented, however, that:-

- The number of mental health patients readmitted as an emergency within 28 days of a previous discharge had risen above the threshold in the previous month.
- The number of delayed transfers of care for physical health remained above the threshold.
- The number of delayed transfers of care for mental health patients was above the target for the quarter.
- The percentage of patients with up to date care plans was below the set threshold.
- Meeting waiting times in a number of areas continued to be a challenge.

The Medical Director commented that the performance in these areas reflected a system that was under significant pressure. It was recognised that responding to these challenges required services and teams to adopt new ways of working.

It was recognised that it would be important for the impact of the system wide pressures on individuals to be understood by the Trust. The Acting Chief Executive and Director of Nursing and Quality commented that the revised dashboard would seek to achieve this through the provision of quantitative and qualitative information, with the supporting narrative providing a more holistic view of the impact on the quality of service provision.

The Acting Chief Executive and Director of Nursing and Quality referred to the progress made in developing a research and development capability in the Trust.

**The Board:-**

**(a) noted the Dashboard for March.**

**(b) agreed that a list of research and development projects undertaken would be distributed to Board members.**

#### **546/16 Finance Report for March 2016 and 2015/16 Outturn**

The Director of Finance submitted the Finance Report for March.

The financial performance at the end of the year was a £1.9m deficit. This was compared to a planned deficit of £2.2m.

The improving position in respect of agency expenditure underpinned the year-end position. The main areas of overspend-Prison Services pay, which was the most significant adverse variance, out of area placements, pay on mental health inpatient

wards, cost improvement programme (CIP) under-achievement and medical pay- and the actions continuing to be taken in respect of each were noted.

The Director of Finance advised that the overspends were being balanced by net pay underspends across all Directorates.

With regard to the CIP, £5.1m had been delivered at year-end. The shortfall largely reflected a £2m shortfall on agency schemes.

With regard to the planned investment in infrastructure projects, it was noted that expenditure of £3.6m had been incurred at year-end. This compared to the plan of £4.5m.

The Board noted that, at the end of the year, cumulative capital expenditure totalled £9.8m against the plan of £10.2m.

The Director of Finance explained that the Financial Sustainability Risk Rating was 3.

Board members commented on the increasingly challenging financial climate facing the Trust and the NHS and the implications of this for financial understanding and reporting in the Trust. In particular, there was a requirement for greater depth in understanding of, and reporting against, the key blocks of income and expenditure in the Trust budget.

It was noted that, despite the considerable progress made in addressing the employment of agency staff by the Trust, overall expenditure in the year had exceeded the 2014/15 figure. This would be discussed further at the Board Workshop on 4 May.

#### **The Board noted the Finance Report.**

### **547/16 People Management**

The Director of Human Resources submitted the monthly People Management report.

The Director of Human Resources drew particular attention to the industrial action by junior doctors, recruitment and retention initiatives, the continued significant reduction in agency expenditure and information on the review of possible support for Trust staff undertaking nursing and Allied Health Professional pre-registration schemes.

The Director of Human Resources advised that the Executive team and the Recruitment and Retention Group had undertaken initial work on possible support for Trust staff undertaking nursing and Allied Health Professional pre-registration schemes. A further report would be made to the Board in September 2016.

The Board noted that 200 staff had undertaken leadership training between January and March 2016. Information was sought as to whether this constituted a significant proportion of the leadership staff in the Trust. The Director of Human resources advised that there were other opportunities for staff to participate in leadership development, the most notable of which was the Leadership Forum.

It was noted that overall staff numbers had increased by 250 over the year. Clarification was sought as to whether this was likely to continue in 2016/17. If so, the affordability of staff costs in an increasingly challenging environment could pose

difficulties for the Trust. The Director of Human Resources advised that this increase reflected, in part, the investment in services and the action being taken to reduce agency expenditure. It was unlikely that the increase would continue at the current rate. It was recognised that there was merit in the Board developing a greater understanding of the composition of the workforce and the appropriate balance between permanent and agency staff.

**The Board noted the report.**

#### **548/16 Quarterly Whistleblowing Report**

The Director of Human Resources submitted the Quarterly Whistleblowing Report.

The Board noted that one new case had been raised internally. This was under review by the Senior Independent Director. No cases had been raised externally.

The Director of Human Resources referred to the recently published Freedom to Speak Up: Whistleblowing Policy for the NHS. This policy, and its relationship to the Trust policy, was currently under review. Further information would also be presented to the Board on the role of the national Independent Guardian.

**The Board noted the report.**

#### **549/16 Summary Notes of the Appointments and Remuneration Committee: 24 February 2016**

The Chair of the Appointments and Remuneration Committee introduced the summary notes of the meeting held on 24 February 2016.

**The Board noted the summary notes.**

#### **550/16 Hidden Talents**

The Trust Lead for Recovery and Social Inclusion attended to provide an update on the Hidden Talents project. A briefing note had been distributed with the Board agenda.

The Trust Lead for Recovery and Social Inclusion gave an overview of progress made with the project since the October Board meeting, the further ambitions for the project and interest being shown in the project nationally and internationally.

The Trust Lead for Recovery and Social Inclusion commented that the interest and support shown by the Board had been pivotal in building momentum for the project. It had indicated that the Trust was fully supportive of its commitments towards staff and was committed to addressing the stigma attached to mental health in the workplace. The support had given staff the confidence to discuss their lived experience.

The Trust Lead for Recovery and Social Inclusion advised that a number of projects were under discussion with the Human Resources Directorate. It was also considered appropriate to review the professional boundaries policy. The Acting Chief Executive and Director of Nursing and Quality expressed support for a review of the policy.

Clarification was sought as to the action necessary to give greater prominence to, and to support the mainstreaming of, the lived experience of those involved in the

project. Members of the project commented the removal of stigma and the tendency to judge individuals would be fundamental to mainstreaming the work of the group. More could be done within the Trust to achieve this. The contrasting experience of those staff in Trust Mental Health and Community Services was highlighted in particular.

The Board made clear its expectation that staff would be given time off to participate in the project.

The Board expressed its continuing support for the ambitions of the Hidden Talents project and requested further reports as appropriate.

**The Board noted the report.**

### **551/16 Quality Improvement Plan**

The Acting Chief Executive and Director of Nursing and Quality submitted the monthly update on progress in implementing the Quality Improvement Plan following the June 2015 CQC inspection.

The Board noted that of the 60 'must do' recommendations, 22 were complete, 16 were rated as amber/green on the basis of being in progress to meet the deadline. A further 22 were rated as amber and at risk of not achieving the deadline.

Of the 90 'should do' recommendations, 42 were complete, 25 were rated as amber/green on the basis of being in progress to meet the deadline and 23 were rated as amber and at risk of not achieving the deadline.

The Acting Chief Executive and Director of Nursing and Quality drew particular attention to challenges in the delivery of the action plans in the CAMHS, CMHT and community hospital inpatient services. The Acting Chief Executive and Director of Nursing and Quality commented that there was a sense in some areas of a loss of momentum in delivering the action plans. This view was endorsed by the Locality Directors.

The Board noted the action being taken to address areas of concern. However, some concerns were expressed that there was insufficient assurance that this would address non-delivery of the action plans.

Board members emphasised that the focus of activity and reporting should be on the delivery of the appropriate standards of care, from which would flow delivery of the CQC action plan. It was considered that reporting in future months should reflect this focus.

**The Board noted the report.**

### **552/16 Well-Led Review Action Plan**

The Acting Chief Executive and Director of Nursing and Quality submitted, on behalf of the Trust Secretary, a report setting out progress with the delivery of action plan following the external governance review against the Monitor Well-Led Framework.

The Acting Chief Executive and Director of Nursing and Quality advised that of the 17 actions in the plan, 10 were now complete. A progress update was provided in respect of each of the remaining actions.

The Chair advised that she would discuss with the Chief Executive and Trust Secretary the possibility of seeking an external assessment of the impact, in terms of addressing the PM Governance recommendations, of the delivery of the action plan to date.

**The Board noted the report.**

#### **553/16 Quarterly Review of the Board Assurance Framework (BAF) 2015/16 and Board Assurance Framework 2016/17**

The Chair suggested, and the Board endorsed, considering together the year-end position on the 2015/16 BAF and the proposed BAF for 2016/17. With regard to the 2016/17 BAF, the Board agreed that the initial focus should be on agreeing the risks, with governance arrangements being considered at the May meeting when the Chief Executive, as Chief Risk officer, and the Trust Secretary would be present.

The Acting Chief Executive and Director of Nursing and Quality submitted, on behalf of the Trust Secretary, the quarterly and year-end update of the Board Assurance Framework for 2015/16.

The Board noted the progress review submitted by the lead Director for each risk, which had been reviewed by the Quality Governance Committee and the Audit Committee on 21 and 25 April respectively.

The Acting Chief Executive and Director of Nursing and Quality then introduced, on behalf of the Trust Secretary, the proposed Board Assurance Framework for 2016/17.

The Acting Chief Executive and Director of Nursing and Quality advised that the BAF had continued to develop over the year. The proposed risks for 2016/17 reflected a stronger focus on horizon scanning and appropriate designation of risks and controls.

Four risks were proposed for 2016/17-failures in care, inadequate staffing levels, the financial challenge and failure to engage effectively with partners and the community.

The Chair sought the views of the Chairs of the Audit and Quality Governance Committees on their discussion of the BAF for 2016/17. The Chair of the Audit Committee advised that the Committee, at its meeting on 25 April, had reviewed the BAF for 2016/17 primarily from a governance perspective. The proposed arrangements were considered appropriate. The Chair of the Quality Governance Committee advised that, at the meeting on 21 April, the Committee had concluded that the risks were appropriate and had accepted its proposed role in overseeing the risks in respect of failures in care and inadequate staffing levels. At the next meeting, on 19 May, the Committee would be agreeing appropriate monitoring measures.

The Board considered that there was scope to give greater prominence in the BAF to the importance of having a suitably skilled, and efficiently and effectively utilised, Trust workforce. This could be reflected in the BAF through redefining the risk in respect of inadequate staffing levels or may merit an additional risk in itself. The Board asked that further consideration be given to this.

**The Board noted the outcome of the quarterly review of the Board Assurance Framework for 2015/16 and agreed that further consideration would be given to the BAF for 2016/17 at the next meeting.**



## **554/16 Quarter 4 Return to Monitor**

The Director of Finance introduced a report setting out the proposed quarter 4 return to Monitor. The Chair advised that the revised report, distributed after the despatch of the papers, took account of the now completed negotiations with commissioners on the main contract for 2016/17.

The Director of Finance gave an overview of the return and the supporting narrative to be submitted to Monitor.

The Director of Finance commented that, with regard to the achievement of a Financial Sustainability Risk Rating of at least 3 over the next 12 months, the Trust was unable, at the present time, to confirm this statement as the final implications of the outcome of the contract negotiations were still being assessed.

The Board noted that there was a continuing challenge in meeting the target in respect of Mental Health delayed discharges. The threshold had not been met in quarter 4, due largely to winter pressures and the availability of suitable nursing home placements. The lack of suitable nursing home placements for patients with highly complex and challenging behaviours was making achievement of the indicator difficult.

The Acting Chief Executive and Director of Nursing and Quality advised that the Trust had now confirmed 14 cases of C Diff for the year.

### **The Board agreed**

- (a) The statement ‘the Board anticipates that the Trust will continue to maintain a Financial Sustainability Risk Rating of at least 3 over the next 12 months’ be marked as ‘not confirmed’.**
- (b) The statement ‘the Board anticipates that the Trust’s capital expenditure for the remainder of the financial year will not materially differ from the amended forecast in this financial return’ be marked as ‘confirmed’.**
- (c) The statement that ‘the Board is satisfied that plans in place are sufficient to ensure: ongoing compliance with all existing targets (after the application of thresholds) as set out in Appendix A of the Risk Assessment Framework; and a commitment to comply with all known targets going forwards’ be marked as ‘not confirmed’.**
- (d) The statement that ‘the Board confirms that there are no matters arising in the quarter requiring an exception report to Monitor (per the Risk Assessment Framework Table 3) which have not already been reported’ be marked as ‘confirmed’.**

## **555/16 Board Register of Interests**

The Acting Chief Executive and Director of Nursing and Quality submitted, on behalf of the Trust Secretary, the Board Register of Interests at 31 March 2016.

The Chair confirmed that the Register was a dynamic document and any changes should be reported as soon as possible to the Trust Secretary. The Register as presented set out the information to be included in the 2015/16 Annual Report.

### **The Board noted the Register of Interests.**

#### **556/16 Annual Cycle of Board Business**

The Board received the annual cycle of business, which formed the basis of Board agendas.

The importance of having a comprehensive cycle of business in place was emphasised. Directors were asked to advise the Trust Secretary of additions or amendments to the draft cycle.

### **The Board noted the updated cycle of business.**

#### **557/16 Governor Questions and Observations**

Governors present at the meeting made a number of observations and comments

- Clarification was sought with regard to the number of amber actions on the Quality Improvement Plan that had been completed by the scheduled date of 31 March 2016. The Acting Chief Executive and Director of Nursing explained that the information would be included in the next monthly monitoring report.
- Further information was sought on the income agreed with commissioners in respect of the main Trust contract for 2016/17. The Chair advised that the figures were still being reviewed in preparation for the budget report to the next meeting. However, it was just short of £200m.
- It was suggested that the Trust should make greater use of the 'good' and 'outstanding' CQC ratings, and the overall conclusions in respect of the standing of the Trust, in information used to support recruitment.

#### **558/16 Forthcoming Meetings**

The schedule of forthcoming meetings was noted

- Board Workshop 4 May 2016 at 9.30am at Hotel Rembrandt in Weymouth
- Board meeting 25 May 2016 at 10.00am (a special meeting, to be held at Sentinel House in Poole, to consider the Annual Report and Accounts for 2015/16)
- Board meeting 25 May at 1.00pm at Sentinel House at Poole.

#### **559/16 Exclusion of the Press and Public**

**Resolved that the press and public be excluded from the remainder of the meeting having regard to the confidential nature of the business to be transacted, publicity of which would be prejudicial to the public interest.**

[The following Governors remained for the Part 2 section of the meeting-Chris Balfe, Angela Bartlett, Pat Cooper, Scottie Gregory, Sue Howshall, Justine McGuinness, Jan Owens and Anna Webb].

### **560/16 Significant Safeguarding Events**

The Acting Chief Executive and Director of Nursing and Quality submitted a report setting out details of significant events in respect of adult and child safeguarding. The events were not yet in the public domain and were, therefore, confidential on the basis of the personal information included in the report.

The Board reviewed the details of each event.

**The Board noted the report.**

### **561/16 Matters of Concern to Report**

The Locality Director, Bournemouth and Christchurch, reported verbally on the circumstances involving the transfer of a patient, from an assessment ward to a treatment ward, under restraint. A further report would be made to the Board in due course following investigation of this event.

Signed:

Date:

Ann Abraham, Chair