

LEEDS AND YORK PARTNERSHIP NHS FOUNDATION TRUST

Minutes of the Public Meeting of the Board of Directors held on Thursday 20 May 2021 at 9:30am. 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 (Deputy Chair of the Trust)
Mrs D Hanwell	Chief Financial Officer and Deputy Chief Executive
Mr C Henry	Non-executive Director
Dr C Hosker	Medical Director
Mr A Marran	Non-executive Director
Dr S Munro	Chief Executive
Mr D Skinner	Interim Director of Human Resources
Mrs S White	Non-executive Director
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
Eleven members of the public (seven of whom were governors)	

Action

21/049

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

Sharing stories – an audio story from Alicia, a service user from the Low Secure Adult Inpatients Mental Health Service (agenda item 1)

The Board heard the story of Alicia who was an inpatient at the Low Secure Adult Inpatients Mental Health Service. The story was introduced by Ms Rachel Pilling, Carer Coordinator, and Ms Amy Rollinson, Student Social Worker, who had supported Alicia in recording her story.

Alicia talked about her experience on Bluebell Ward. She first talked about some of the negative experiences on the ward, including: the food and drink options; noise on the ward; and the lack of therapeutic activities available. Alicia next talked about some of the positive experiences of the ward, including: the activities that had been run by a new occupational therapist who had been encouraging other service users to get involved; and a weekly meal cooked by the staff on the ward. She shared her experiences of being on the ward throughout the pandemic.

Alicia explained that she was due to leave the ward to move to the

Specialised Supported Living Service. She confirmed that she had been visiting her new home with her occupational therapist and had met with her new social worker. She added that she had been involved in decorating her new room.

The Board acknowledged that Alicia had been living on the ward for two and a half years and discussed the importance of finding a balance between a ward being a clinical environment and a home. It noted that more therapeutic activities had been taking place throughout the pandemic and agreed on the importance of these activities continuing. The Board asked Ms Rollinson to share the audio story with the staff on the ward. The Board thanked Alicia for sharing her story and wished her well with the transition to the Specialised Supported Living Service.

AR

The Board **thanked** Alicia for sharing her experience with the Board noting that it used these to inform how services could be developed in the future.

Ms Rollinson and Ms Pilling left the meeting.

21/050

Apologies for absence (agenda item 2)

There were no apologies received.

Prof Proctor welcomed Mr Skinner to his first Board of Directors' meeting as the Interim Director of HR. The Board noted that Mrs Holmes, former Director of OD and Workforce, had stepped down as a Board member and it thanked her for her hard work and dedication during her time on the Board and wished her all the very best for the future.

21/051

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

The Board noted that the declarations of interests' matrix reflected new interests for Dr Munro and Mrs White. No other director advised of any change to the declarations of interests and no director at the meeting declared a conflict of interest in any agenda item scheduled for the meeting.

21/052

Board of Directors' annual declarations (agenda item 3.1)

The Board **noted** and **confirmed** that all directors had been judged and declared to be fit and proper and that all NEDs had declared that they were independent judgement and character.

21/053

Minutes of the previous meeting held on 25 March 2021 (agenda item 4)

Miss Grantham pointed out a spelling error in minute 21/034 and Mrs Woffendin pointed out a spelling error in minute 21/035. Miss McMann agreed to amend these errors.

KM

The minutes of the meeting held on 25 March 2021 were **received** and **agreed** as an accurate record, subject to two minor amendments.

21/054

Matters arising (agenda item 5)

Prof Proctor informed the Board that there would be an extraordinary Board of Directors' meeting on 10 June 2021 to receive the Trust's Annual Report and Accounts for 2020/21 and also the Annual Reports from the Board Sub-committees. The Board noted that an extraordinary Audit Committee meeting would also take place on 8 June 2021.

The Board **noted** the update provided.

Mr Henry left the meeting.

21/055

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 discussed an action regarding the discussion on the Estates Strategic Plan. It noted that an initial discussion had taken place at the March private Board meeting and that this would be picked up again on 10 June at the Board development session as part of the work to identify the Trust's strategic priorities.

The Board next discussed an action which had asked the Ethical Advisory Group to explore some of the issues around the proposals for the Covid-19 vaccination to be mandatory for NHS and care homes staff. Dr Hosker confirmed that a discussion had taken place at an Ethical Advisory Group meeting, the outcome of which was shared with the Quality Committee. Prof Proctor suggested that update be provided in the private Board meeting.

Mrs White then provided an update on an action relating to pharmacy apprenticeships. She confirmed that she had received an update from Ms Jane Riley, Chief Pharmacist, who had confirmed that there were two pharmacy technician apprenticeships. She agreed that this action could be closed.

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

Freedom to Speak Up Guardian Report (agenda item 7)

Mr Verity presented the Freedom to Speak Up Guardian Report which included the latest data, themes and lessons learnt from concerns raised with him. The Board acknowledged that Internal Audit had reviewed the systems, processes and procedures relating to the FTSUG role which had provided a rating of significant assurance.

The Board discussed the 'Speak Up, Listen Up, Follow Up' e-learning package that was to be launched in 2021. It agreed that it would support this e-learning package being embedded into the Trust's mandatory training package. The Board also noted that the number of staff from ethnic minority communities accessing the FTSUG had reduced. Mr Verity informed the Board that he was looking to recruit more FTSUG Ambassadors to reflect the Trust's diverse workforce. He added that he was a core member of the Bank Staffing Forum and informed the Board that he and the Ambassadors had been trying to raise the confidence of forum members in accessing the FTSUG. Miss Grantham suggested that staff may also have been receiving support from the Trust's well established peer networks such as the Workforce Race Equality Network which may have reduced the need to contact the Guardian.

Mr Skinner suggested that establishing a confidential reporting line could encourage more staff to raise concerns. Mr Verity confirmed that he had previously received anonymous complaints and had also received feedback that staff members felt well supported while the concerns were being dealt with.

Mrs Woffendin drew attention to an increase in the number of concerns raised in October 2018, August 2019, May 2020 and February 2021. Mr Verity confirmed that he had looked at the reasons for these spikes in numbers and agreed that more detail would be included in the next FTSUG Annual Report and where applicable, benchmarked to other organisations. The Board asked whether there were any emerging themes relating to Covid-19. Mr Verity explained that concerns had been raised around redeployment and personal protective equipment (PPE).

JV

Prof Proctor asked Mr Verity and Miss McMann to look at how awareness of the role of the Freedom to Speak up Guardian and the Freedom to Speak up Ambassadors could be raised with staff governors, ensuring there was a more explicit connection between these roles.

JV / KM

The Board **received** the Freedom to Speak Up Guardian Report and **noted** the content. It **supported** the work being undertaken and was **assured** by the work of the Freedom to Speak Up Guardian.

21/057

Guardian of Safe Working Quarterly Report (Q4) (agenda item 8)

Dr Alderson presented the Guardian of Safe Working Quarterly Report and gave a brief overview of the content. He advised that there had been two exception reports in the period but that these had not compromised the safety of service users.

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

21/058

Guardian of Safe Working Annual Report (agenda item 9)

Dr Alderson presented the Guardian of Safe Working Annual Report. He highlighted a number of points. Firstly he pointed out that more than a quarter of the Trust's exception reports had been in December 2020. Dr Alderson assured the Board that this had been a recording issue which had now been resolved. He also confirmed that the individuals these related to did not have any ongoing concerns.

Dr Alderson next informed the Board of an issue related to staffing levels. He explained that throughout the pandemic a number of doctors had been advised to shield or were unable to work on wards that had cases of Covid-19. The Board acknowledged the proactive work that had been carried out by the Medical Education Team to ensure the rotas were filled. He added that consultants had been asked to cover lower grade posts to fill rotas. He expressed his gratitude to the Trust's consultants who had been supportive of this approach.

Dr Alderson went on to escalate an issue from the Junior Doctors' Forum around consultant and junior doctor staffing for the new Red Kite View unit. He explained that estimated pressures would lead to an increase in the number of on-call shifts and would reduce core placement time for junior doctors. Dr Hosker informed the Board that conversations had been taking place with colleagues at other Trusts that provided Child and Young Peoples' Mental Health Service consultant on call rotas. The Board agreed to discuss the issue of consultant and junior doctor staffing for the new unit, Red Kite View, in a private session of the Board.

The Board **received** the Guardian of Safe Working Annual Report and was **assured** by its contents.

21/059

Chief Executive's Report (agenda item 10)

Dr Munro provided a verbal Chief Executive's Report. She firstly reminded the Board that Sir Simon Stevens, Chief Executive of the NHS, had announced that he would be stepping down from the role. She informed the Board that there would be service user involvement in the recruitment process and confirmed that both mental health and learning disability service users would be included.

With regard to the Integrated Care System, Dr Munro reported that meetings continued to be held fortnightly to discuss Integrated Care Partnerships. She informed the Board that three accelerator projects were underway which focused on: end of life care; frailty; and the transition between child and adult mental health care. Mrs White asked whether the frailty project would include service users with dementia. Dr Munro confirmed that the project was not restricted to a set criteria. Dr Munro went on to inform the Board that detailed guidance was yet to be released on the legislation for Integrated Care Systems.

Dr Munro next announced that the new West Yorkshire Mayor, Ms Tracy Brabin, had been elected and informed the Board that Alison Lowe, Chief Executive of Touchstone, had been nominated to be the Deputy Mayor of West Yorkshire for Policing and Crime. The Board received an update on the Covid-19 vaccination programme.

Dr Munro reminded the Board that the Leeds Academic Health Partnership had published part one of its spotlight on the Trust which focused on the Recovery College. The Board noted that parts two and three of the spotlight series were due to be published shortly.

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

21/060

Report from the Chair of the Mental Health Legislation Committee for the meeting held on 4 May 2021 (agenda item 11)

Mr Marran presented the report from the Mental Health Legislation Committee for the meeting that had taken place on 4 May 2021. In particular he drew attention to:

- The impact that the Devon Partnership NHS Trust v SSHSC [2021] EWHC 101 (Admin) case had on Community Treatment Orders
- The Trust's response to the Mental Health Act White Paper which included the views of staff.

The Board **received** the report from the Chair of the Mental Health Legislation Committee and **noted** the matters reported on.

21/061

Report from the Chair of the Quality Committee for the meetings held on 13 April 2021 (agenda item 12)

Prof Baker presented the report from the Quality Committee for the meeting that had taken place on 13 April 2021. In particular he drew attention to:

- The development of a dashboard to measure the quality of care for out of area placements

- A discussion that had taken place around non-executive and governor service visits and the areas that should be prioritised in the future.

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

21/062

Report from the Chair of the Quality Committee for the meetings held on 11 May 2021 (agenda item 12.1)

Prof Baker presented the report from the Quality Committee for the meeting that had taken place on 11 May 2021. In particular he drew attention to:

- The high levels of compliance with: Safeguarding Adults Level 2 training (90%); Safeguarding Adults Level 3 training (77%); Safeguarding Children Levels 1-3 (84%) and PREVENT training (94%)
- The Quality Report and Account 2020/21
- A discussion that had taken place in relation to CareDirector and care plans.

Mrs Woffendin pointed out that compliance with Safeguarding Adults Level 3 training was at 77% but confirmed that official reporting would not take place until September 2021. She added that she expected the figure to increase. The Board noted this.

The Board discussed care planning in relation to CareDirector. It was informed that a discussion had taken place at a recent Executive Management Team (EMT) meeting to discuss the functionality of CareDirector and how it could support care planning. The Board noted that a CareDirector Project Board was due to meet where a discussion would be held in regard to this matter. Mrs Woffendin explained that the CQC Project Team was planning to visit a number of wards. She confirmed that this would assist the ongoing work. Dr Munro added that a report was being prepared which would look at governance and the accountability of different roles relating to how CareDirector was used for care planning and other aspects of care including physical health monitoring. She confirmed that this would first be reported to the EMT and would then be shared with the Quality Committee for assurance. The Board agreed that it was assured with the actions being taken to address the issue.

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

21/063

Report from the Chair of the Audit Committee for the meeting held on 20 April 2021 (agenda item 13)

Mr Wright presented the report from the Audit Committee for the meeting that had taken place on 20 April 2021. In particular he drew attention to:

- The change in the timing of the introduction of the new Functional Counter Fraud Standards which meant that the Trust would need to declare non-compliance against three components relating to: (Component 2) Counter Fraud Bribery and Corruption Strategy; (Component 3) Fraud, Bribery and Corruption Risk Assessment; and (Component 6) Outcome Based metrics, but assured the Board that this was an issue of timing rather than lack of internal control
- The draft Head of Internal Audit Opinion for 2020/21 that had been received which suggested that the final overall opinion was expected to give significant assurance relating to the Trust's systems of internal control
- The agreement of the Internal Audit work-plan for 2021/22. Mr Wright thanked the Board sub-committees for their input into the Internal Audit work-plan for 2021/22
- The health and safety update received which informed the Committee of the appointment of the Health and Safety Manager. Mr Wright informed the Board that the Health and Safety Manager would be in attendance at a future Audit Committee meeting. He went on to inform the Board that the Internal Auditors had carried out some benchmarking work around health and safety
- A briefing received from the Internal Auditors following concerns about financial management at University Hospitals of Leicester (UHL). Mr Wright confirmed that the Audit Committee had been assured that the Trust was not in the same position as UHL given the reports and assurances the committee receives and that it had no concerns in relation to the arrangements for this Trust.

The Board **received** the report from the Chair of the Audit Committee and **noted** the matters reported on.

21/064

Report from the Chair of the Workforce Committee for the meeting held on 15 April 2021 (agenda item 14)

Miss Grantham first welcomed Mr Skinner and thanked Mrs Angela Earnshaw, Interim Deputy Director of Workforce and OD, for the work carried out prior to Mr Skinner joining the Trust. She presented the report from the Workforce Committee for the meeting that had taken place on 15 April 2021.

In particular she drew attention to:

- An update that the committee received on the development of clinical supervision across the Trust and the assurance this provided
- A discussion held around appraisals and a recovery plan to increase appraisal rates across the Trust
- A report which set out the key responsibilities and the nine principles of the Wellbeing Guardian. Miss Grantham informed the Board that the Workforce Committee would undertake the Wellbeing Guardian role
- The NHS Staff Survey results that had been presented to the committee and a discussion that had taken place around the development of a cultural dashboard
- A discussion held around the role of managers in the Trust and how managers, as a profession, were supported within the organisation.

The Board was informed that Internal Audit had carried out benchmarking work on NHS Workforce Committees. It was agreed that the benchmarking report would be provided to Prof Proctor. Miss Grantham informed the Board of the Workforce Committee's priorities over the coming months which included the development of the Trust's strategic workforce plan and a refresh of the workforce performance metrics.

HG

The Board **received** the report from the Chair of the Workforce Committee and **noted** the matters reported on.

21/065

Report from the Chair of the Finance and Performance Committee for the meeting held on 27 April 2021 (agenda item 10)

Mrs White presented the report from the Finance and Performance Committee for the meeting that had taken place on 27 April 2021. In particular she drew attention to:

- A 'deep dive' report that the committee received from the Memory Assessment Service on plans to restore normal levels of service following a pause due to Covid-19. The Board noted that the committee would review the progress made at its meeting in November 2021.

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

21/066

Report from the Chair of the Finance and Performance Committee for the meeting held on 19 May 2021 (agenda item 10.1)

Mrs White gave a verbal update from the Finance and Performance Committee for the meeting that had taken place on 19 May 2021. In

particular she drew attention to:

- Actions that had been agreed for a 'deep dive' report from the Leeds Autism Diagnostic Service and a 'deep dive' report on physical health assessments to be presented to the committee in July 2021. Mrs Woffendin added that she had met with Mrs Sharron Blackburn, Head of Internal Audit, to agree the scope of the physical health assessment internal audit
- A new out of area placement trajectory that had been agreed with the Clinical Commissioning Group and partners which would be reviewed by the committee.
- An update received on the development of a Crisis House which would be operating by quarter two
- An update received on the progress made with the Covid-19 vaccination programme and the work that was ongoing to encourage and support staff and service users to be vaccinated
- A discussion that took place around the key performance indicators that would be required for the new Children and Young Peoples' Mental Health Tier 4 inpatient service.
- An update received on performance management arrangements and processes across the Trust, which had been reinstated following changes due to Covid-19, and recovery plans that were being looked at for each of those areas.
- The Emergency Preparedness Resilience and Response (EPRR) Annual Report 2020-21 that had been presented to the committee. Mrs White reported that the committee had recognised the vital work undertaken by the team in difficult circumstances and highlighted the importance of acting on lessons learnt from both the pandemic and EU Exit. She informed the Board that actions were underway to strengthen the capacity for the EPRR function within the Trust.
- A discussion that taken place on the Electronic Prescribing and Medicines Administration electronic failure in February 2021. Mrs White explained that work was due to be carried out by IT to strengthen systems and process to ensure they would continue in the event of electronic failures.

Miss Grantham noted that she had attended a meeting of Chairs from the Yorkshire and Humber region where there had been a presentation from Public Health England and a representative from the ICS, noting that this had looked at the ongoing potential future impact of EU Exit. She agreed to share her notes and observations from this meeting with members of the Board.

Prof Baker asked about waiting lists for mental health and learning disability services. Mrs Forster Adams provided an update on this. It was agreed that the Executive Team would ensure that the Health and Wellbeing Board

HG

discuss the issue of waiting lists for mental health and learning disability services with a view to ensuring that the level of priority that these services receive across the system is equal to that for acute services.

SM / EMT

The Board **received** a verbal update from the Chair of the Finance and Performance Committee and **noted** the matters reported on.

21/067

Combined Quality, Performance and Workforce Report (agenda item 16)

Mrs Forster Adams presented the Combined Quality, Performance and Workforce Report. The Board noted that the Finance and Performance Committee had reviewed the report and received assurance on a range of issues at its meeting on the 19 May 2021. Mrs Forster Adams drew attention to the percentage of section 136 referrals assessed within three hours of arrival. She confirmed that the Performance Team was working to determine an appropriate measure to reflect best practice in this area.

Mrs Forster Adams also highlighted concerns about waiting lists and the accessibility of the Leeds Autism Diagnostic Service, Community Learning Disability Services and the Perinatal Community Services and provided assurance that this was being reviewed. She went on to provide an update on the recovery of the Acute Liaison Psychiatry Service. The Board noted the information provided.

The Board **received** and **noted** the Combined Quality and Performance Report.

21/068

Safer staffing report (agenda item 17)

Mrs Woffendin presented the Safer Staffing Report. She advised that there had been one breach of safe staffing levels in the months included in the report. She explained that this was due to staff sickness and confirmed that interventions had been put in place to maintain patient safety. Mrs Woffendin paid tribute to the time and dedication of the staff involved in ensuring the right arrangements were in place to maintain the safety of wards.

Mrs Woffendin announced that 48 student nurses had been recruited to work in Leeds and six had been recruited to work in York. She informed the Board of a workshop that would take place in June to look at how student placements could be expanded further and confirmed that representatives from other key providers, universities, the third sector and Health Education England would be in attendance.

Mrs White asked for an update on the recruitment campaign for the Children and Young People's Mental Health Services. Mrs Woffendin confirmed that six student nurses had secured positions with the service. The Board questioned whether children's nurses, mental health nurses and health visitors could be considered. Mrs Woffendin confirmed that this would be considered as part of the recruitment campaign.

The Board **received** the safe staffing report and **noted** the content.

21/069

Chief Financial Officers Report (agenda item 18)

Mrs Hanwell provided a verbal update on the Trust's financial position. She assured the Board that the Trust's finances were in a good position and explained that a system review would take place on 1 June 2021 on the West Yorkshire system plan. She reported that the system was on track to breakeven.

Mrs Hanwell confirmed that Covid-19 funding was likely to be reduced from October 2021. She also advised of a 1.1% efficiency challenge that was anticipated for 2021-22.

The Board **received** a verbal report from the Chief Financial Officer.

21/070

Cyber security (agenda item 19)

Mrs Hanwell presented a report that provided an update on cyber security for the Trust in accordance with the ten steps model provided by the National Security Centre. She informed the Board that the Trust's capacity to support cyber resilience would be strengthened.

Prof Baker noted that some appointments had been held virtually throughout the Covid-19 pandemic and asked how the Trust was supporting service users to be aware of cyber security. Mrs Hanwell informed the Board that mHabitat was undertaking a project around the digital transformation of health and care services and digital exclusion. She suggested that education on cyber security for service users might be included in this work.

The Board discussed the systems and processes that the Trust had in place to manage its cyber security. It was agreed that the Cyber Security Dashboard and Report should be presented to the Board on a quarterly basis. Mrs Hill agreed to add this to Board's cycle of business. It was agreed that for the next quarterly report the Board should receive further assurance that the Trust's systems were safe from a cyber-attack and the cyber security mechanisms were capable of dealing with such attack.

CHill

DH / BF

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

Mr Henry joined the meeting.

21/071

Emergency Preparedness, Resilience and Response (EPRR) Annual Report (agenda item 20)

Mrs Forster Adams presented the EPRR Annual Report which summarised activity between 1 April 2020 and 31 March 2021. She informed the Board

that the key areas to highlight were the Covid-19 pandemic and the EU exit. She also noted that the report contained the 2021/22 work plan for the EPRR Team.

In terms of EPRR and the connections that were made across systems and across West Yorkshire, the Board asked for future reports to highlight where these discussions were taking place and what the emerging partnership arrangements and connections were, particularly including how these were linked into the emerging ICS arrangements. It was agreed that a report would come back in November 2021.

The Board agreed that it was assured on the EPRR arrangements. It acknowledged the efforts of the Team during the pandemic and thanked the Team for its work during 2020/21.

JFA

The Board **received** the Emergency Preparedness, Resilience and Response Annual Report for 2020/21 and **noted** the content.

21/072 Board Assurance Framework (agenda item 21)

Dr Munro presented the Board Assurance Framework (BAF) noting that this had been discussed in detail at various Board sub-committee meetings. She informed the Board that an internal audit had been carried out on the BAF which had provided a rating of significant assurance.

The Board **received** the Board Assurance Framework and **noted** the content.

21/073 Outcome Report for the West Yorkshire Mental Health Learning Disability and Autism Collaborative Committees in Common (agenda item 22)

The Board reviewed the Outcome Report for the West Yorkshire Mental Health Learning Disability and Autism Collaborative Committees in Common for the meeting that took place on 22 April 2021. It noted that an update on the Wellbeing Hub would be provided at the joint NED and Governor event on 11 June 2021.

The Board **received** the Outcome Report for the West Yorkshire Mental Health Learning Disability and Autism Collaborative Committees in Common for the meeting that had taken place on 22 April 2021.

21/074 The use of the seal (agenda item 23)

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

21/075 Any other business (agenda item 24)

There were no items of other business.

21/076 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 12.20pm and thanked members of the Board, governors and members of the public for attending.

The Chair then resolved that governors and 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.