

BOARD OF DIRECTORS

Meeting date: 28 March 2007

Agenda Item: 4

Paper: 07/30

Title: Minutes of the Meeting held on 28 February 2007

Summary This document records the items discussed at the last Board of Directors meeting.

Action: The Board is asked approve the Minutes as an accurate record of the matters arising.

Prepared by: Sallie Rumbold, Acting Director of Operations
Presented by: Michael Cassidy, Chairman

**Meeting of the Board of Directors
Wednesday 28 February 2007**

Present

Michael Cassidy	-	Chairman
Nancy Hallett	-	Chief Executive
Tracey Fletcher	-	Director of Planning and Service Development
Pauline Brown	-	Director of Corporate Development
Andrew Panniker	-	Director of HR & Environment
Guy Young	-	Director of Nursing & Quality
Caroline Clarke	-	Director of Finance & Information
Ian Luder	-	Non Executive Director
Eric Sorensen	-	Non Executive Director
Jessica Crowe	-	Non Executive Director
Stephen Hay	-	Non Executive Director
Kate Costeloe	-	Non Executive Director
Michael Keith	-	Non Executive Director
Sallie Rumbold	-	Minute taker

1.0 Chairman's Welcome and Introduction

Michael Cassidy, Chairman, opened the meeting and welcomed Michael Keith, newly appointed Non Executive Director.

2.0 Apologies for Absence

John Coakley, Medical Director

3.0 Declaration of interests regarding items on the agenda

None.

4.0 Minutes of the previous meeting held on 24th January 2007 and matters arising

The minutes of the previous meeting were agreed as a true record with the following amendments:

Minute 8.1 Paragraph 3 should read 90K and not 990K

5.0 Chairman's Report

Michael Cassidy, Chairman reported that he had written to Jules Pipe about controlled parking zone (CPZ) and the implications for Homerton. Jessica Crowe, Non Executive Director commented that the public response to the proposed scheme had been mixed. A decision on the outcome was awaited.

Mr Cassidy provided positive feedback about the Governors and Directors meeting held on 15th February. It was noted that the meeting was a useful and productive exchange of ideas and information.

Mr Cassidy reported that he and Nancy Hallett Chief Executive had met with Meg Hillier MP to discuss current issues facing the Homerton.

6.0 Chief Executive's Report

Nancy Hallett, Chief Executive, reported that Monitor had reviewed the requirements for ongoing monthly meetings with the Trust and had stood the Trust down subject to the Trust's financial position and risk rating. A review meeting was scheduled for May. Ms Hallett reported that Dr Richard Budgett had been appointed as Chief Medical Officer for the London Organising Committee for the Olympic Games (LOCOG). He would hold an honorary contract with the Trust and would increase his time commitment to the role incrementally leading up to the games. Ms Hallett also reported that recruitment for the LOCOG Medical Manager had commenced.

Eric Sorensen, Non Executive Director tabled the Olympic Delivery Authority (ODA) and London Development Agency (LDA) publication "Commitment to Sustainable Regeneration" which sets out the continuing commitment of the ODA and LDA to achieving long term sustainable regeneration. Mr Sorensen drew attention to the security barrier around the site due to come into force in July. Mr Sorensen alerted the Board to the potential impact of this imposed traffic restriction on Homerton.

7. Corporate Governance and Hospital Secretary's Report

7.1 Board Assurance Framework

Pauline Brown, Director of Corporate Development presented the Board Assurance Framework and summary risk report. Ms Brown reported a positive trend and a reduction in risk scores in several areas. New risks related to breach of cancer targets, the impact of the proposed controlled parking zone,

modernising medical careers, implementation and failing to ensure a sustained elective base were noted and discussed. Stephen Hay, Non Executive Director sought further assurance about EPR stability following the code upgrade. Tracey Fletcher, Director of Service Development, explained that this was a legacy issue and that the team continued to work with Cerner to rectify.

7.2 Standing Committees of the Board

Ms Brown presented the review of the standing and sub committees of the Board of Directors. Committees were reviewed with the respective chair commenting on fitness for purpose and the effective functioning of each committee. The following recommendations were approved by the Board:

Audit Committee

The Board confirmed that the quorum necessary for the transaction of business shall be two independent non executive directors. Professor Kate Costeloe would remain a member of the committee and one other independent director would be invited to join. Jessica Crowe, Non Executive Director questioned whether the minutes of the Audit Committee should be in the public domain. Fellow board members commented that as a standing committee of the Board, the reporting requirements ensured accountability and transparency through the board minutes and annual report which were available on the web site. Ms Crowe asked that the Board return to this discussion.

Remuneration Committee (Executive Directors)

The Board approved the Terms of Reference.

Nominations Committee (Executive Directors)

The Board approved the Terms of Reference.

Charitable Funds Committee

The Board approved the Terms of Reference.

Risk Committee

The Board approved the Terms of Reference with the following amendment; Membership to stipulate two NED's one of whom one should chair the committee.

Finance Committee

The Board considered the role of the Finance Committee and agreed that its key role was to undertake detailed preliminary work on budgets and financial flows. Ian Luder, Non Executive Director, explained that this would ensure that points of principle were presented and discussed at Board meetings. It was agreed that a NED should chair the committee and at least two NEDs should be members. Stephen Hay, Non Executive Director and Audit Committee chair reported that he would stand down as a member of the Finance Committee to ensure his independence.

7.3 Annual Health Check

Pauline Brown presented the Health Care Commission timetable for the Trust declaration on the extent to which the Trust meets the 2006/2007 core standards. Ms Brown explained the requirement to report performance against the Hygiene Code and the developmental standards.

Eric Sorenson, Non Executive Director, enquired about the Doctor Foster software purchased by the Trust to support evidence reporting. It was noted that the software would be demonstrated to the Board as part of the Board declaration process.

8.0 Business Planning and Performance Management

8.1 Finance and Performance Report – Month 10

Caroline Clarke, Director of Finance & Information presented the month 10 finance report. Ms Clarke forecasted an improved position at the end of March. Ms Clarke reported a healthy cash position at the end of February but the Board were asked to note the PACS additional finance was due for repayment in March. Ms Clarke noted that a contract variation with City & Hackney would further improve the position by £300k.

Tracey Fletcher, Director of Service Development reported a busy period in Accident & Emergency. Both the 4 week rolling target and quarter target remain over 98%.

Ian Luder, Non Executive Director queried whether the attendances indicated that the Trust was running below plan. Ms Fletcher explained the current position against contract. Mr Luder enquired about the Cancer target and queried the setting of the 11 week flag on EPR. Ms Fletcher reported that setting a 9 week flag would pose an increased risk in terms of reporting and emphasised that the current system works well in outpatients. Ms Hallett alerted the Board to two possible cancer target breaches. She explained the complex nature of one of the potential breaches and resolved to keep the Board updated due to the possible risk of receiving a red rating. Eric Sorensen enquired as to whether the

variance in Outpatients first attendances and follow up was a data capture or compliance issue. Ms Clarke replied that the recording had changed in Quarter 3 but the variance required further analysis. Ms Clarke would follow this up.

8.2 Financial Position 2007/2008

Caroline Clarke presented a paper outlining the key risks for 07/08. It was noted that the budget for next year was not yet finalised. Discussion focused on the key risks and recommendations identified by the Finance Committee and the Board endorsed these:

- To clear the accumulated deficit.
- To build in year contingencies and reserves back up to a reasonable level to mitigate against in year risks and allow in year development where necessary.
- To create a retained surplus for future investment without the need to borrow.
- To improve the Trust's liquidity

Stephen Hay, Non Executive Director commented that the paper provided a good summary and sensitivity analysis.

8.3 Performance Challenges 2007/08

Sallie Rumbold, Acting Director Operations presented key risks and current progress regarding the Sexual Health 48 hour access target and the 18 week target. Ms Rumbold explained the short term plan to increase resources within the Department of Sexual Health to increase capacity. The possible proposal by the PCT to extend care of asymptomatic patients by community staff within the Department of Sexual Health was also considered by the Board. The Board were concerned that the implications of such a proposal be carefully considered and explored. Ms Rumbold agreed that any proposal made by the PCT would be returned to the Board for consideration and comment but at present no formal discussions had been had.

Ms Rumbold explained the three key work streams in terms of the 18 week target and how the national milestones would be achieved. The Board received a verbal summary of current issues and plans in place to address the challenges.

8.4 FRP Update 2006/2007 and 2007/2008

Tracey Fletcher, Director of Service Development reported that the FRP has a target of 5.6 million for 2007/2008.

Michael Cassidy asked for an update on the Connecting for Health (CFH) delay. He proposed that 07/08 terms were a different proposition to those British Telecom agreed in 2006/07 and should be adjusted accordingly.

Jessica Crowe asked about staff and union activity in response to the FRP. Andrew Panniker, Director of HR and Environment reported Staffside relations continued to be productive at present.

9.0 SUI

Guy Young, Director of Nursing & Quality, presented the SUI report. There were 4 current SUI's reported.

10.0 Human Resources Governance

10.1 Ratification of Consultant Appointments

None

10.2 Significant HR Issues***

This item was reported under reserved business.

11. Policy, Strategy and Innovation

11.1 London Borough of Hackney Children's Trust Arrangements

Nancy Hallett presented Hackney Borough's proposals for pan-Borough arrangements for ensuring compliance with the Every Child Matters policy. The Board was content to support the proposals, albeit some further detail was required with regard to the proposed financial contribution. This however was thought unlikely to be a sticking point. Ms Hallett was asked to respond formally on behalf of the Board.

11.2 Strategy Update & Proposal for Board Strategy Day***

This item was reported under reserved business.

12.0 Papers for Information

12.1 Response to Monitor Consultation: Proposed Amendments to the Compliance Framework

The Board noted the response which incorporated changes agreed at the last Board meeting.

12.2 Barts and The London – Foundation Trust Status Consultation

The Board noted the Consultation paper

12.3 Changing NHS Confederation Core Membership: Consultation

Nancy Hallett, Chief Executive explained that the changes were mainly around the request to allow the independent sector to join the Confederation. The Board did not have any objections to this proposal.

12.4 Equality and Human Rights in the NHS: A guide for NHS Boards

Pauline Brown, Director Corporate Development explained that this guide outlined the Boards obligations regarding Equality and Human Rights. The Board noted this paper.

Subcommittees of the Board of Directors

Ian Luder, Non Executive Director gave a verbal report on the Risk Committee. The last meeting had reviewed all risks on the risk register and it was proposed that only risks considered 'high risk' would be reported to the Board in future. The minutes of the Risk Committee were awaited.

13.0 Any Other Business

None

14.0 Dates of forthcoming meetings

Wednesday 28 March
Wednesday 25 April
Wednesday 30 May