

**Meeting of the Board of Directors
Wednesday 27th January 2010**

Present:	Michael Cassidy	Chairman
	Nancy Hallett	Chief Executive
	Andrew Panniker	Director of Environment
	Pauline Brown	Chief Nurse & Director of Governance
	Cheryl Clements	Director of Workforce
	Dominic Tkaczyk	Interim Director of Finance
	Eric Sorensen	Non-Executive Director
	David Stewart	Non-Executive Director
	Imelda Redmond	Non-Executive Director
	Stephen Hay	Non-Executive Director
	Professor Chris Griffiths	Non-Executive Director

Minutes: David Bridger Head of Governance

1.0 Chairman's Welcome and Introduction

Michael Cassidy, Chairman, opened the meeting.

2.0 Apologies for absence

Dr John Coakley	Medical Director
Michael Keith	Non-Executive Director
Mark Ogden-Meade	Interim Chief Operating Officer

3.0 Declaration of interests regarding items on the agenda

There were no declarations of interest.

4.0 Minutes of the previous meeting held on 16.12.09 and matters arising

Amended minutes of the previous meeting were agreed.

5.0 Chairman's Report

Michael Cassidy informed the Board of the good news regarding the award of a CBE in the New Year's honours to Imelda Redmond, Non-Executive Director. The Board congratulated her on the award.

6.0 Chief Executive's Report

Use of Misoprostol – media coverage

Ms Katrina Erskine, Consultant Obstetrician attended the meeting for this item. She provided the Board with a briefing regarding a case reported in the media of a baby

death and the reference to the use of the drug Misoprostol in this case. She assured the Board that it had been demonstrated by the Coroner that the death was not associated with the use of Misoprostol but rather to the failure of a member of staff to adhere to strict protocols. The member of staff has now been dismissed. Miss Erskine then provided the Board with a summary of the drug's use and the research associated with its use in maternity. The Board thanked Ms Erskine for her time and the information she had provided. The Board did not require any further action to be taken.

Nancy Hallett, Chief Executive welcomed Dominic Tkaczyk, Interim Director of Finance and notified the Board that Jo Farrar has been appointed into the substantive post as Director of Finance commencing on 1st March 2010. She also welcomed Mark Ogden-Meade as Interim Chief Operating Officer to the Trust. She informed the Board that interviews for the post of Chief Nurse & Director of Governance will be taking place on 24th February 2010.

Nancy Hallett provided the Board with an update regarding the planned closure of the North London line. She confirmed that the closure will start on 20th February for approximately 16 weeks. The impact of the closure will be significant and Cheryl Clements, Director of Workforce and Andrew Panniker, Director of Environment are leading on work to liaise with TfL and support staff with travel plans and alternative travel arrangements. A question was raised regarding the potential impact on performance targets. It was noted that this will affect certain elective patient groups but the most likely impact will be on staff recruitment.

Nancy Hallett confirmed that the legacy from GE had been realised and that the legacy from Coca Cola had been confirmed. Associated with this Homerton held a launch day for the 'Health Works' workplace health initiative which was very well attended.

Nancy Hallett informed the Board that the HPA decision to close Whipps Cross Hospital to adult admissions and emergency ambulances as a result of a Norovirus outbreak had impacted on Homerton. The Trust has implemented its business continuity plan and is working with external agencies to expedite discharges. There is a risk that the Trusts performance targets including A&E waits will be affected.

7.0 Corporate Governance

7.1 Care Quality Commission Registration

Pauline Brown, Chief Nurse & Director of Governance presented the details of the registration declaration submitted to the Care Quality Commission (CQC). The deadline for this submission is the 29th January and the submission will then be considered by the CQC. She provided details of the regulated activities that Homerton will be registered to provide and stated that the Trust will be declaring compliance against the new essential standards of quality and safety for each regulated activity. It was noted that the submitting Executive Director is required to demonstrate that they have had a Criminal Records Bureau (CRB) check.

A query was raised regarding CRB checks and whether these were processed internally or externally. It was stated that these were processed internally within the recruitment team using a paper based system. The workforce team are looking into transferring to an electronic based system but there are significant costs associated with this that need to be considered.

The Board endorsed the declaration.

7.2 Equalities Report

Cheryl Clements, Director of Workforce presented the annual equality and diversity report. She provided an overview of equality and diversity in the Trust stating that whilst there were certain data quality issues the findings were largely positive. She summarised a number of development needs that the report had identified and how the Trust aims to address these. The findings of the report will be published on the Trust website.

7.3 Corporate Risk Strategy 2010-13

Pauline Brown presented the Corporate Risk Strategy for the Trust. She stated that there was a requirement under the NHS Litigation Authority (NHSLA) standards that the Trusts Risk Strategy was Board endorsed. She provided a summary of the document which aims to describe the Trust's approach to the management of Risk. The document had been approved by the Risk Committee in December 2009 subject to the inclusion of the role of the Finance Committee which had now been included. One typographical error was noted on page 16 where the Risk Committee will receive all risks greater than 12 not 8 as stated. The Board approved the Strategy.

7.4 Q3 Board Assurance Framework (BAF)

Pauline Brown presented the BAF to December 2009 which had been reviewed by the Risk Committee. She drew the board's attention to two risks:

2.4 – 62 Day Cancer target. This remains a significant risk which relates to the specific issue of the urology patient pathway and she assured the board that an action plan was in place to address this risk.

2.6.2 – Compliance with Fire Regulations - A fire evacuation policy has been approved and local plans are being drafted to address this risk.

The Board noted the content of the BAF.

7.5 Q3 Monitor Governance Declaration

Pauline Brown presented the Monitor declaration, due on 31/01/2010 and stated that the Trust will be unable to sign declaration one due to underperformance on the 62 day target. As stated above this relates to specific issues which affects Homerton due to the incidence of prostatic cancer in the local population. She summarised the actions to address the performance issue documented on the submission. Also included on the submission were the Executive Director appointments and a statement regarding Governor vacancies. The Board agreed the declaration.

7.5 Consultation on amendments to the Monitor Compliance Framework

Pauline Brown provided a verbal report on the current consultation on amendments to the Monitor Compliance Framework for 2010/11. Regarding governance and risk she stated that the proposals included greater scrutiny of risk escalation and the inclusion of mandatory services risk. She stated that there was nothing that the Trust would need to contest.

Dominic Tkaczyk, Interim Director of Finance provided a verbal report regarding the financial amendments. He stated that it aimed to strengthen the risk ratings with indicators for early warning of financial failure using 10 indicators. Provisional assessment of Homerton against these indicated that one standard (debtor management) was not green.

8.0 Business Planning & Performance Management

8.1 Finance and Performance Report Month 09

Dominic Tkaczyk presented the finance and performance report. He reported that the financial position at the end of the first 9 months of 2009/10 was a surplus of £4.5m. This was £0.4m higher than the previous month and ahead of plan for the period and he outlined the reasons for the improved position. It is likely that the PCT will, in future, question the uses of allocations for areas of under spend. Additional work is being undertaken to analyse long term debt position and will be presented to the Audit Committee.

Nancy Hallett presented the performance-related Key Performance Indicators. The key risk remains the 62-day cancer target as described above and Mark Ogden-Meade, Interim Chief Operating Officer is carrying out focused work to address this risk.

A question was raised as to why OPD waiting was indicated as red. It was explained that this was because the Trust was not meeting a locally set target. The Board were assured that the national target was being met.

8.2 2010/11 Financial Planning Update

Dominic Tkaczyk presented a paper providing an overview on progress with regard to the Financial Planning for 2010-11. He stated that the estimated savings will now be updated taking into account the application of CQUIN schemes. He went on to explain that contract negotiations with the Sector Acute Commissioning Unit (SACU) have still not concluded and he was unable to assure the Board on the significance of any changes in income. He explained that the PCT's will want to achieve reductions in outpatient and A&E attendances in line with Health4NEL.

Dominic Tkaczyk then provided an update on the productivity and efficiency programme (PEP) stating that further progress had been made with £6.5m of potential savings and £2.9m of confirmed savings. He also provided a summary of the cost pressures identified by the divisions.

It was agreed that a further report providing progress with PEP will be submitted to the Board in February.

The board noted the content of the report.

9.0 Clinical Governance

9.1 Serious Untoward Incident Reports***

This item was discussed under reserved business.

10. Human Resources Governance

10.1 Workforce KPI's

Cheryl Clements presented the workforce performance report for December 2009. She stated that sickness rates remain below the NHS average, staff turnover is being investigated in some areas and improvements are anticipated in Employee Health Management service now that active vaccination campaigns have finished. It was noted that levels of training and appraisal will be provided on future reports.

10.1 AAC Ratification

The board ratified the appointment of:

Mr Sanjay Agrawal - Consultant Surgeon (Upper GI)

Dr Maaret Ojalehto – Consultant radiologist

Dr Penelope Talelli – Consultant in Restorative Neurology and Stroke Medicine

11. Strategy and Policy

11.1 Strategic Outline Case: Organisational restructuring for Homerton, Newham and Whipps Cross Hospitals***

This item was discussed under reserved business

11.2 Health4NEL Consultation Response***

This item was discussed under reserved business

11.3 East London Integrated Care (ELIC) Proposal

Nancy Hallett stated that in the absence of Mark Ogden-Meade this item will be deferred until the February Board meeting.

11.4 City & Hackney Mental Health Inpatient Services Relocation Consultation***

This item was discussed under reserved business.

12. Sub-Committee Reports

David Stewart, Non-Executive Director provided the board with a summary of the last Risk Committee meeting.

Stephen Hay, Non-Executive Director provided the Board with a summary of the last Audit Committee meeting.

13. Any Other Business

None.