

**MEETING OF THE COUNCIL OF GOVERNORS
HELD AT 16:00 HOURS ON THURSDAY 31 OCTOBER 2019
IN SEMINAR ROOM, EDUCATION CENTRE, AIREDALE GENERAL HOSPITAL,
SKIPTON ROAD, STEETON, KEIGHLEY**

PRESENT – COUNCIL OF GOVERNORS:

Andrew Gold (Chair)
John Bootland, Public Governor, Keighley Central
Olukayode Dada, Public Governor, Skipton
Karen Ellison, Public Governor, Ilkley and Wharfedale
David Haston Staff Governor, Nursing and Midwives
Christine Highley, Public Governor, Keighley West and Worth Valley
Richard Jackson, Staff Governor, Doctor and Dentists
Paul Maskell, Public Governor, West Craven
Cllr Gillian Quinn, Stakeholder Governor, North Yorkshire County Council
Ros Seton, Public Governor, Bingley Rural
Jerry Stanford, Public Governor, Pendle East and Colne (Lead Governor)
Cllr Tom Whipp, Stakeholder Governor, Pendle Borough Council

IN ATTENDANCE:

Jill Asbury, Director of Nursing
Andrew Copley, Director of Finance
Andrew Dumbleton, Non-Executive Director
Alan Hart-Thomas, Deputy Medical Director
Maggie Helliwell, Non-Executive Director
Peter Home (Member and resident of Bingley who currently have no Public Governor)
Melanie Hudson, Non-Executive Director
Stella Jackson, Head of Corporate Governance (minute taker)
Nadira Mirza, Non-Executive Director
Victoria Pickles, Associate Director of Corporate Affairs and Group Company Secretary

APOLOGIES FOR ABSENCE (GOVERNORS):

Shamim Akhtar, Stakeholder Governor, Voluntary Sector
Margaret Berry, Public Governor, South Craven
Nick Cole, Public Governor, Craven
Annette Ferrier, Staff Governor, Allied Health Professionals
Cllr Caroline Firth, Stakeholder Governor, Bradford Metropolitan District Council
Michael Smith, Staff Governor, All Other Staff

The Chair opened the meeting by welcoming all attendees, and in particular Peter Home (a member that was interested in becoming a Governor for Bingley) to the Council of Governors' meeting in public.

60/19 DECLARATION OF INTERESTS

[All present retrospectively declared an interest in the discussion regarding car parking at agenda item 10].

There were no other declarations of interests.

61/19 MINUTES OF COUNCIL OF GOVERNORS' MEETING HELD ON 1 AUGUST 2019

The minutes of the public meeting of the Council of Governors meeting held on 1 August 2019 were approved as a correct record of the meeting subject to the following amendments:

- Item 48/19: Minutes of Council of Governors' Meeting Held on 30 May 2019 – second sentence to read `However, *the Council of Governors* did not consider that the minutes robustly reflected.....`;
- Item 48/19: Minutes of Council of Governors' Meeting Held on 30 May 2019 – final sentence to read `The Chair agreed that the draft minutes of future meetings would be circulated to Governors once his comments had been incorporated *and this would usually be within three weeks of the Council of Governors meeting*`;
- Item 57/19: Questions from Members and Governors – the following words to be added to the first sentence of the `question regarding never events` `Richard Jackson, a Staff Governor with twenty four years Critical Care Consultant experience and eighteen years Critical Care Royal College Examining experience, informed Governors the CQC.....`;
- Item 57/19: Questions from Members and Governors – Car Parking Fines - the paragraph to be replaced with `Richard Jackson, a Staff Governor, asked Jeremy Cross why ANPR technology could not be used to the benefit of staff, with car park security cross-checking a database of number plates before issuing a PCN for not displaying a permit. Often, particularly at night in emergency situations, displaying a permit was forgotten by staff. **Action: JC, Non-Executive Director, to raise this with the Managing Director of AGH Solutions Ltd**`.

Cllr Quinn considered it appropriate that the Trust consider recording the minutes of its future meetings as was the practice at the Council. **Action: Associate Director of Corporate Affairs/Head of Corporate Governance to benchmark this practice within the NHS.**

62/19 MATTERS ARISING NOT COVERED ELSEWHERE ON THE AGENDA

Actions

- Item 14/3/2019-1: Company Secretary's Report – Constitutional Changes – it was not yet known when the revised model constitution would be published. Consequently, a review of public membership areas would be undertaken in the New Year and would be presented to the February meeting of the Council of Governors. **Action: Associate Director of Corporate Affairs/Head of Corporate Governance to undertake the review;** and
- Item 1/8/19-11: Any Other Business – a Public Governor reported the Audiology department had moved into the Lecture Theatre which had resolved the noise issues experienced.

The Chair then referred to the minutes regarding the `role of External Audit' presentation and reported Karen Ellison, Public Governor, would be observing future Audit and Risk Committee meetings.

There were no other matters arising.

63/19 CHAIR'S REPORT

The Chair's report was taken as read.

The Director of Finance introduced the Chief Executive's report and highlighted the following:

- Harrogate and District NHS Foundation Trust had joined the Pathology joint venture which had strengthened the service and showed a real commitment to delivering services in partnership;
- A new CCG for the Bradford & Craven District (to replace the existing CCGs in that area) was being created and NHS England/Improvement was supportive in principle of this;
- A report published by HealthWatch North Yorkshire highlighted difficulties in getting GP appointments, long distances to hospitals and a lack of transport in rural areas. The Trust was transforming outpatient services and had recently launched an 'Attend Anywhere' video consultation initiative aimed at patients who would benefit from not having to travel to receive care and treatment;
- NHSX representatives had visited the Trust to find out about the digital challenges faced and support available from NHSX. The Trust had also received a visit from Adam Brimelow (Director of Communications at NHS Providers) who wanted to gain an understanding of areas of good practice and challenges faced, particularly as a rural district hospital;
- The newly refurbished Castleberg Hospital had opened. A Public Governor expressed disappointment at not being invited to the open day as she believed this would have given Governors an opportunity to promote the role of a Governor and to encourage people to apply for the Governor vacancy in the Settle and Mid Craven constituency. In response, the Chair reported a formal opening would be taking place on 26 November and Governors would be invited to attend;
- The Trust had been selected to join a national cohort of organisations on the global Pathway to Excellence programme;
- Following approval by the Board of the business case to recruit 70 nurses from overseas, interviews would start this month; and
- The Trust was still facing significant pressure within the Emergency Department.

The Council of Governors noted the Chief Executive Report including the Finance and Performance Reports.

65/19 COMPANY SECRETARY'S REPORT

The Associate Director of Corporate Affairs introduced the Company Secretary's Report which sought approval of the Governor Involvement Group terms of reference; provided an update regarding the development of the Trust-wide Engagement Strategy; contained the Council of Governor work programme; contained guidance regarding the CQC inspection process; and contained a calendar of Governor activities.

Two of the Public Governors had joined a meeting to consider how Governors might deliver their membership engagement responsibilities and requested that they be given the opportunity to review and comment on the slides outside of the meeting. **Action: Associate Director of Corporate Affairs to forward the slides to JS and CH for comment.**

Governors then discussed the format of the newly created calendar of Governor activities and requested that: the Castleberg event be added to the calendar; the past events section be removed from the calendar; all Governor Involvement Group meetings be included (including the November and January meetings); and that the names of the NEDs attending the Governor Involvement Group meetings be added. **Action: Associate Director of Corporate Affairs to update the table and forward this to the Governor Involvement Group for further comment.** Governors also debated the purpose of the calendar and the Associate Director of Corporate Affairs reported this was not intended to duplicate or record routine items which were picked up and reported elsewhere. The Lead Governor also requested that Governors inform the Trust and other Governors should any events be occurring in their locality where membership opportunities might be promoted.

The Council of Governors:

- **Approved the Governor Involvement Group terms of reference;**
- **Noted the Trust-Wide Engagement Strategy progress update;**
- **Noted the CQC guidance regarding the CQC inspection progress and how the CQC would engage with governors during this period; and**
- **Noted the calendar of Governor activities.**

66/19 GOVERNOR ACTIVITY REPORT

The report was taken as read. The Chair thanked the Governors for observing the committee meetings.

67/19 NED ACTIVITY REPORT

The report was taken as read.

The Council of Governors noted the NED Activity Report.

68/19 QUESTIONS FROM MEMBERS AND GOVERNORS

Medicine Administrative Errors

A Public Governor noted medicine administrative errors were above normal levels and asked how NEDs were assuring themselves that corrective solutions were in place. During discussion, it transpired the Governor was referring to errors within the Integrated Care division which was an outlier when compared to other divisions within the Trust. MHe agreed to seek clarification, at the next Quality and Safety Committee, regarding the actions being taken to address the problem. **Action: MHe.** The Chair added Integrated Review meetings took place on a monthly basis and issues such as this would be picked up in that forum.

Patient Parking

A Public Governor reported patients were allocated 10 minutes free parking time and an additional 10 minute grace period when attending the Trust. He believed the time allowed for free parking should increase as the layout/spread of the hospital made it very difficult for any patient to take advantage of the free parking. He also believed the communication regarding the free parking could be improved. He then asked whether the Non-Executive Directors could justify the 10+10 minute allocation and to explain how this represented the Trust's values. As the MD of AGH Solutions was on annual leave, the Chair responded to the question and reported the Trust benchmarked its free parking policy against other trusts. He **agreed** to share the Governor's concerns with the MD of AGH Solutions and the Trust Board. **Action: Chair.**

The Governor then queried whether NEDs were assured that those patients eligible for the free parking took up the offer and that the offer was adequately communicated to patients. He noted the website contained information regarding the concessions but did not believe the information was accessible. In response, the Chair reported it was difficult to accurately assess how many patients were eligible for the offer as the transportation methods used by those patients to access the hospital were unknown. A proposal had been made for patients to be informed of the concession through outpatient letters and the status of this request would be reviewed. The Chair thanked the Governor for highlighting the issue regarding the website and reported this would be reviewed following the feedback received. **Action: Associate Director of Corporate Affairs to ensure the accessibility of the information is reviewed and Chair to request that an update regarding the comments received is provided at the Board to Council meeting.** A Staff Governor believed the Trust could be 'more pirate' in its approach to patient parking and could allocate additional free parking time to patients. He highlighted an article in the Keighley News regarding the money made by the Trust from its parking fees. In response, the Chair reported there was a need to consider the full implications of offering an increase in the concessionary parking time for patients

(including the impact on parking space for colleagues and the potential of people parking at the Trust rather than in other local areas where parking was charged for). Another Public Governor considered the Keighley News article to be misleading as it represented less than 10% of the Trust's patients.

NM then asked Governors if they had received comments from patients and families regarding the accessibility of public transport. One Governor reported a reasonable number of patients he spoke to used public transport to access the hospital and another Governor reported transport from East Lancashire was good (this entered into hospital grounds) but the Skipton service was poor as it did not enter hospital grounds. Lobbying had taken place regarding transportation issues and the bus company had reported it would need to reduce the frequency of buses should there be a requirement for these to enter hospital grounds due to the impact on the time taken for journeys.

A Staff Governor noted that NEDs did not pay for parking whilst staff did and asked about the equitability of this practice. In response, the Chair reported the Trust benchmarked its practice with that of other trusts and was not an outlier. The place of work of Non-Executive Directors was usually their home address and any expenses incurred in travelling to/from the Trust and parking at it were reimbursed. Another Staff Governor reported NEDs had received a very senior manager pay award and increment the previous year and believed it would be more equitable if staff were treated the same as NEDs in terms of parking charges. In response, the Chair reported the NEDs had not received a pay award but had received a cost of living increase which was linked to the national framework. The Associate Director of Corporate Affairs pointed out that NEDs did not receive a pay award nor any other benefits which staff received (such as holiday pay, pension contributions etc); rather they received a fixed fee. Consequently, it was difficult to compare their allowance and benefits with those of employees. A Public Governor believed those staff members that had raised concerns about the parking charges should be provided with clarity regarding the differences in terms and conditions of NEDs and staff. The Staff Governor then asked why all staff weren't allowed to park for free as he considered such a move would improve morale and esteem. In response, the Chair reported there was a need to consider the potential impact of such a move on the availability of parking space for patients. A Public Governor also highlighted potential environmental impacts of such a decision. A Public Governor pointed out the lack of awareness amongst staff about the role of a NED and how this differed to other employees and believed a communication exercise clarifying the role would prove beneficial. The Lead Governor proposed that particular staff issues such as this should be highlighted at the Staff Governor/Chair/Chief Executive meetings.

Critical Care

A Staff Governor reported a critical care options appraisal had been undertaken and asked that an update be provided to Governors regarding critical care developments. In response, MHe reported the options appraisal had been shared with staff and a plan had been developed which would partially improve the situation and bring the Trust in line with national critical care standards. The Trust was currently advertising for two consultants with a particular interest in critical care and arrangements were in place to improve the cover situation. A progress update would be provided to the CQC Response Group on 5 November and to the Quality and Safety Committee. The Staff Governor believed that ultimately, a twice-daily ward round (with once daily a minimum standard) for the most poorly patients should be undertaken, with an action plan produced outlining how this would be achieved. He then asked whether a timeframe was available for the developments. In response, MHe reported it would take up to three months for ward rounds to be undertaken on a daily basis and the Quality and Safety Committee would be monitoring and scrutinising the attainment of this. The Staff Governor then asked whether the options appraisal presentation could be circulated to all Governors. **Action: Associate Director of Corporate Affairs to speak to the Deputy Medical Director (DC) about this.** The Chair pointed out that sub-committee papers and presentations were not public documents. He also added that the Board received progress updates about action being taken in response to the CQC inspection findings. The Lead Governor queried whether financial constraints impacted on the Trust's ability to respond to the critical care issues. In response, the Chair reported the quality and safety of care was prioritised over finance and appropriate action would be taken should quality and safety be compromised. MHe added the financial implications were contained in the options appraisal and the main issue within critical care related to the national shortage of suitably

qualified staff.

2015 Disability Act

A Public Governor asked whether NEDs were assured that the provisions of the 2015 Disability Act had been fully implemented within those buildings/extensions which had been built or refurbished since 2015 and whether there was a substantive and ongoing development programme. It was **agreed** a response would be given to this question at the Board to Council meeting. **Action: Associate Director of Corporate Affairs to ensure a response to this question is obtained ahead of the meeting.**

69/19 ANY OTHER BUSINESS

There was no further business and the meeting concluded at 5.15 pm.

70/19 DATE OF NEXT MEETING:

The next meeting of the Council of Governors will be held in the Seminar Room at 4pm on Thursday, 6 February 2020.

**Council of Governors (Public)
Actions, 31 October 2019**

Note: Actions will remain on the log for one meeting post completion. Actions to be brought to a future Council of Governors meeting will be added to the work plan.

ACTION LOG

Red	Amber	Green	Blue
Overdue	Going forward	This meeting	Complete

DATE DISCUSSED	AGENDA ITEM AND ACTION	LEAD	CURRENT POSITION	DUE DATE	STATUS	DATE ACTIONED & CLOSED
14/3/2019-1	<u>Company Secretary's Report – Constitutional Changes</u> Governors to review the constituency areas and Governor representation/numbers following the publication of the revised model constitution.	VP	Should the revised model constitution not be published in the near future, a separate review of the constituency areas will be undertaken for consideration at the February 2020 meeting. Proposal to be presented to the February 2020 Council of Governors meeting	6 Feb 2020		
1/8/19-3	<u>Company Secretary's Report</u> Governors to invite candidates interested in becoming a Governor (living in those constituency areas which Governor vacancies exist) to attend future Public Council of Governor meetings.	Govs		August 2019		
1/8/19-6	<u>Questions from Members and Governors</u> Director of Nursing to arrange for a future patient story to focus on the reporting of a patient concern through PALS/the complaints process.	JA	Arrangements being made for this to occur.	Sept 2019		
1/8/19-8	<u>Questions from Members and Governors</u> Annette Ferrier/Rob Atchison to meet to consider ways in which clinical staff can be supported to fulfil their administrative duties (one option being to appoint temporary administrative staff) during the Winter period.	AF/RA		Sept 2019		

1/8/19-9	<u>Questions from Members and Governors</u> Associate Director of Corporate Affairs to request the Charitable Funds Committee to consider funding the purchase of seating for the corridors between Ward 24 and Outpatients.	VP		Sept 2019		
31/10/19-1	<u>Minutes Of Council of Governors' Meeting Held On 1 August 2019</u> Associate Director of Corporate Affairs/Head of Corporate Governance to determine whether other trusts record meeting minutes.	VP/SJ	Responses to be shared at the February Council of Governors meeting	Feb 2020		
31/10/19-2	<u>Company Secretary's Report</u> Associate Director of Corporate Affairs to forward the membership engagement slides to JS and CH for comment.	VP	Forwarded on 5 November 2019.	Nov 2019		5/11/19
31/10/19-3	<u>Company Secretary's Report</u> Associate Director of Corporate Affairs to forward an updated version of the Governor calendar of activities to the Governor Involvement Group for comment.	VP		Nov 2019		
31/10/19-4	<u>Questions from Members and Governors</u> MHe to seek clarification, via the Quality and Safety Committee, of action being taken to address the medicine administrative errors within Integrated Care.	MHe		Nov 2019		
31/10/19-5	<u>Questions from Members and Governors</u> Chair to: <ul style="list-style-type: none"> • Share, with the MD of AGH Solutions, Governor concerns regarding the 20 minute free parking restriction; • Ensure an update is provided to Governors at the Board to Council meeting regarding the feasibility of extending the 20 minute free parking arrangement. 	AG AG	Governors raised this matter directly with the MD of AGH Solutions at the Private Council of Governors meeting held on 31 October 2019.	12/12/19		
31/10/19-6	<u>Questions from Members and Governors</u> Associate Director of Corporate Affairs to ensure the accessibility of the concessionary parking information on the website is reviewed.	VP		Nov 2019		

31/10/19-7	<u>Questions from Members and Governors</u> Associate Director of Corporate Affairs to determine from the Deputy Medical Director (DC) whether the critical care options appraisal presentation can be circulated to all Governors.	VP		Nov 2019		
31/1019-8	<u>Questions from Members and Governors</u> Associate Director of Corporate Affairs to ensure feedback is provided to Governors at the Board to Council meeting regarding developments in train to ensure the Trust's estate complies with the 2015 Disability Act.	VP		12/12/19		