

LEEDS AND YORK PARTNERSHIP NHS FOUNDATION TRUST

**Minutes of the Public Meeting of the Board of Directors
held on Thursday 24 September 2020 at 9:30 am.
This meeting was held virtually via teleconference facilities**

Board Members

Apologies

Prof S Proctor	Chair of the Trust	
Prof J Baker	Non-executive Director	
Mrs J Forster Adams	Chief Operating Officer	
Miss H Grantham	Non-executive Director	
Mrs D Hanwell	Chief Financial Officer and Deputy Chief Executive	
Mr C Henry	Non-executive Director	
Mrs C Holmes	Director of Organisational Development and Workforce	
Dr C Hosker	Medical Director	
Mr A Marran	Non-executive Director	
Dr S Munro	Chief Executive	
Mrs S White	Non-executive Director (Deputy Chair of the Trust)	
Mrs C Woffendin	Director of Nursing, Quality and Professions	✓
Mr M Wright	Non-executive Director (Senior Independent Director)	

All members of the Board have full voting rights

In attendance

Mrs C Hill	Associate Director for Corporate Governance / Trust Board Secretary
Ms K McMann	Deputy Trust Board Secretary
Ms N Sanderson	Deputy Director of Nursing (deputising for Mrs Woffendin)
Five members of the public (four of whom were governors)	

Action

20/102

Prof Proctor opened the public meeting at 9.30 am and welcomed everyone.

Sharing stories (agenda item 1)

Prof Proctor welcomed Lucy Blake and Claire Jopson who shared their experiences of the Trust's Eating Disorders Service. They talked about the importance of: ensuring that the service is located in the right environment; having a therapeutic area that inpatients have access to; and good kitchen facilities where service users can prepare their own food.

One issue they both felt to be important to service users was the continuation of support people receive in the community once they leave the inpatient setting.

Mrs Hanwell spoke about the inpatient environment area and the plans to ensure the Eating Disorders Service was co-located with other mainstream mental health services. She noted that whilst it was a complex process to move services within the estate, it was a priority to site this service in the right location.

Mrs Forster Adams noted the comments that had been made about the difficulties of transitioning from 24 hour support into the community and agreed to liaise with senior managers to look at how the service offer might be strengthened and to bring a progress report back to the Board in March 2021.

JFA

Dr Munro reported that she was Chair of the Programme Board which oversees the CONNECT service and that the issues that had been raised in this session would be shared to help to inform the ongoing development of the service.

Prof Proctor thanked Ms Blake and Ms Jopson for their honesty and candour, noting that the comments made had given valuable insight and would inform the discussions at Board meetings.

20/103 Apologies for absence (agenda item 2)

Apologies were received from Mrs Woffendin, Director of Nursing, Professions and Quality.

20/104 Questions from governors

It was noted that Mark Clayton had submitted a number of questions for the Board and it was agreed that these would be addressed outside of the meeting.

20/105 Declaration of interests for directors and any declared conflicts of interest in respect of agenda items (agenda item 3)

The Board noted that there was a change to the declaration of interest for Mrs Hanwell, whose son was an apprentice for Interserve Construction Ltd. Mr Henry also asked for it to be noted that he was not a Board-level director with the EMIS Group but a senior leader within the organisation and as such this should be moved to the "other declarations" column. He also noted that his appointment with UKCloud should now be removed from the list. Mrs Hill agreed to make these changes.

CHill

It was noted that no other director had a change in their declarations of interest and that no director at the meeting had advised of any conflict of interest in relation to any agenda item.

20/106 Minutes of the previous meeting held on 30 July 2020 (agenda item 4.1)

The minutes of the meeting held on 30 July 2020 were **received** and **agreed** as an accurate record.

20/107 Matters arising (agenda item 5)

The Board **noted** there were no matters arising that were not either on the agenda or on the action log.

20/108

Actions outstanding from the public meetings of the Board of Directors
(agenda item 6)

Prof Proctor presented the action log which showed those actions previously agreed by the Board in relation to the public meetings, those that had been completed and those that were still outstanding.

The Board **received** a log of the actions. It **noted** the details, the timescales and progress.

20/109

Chief Executive's report (agenda item 7)

Dr Munro provided a verbal update to the Board. She reported that nationally the level of risk for the COVID-19 pandemic had been raised to Level 4, but that the NHS still remained at Level 3 under the incident management framework with the focus being on reset and recovery. She noted that this position was not without challenges as the NHS looks to manage winter pressures and the additional demands this presents particularly in the context of local restrictions which may be placed on the area.

Dr Munro reported that both within the Trust and across the city, incident management meetings were taking place on a regular basis in order to continue to manage the ongoing impact of the pandemic and that discussions were taking place with regard to the potential impact local restrictions may have on services users. Dr Munro also reported that the Nightingale Hospitals remain on standby for any increase in critical care capacity, adding that the Trust was participating in the operational meetings in order to provide input from a mental health and liaison psychiatry perspective.

With regard to EU Exit transition arrangements, Dr Munro reported that there had been a formal notification that the internal governance for managing any potential impact were to be stood back up and that this would be managed through the incident response structures alongside the management of the COVID-19 pandemic.

Dr Munro then assured the Board that there continues to be a significant amount of planning and contingency whilst maintaining a steady state to ensure there is sufficient capacity as the Trust enters the winter period.

Mr Henry asked about the level of infection amongst staff. Dr Munro reported that the levels were relatively low in comparison to other organisations, but that there were a number of staff not in work due to a family member having to isolate or awaiting the outcome of a test.

Mrs White asked about the availability of testing for front-line staff. Dr Munro reported that there were some delays in accessing testing but that the Trust was working with Leeds Teaching Hospitals NHS Trust to put in place local swabbing capacity in the short-term. Ms Sanderson also reported that 'drive-through' clinics were being established which could be accessed by healthcare staff and that these would be monitored for accessibility.

Prof Baker sought assurance on the availability of medicines, particularly lithium, with the approach the end of the EU Exit transition period. Dr Munro assured the Board that arrangements were in place for the management of medicines through the national supply chain. With regard to the potential for the withdrawal of some lithium medication by manufacturers, Dr Munro added that representation was being made to the government to ask them to intervene in this matter and to explain the impact of this decision.

Prof Proctor asked for there to be a further update on EU Exit alongside COVID-19 in the private session of the October Board meeting, with an update to the November Council of Governors' meeting.

**SM / Exec
Directors**

The Board discussed the use of the Test and Trace App. It was noted that guidance had been developed and issued to staff to help them manage the use of the app and any impact for them or a family member that was contacted through the test and trace system. With regard to supporting service users and providing clear messages to them it noted that there was to be a shared approach through the West Yorkshire Directors of Public Health in order to ensuring there was shared communications strategy, which the Trust was linked into.

The Board **received** and **noted** the report from the Chief Executive.

20/110

Report from the Chair of the Workforce Committee for the meeting held 4 August 2020 (agenda item 8)

Miss Grantham provided a verbal report in relation to the meeting held on 4 August 2020. She reported that meetings had been held informally in the recent months, but that from October these would be held on a formal footing and that the focus of the committee would be the NHS People Plan; the review of the strategic risks around workforce; and the performance data required to monitor workforce metrics.

She noted that at the August meeting the committee had received assurance and updates on the plan to safely return staff to the workplace and the well-being assessments which have been carried out, in particular for bank staff.

With regard to the completion of well-being assessments for bank staff, Mrs Holmes reported that significant progress had been made. She then explained how the process for completing the assessments had been changed to facilitate this increase in uptake.

The Board **received** the report from the Chair of the Workforce Committee.

20/111

Report from the Chair of the Mental Health Legislation Committee for the meeting held on 4 August 2020 (agenda item 9)

Mrs White as Deputy Chair of the committee presented the update report. In particular she drew attention to the difficulties receiving data for advocacy services in York. It was noted that one of the Trust's governors was a Cllr for York City Council and it was suggested that her contact details be provided to Oliver Wyatt who may find this to be useful in progressing this issue. Mrs Hill agreed to provide these details.

CHill

The Board **received** the update report from the Deputy Chair of the Mental Health Legislation Committee.

20/112

Ratification of the Terms of Reference for the Mental Health Legislation Committee (agenda item 9.1)

The Board considered the Terms of Reference and highlighted a number of changes that needed to be made. Mrs Hill agreed to provide the details of these to Ms Layton.

CHill

It was also requested that responsibility for reviewing and assuring the Audit Committee on the sufficiency of the Internal Audit Programme was added to these and all Board sub-committees' terms of reference. Mrs Hill agreed to action this.

CHill

The Board **received** and **reviewed** the Terms of Reference for the Mental Health Legislation Committee and **ratified** these subject to the changes agreed in the meeting.

20/113

Report from the Chair of the Quality Committee for the meeting held 8 September 2020 (agenda item 10)

Prof Baker presented the Chair's report from the Quality Committee that took place on 8 September 2020 and gave a brief outline of the issues highlighted in the report noting that the committee had been assured on the way in which the outbreaks of COVID-19 had been handled within the Trust.

Prof Baker noted that no pressure ulcers had been recorded since October 2019 and the committee had been assured that this was not a recording error, adding that a significant amount of work had been carried out over the last two years around the management of pressure ulcers.

He reported that the committee had reviewed the final Suicide Prevention Plan and reported that the committee had supported the Plan, adding that it was assured that it would be reviewed in light of any national or regional

changes to suicide prevention.

Finally, Prof Baker reported that the committee had reviewed a proposal to invest in additional resources to support the Chair of the Ethical Advisory Group and that it agreed the Group should be embedded within the organisation and become part of the Trust's governance structure. Prof Proctor asked if she and Mrs Hill could discuss how issues identified by the Ethical Advisory Group would be reported through to Board.

SP / CHill

The Board **received** the report from the Chair of the Quality Committee and **noted** the matters raised.

20/114

Report from the Chair of the Finance and Performance Committee 22 September 2020 (agenda item 10)

Mrs White presented a report of the matters that had been discussed by members of the Finance and performance Committee on 22 September 2020. In particular:

- A review of the Out of Area Placements / patient flow position and received assurance on a system-wide project that the Trust was to lead on.
- The Informatics Plan update and the positive impact and challenges of going live with CareDirector during the COVID-19 pandemic.
- The Data Security and Protection Toolkit ahead of it being presented to the Board of Directors, noting that the Toolkit performance had received significant assurance from Internal Audit.
- The Emergency Preparedness Resilience and Response statutory return which would be reviewed at the October committee meeting noting that the committee would also be looking at the plans for the Trust's EU Exit arrangements.

With regard to cyber security, Mrs White reported that the Information Team was developing a dashboard of data which would be reported to the committee in the coming months. Prof Proctor asked for the Board to be sighted on the dashboard which it was anticipated would be available for quarter 4.

DH

Miss Grantham suggested that it might be helpful to have a summary of the impact of COVID-19 on the Trust's performance against targets and standards and asked whether there was an opportunity to reshape the national targets to take account of the changes in how services are now provided. It was suggested that this could be picked up in the discussion relating to the performance report later in the meeting.

The Board **received** the report on behalf of the Chair of the Finance and Performance Committee and **noted** the matters reported on.

Combined Quality, Performance and Workforce Report (agenda item 12.1)

Mrs Forster Adams presented the report noting that this had been presented and discussed in detail at the Finance and Performance Committee and also at the Quality Committee that the main points had been highlighted earlier in the Board agenda.

Mrs Forster Adams reported that the majority of services had continued to operate over the last few months but with a reduced number of referrals. However, she noted that the referral and activity rates had now increased to near normal levels. She also outlined the different ways in which service users were being supported through the use of new technology, however she noted that these new ways of working were not always reflected in how some of the targets and standards were set. She reported that there was a working group looking at this and at how the performance report could be made more meaningful taking account of these changes. Miss Grantham indicated that this had addressed the point she had made in the previous agenda item.

Prof Baker suggested that the joint Quality / Finance and Performance / Workforce Committee meeting in November looks at some of the ethical decisions that had been taken. Mrs Hill agreed to add this to the agenda for the meeting.

CHill

With regard to the discussions that were taking place with commissioners related to potential changes in standards and targets, Mrs Forster Adams reported that the Head of Performance was looking at this in partnership with commissioners. Dr Munro added that the issue of how performance had been impacted by COVID-19 was also being discussed within the ICS and outlined the detail of some of these discussions.

The Board discussed the work that was ongoing to look at the breaches that had occurred in the Acute Liaison Psychiatry service, which Mrs Forster Adams indicated was also looking at what the contributing factors might be to understand the breadth of reasons why these occur. It was suggested that information relation to the outcome of this work be included in the report in the next quarter.

JFA

Prof Proctor asked about the work that was ongoing across the city to project demand due to impact (direct and indirect) of the COVID-19 pandemic. Mrs Forster Adams reported that discussions were taking place within the incident response meetings in Leeds to help predict future demand and potential gaps. However, she added that there also needed to be discussions relating to the funding for this extra demand or consideration of how services will be changed to meet this. Mrs Forster Adams also confirmed that these discussions were taking account of matters not only related to health and social care but to all services which impact on the wellbeing or the residents of Leeds, including housing.

Prof Baker asked about the provision of care for people experiencing the psychological impact of COVID-19. Dr Munro reported that support for people with Long-COVID was being picked up through Leeds Community

Healthcare NHS Trust and that there was further consideration required to establish what the input was required from the Trust into this service. However, Dr Munro noted that there was still concern about the funding and staffing resource to support these additional services and that this was being discussed across the city.

The Board **received** and **noted** the content of the Combined Quality, Performance and Workforce Report performance report.

20/116

Report from the Chief Financial Officer (agenda item 12.2)

Mrs Hanwell presented the Chief Financial Officer's report. Firstly, she outlined the position for months 1 to 6 noting that this was fairly static with the requirement to report a break-even position on income and expenditure, after accounting for nationally calculated block income allocations and expenditure including reasonable additional COVID-19 expenditure.

With regard to months 7 to 12, Mrs Hanwell explained that the position was very different and that there had been a number of significant changes to the interim financial framework which would be effective during this next period. She also noted that the changes were in the context of the expectation that all organisations within the Integrated Care System (ICS) operate within a single defined financial envelope. Mrs Hanwell reported that work was being carried out to understand the impact of the new guidance in the context of changing demand and requirements.

Dr Munro advised that the submission to the ICS is expected to report that there would be a funding gap and that this would be supported by a narrative setting out the assumptions, risks and caveats.

Prof Proctor asked about the governance arrangements and the implications for Trusts, and where responsibility lies in relation to the submission to the ICS. Mrs Hanwell noted that this was still being worked through and that many aspects of ICS governance were still unclear, but that it remained unchanged that the Trust Board had overall accountability for the use of the its resources. Prof Proctor also identified the lack of non-executive director involvement and challenge and clarity around accountability. It was suggested that this explored further in the private session including how this would be raised within the ICS.

The Board **received** the report from the Chief Financial Officer and **noted** the content.

20/117

Data Security and Protection Toolkit (agenda item 15)

Mrs Hanwell presented the submission for ratification. It was noted that this had been looked at in some detail by the Finance and Performance Committee and it had supported the submission.

The Board considered and approved the Data Security and Protection Toolkit final scoring and noted that this would be published via the NHS Digital DSP Toolkit website.

Miss Grantham noted that the NHS People Plan would inform the Trust's People Plan and that this would be scrutinised in the Workforce Committee. Miss Grantham left the meeting.

20/118

NHS People Plan (agenda item 13)

Mrs Holmes presented the paper and outlined the main points in the report which the Board considered in detail. She noted that the paper provided an overview of the four key commitments set out in the plan: Looking after our People; Belonging in the NHS; New ways of working; and Growing for our future. She added that it also looked at how these align to our own internally developed priorities.

Prof Baker noted that the NHS People Plan did not adequately address the issue of recruiting and retaining Learning Disability Nurses and that international recruitment for this part of the workforce probably would not achieve the outcome required. Mrs Holmes supported this comment. She noted that that because this was a challenge there was a proposal that dedicated resource was identified to focus on this and that a number of options were being explored.

The Board acknowledged that the NHS People Plan as an overarching plan would not address all the challenges being experienced locally but the principles and objectives would help to inform the local plans to deliver the workforce required by the Trust.

In regard to the governance arrangements to oversee the application of the NHS People Plan within the Trust, Mrs Holmes asked the Board to approve assurance arrangements being taken through the Workforce Committee with a quarterly Equality and Inclusion report coming directly to the Board. This was agreed.

The Board also considered the request for there to be a non-executive director champion for well-being. Prof Proctor agreed to pick this up outside of the meeting.

SP

Board members who wish to take part in the Reciprocal Mentoring programme were asked to submit their application forms to the Director of OD and Workforce by the end of the month.

All

With regard to the Freedom to Speak up Ambassadors, Mrs Holmes assured the Board that the relationship between the Ambassadors and the Freedom to Speak up Guardian had been formalised and incorporated into the role description for the Guardian. It was noted that the Ambassadors will be invited to observe Board meetings as part of their development in due course.

The Board **noted** the progress and **supported** the plan.

20/119 **Report from the West Yorkshire Mental Health Learning Disability and Autism Collaborative Committees in Common** (agenda item 14)

The Board **received** and **noted** the content of the report.

20/120 **Approval of the West Yorkshire Mental Health Learning Disability and Autism Collaborative Committees in Common Terms of Reference** (agenda item 14.1)

The Board **approved** the Terms of Reference

20/121 **Use of the seal** (agenda item 16)

The Board noted that the seal had not been applied since the last meeting.

20/122 **Any other business** (agenda item 17)

There were no items of any other business.

20/123 **Resolution to move to a private meeting of the Board of Directors**

At the conclusion of business the Chair closed the public meeting of the Board of Directors at 12:30 and thanked members of the Board and members of the public for attending.

The Chair then resolved that members of the public be excluded from the meeting having regard to the confidential nature of the business transacted, publicity on which would be prejudicial to the public interest.

Signed (Chair of the Trust)

Date