



LEEDS AND YORK PARTNERSHIP NHS FOUNDATION TRUST

**Minutes of the Public Meeting of the Council of Governors
held on Wednesday 15 July 2015, in the Large Function Room,
St George's Centre, Leeds LS1 3BR**

PRESENT:

	Frank Griffiths – Chair of the Trust
	Public Governors
	Philip Jones
	Richard Brown
	Niccola Swan
	James Morgan
	Andrew Marran
	Jo Sharpe
	Steve Howarth
	David Smith
	Service User Governors
	Claire Woodham (Lead Governor)
	Becky Oxley
	Maria Trainer
	Ann Shuter
	Staff Governors
	Dominik Klinikowski
	Gary Matfin
	Ruth Grant
	Heather Simpson
	Carer Governors
	Julia Raven
	Alan Procter
	Appointed Governors
	Ant Hanlon
	Colin Clark
	Carol Ann Reed

IN ATTENDANCE:

	Chris Butler, Chief Executive
	Julie Tankard, Non-Executive Director
	Margaret Sentamu, Non-executive Director
	Steven Wrigley-Howe, Non-executive Director
	Anthony Deery, Director of Nursing
	Lynn Parkinson, Deputy Chief Operating Officer
	Cath Hill, Head of Corporate Governance / Trust Board Secretary
	Keisha Allen-Dowuona, Governance Officer (minutes)

15/043	<p>Welcome and Introductions (agenda item 1)</p> <p>The Chair opened the public session of the meeting at 14:30 and welcomed everyone in particular, Mr David Smith noting that this was his first Council meeting.</p>	
15/044	<p>Apologies (agenda item 2)</p> <p>Apologies were received from Laura Phipp (Service User governor – York and North Yorkshire), Annie Dransfield (Carer governor – Leeds), Jackie Ainsley-Stringer (Public governor – Leeds), Andy Bottomley (Carer governor – Leeds), Andrew Johnson (Staff Clinical governor – Leeds and York and North Yorkshire) and Cllr Helen Douglas (appointed governor for the City of York Council).</p>	
15/045	<p>Changes to any declaration of interests and declaration of any conflicts of interest in respect of agenda Items (agenda item 3.1)</p> <p>Mrs Hill presented a report which set out the annual declarations for all governors noting that this paper built on the one presented to the May meeting and now listed the declarations of interests for those governors whose details were missing from the May report.</p> <p>The Council considered the paper. Ms Reed requested that the information in the report be amended to reflect that she is a board member of Tenfold and an employee for Health for All. Subject to this amendment, the Council received the annual declaration of interests report.</p> <p>The Council also noted that no governor present at the meeting had declared any conflict of interest in any agenda item to be discussed.</p>	CH
	<p>The Council received and noted the record of those interests declared by governors as at the end of March 2015.</p>	
15/046	<p>Opportunity to Receive Comments or Questions from Members of the Public (agenda item 4)</p> <p>There were no questions from members of the public.</p>	

15/047	Minutes of the Public Meeting held on 21 May 2015 (agenda item 5.1)	
	The minutes of the public Council of Governors' meeting held on 21 May 2015 were agreed as an accurate record.	
15/048	Matters arising (agenda item 6) There were no matters arising from the minutes of the previous meeting.	
15/049	Cumulative actions – actions outstanding from previous Council of Governors' meetings (agenda item 7) Mrs Hill presented the action log which showed those actions agreed by the Council at previous meetings; those that had been recently completed; and those that were still outstanding. Mrs Hill drew attention to Log 76 which is an action arising from an agenda item entitled, 'Engaging with people who are not fully represented.' Mrs Hill advised that a paper relating to this had been scheduled to come to this meeting but had been withdrawn pending further discussions with the Chair and senior managers. Mrs Hill advised that a report will be brought back to the Council in due course and that Log 76 will remain open. This was noted by the Council.	
	The Council of Governors noted the actions outstanding from previous meetings and was assured of progress.	
15/050	Chair's Report (agenda item 8) Mr Griffiths presented to the Council the Chair's Report. He advised the Council of some of the activities relating to the work of the Trust he and members of the executive team had been involved in; in particular meeting with representatives from the Leeds Clinical Commissioning Groups and Leeds Community Health NHS Trust to look at how organisations across the city might work together differently in the future and better serve those who use our services. Mr Griffiths noted that Mr Procter had raised a question (which had been submitted prior to the meeting) regarding Leeds Citizens and	

	<p>the Trust’s involvement with this organisation noting that it linked to the work he and the executive team had been undertaking with in the city.</p> <p>Mr Butler gave an update to the Council with regard to the work the Trust is undertaking to engage with other organisations across the city including Leeds Poverty Truth and Leeds Citizens. Mr Butler noted that the Trust is keen to maximise the number of opportunities it has to engage with communities and organisations across the city in order to provide services in a different way to benefit service users. Mr Butler also indicated that he, along with other colleagues in the Trust had recently met with people from ethnic minority groups to discuss how the Trust can meet the needs of this underrepresented group.</p> <p>Mr Griffiths drew the Council’s attention to his report in particular changes to the Council of Governors’ membership and advised that Mr Marran who had been on the Council since August 2007 will be stepping down at the end of this meeting, and thanked Mr Marran for all his hard work supporting the work of the Council.</p> <p>Mr Griffiths also asked the Council to note the attendance of the directors at Board of Directors’ meetings, in particular those pertaining to the non-executive directors. He also indicated that he was due to organise the governors’ appraisals and that his PA will be contacting people for dates.</p>	<p>FG / JWF</p>
	<p>The Council received the Chair’s Report and noted the content.</p>	
<p>15/051</p>	<p>Vale of York Clinical Commissioning Group Tender Process Update (agenda item 9)</p> <p>Mr Butler presented a report to the Council in respect of the progress with the Vale of York Clinical Commissioning Group tender process noting that the Trust had not been successful in its bid and described the impact the loss of the contract will likely have on service users and staff and assured the Council of the ongoing work to ensure the safe transfer of services to Tees, Esk & Wear Valleys NHS Foundation Trust (TEWV).</p> <p>Mr Butler gave an update in respect of the Trust’s decision to formally refer its concerns about the process in respect of the tender to Monitor and outlined briefly the nature of these concerns;</p>	

	<p>noting that the Council would be kept updated on the outcome of the decision made by Monitor as to how it was to take forward the Trust's concerns.</p> <p>The Council received the update and reflected on the potential adverse impact the transfer of services would have on service users and the staff working in York. It was, however, satisfied by the assurance provided, on behalf of the Board of Directors, regarding the safe transition of services and the nature of the complaint made to Monitor in respect of the tender process.</p>	
	<p>The Council of Governors received the report and noted the content.</p>	
<p>15/052</p>	<p>Non-executive director presentation about performance (agenda item 10.1)</p> <p>Mr Wrigley-Howe presented the performance report to the Council. He started by explaining some of his outside commitments and how his knowledge of how other organisations work are drawn upon when carrying out his role as a NED for the Trust.</p> <p>Mr Wrigley-Howe then drew attention to the key areas of concern in respect of performance on which he and the other non-executive directors have held the Board to account, in particular safe staffing, complaints, and serious incidents.</p> <p>With regard to safe staffing Mr Wrigley-Howe reported that he was concerned about the nature of the content of the report but assured the Council, that the non-executive directors had challenged the executives in respect of this matter and that they were aware of the outcome of an audit which had been carried out in respect of the data as presented. It was also noted by the Council that NHS England were considering the format of the report going forward. Mrs Swan asked if it would be possible to report against what the Trust considers to be a safe level of staffing. Mr Marran noted that the level of staffing can be affected by the acuity of service users and noted the need for services to be confident they have the right level to deal with this.</p> <p>In terms of complaints Mr Wrigley-Howe noted that the report was still being developed to ensure the Board has the right information to assess not only the qualitative information, but more importantly</p>	

the things that people complain about. With regard to the number of complaints he noted that a rise in complaints could be seen as a positive thing as it indicates that people know how to make a complaint, but that as a NED it is important to understand the themes in order to understand the quality of services.

The Council discussed the report. With regard to complaints, it was suggested that perhaps the reduction in the number of complaints could be due to resources being put into the PALS service. It was also suggested that it is likely that some service users may be unwell even after being discharged, which may result in the delay in making a complaint. The Council agreed there is still work to be done regarding increasing service users' awareness in respect of how to make a complaint about the services provided by the Trust.

With regard to the serious incident report the Council expressed its concern about the type of incidents which occur in particular the number and types of deaths indicated in the report. Mr Griffiths agreed that sometimes the descriptors used in the report could be upsetting but that they reflect the reality of the level of un-wellness of some people who use the service of the Trust.

The Council noted the incident regarding the loss of confidential data. Mr Griffiths indicated that there is a trigger for when a loss is notifiable and that any such incident is investigated fully within the Trust. He also noted that Dr Isherwood is the Caldicott Guardian overseeing the safety of data and information.

Ms Woodham asked about those incidents in the report where service users had been under the care of the CMHT service, noting that she had raised matter of a lack of CPNs in the CMHTs some months ago, and asked whether there was a potential link between this issue and the deaths. Mr Wrigley-Howe referred back to the earlier discussion around safe staffing noting that there isn't a metric which measures safe levels in the community and that the NEDs are sighted on this lack of information. He also linked the matter of the provision of community services to the number of beds required noting that a reduction in beds must be balanced with the right provision of community services. It was noted that there is currently a detailed piece of work being carried out in the Trust around bed numbers and that the outcome of this will be brought back to the Council in due course.

JC

	The Council of Governors received the report, noted its content and confirmed that the information provided in the report provided assurance that the Trust is compliant with all regulatory requirements, contractual and local targets.	
15/053	Final version of the Quality Report for 2014/15 (agenda item 10.2)	
	The Council of Governors received and noted the final version of the Trust's Quality Report for 2014/15.	
15/054	<p>Update on the implementation of improvements to the psychology and psychotherapy services in York (agenda item 11)</p> <p>Mrs Parkinson introduced a report which provided an update on the implementation of improvements to the psychology and psychotherapy services in York noting it specifically discussed the service provided to meet the needs of people with personality disorders.</p> <p>Mrs Parkinson discussed how the current proposal set out in the report has been developed; the outcome and responses to the consultation process undertaken about the changes; the final model for local personality disorder (PD) services and psychological therapies provision; and an update on how this has progressed.</p> <p>The Council was pleased with the update and thanked Mrs Parkinson for the report.</p>	
	The Council of Governors received and noted the progress detailed in this paper.	
15/055	New format for the performance report to the Council of Governors (agenda item 12)	

	The Council of Governors received and noted the information regarding the new format for the performance report to the Council of Governors, and noted that the new style report will be brought back to the September meeting.	
15/056	Draft minutes from the Appointments and Remuneration Committee meeting held 17 June 2015 (agenda item 13)	
	The Council received the draft minutes for the Appointments and Remuneration Committee and noted the items discussed and was assured that the committee is working within its Terms of Reference and of the progress with the individual areas of work.	
15/057	Confirmation of the outcome of the elections to the Appointments and Remuneration Committee (agenda item 13.1) Mrs Hill informed the Council that following an election earlier in the day Ms Oxley had been nominated and subsequently elected to the Appointments and Remuneration Committee. The Council noted that as part of the election process no appointed governor had come forward to stand for election, but that outside of that process Ms Reed had expressed a willingness to be on the committee. The Council confirmed that it was happy for Ms Reed to be a member of the Appointments and Remuneration Committee.	
	The Council noted and ratified the appointment of Ms Oxley and Ms Reed to the Appointments and Remuneration Committee.	
15/058	Representing the interests of members and the public (agenda item 14)	
	The Council noted the report and in particular how governors can get involved in the opportunities set out in the report for engagement and to maximise opportunities to promote the work of the organisation	

15/059	Update on the arrangements for the Annual Members' Day (agenda item 15)	
	The Council received and noted the arrangements for the Annual Members' Day; in particular the date and time of the event and also noted that governors have been invited to be involved in the arrangements for the day.	
15/060	<p>Changes to the Constitution (agenda item 16.1)</p> <p>Mrs Hill presented the Trust's Constitution to the Council and drew its attention to the proposed changes in particular the inclusion of Annex 10 around the Annual Members' Meeting and also the opportunity to use electronic voting in future elections.</p> <p>The Council was advised that the proposed changes had been approved by the Board of Directors at its meeting on 18 June 2015 and they were presented to the Council of Governors for its approval also.</p> <p>Mrs Hill advised the Council that the proposed changes to the Constitution will be presented to members at the Annual Members' Meeting but only where these changes affect the role of governors. The Council considered the proposed changes to the Constitution and approved them.</p>	
	The Council of Governors noted and approved the proposed changes to the Constitution.	
15/061	Refreshed NED appointment procedure for ratification (agenda item 16.2)	
	The Council of Governors received and ratified the proposed changes to the Non-executive Director Appointment Procedure as highlighted in the document.	

15/062	Ratification of the refreshed Terms of Reference for the Council of Governors (agenda item 16.3)	
	The Council of Governors received and confirmed that the Terms of Reference for the Council remained fit for purpose and correctly described its role.	
15/063	Ratification of the refreshed role description of the Lead Governor (agenda item 16.4)	
	The Council approved the refreshed role description for the Lead Governor.	
15/064	Minutes of the meeting of the Board of Directors held 30 April 2015 (agenda item 17)	
	The Council received the minutes of the public meeting of the Board of Directors and noted the content.	
15/065	Audit Committee Annual Report 2014/15 (agenda item 18)	
	The Council received the 2014/15 Annual Report for the Audit Committee and noted the content.	
15/066	Dates of future meetings for 2016 (agenda item 19)	
	The Council noted the future meeting dates for Council meetings in 2016 and noted that venues will be advised once known.	
15/067	Any other business (agenda item 20)	
	Mr Griffiths acknowledged that it was Mr Marran's last day as a governor of the Trust. The Council thanked him for his tremendous	

	<p>contribution to the work of the Trust and wished him well on his future endeavours.</p> <p>There were no other items of business.</p>	
15/068	<p>Question / comments from Members of the Public (agenda item 21)</p> <p>There were no questions from the public.</p>	
<p>The chair of the meeting closed the public meeting of the Council of Governors of Leeds and York Partnership NHS Foundation Trust at 16:00 and thanked governors and members of the public for their attendance.</p>		

**COUNCIL OF GOVERNORS' ACTION SUMMARY
(PUBLIC MEETING)
Meeting held 15 July 2015**

MINUTE	ACTION SUMMARY (PUBLIC MEETING)	LEAD
15/045	<p>Changes to any declaration of interests and declaration of any conflicts of interest in respect of agenda Items (agenda item 3.1)</p> <p>The Council considered the paper. Ms Reed requested that the information in the report be amended to reflect that she is a board member of Tenfold and an employee for Health for All. Subject to this amendment, the Council received the annual declaration of interests report.</p>	CH
15/050	<p>Chair's Report (agenda item 8)</p> <p>Mr Griffiths also indicated that he was due to organise the governors' appraisals and that his PA will be contacting people for dates.</p>	FG / JWF
15/052	<p>Non-executive director presentation about performance (agenda item 10.1)</p> <p>It was noted that there is currently a detailed piece of work being carried out in the Trust around bed numbers and that the outcome of this will be brought back to the Council in due course.</p>	JC