



Minutes

Public Council of Governors meeting 8 December 2021

Chair: Jenny McAleese

Public Governors:

Michael Reakes, City of York; Rukmal Abeysekera, City of York; Helen Fields, City of York; Sally Light, City of York; Beth Dale, City of York; Keith Dobbie, East Coast; Bernard Chalk, East Coast; Catherine Thompson, Hambleton; Sue Smith, Ryedale & EY; David Wright, Ryedale & EY; Doug Calvert, Selby; Amit Bhagwat, Out of Area.

Appointed Governors

Paul Johnson, YTHFM; Gerry Richardson, University of York; Chris Pearson, NYCC

Staff Governors

Maya Liversidge, Scarborough/Bridlington; Byron Stevenson-Wightwick, Scarborough/Bridlington; Mick Lee, York, Sharon Hurst, Community

Attendance

Simon Morritt, Chief Executive; Andy Bertram, Finance Director; Jim Dillon, NED; Steve Holmberg, NED; Lorraine Boyd, NED; Denise McConnell, NED; Lucy Brown, Director of Communications; Mike Taylor, Assoc. Director of Corporate Governance; Tracy Astley, Assistant to FT Secretary

Observers

4 public

Apologies for Absence:

Matt Morgan, NED; Lynne Mellor, NED; Ashley Clay, ANED; Dylan Roberts, Chief Digital Information Officer; Wendy Scott, Chief Operating Officer; Jim Taylor, Medical Director; Heather McNair, Chief Nurse; Polly McMeekin, Director of Workforce; Dawn Clements, Appointed Governor – Hospices; Josie Walker, East Coast; Angela Walker, East Coast; Ian Mackay Holland, East Coast; Alistair Falconer, Ryedale & EY; Keith Dawson, Selby; Vanessa Muna, York.

21/58 Chair's Introduction and Welcome

Jenny McAleese welcomed everybody and declared the meeting quorate. As there were some new governors present, she asked everybody to introduce themselves, giving their name and who they represented.

21/59 Declarations of Interest (DOI)

The Council acknowledged the changes to the DOI.

21/60 Minutes of the meeting held on the 14 September 2021

The minutes of the meeting held on the 14 September 2021 were agreed as a correct record.

21/61 Matters arising from the minutes

Action Log

21/48 14.09.21 - Prioritising the Trust's digital issues with ICS digital agenda – Mike Taylor informed that this will be picked up at the Resources Committee meeting on 14 December. He will give feedback at the next CoG meeting.

Action: Mike Taylor to feedback re Trust/ICS digital agenda at the March CoG meeting.

Matters arising

Michael Reakes referred to the general emergency capital application and asked if the Trust was successful in securing this. If so, what was it used for? Andy Bertram replied that the Trust had not been successful in securing the funds this year. Discussions were ongoing regarding next year's application. The Trust will be pushing hard to secure extra funding for its infrastructure.

21/62 Chief Executive's Update

Simon Morrith gave an overview of the paper and highlighted the following:

- There were continuing operational pressures within the Trust and within the wider system
- Covid-19:
 - The new variant will be the dominant variant in the UK within a matter of weeks. The Trust was waiting for reliable data on how that would affect the health service.
 - There were currently 43 Covid patients across the Trust. This current wave seemed to be passing but it was a considerable challenge.
- There were significant emergency care pressures on both the main hospital sites.
- There were significant challenges within social care which were impacting on discharges within a hospital setting. A sizeable number of patients across the Trust were fit for discharge but could not be so because of the difficulty in providing a

package of care. All partners were working constructively together to alleviate the pressures.

- Emergency Department in York – work had begun. It was a major capital scheme that will increase capacity on that site.
- Scarborough Hospital scheme - A full business case will be submitted to the Treasury in December to secure funds and work will start in the New Year.
- Yorkshire Ambulance Service was under significant pressure. Discussions were currently ongoing to reduce handover times at the Emergency Department front door.
- NHS Providers – report can be read in full on their website: www.nhsproviders.org
- Staff challenges - a range of incentives have been put in place to encourage staff to pick up some of the unfilled bank shifts across the organisation.
- Humber Coast and Vale Integrated Care System (HCV ICS) - Sue Symington had now become Chair and Stephen Eames had been confirmed as the new Chief Executive. Adverts were currently out for the Executive team for the ICS board. The Clinical Commissioning Groups (CCGs) will be abolished by 31 March 2022 and a new body will be in place from 1 April 2022.
- Vaccination Programme – the Department of Health and Social Care (DHSC) has announced that individuals undertaking CQC regulated activities in England must be fully vaccinated against Covid-19. The government regulations were expected to come into effect from 1 April 2022, subject to parliamentary process. The Trust was continuing to encourage unvaccinated staff to take up the offer of the first and second doses. Work was ongoing to determine which staff were yet to be vaccinated and to understand the reasons behind their decision, so targeted support can be provided to help them choose to be vaccinated if they are not exempt.
- Finances – During the first half of the year the Trust was able to operate within its allocated funds. It was anticipated that during the second half of the year the trend will continue.

Simon Morrith gave an overview of the elective recovery plan which concentrated on 3 key asks:

- Elimination of 104 weeks waiters – the Trust was on track to deliver that.
- Continued reduction of 52 weeks waiters.
- To stabilise the waiting lists overall by the end of the financial year.

The plans have been submitted and approved by the regional team and will sit alongside the care pressures outlined previously in the meeting.

Helen Fields asked about the size and scale of ICSs. Simon Morrith replied that the ICSs were different in size and scale. The ICS that the Trust was linked to was a large one. There were 44 ICSs nationally, some smaller and some larger than ours.

Michael Reakes referred to staffing issues and asked if there was any method of increasing the number of nurses/medical staff coming into the Trust. Simon Morrith replied that the Trust was doing everything it could to attract staff and was growing its nurse staffing base both nationally and internationally. Jim Dillon added that this was the biggest issue reported by staff when doing walkabouts on wards.

Maya Liversidge asked if there were any plans to bring back the nurse training bursaries. Simon Morrith replied that he knew of no plans to bring the bursaries back. There was no lack of supply for nurse training.

Chris Pearson referred to the 43 Covid patients in the Trust and asked how many of those had been vaccinated and how many of them had been transferred from other parts of the hospital. How many patients were suffering from flu? Simon Morrith replied that the data showed that flu was not a significant issue. With regard to Covid patients, those having severe symptoms and those that were dying had only had one vaccine or not had any at all.

Amit Bhagwat referred to the international recruitment of nurses and asked how the Trust was managing their expectations. Simon Morrith replied that he recognised the challenge of the work needed to ensure all nurses were welcomed into the Trust.

The Council:

- **Received the report and noted its contents.**

21/63 Chair's Farewell

Jenny McAleese recognised and paid tribute to Sue Symington for her sterling service as the Chair of the Trust and, on behalf of the Trust, wished her well in her new role.

Simon Morrith added that when the ICS was a little more established there would be an opportunity to invite Sue Symington back to discuss the direction of the ICS.

21/64 Corporate Governance update

Mike Taylor gave an overview of the report and explained its purpose. He highlighted the following: -

- Chair recruitment – this was currently ongoing.
- Jenny McAleese was currently Interim Chair until the appointment of a new Chair.
- CoG Committees/Groups – welcome to the new governors. He asked that the Council ratified the positions.
- Membership Strategy – this will be revised to bring a more pro-active approach to meet the needs of the Trust and its members.
- Constitution Review Group – a number of areas within the constitution needed to be addressed.

The Council:

- **Ratified the governors' positions to the various CoG committees/groups.**

21/65 NED Review

Steve Holmberg gave an overview of his career to date and his various roles within the Trust. He gave a summary of the responsibilities of the Quality Committee and described the escalation process of issues of concern. He spoke about his Senior Independent Director (SID) role and how he was currently supporting the Lead Governor in the recruitment process of a new Chair for the Trust. He explained the additional areas of

responsibility, which included safeguarding and learning from deaths, and the Freedom to Speak Up/Safe Working Guardian (FTSU/SWG).

Sue Smith commented that she had known the NHS to use portakabins as temporary wards and asked if the Trust had considered this. Jenny McAleese said that she will raise this at Board.

Helen Fields referred to the use of bank staff. Steve Holmberg replied that it was a reflection of the current situation. Staff were fatigued. There was a continued reliance on agency staff which impacted on quality and finance.

Amit Bhagwat asked if it was difficult appraising the Chair as Steve had been a SID for 1 year and the Chair had been in her position for 6 years. Steve Holmberg replied that he was already a NED in the Trust when he took up the role of SID a year ago. He did not appraise the Chair but supported the Lead Governor in appraising the Chair. The latest Chair appraisal he thought was a good experience. The feedback from executives, NEDs and external stakeholders was very useful. It was a formal robust process governed by NHSI guidance.

Action: Jenny McAleese to raise the prospect of using portakabins as temporary wards to create more space.

21/66 NED Introduction

Denise McConnell introduced herself and gave an overview of her career to date. She believed that her experience in legal, audit and control were a good transferable skillset to aid her in the NED role. She had become a member of the Trust's Group Audit Committee and was currently in discussion with the Interim Chair on her areas of responsibility within the Trust. Her first impressions of the Trust were that she found everybody she had met very open, collaborative and supportive.

21/67 Quality Committee update

Steve Holmberg gave a summary of his report and highlighted the following: -

- CQC – a continuing piece of work was ongoing looking at the progress made against the CQC regulatory actions. The CQC was not expected to make any planned visits in the near future. However, they would make reactive visits if issues came to light they were concerned about. All but one of the regulatory actions imposed on the Trust during their last visit have been completed. The one outstanding action was around patients attending the Emergency Department who had mental health issues, on both sites. This was an issue that the Trust could not solve on its own and required its partners' input to resolve this. In addition, the Trust was asking departments to run their own assessment against CQC standards to ensure there were no outstanding concerns that would be an issue in the event of a CQC visit.

The Trust was concerned about the level of whistleblowing to the CQC, predominantly from two areas within the organisation, the LLP and the Emergency Departments. The CQC had discussed the whistleblowing issues with the Trust and had decided that no additional action was required.

- Ockenden Programme – Lorraine Boyd, NED for the Ockenden Programme, is a member of the Quality Committee. She added that the Trust had submitted an action plan around the Ockenden Standards to the Ockenden Team who were satisfied that the Trust was approaching this in the right way. Maternity in general was under a great operational strain and a lot of the issues were around staffing and safer staffing. She gave assurance to the Council that decisions made, ie. closure of labour wards, were based on maintaining the highest level of safety with the staff available.

Bernard Chalk referred to the mental health issue in the Emergency Departments and highlighted that this had been an issue for many years. He asked if the ICS would help to resolve this issue. Steve Holmberg replied that he hoped this would happen.

Doug Calvert referred to the self-assessments being completed by the departments and asked if there was going to be any random checks on these to give assurance to the Board that issues were not being over-inflated. Steve Holmberg replied that the self-assessments were triangulated with other information they received. It was unlikely that staff would over-inflate issues but rather to highlight the areas where they were struggling to provide the care they wanted to.

The Council:

- **Received the report and noted its contents.**

21/68 Resources Committee update

Jim Dillon, in Lynne Mellor's absence, gave a summary of the report and highlighted the following: -

- Recruitment and retention of staff – covered earlier in the meeting.
- Mandated vaccinations from April 2022 – he was working with the Director of Workforce to plan ahead and mitigate any potential issues that may arise.
- Sickness absence – issues with internal Occupational Health Service as there was a backlog in certain areas which was impacting on signing off individuals who were deemed fit to return to work. He was working with the Director of Workforce to find ways of overcoming the issues.
- Wellbeing of staff – processes and mechanisms were in place for staff to access.
- Digital – this has improved enormously since Dylan Roberts' arrival as Chief Digital Information Officer. Current issues were around out of date equipment and the need to replace these. It was important to get to a stage where all health care services could share information to give better patient experience and care.
- LLP – KPIs coming through showed a significant improvement. There was more work to be done but it was going in the right direction. Sickness was still an issue and work was ongoing to improve this. The Green Plan was welcomed. It was significant with regard to recruitment of prospective candidates as it showed the Trust's commitment to sustainable healthcare.

Doug Calvert referred to the agenda item around risks and asked if the templates had been completed by the end of November. Mike Taylor confirmed that the BAF had been completed. He suggested bringing the BAF to the next CoG meeting so the governors could familiarise themselves with it.

Michael Reakes was concerned that the Trust had received low assurance from Internal Audit when being audited against the National Guardian's ten data security standards and asked what assurance had the NEDs received that this was being dealt with. Jenny McAleese replied that this had been picked up at Audit Committee and the Chief Digital Information Officer (CDIO) was attending the next Audit Committee meeting to give an update on progress made. She will update the governors at the next CoG meeting in March. Helen Fields asked if the CDIO could be invited to the next meeting to discuss how the use of digital could transform patient services.

The Council:

- **Received the report and noted its contents.**

Action: Mike Taylor to bring the BAF to the next private CoG meeting.

Action: Invite Dylan Roberts, CDIO, to the next public CoG meeting to discuss how the use of digital could transform patient services.

21/69 Audit Committee update

Jenny McAleese advised that as interim Chair she could no longer chair the Group Audit Committee or attend its meetings unless invited to do so. She has asked Lynne Mellor to take over chairing the Committee for the foreseeable future and Lynne has invited Jenny to the next meeting in December for the purpose of continuity. When the new Chair was in place at the Trust, Jenny will revert to being Chair of the Group Audit Committee. She referred to the report and advised that there was nothing she wanted to add to that.

The Council:

- **Received the report and noted its contents.**

21/70 Governors' Report

Lead Governor report incl. PESG

Sally Light highlighted the change in the report format and asked the governors to give feedback.

Rukmal Abeysekera referred to the breaches in mixed sex accommodation and asked if there were any actions undertaken to rectify that. Jenny McAleese replied that the Quality Committee will pick this up at its next meeting.

Doug Calvert referred to the surge in complaints highlighted in the Patient Experience Report and asked the NEDs how they were assured that the complaints were being managed effectively. Steve Holmberg replied that the Board received regular updates from the Patient Experience Team. Most of the complaints were around access times. The complaints were triaged in order of importance, i.e. those concerning quality of care or patient harm. Doug asked if the governors could have sight of the information given to the NEDs. Mike Taylor will look into this.

Michael Reakes raised the issue of the governors' views not being taken into account during the external review of patient experience work and asked Sally's views on this. Sally replied that she was concerned about this and she did express her disappointment at

the recent meeting about the governors not being involved. She asked if the governors could be involved in any actions arising from it.

Michael Reakes also raised the issue on the in-patient survey around lights and noise at night and asked if the Trust offered ear plugs and blindfolds to patients so they can go to sleep. Maya commented that the Trust's Charity used to fund the Night Owl Project, which was a research project with the University of York, around how to quieten the noise down at night. She understood that this had now stopped and the Charity was no longer asked to fund it.

Doug Calvert gave an update on the Phlebotomy service at Selby Hospital. He met with 3 of the Phlebotomy team and spoke about issues regarding the communication of the service which had now been rectified.

Fairness Forum

Rukmal Abeyssekera informed that the Forum was currently going through a consultation period with the idea that by April 2022 a new strategy will be launched for equality, diversity and inclusion. Currently, the Forum reported directly to the Quality Committee and there was a question of whether it would be better reporting directly to the Board. Stephen Holmberg added that the Quality Committee did receive the reports but they had not encouraged any major discussions. However, the Board had recently received a presentation on the Fairness Forum and was well sighted on the issues and it was clearly work in progress. Matt Morgan was the designated NED to lead on these matters. Jenny McAleese added that one of her first tasks in post as the interim Chair was to meet Nichola Greenwood, Lead for Equality & Diversity, and she had asked Nichola to email her with 5-6 key actions that needed to be completed in order to make some progress in this area. She was conscious that this needed to be led at Board level.

Amit Bhagwat commented that the Equality, Diversity & Inclusion (EDI) strategy in general was focused on the protected characteristics laid down by law. If the Trust's EDI strategy just concentrated on those protected characteristics then it would be excluding communities with other diverse characteristics. Jenny McAleese commented that this was an area to really think about and translate into actions. She will speak to Amit outside of the meeting.

The Council:

- **Received the report and noted its contents.**

Action: Governors to give feedback to Tracy Astley on the new style Governors Report.

Action: Mike Taylor to look into whether the CoG could receive the Complaints report given to the Board.

Action: Jenny McAleese to pick with the Charity Team on the cessation of the Night Owl Project.

Action: Jenny McAleese to speak to Amit Bhagwat on Equality, Diversity & Inclusion and protected characteristics.

21/71 Items to Note

The Council noted the following items:

- Attendance Register
- Research & Development update

Rukmal Abeysekera referred to the Research & Development paper and commented that the development of the Research Committee was really good. She referred to the list of grants that had been applied for and about 50% had been unsuccessful and some of them were awaiting an outcome. She asked if the Trust was doing enough in working with local businesses to obtain funding to support the Trust's various schemes and asked if there was a lead for this. Michael Reakes said that he was one of the lay members on the Research & Development Committee and he believed that the team was doing a really good job. Funding was not an issue.

21/72 Questions received in advance from the Public

Jenny McAleese advised that the CoG had received a number of questions and were in the process of answering these. Each person who submitted a question will be emailed a reply to their question(s) and the Q&A document will be added to the Trust website.

She believed the current process needed improving and will pick this up with Mike Taylor and obtain feedback from members of the public.

Action: Jenny McAleese to discuss current Q&A process with members of the Trust and members of the public.

21/73 Any Other Business

Membership Matters

Mike Taylor requested the Council to consider the following suggestions and feedback to Tracy Astley with their comments.

- Change of frequency of Membership Matters from monthly to quarterly.
- Change of format from email to magazine style.

No further business was discussed.

Action: Governors to feedback their comments re the changes to frequency/format of Membership Matters.

21/74 Reflections of the meeting

- The interim Chair did a great job of chairing the meeting. Everyone was treated fairly and everyone behaved responsibly. It was a nice, pleasant meeting to be in.
- The information we received with the agenda and all actions from the different committees were really informative.
- I liked the fact that it was a virtual meeting.
- Could make better use of the functions, chat, emoji's, etc.

- Make the meeting more equitable with regard to video/audio.
- Separate the agenda from the papers.
- It has been a really inclusive meeting.

21/75 Time and Date of the next meeting

The next meeting will be held on 15 March 2022. Details TBC.

Public CoG – Action Log

No.	Date of Meeting	Action	Responsible Officer	Due Date	Comments
21/61	08.12.21	Feedback re Trust/ICS digital agenda at the March CoG meeting.	Mike Taylor	March 2022	CDIO invited to attend meeting. Completed.
21/65	08.12.21	Raise the prospect of using portakabins as temporary wards to create more space.	Jenny McAleese	December 2021	Jenny spoke to COO who said staffing was a problem. Suggestion was to use as decant wards. Complete.
21/68	08.12.21	Bring the BAF to the next private CoG meeting.	Mike Taylor	March 2022	On Private CoG agenda. Completed.
21/68	08.12.21	Invite Dylan Roberts, CDIO, to the next public CoG meeting to discuss how the use of digital could transform patient services.	Tracy Astley	March 2022	On agenda. Completed.
21/70	08.12.21	Give feedback to Tracy Astley on the new style Governors Report.	Governors	December 2021	None received. Completed.
21/70	08.12.21	Look into whether the CoG could receive the Patient Experience Complaints report given to the Board.	Mike Taylor	March 2022	

21/70	08.12.21	Pick up with the Charity Team on the cessation of the Night Owl Project.	Jenny McAleese	March 2022	Jenny spoke with Chief Nurse who will ascertain if there is merit in asking for the packs to be funded again. Completed.
21/70	08.12.21	Speak to Amit Bhagwat on Equality, Diversity & Inclusion and protected characteristics.	Jenny McAleese	March 2022	Ongoing
21/72	08.12.21	Discuss current Q&A process with members of the Trust and members of the public.	Jenny McAleese	March 2022	New process in place. Completed.
21/73	08.12.21	Feedback comments re the changes to frequency/format of Membership Matters to Tracy Astley.	Governors	January 2022	Frequency/Format to remain the same. Completed.