

**Meeting of the Council of Governors**  
**Thursday 25 October 2018**

<b>Present:</b>	Sir Tim Melville-Ross CBE	Chairman
	Nagaraja Akkisetty	Public Governor
	Paul Ashton	Public Governor
	John Bootes	Lead Governor
	Neil Burgess	Public Governor
	Eric Cato	Public Governor
	Steve Cummaford	Public Governor
	Dr Coral Jones	Public Governor
	Dr Paul Kelland	Appointed Governor
	Suzanne Levy	Staff Governor
	Stuart Maxwell	Public Governor
	Yvonne Maxwell	Appointed Governor Elect
	Councillor Jeremy Mayhew	Appointed Governor
	Chris Mullett	Staff Governor
	Sally Mulready	Public Governor
	Saleem Siddiqui	Public Governor
	Christopher Sills	Public Governor
	Mary Rose Thomson	Public Governor
	Vijay Venkateshappa	Staff Governor
	Hilda Walsh	Staff Governor

**In Attendance:**

Tracey Fletcher	Chief Executive Officer
Sir John Gieve	Non-Executive Director
Richard Hewes	KPMG (item 6)
Dylan Jones	Chief Operating Officer
Tyrieana Long	Company Secretary (minutes)
Martin Smith	Non-Executive Director
Daniel Waldron	Director of Organisational Transformation
Jonathan Wilson	Director of Finance

**1. Welcome**

1.1 The Chair opened the meeting and welcomed all present. He introduced and welcomed the Governors who were attending their first Council meeting. They were:

- Dr Paul Kelland, CCG Appointed Governor
- Councillor Jeremy Mayhew, Local Authority Governor City of London Corporation
- Nagaraja Akkisetty, Public Outer Area

- Neil Jonathan Burgess, Public Hackney
- Steve Cummaford, Public Hackney
- Sally Mulready, Public Hackney
- Christopher Sills, Public Hackney
- Vijay Venkateshappa, Clinical Staff Governor

1.2 He also confirmed that Julia Bennet, Dr Helen Cugnoni and Stuart Maxwell had been elected for a further three year term of office. Finally he introduced Yvonne Maxwell who had been nominated by Hackney Council to replace Ben Hayhurst. This was subject to approval by the Council's Cabinet on 29 October.

## 2. Apologies for absence

2.1 Apologies were received from:

Julia Bennett	Public Governor
Dr Helen Cugnoni	Staff Governor
Ibrahim Hafeji	Staff Governor
Judith Sunderland	Appointed Governor
Susan Osborne	Non-Executive Director
Catherine Pelley	Interim Chief Nurse & Director of Governance
Vanni Treves	Non-Executive Director
Polly Weitzman	Non-Executive Director
Jude Williams	Non-Executive Director

## 3. Declaration of interests regarding items on the agenda

3.1 There were no declarations of interests.

## 4. Minutes of the previous meeting and matters arising

4.1 The minutes of the previous meeting held on 19 July 2018 and the Annual Members Meeting on 13 September 2018 were considered. The minutes were approved as a true record subject to adding Dr Coral Jones to the list of attendees at the September AMM.

4.2 Further to Jane Milligan's presentation at the July meeting Stuart Maxwell asked how the Governors would receive further updates on the East London Health and Care Partnership. Tracey Fletcher recognised the importance of keeping the Governors and Board informed on developments and agreed to think about the best form of communication. **Action TF**

### *Action Log*

4.3 The Governors noted the Action Log updates provided with the meeting papers.

## 5. Chief Executive's Report

5.1 Tracey Fletcher introduced her report and highlighted:

- a) The outstanding and good ratings received following the CQC inspection of the acute site in April 2018. The next CQC visit was anticipated in 18 months' time. The Governors acknowledged the very CQC good results and requested that their appreciation of the staff was minuted.
  - b) The signing of the Smoke Free Pledge in September by all health care providers in Hackney.
  - c) The Acute Pain's Team success in winning the Team of the Year award at the National Acute Pain Symposium conference. Six nurses had also been shortlisted for the Nursing Times awards on 31 October, including a nomination for Nurse Leader of the Year.
  - d) The opening of the Leadenhall Sexual Health Centre in the City which was confirmed as a walk in centre and open to all.
- 5.2 The summary of the 2017 National Inpatient Survey results. Tracey Fletcher advised that she would ask Catherine Pelley to present the action plan at the next meeting.
  - 5.3 Tracey Fletcher advised Governors that she had listened to their concerns about the staffing of the front reception desk and had taken action to resolve the situation. She acknowledged the importance of having a receptionist in place as the first point of contact for those arriving at the hospital.
  - 5.4 Tracey Fletcher updated the Governors on collaborative work with Barts Health to develop a joint partnership for the delivery of pathology services. The Board of Directors discussed an initial proposal in September but further details was required on the clinical model, financial arrangements and the practicalities of a partnership arrangement. In terms of the timescale it was anticipated that a joint proposal would be ready at the beginning of the new financial year providing an agreement could be reached.
  - 5.5 The Governors highlighted the good service provided by the Homerton and expressed concerns about the quality and the efficiency of the pathology service in the event of a joint partnership with Barts Health. In response to a question Tracey Fletcher advised that the driver for change was the national drive for pathology networks and the need to increase the size of the existing facility on the Homerton site.
  - 5.6 Tracey Fletcher acknowledged there were risks associated with maintaining the status quo or through entering into a partnership arrangement. There were important service quality issues to consider including histopathology provision.
  - 5.7 Christopher Sills asked about an update on infection which he remembered as a regular report to Governors. Tracey Fletcher agreed to investigate. **Action: TF**
  - 5.8 The Council of Governors **noted** the Chief Executive's Report.

## **6. External Audit Presentation**

- 6.1 Richard Hewes, Director at KPMG introduced a report on the work of External Audit in 2017/18. The report confirmed the audit findings on the financial statements which was an unqualified (clean) conclusion and on the quality report which was limited assurance.
- 6.2 Richard Hewes explained the meaning of the audit findings, confirming that limited assurance on the quality report was a clean opinion. The qualified opinions that were given in respect of the quality indicators were purely related to concerns about the reliability of the data and not about the quality of patient care.
- 6.3 He advised that planning for the 2018/19 audit was underway and as in previous years the Governors would be asked to select a quality indicator in the New Year.

6.4 The Council of Governors **noted** the 2017/18 External Audit Presentation.

## **7. Overseas Visitors**

7.1 Jonathan Wilson delivered a slide presentation on overseas patients which confirmed:

- a) The eligibility criteria for free NHS treatment with specific examples
- b) New mandatory regulations that had been introduced in October 2017
- c) The Trust's overseas process and the outcome of a visit from NHS Improvement

7.2 Johnathan Wilson confirmed that 90 patients were invoiced for treatment and the breakdown of nationality was:

- Africa 41
- Pacific Rim 21
- Europe 10
- Others 18

7.3 Following the presentation Governors raised a number of questions regarding:

- a) The opportunity for income generation. Jonathan Wilson advised that the Trust had no specific financial targets in relation to overseas patients. NHS Improvement had identified an "income opportunity" based on a comparison with peer trusts.
- b) The person responsible for making decisions. It was confirmed that in emergency situations decisions were based on clinical need and that the regulations did not apply to A&E patients. In non-emergency circumstances the relevant clinical team was still responsible for deciding whether a patient should be treated but they would be charged if the eligibility criteria for free treatment were not met.
- c) Guidance for patients. Jonathan Wilson advised that the Overseas Visitors Team would respond to patient enquiries and there were guidance notes available.

7.4 The Governors acknowledged the humanitarian dilemma for hospital staff in the application of the mandatory regulations and the possible deterrent for people from overseas in seeking medical treatment.

## **8. Audit Committee Report**

8.1 Martin Smith presented the summary report of the September 2018 Audit Committee and an update on Internal Audit work. He highlighted the results of seven internal audit reports and their key recommendations. Partial assurance had been received further to a review of:

- Complaints Management
- Fire Safety and Minor Works

8.2 He advised that Catherine Pelley was leading on a review of the complaints and PALS function and a programme of work was in place to ensure that the Trust was compliant with all fire safety measures.

- 8.3 Christopher Sills asked if there were adequate arrangements in place for the safe evacuation of patients. Martin Smith advised that the fire safety review was around fire evacuation plans, fire evacuation drills and fire training. Some recommendations had been made which were related to having the right documentation in place. There were no patient safety issues raised.
- 8.4 Martin Smith thanked Jonathan Wilson and the Finance Team for their efforts in recovering longstanding debt which had been reduced by £10m.
- 8.5 The Council of Governors **noted** the Audit Committee Report.

## **9. Council of Governors Elections Update**

- 9.1 The above report was taken as read.
- 9.2 The Council of Governors **noted** the Elections Update.

## **10. Open Forum**

- 10.1 Stuart Maxwell asked if staff were charged for parking their cars. Tracey Fletcher confirmed that car park charges had been recently reviewed taking into account public transport costs and being mindful of equity when new fees were introduced. Overnight and weekend parking was free of charge.

## **11. Questions from Members of the Public**

- 11.1 A local GP referred to the earlier discussion on the pathology service and urged caution regarding the proposed partnership with Barts Health. He said that patients would suffer in the event of service delays and an increase in delays would not yield financial savings. He praised the Homerton service and advised that GPs were largely unaware of the national drive to change the delivery model within the East London Partnership.
- 11.2 Tracey Fletcher and the Chair acknowledged the concerns that had been raised and advised that the Board had not made a firm decision about future pathology service provision.
- 11.3 Stuart Maxwell said that the Governors shared the same concerns and they would continue to raise concerns expressed by their public constituents.

## **12. Report from the Nomination Committee (Governors Only)**

- 12.1 John Bootes reported the outcome of a Nominations Committee meeting held on 5 November 2018 to consider the applications for the role of Trust Chair. Ten applications had been submitted and four candidates had been shortlisted for interview, which included two internal candidates. Interviews were scheduled to take place in late November.

### Council of Governors Action Log

Date Arising	Action	Lead	By	Status
July 2018	2017 ISS staff survey results - Confirm details of the 2016 results to compare the response rates in each pay band.	DW	Oct 2018	P
Oct 2018	Consider the best way to inform Governors of ELCHP developments	TF	Dec 2018	
Oct 2018	Review previous infection control reports to Governors and consider the re-introduction of infection updates.	TF	Dec 2018	