

LEEDS AND YORK PARTNERSHIP NHS FOUNDATION TRUST

**Minutes of the Public Meeting of the Board of Directors
held on Thursday 24 November 2022 at 9:30 am.**

in Create@, Horizon Leeds, 3rd Floor, 2 Brewery Wharf, Kendall Street, Leeds, LS10 1JR

Board Members

		Apologies
Dr S Proctor	Chair of the Trust	✓
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 (Senior Independent Director)	
Dr F Healey	Non-executive Director	
Dr C Hosker	Medical Director	
Mrs K Khan	Non-executive Director	
Miss M McRae	Non-executive Director	
Dr S Munro	Chief Executive	
Mr D Skinner	Director for People and Organisational Development	✓
Mrs C Woffendin	Director of Nursing, Quality and Professions	
Mr M Wright	Non-executive Director	

All members of the Board have full voting rights

In attendance

Mrs C Hill	Associate Director for Corporate Governance / Trust Board Secretary
Miss R Cooper	Governance Officer
Mr K Betts	Governance Assistant
Mrs K Hinson	Facilities manager for Woodland Square and The Mount (for minute 22/116)
Mr U Khan	Service user (for minute 22/116)
Mr Y Khalid	Service user (for minute 22/116)
Mr J Verity	Freedom to Speak up Guardian (for minute 22/123)
Four members of the public observed the meeting (including one governor)	

Action

22/116

Miss Grantham opened the public meeting at 09.30 am and welcomed everyone.

Sharing Stories (agenda item 1)

Miss Grantham welcomed Kathy Hinson, Yaseen Khalid and Usmaan Khan to the meeting, noting they had been invited to talk about PLACE visits and share their experience of being involved in these.

Mrs Hinson outlined the national framework of unannounced PLACE visits, noting these visits centre around service user experience, with inspections carried out by a team of people on which are a number of service users. She noted the visits look at the Trust's buildings and care environment and outlined the individual areas assessed. Mrs Hinson advised that wards would be selected on the day from a pre-determined list, noting the team would work with the CTMs to ensure it was safe and appropriate to visit the wards, taking

account of patient acuity and any safety incidents on the day. However, she stressed that essentially the visits were unannounced in terms of which wards would be selected from the pre-determined list.

Mr Khalid and Mr Khan then outlined their experience of being involved in the inspections, along with some of their specific observations of the wards and units they had visited.

The Board discussed the matters raised by Mr Khalid and Mr Khan, noting the importance of having a fresh perspective on the buildings and care environments, particularly from service users. Mrs Forster Adams and Mrs Hanwell explained that the observations around some of the buildings being described as dark and dismal were helpful in informing the work currently ongoing to look at the estate.

The Board **thanked** Mrs Hinson, Mr Khalid and Mr Khan for presenting their experience from the recent PLACE visits and **noted** the valuable service user observations made.

22/117 Apologies for absence (agenda item 2)

Apologies were received from Dr Proctor, Chair of the Trust; and Mr Skinner, Director of People and Organisational Development. It was noted that Miss Grantham would chair the meeting in the absence of Dr Proctor and that Mrs Fiona Sherburn (Associate Director for People and OD) would attend the meeting in Mr Skinner's absence.

22/118 Declaration of interests for directors and any declared conflicts of interest in respect of the agenda items (agenda item 3)

The Board noted there were no changes to Board members' declarations of interest and no member had declared a conflict in any agenda item.

22/119 Minutes of the previous meeting held on 29 September 2022 (agenda item 4)

It was noted the Mr Skinner's title was shown incorrectly in the minutes and should not have 'Interim' included. Mrs Hill agreed to correct this.

CHill

The minutes of the meeting held on 28 September 2022 were **received** and **agreed** as an accurate record subject the one amendment.

22/120 Matters arising (agenda item 5)

There were no matters arising.

22/121

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

Miss Grantham 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** the cumulative action log and **noted** the content.

22/122

Report from the Chief Executive (agenda item 7)

Dr Munro presented her Chief Executive's report and drew attention to the key information it contained. She firstly congratulated Miss McRae on being appointed as the Chair of the Trust by the Council of Governors at its meeting on 17 November, noting she would take up this post on 1 January 2023. Dr Munro also thanked Dr Proctor (the outgoing Chair of the Trust) ahead of her leaving the Board at the end of November, paying tribute to the huge contribution she had made to the development of the governance around the Board and the Council of Governors.

Dr Munro then outlined the service visits she had undertaken including visits to the wards at The Mount, the Mother and Baby Unit, and Forward Leeds. She paid tribute to the staff in these service areas and the way they are meeting the challenges of delivering services during this difficult period.

She then advised that the rate of completion for the Staff Survey was 43% and noted the importance of continuing to encourage staff to complete this to give a greater understanding of the experience they have of working in the organisation.

Finally, she drew attention to the reasons to be proud and the awards that had been achieved by Trust staff; congratulating them on these huge achievements.

Miss McRae asked about NHS England inviting applications for a 'Provider Collaborative Innovators scheme'. Dr Munro explained applications were invited from all sector / place-based collaboratives with the intention of selecting eight or nine nationally to share learning with other collaboratives. She added that this was an opportunity to influence the national policy direction, but there was no funding to support participation in the scheme, and as such whilst the Trust was in a strong position to be chosen, more work was needed to understand the ask of organisations.

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

22/123

Freedom to Speak up Guardian Annual Report (agenda item 20)

Mr Verity presented the Freedom to Speak up Guardian Annual Report and drew attention to the main areas within it. Dr Munro reported that she had

discussed with Mr Verity the increase in the number of concerns raised by staff, noting that this was seen as a positive thing as it demonstrated they felt able to raise matters internally. She also explained the importance for making sure staff felt valued and were thanked for doing this.

Mrs Khan joined the meeting.

Dr Healey noted that the staff survey had shown that staff felt able to raise clinical concerns, but like many other Trusts there was a lower number of positive responses in relation to staff feeling able to raise other or non-clinical concerns. She therefore asked whether this was the way the question was phrased, and whether this was something that needed to be fed back nationally. Mrs Sherburn assured the Board that the Trust had a route through which feedback could be provided and the Trust had a good track record of influencing changes to the questions in the staff survey.

Mrs Khan noted the report showed a common theme around individual leaders not being visible and asked what more needed to be done to address this. Miss Grantham noted that service visits were re-commencing and this would help Board visibility. Mr Verity added that these comments were more around senior leaders, rather than Board members. He explained that work was in hand to look at how these leaders are ensuring they were visible to staff.

The Board **thanked** Mr Verity for presenting the Freedom to Speak up Guardian Annual Report and noted the contents.

22/124

Report from the Chair of the Workforce Committee for the meeting held on 6 October 2022 (agenda item 8)

The Board received the Chair's report from the Workforce Committee meeting that had taken place on 6 October 2022. Miss Grantham assured the Board that recruitment retention and vacancies was the major issue for the committee and that regular updates were received at each of its meetings.

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

22/125

Report from the Chair of the Audit Committee meeting held on 18 October 2022 (agenda item 9)

The Board received the Chair's report from the Audit Committee meeting that had taken place on 18 October 2022. Mr Wright drew attention to the main items of the meeting, in particular:

- The internal audit reports, noting the majority received by the committee had provided significant assurance. However, he advised that two limited assurance reports for 'Service Users' Money and

Property' and 'Care Plans and Clinical Risk Assessments' had also been received and directors had provided an update on the actions being taken to address the recommendations. With regard to the 'Care Plans and Clinical Risk Assessments' Mr Wright advised that the Committee had received an update on the work being undertaken to revise the processes and procedures and to address the findings.

- The Internal Audit Network reports, noting in particular the update received at the meeting from the HFMA in regard to "Board Reporting for ICBs". He added that the finance team was considering the extent to which the Trust reports on the ICB financial standing in the Chief Financial Officers' Report, explaining that some information could be seen as sensitive in terms of other organisations.
- The outstanding Internal Audit actions report, noting the Executive Risk Management Team had been asked to look, in particular, at the target completion date for actions where these had been extended a number of times to understand the reasons for this.

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

22/126

Report from the Chair of the Quality Committee for the meetings held on 11 October and 10 November 2022 (agenda item 10)

The Board received the Chair's report from the Quality Committee meetings that had taken place on 11 October and 10 November 2022. Attention was drawn in particular to:

- The request by the Committee for the learning from deaths report to include deaths which have occurred where a person is on a Trust waiting list.
- The agreement that the committee should receive data relating to restrictive interventions more frequently and with more granularity. Dr Healey noted the robust escalation process around the use of mechanical restraints and agreed that a review should be undertaken to establish which other elements of restrictive practice should be escalated to the Quality Committee and to the Board of Directors.

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

22/127

Report from the Chair of the Mental Health Legislation Committee for the meeting held on 1 November 2022 (agenda item 11)

The Board received the Chair's report from the Mental Health Legislation Committee meeting that had taken place on 1 November 2022. Miss McRae noted that whilst there had been nothing identified to escalate to the Board there had been a number of matters discussed and it had need a full and informative meeting. She also thanked members of staff who supported the committee for the calibre of reports presented.

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

22/128

Ratification of the Terms of Reference for the Mental Health Legislation Committee (agenda item 11.1)

Dr Healey suggested that a line be added to this and other Board sub-committee terms of reference which indicated there was a duty to ensure matters were not duplicated and committee worked together to ensure this. Mrs Hill agreed to look at this amendment.

CHill

The Board **considered** and **ratified** the changes to the Terms of Reference for the Mental Health Legislation Committee.

22/129

Report from the Chair of the Finance and Performance Committee for the meeting held on 22 November 2022 (agenda item 12)

The Board received the Chair's report from the Finance and Performance Committee meeting that had taken place on 22 November 2022. Attention was drawn in particular to:

- The Winter Resilience and Operating Plan for 2022/23, noting the challenges likely to affect the Trust during this period. The committee was assured that robust continuity plans were in place.
- An update on key finance related issues at month 7 and noted the significant cost pressures associated with the continued reliance on agency and locum cover. The Committee requested more information on the financial performance of the Integrated Care System (ICS) at a future meeting
- The cyber security update ahead of Board, which included an update on the recent phishing scam. The Committee also discussed the implementation of two factor authentication and the decision whether to roll it out to all staff over winter or delay it into next year.

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

22/130

Report from the Chief Operating Officer (agenda item 13)

Mrs Forster Adams presented her Chief Operating Officer's report, noting this had been scrutinised by the Board sub-committees. She then drew attention to the key points in the report.

Mrs Forster Adams drew attention to the plans over winter and the potential impact of the difficult challenges the Trust may face during that period. She explained an Enhanced Co-ordination Group had been stood up to look at

planning for the challenges. She added it had looked at what the triggers would be that would put the Trust into incident response mode, including a lack of workforce supply and any adverse impact of industrial action.

The Board discussed the Chief Operating Officer's report. Mrs Khan was pleased to see the progress that had been made in relation to the Liaison Psychiatry Team based in the Accident and Emergency Department at the acute Trust.

Miss McRae asked if risk assessments had been carried out where the Trust had shared sites with organisations that might be impacted by strikes. Mrs Forster Adams assured the Board that this work had been carried out.

The Board **received** and **noted** the detail in the Chief Operating Officer's report.

22/131

Chief Financial Officer's Report (agenda item 14)

Mrs Hanwell presented her Financial Officer's Report noting the Trust was on plan for both capital and revenue expenditure as at month 7.

She added that the finance team was working through the revenue and capital forecasts for the year noting it was important to ensure these were robust and as accurate as possible because of the system-wide implications and the need for aggregate delivery of financial targets. Mrs Hanwell noted that on 7 November 2022 NHS England had introduced a new protocol for changes to in-year forecasts which stated provider organisations no longer had autonomy to change their forecast income and expenditure position in-year. She explained the protocol detailed the process to be followed and consequences for any organisation contemplating a deterioration in their forecast.

Mr Henry noted the Finance and Performance Committee had looked at the financial report in detail and had been assured of the information provided.

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

22/132

Director of Nursing, Professions and Quality Report (agenda item 15)

Mrs Woffendin presented the Director of Nursing, Professions and Quality Report and highlighted the key areas.

Mrs Khan noted that the report was really helpful in understanding the work being undertaken. She noted the information about the routes into nursing and other professions and observed that the degree route would exclude some people from taking up these careers. Mrs Woffendin noted that this had been raised with Health Education England at a recent meeting where concerns were raised about the pipeline for the future workforce. Mrs Sherburn also observed that looking more flexibly at how the apprenticeship

levy was use might also help support people finding a route into these areas of work.

The Board **received** the Director of Nursing, Professions and Quality Report and **noted** the content.

22/133

Safe staffing Report (agenda item 16)

Mrs Woffendin presented the safe staffing report noting there had been 10 breaches during the period 1 August to 30 September 2022. She added that of the 10 breaches nine had occurred on a night shift. Mrs Woffendin explained she had requested more work to be done through the safer staffing group to understand the reasons why these occurred.

Dr Healey suggested it would be helpful to have projection data included in the report around recruitment and retention. Mrs Woffendin noted this information was available and was being looked at through the Workforce Committee.

Mrs Forster Adams added there was a detailed look forward over a four to six week period in terms of the workforce availability and turnover which informed the strategic plans around care services and the workforce. She also noted this informed the need to move staff temporarily to services where there are specific challenges.

Mrs Woffendin also noted the six-monthly safer staffing report was presented to the Quality Committee which looked at staffing in more detail.

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

Mr Henry left the meeting.

22/134

Medical Directors' Report (agenda item 17)

Dr Hosker presented the Medical Directors' report and provided an overview of the main points in relation to the directorate including: an update on vacancies within the directorate and the actions being taken to address these; an outline of the benefit of having the Improvement and Knowledge Team part of the directorate which provided closer links between quality improvement and the Clinical Directors; and the pharmacy team and the difficulties in recruiting to vacancies.

Mr Wright asked how the Trust benchmarked against other organisations in terms of medical vacancies. Dr Hosker noted the Trust was not an outlier and the difficulties encountered in recruiting medical staff was part of a national picture, although he noted the picture in London was quite different where there were fewer vacancies.

In response to a question from Miss McRae, Dr Hosker assured the Board that locums used in the inpatient services, in the main, were familiar with those services and were known to service users and that this ensured a greater degree of safety in the care provided.

The Board **received** the Medical Directors' report and **noted** the content.

22/135

Guardian of Safe-working Hours Quarterly Report (agenda item 19)

Dr Hosker presented the Guardian of Safe-working Hours Quarterly Report, noting there had been seven exceptions, but assured the Board that none of these had resulted in any patient safety issues.

The Board **received** the Guardian of Safe-working Hours Quarterly Report and **noted** the content.

22/136

Director of People and Organisational Development Report (agenda item 21)

Mrs Sherburn presented the Director of People and Organisational Development report and drew attention to two specific matters. Firstly, she advised that a significant piece of work had been carried out across the Trust in regard to developing an inclusive compassionate culture with a focus on collective leadership. She noted that phase one of the programme had been completed and a comprehensive report and a set of recommendations had been sent out to Cohort one for feedback in order to inform the development of an implementation plan to take forward this work.

Secondly, Mrs Sherburn advised on workforce planning and the development of comprehensive workforce plans, explaining these had been developed with services and key stakeholders. She added these were reviewed and refreshed on a regular basis and were linked into corporate and local training plans, recruitment and selection activity and were supported by the talent management framework.

Miss Grantham asked if the staff networks had been linked into this work to ensure their views and perspectives in terms of diversity and inclusion were taken account of. Mrs Sherburn advised that the Head of Diversity and Inclusion had been asked to look at how the recruitment and selection process could be made more inclusive, adding that this had included members of the networks providing a view on these matters.

The Board **received** the Director of People and Organisational Development Report and noted the content.

22/137

Cyber Security Dashboard (agenda item 21)

Mrs Hanwell presented the cyber security dashboard noting this had been looked at in some detail at the Finance and Performance Committee meeting. In particular she noted the work to implement Multifactorial Authentication adding the trial had been completed and there were discussions as to when this should be rolled out across the Trust.

Miss McRae asked if there was anything that could be learnt from other organisations that had implemented Multifactorial Authentication. Mrs Hanwell agreed to speak to the Chief Information Officer about any learning that might be helpful for this project.

DH

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

22/138

Future Board meeting dates (agenda item 22)

Mrs Hill presented the schedule of future Board meeting dates for consideration. Mr Wright asked if it would be possible to use other meeting venues for the Board strategic discussion sessions with a view to supporting community venues, and also use Trust sites where possible to increase Board visibility. Mrs Hill agreed to look at this.

CHill

Mrs Hill also noted there were two dates being held for the meeting to sign off the year-end documentation and one would be removed when the auditors confirmed the final closedown timetable.

The Board **noted** the dates and arrangements for future meetings.

22/139

Review and approval of the Terms of Reference (agenda item 23)

Mrs Hill presented the refreshed Terms of Reference noting the title for Mr Skinner had been changed to reflect his updated title. Dr Healey noted the need to state Clinical quality *including* safety in Section 6.3 and also to change the word personnel to personal in Section 4. Dr Healey also suggested the reasons for taking items in private could include wording that indicated matters which might cause harm to the public would be considered for the private sessions of the Board. Mrs Hill agreed to look at making these changes.

CHill

The Board **received** and **approved** the refreshed Terms of Reference subject to the two amendments agreed.

22/140

Use of the Trust seal (agenda item 24)

The Board noted the seal had been used once since the last meeting.

- Log number 127 – the contract for refurbishment works at Trust Headquarters.

The Board **noted** the seal had been used once since the last meeting.

22/141 Any other business (agenda item 22)

Miss Grantham noted that at the Council of Governors' meeting on 1 November the governors had thanked Mrs Sue White who stepped down as a Non-executive Director on 31 October 2022 and the Council also agreed to confirm Mrs Khan as a substantive Non-executive Director.

Miss Grantham also made reference to the Council of Governors' meeting on 17 November at which Miss McRae had been appointed as the new Chair of the Trust.

22/142 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 12:40 and thanked members of the Board and members of the public for attending.

The Chair then resolved that members of the public would 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.