

**Minutes of the Public Meeting of the Council of Governors
held on Thursday 8 November 2018 at St George's Centre, Great George
Street, Leeds, LS1 3DL.**

PRESENT:

Professor Sue Proctor – Chair of the Trust (Chair of the meeting)

Public Governors

Steve Howarth
Les France
Ivan Nip
Niccola Swan
Peter Webster

Staff Governors

Sarah Chilvers
Andrew Johnson
Joanne Goode
Sarah Layton
Sally Rawcliffe-Foo

Appointed Governors

Cllr Jenny Brooks
Helen Kemp

IN ATTENDANCE:

Helen Grantham – Non-executive Director
Cath Hill – Associate Director for Corporate Governance / Trust Board Secretary
Claire Holmes – Director of Organisational Development and Workforce
Dr Sara Munro – Chief Executive of the Trust
Margaret Sentamu – Non-executive Director
Sue White – Non-executive Director (Deputy Chair of the Trust)
Steven Wrigley-Howe – Non-executive Director / Senior Independent Director
Emily Whitfield – Corporate Governance Assistant (Secretariat)
Four members of the public

18/036 Welcome and introductions (agenda item 1)

Professor Sue Proctor opened the meeting at 1.38pm and welcomed everyone.

Cath Hill reported that there would not be an election to the Appointments and Remuneration Committee as planned. Governors **noted** that ballot papers for the election would be circulated in the post. The Council **supported** this new process.

18/037 Apologies (agenda item 2)

Apologies were received from the following governors: Marc Pierre Anderson, Service User: Leeds; Gill Galea, Staff Clinical: Leeds and York & North Yorkshire; Christopher Hobbs, Carer: Leeds; Kirsty Lee, Public: Leeds; Ellie Palmer, Service User and Carer: Rest of UK; and Ann Shuter, Service User: Leeds.

The Council was quorate.

Sue Proctor went onto inform the Council that: Prof John Baker, Non-executive Director; Dawn Hanwell, Chief Financial Officer and Deputy Chief Executive; Joanna Forster Adams, Chief Operating Officer; Dr Claire Kenwood, Medical Director; Cathy Woffendin, Director of Nursing, Professions and Quality; and Martin Wright, Non-executive Director had given their apologies for the meeting.

18/038 Changes to any declaration of interests and declaration of any conflicts of interest in respect of agenda items (agenda item 3)

Cllr Jenny Brooks requested a new declaration of interest form.

EW

No other governor indicated a change to their declared interests in respect of agenda items.

18/039 Minutes of the public Council of Governors meeting held on the 3 July 2018 (agenda item 4.1)

Joanne Goode pointed out that her title was incorrect. It was agreed that this would be amended. Andrew Johnson queried minute 18/027 and stated that the incident fire in Ward 5 at the Becklin Centre had been recorded as 'serious' in the minutes when it was officially classed as 'critical'. The Council noted that at the time of the meeting, the incident was reflected as 'serious', thus the minutes would not be changed.

EW

The minutes of the public meeting that was held on the 3 July 2018 were **approved** as a true record.

18/040 Minutes of the Annual Members' Meeting held on the 31 July 2018 (agenda item 4.2)

Joanne Goode and Ivan Nip requested that their titles were corrected.

EW

The minutes of the Annual Members' meeting that was held on the 31 July 2018 were **approved** as a true record.

18/041 Matters arising (agenda item 5)

There were no matters arising.

18/042 Cumulative action log – actions outstanding from previous public meetings (agenda item 6)

Sue Proctor presented the cumulative action log. The Council agreed that the following actions should be closed: 'understanding finance and the external audit function' workshop to be arranged; outcome of the discussion that took place in Quality Committee of the learning from the Gosport Report to be presented to the Council; Jo Goode to receive a new declaration of interest form; Martin Wright to be recorded on the register of attendance for non-executive directors at Council of Governors' meetings; Board Assurance Framework style list of risks to be presented to the Council; and an update of the 'Council of Governors' meeting etiquette' document.

It was confirmed that the update on the Trustwide Outcomes Group from Tom Mullen (Clinical Director, Leeds Care Group) would be presented at the Council of Governors' meeting in February 2019.

Tom Mullen

Finally, the Council noted that the action regarding the Membership Team working with the Patient Experience Team would be revised.

CH

The Council **received** the update on the cumulative action log and were **assured** of progress made.

18/043 Chair's report (agenda item 7)

Sue Proctor presented the Chair's report. The Council noted that the only change to the Executive Team was Claire Holmes beginning her role as Director of Organisational Development and Workforce.

Sue White pointed out that the attendance for non-executive directors at the Council of Governors' meeting on the 3 July 2018 was recorded incorrectly. Cath Hill agreed to amend this to accurately represent the attendance at that meeting.

CH

The Council **received** the Chair's report and **noted** its contents.

18/044 Chief Executive report (agenda item 8)

Dr Sara Munro presented the Chief Executive report to the Council. She reported that Ward 5 at the Becklin Centre was now back up and running and gave thanks to the Estates and Facilities Department, and all clinical staff involved in the support and development of the Ward. The Council noted that thanks had been passed to the staff at Bradford District Care Trust. Sara then reported that she had attended an admin team coordination session for the second time and reported that engagement and enthusiasm for making a difference was high amongst staff.

Next, Sara Munro spoke about the Learning Disability Service. The Council noted that she had spent time with the Community Team and that the Health Facilitation Team had been shortlisted at the Nursing Times Awards.

Sara Munro reported that the Trust's World Mental Health Day and Nursing and Allied Health Professions Strategy Launch had been a success. She outlined that the Workforce Race Equality Network (WREN) launch event took place where staff were asked what it was like to be Black Minority Ethnic (BME) staff. Sara explained that this would be a new network that BME staff would lead on and would be a platform for voicing any extra support that might be needed. Margaret Sentamu agreed that the WREN session was good and had been inspiring to hear some attendees' stories. Margaret said that there was a good mix of attendees at the event.

Sue Proctor informed the Council of a Stonewall survey that she had heard on the radio about the effect of the Lesbian, Gay, Bisexual, Transgender, Queer (LGBTQ) community on mental health and the prevalence of depression in particular. The Council noted the partnership work that the Trust was doing with the Rainbow Alliance on de-stigmatising and challenging the stigma around LGBTQ and mental illness. The Council welcomed an update at a later date from the Rainbow Alliance to hear about the work that they have been doing around this, focussing on diversity and also the vulnerability to mental illness in this community.

**Kate
Ward**

Sara Munro then went on to talk about regulatory matters. She explained that for Health and Safety Executive (HSE) inspections, the Trust was chosen out of 20 other trusts and there would be a full day in clinical and non-clinical environments, focussing on violence and aggression and musculoskeletal injuries. Sara explained that there would be a meeting on the 15 November 2018 to discuss feedback from the inspections. She reported that the staff that were inspected had said they would recommend the Trust to their own family members. The Council noted that during the same week of the HSE inspections, the Care Quality Commission (CQC) would complete their system review of Leeds including the pressure on mental health services. Next, Sara reported that the Fire Safety Improvement Collaborative Task and Finish Group had been initiated, which was looking at supporting staff in the event of a fire. The Council noted that this Group would provide assurance that risks were being considered (for example, the risk of smoking). The Council questioned how the Trust would manage identified risks. Helen Grantham informed the Council that the Audit Committee meeting (taking place in the following week) members would be looking at health and safety management issues, including RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations – a

formal reporting process), risks and hazards. The Council noted that there would be a verbal update on this from Martin Wright (chair of the Audit Committee) at the next Board of Directors meeting on the 29 November 2018. Governors were encouraged to attend this public Board meeting. Niccola Swan noted the area within the HSE inspection on aggression towards staff members, she pointed out that it is an area that is prominent in staff survey results. Sara reported that at the start of the HSE inspections, the inspectors had a 'zero tolerance' against aggression towards staff. She informed the Council that the inspectors realised quickly that it was more complicated than this in mental health services, and did not raise any issues following the inspections after this. Sara informed the Council that one of the ways that the Board had decided would be best to try and reduce violence and aggression would be to reduce restrictive interventions, as well as looking at how to implement things such as smoking policies.

Next, Sara Munro provided a system update. She reported that there would be bi-monthly meetings of the Leeds Providers Integrated Care Collaborative (LPICC) Committees in Common. The Council noted the things that were considered, such as: what was causing pressure in services in Leeds and service users' recovery pathway. Sara then spoke about the West Yorkshire and Harrogate Integrated Care Partnership where she said that they had had the Executive Team Workshop where they were reviewing what the longer term plans to continue to work as a collaborative could be. She highlighted that they would be looking at other areas to improve, such as suicide prevention and that in the budget report, mental health remained a priority.

Sue White noted that the Joint Strategic Needs Assessment (JSNA) had been discussed at the Mental Health Legislation Committee, where there had been an action to look at findings from 2017's JSNA called 'Leeds in Mind'. Sue asked how the Trust is connected to the JSNA. Sara Munro reported that the Health and Wellbeing Board, which she is a member of, is connected to the JSNA. She said that older people had been a key area of discussion for this year and it had been looked at as to whether the funding is going into the right place for this as the demand for old people services grows.

Finally, Sara highlighted her reasons to be proud, starting with the Trust's Learning Disability Community Team on being shortlisted at the Nursing Times Awards. She confirmed that Dr Ahmed Hankir had won the Core Psychiatric Trainee of the Year award at the Royal College of Psychiatrists annual awards ceremony, the Council congratulated him. The Council congratulated the specialist Personal Disorder service and the Connect Eating Disorder Team winning the Positive Practice awards, with the Rainbow Alliance being highly commended.

Finally, Helen Grantham fed back that the Trust has a positive reputation as an employer and organisation in terms of recruitment and retention.

The Council **received** the Chief Executive report and **noted** its contents.

The Council noted that the aim of the Quality and Performance Outcome Report was to outline the Trust's performance over the last three months and to gain an insight into any recent discussions within the Board of Directors around performance. The Council were invited to take part in an open discussion on the contents of the report.

Sue Proctor drew the open discussion to a close and feedback was shared to the group.

The Council then noted that there is access to further information by governors observing Board of Directors meetings and this was another way for the governors to gain assurance.

Steven Wrigley-Howe assured the Council that the processing of information was efficient and that the Quality Committee was starting to look at 'did the service help you?' It was queried about whether targets in this report were necessary. The Council noted the importance of targets when analysing data and evidencing performance. It was noted that in certain contracting arrangements target reporting was required. The Council noted that the Finance and Performance Committee also scrutinise the wider Quality and Performance report prior to being presented to the Board of Directors.

The Council **noted** the contents of this report and **welcomed** the development of future iterations of it.

18/046 Outcome of the learning from the Gosport Report being presented to the Quality Committee (agenda item 11)

Steven Wrigley-Howe presented the paper on the outcome of learning from the Gosport Report following it being discussed at the Quality Committee. He explained that the Gosport Report was the external investigation into the deaths of over 450 patients at the Gosport War Memorial Hospital (community hospital) in the 1990s. The Council noted that the report that went to the Quality Committee was published in June 2018. Steven went onto describe what important learning the report highlighted. The Council noted that assurance had been given at the discussion in the Quality Committee meeting that the issues had been considered and continuous review and improvements were in place. It was noted that the report had strengthened the Trust's focus on the issue of isolated staff (geographically and also within a role, or working patterns).

Sue White reported that she, Ivan Nip and Andrew Johnson had visited the Pharmacy Team recently and Jane Riley (Chief Pharmacist) had provided a report around Gosport, what some of the risks were and how the Trust would get assurance that there are processes in place to avoid it happening again. Joanne Goode added that the pharmacists formally check the controlled drugs on a monthly basis, and provide a report back to the Chief Pharmacist on a three-monthly basis. She said that staff members are vigilant in checking wards on a weekly basis.

The Council noted that John Verity (Freedom to Speak Up Guardian) had been to visit isolated staff and services to help ensure that they are being kept up to date with processes as they change. Sue Proctor reported that John meets with herself, Sara Munro and the Senior Independent Director (Steven Wrigley-Howe) regularly and provides a bi-annual report to the Board of Directors.

The Council noted the importance of resilience and not losing focus on safe standards.

The Council **noted** the outcome of the learning from the Gosport Report being presented to the Quality Committee. The Council was **assured** that the Board are acting on the learning from the report.

18/047 Report from the Chair of the Mental Health Legislation Committee (agenda item 12)

The Council noted that this report was a new standing item as part of the Council of Governors agendas. Each Board sub-committee is chaired by a non-executive director who will present an update on the meeting that they chair in each Council of Governors meeting, by means of an annual report.

Margaret Sentamu presented the Mental Health Legislation Committee Chair's report. She started by inviting governors to observe these meetings to get more insight into what happens. The Council noted that Margaret was the Chair of the Committee and Sue White was the Deputy Chair. Cathy Woffendin (Director of Nursing, Professions and Quality) and Andy Weir (Deputy Chief Operating Officer) were also members. The Council noted that the purpose of the Committee was to provide assurance to the Board of the application of aspects of the Mental Health Act 1983, including the Mental Capacity Act 2005 and the Deprivation of Liberty Safeguards within the Trust. Margaret reported that some of the duties of the Committee included monitoring and reviewing the adequacy of the Trust's processes of administering the Mental Health Act; working with the Mental Health Act Managers' forum; ensuring performance and regulatory compliance by receiving assurance from the Mental Health Legislation Operational Steering Group, including compliance with the Care Quality Commission's (CQC) requirements; ensuring that there is sufficient training to maintain the required competency levels in clinical teams; providing assurance to the Board of Directors and the Council of Governors; and ensuring service users and carers contribute to discussions and agree on proper use of the legislation.

Margaret then reported that there were concerns over the fact that the target compliance of staff completing the required compulsory training was not being achieved. The Council were assured that Cathy Woffendin was looking into this. Finally, Margaret Sentamu also reported that there had been an increase in the use of Section 136 of the Mental Health Act which gives the police the power to remove a person from a public place, when they appear to be suffering from a mental disorder, to a place of safety. Peter Webster enquired if there was any data

regarding the numbers of people with learning disabilities who are taken to a safe place under section 136 of the Mental Health Act. It was agreed that this would be looked into.

SL

It was agreed that Margaret Sentamu would send the overview report on the work of the Mental Health Legislation Committee to Cath Hill to be circulated to the Council.

MS/CH

The Council **welcomed** the report from the Chair of the Mental Health Legislation Committee and **noted** the invitation to observe a Mental Health Legislation Committee as part of undertaking the governor role.

18/048 Thematic Report following Annual Members' Day 2018 (agenda item 13)

Oliver Tipper (Head of Communications) presented the thematic report following the Annual Members' Day 2018. The report contained the outputs and evaluation from the meeting that took place on the 31 July 2018. He confirmed that the 2019 Annual Members' Day themes and structure of the day was being considered, and so far it was planned for the Service User Network (SUN) to be involved. The Council noted that engagement would be looked at in the planning of Annual Members' Day 2019.

Helen Kemp queried how all of the work from the Big Conversation fits into the overall Leeds plan. She noted Leeds should be working collectively together on improving services, rather than just the Trust on its own. Oliver said that it was a challenge for staff to know the full picture of all services.

The Council **welcomed** the thematic report following Annual Members' Day 2018 and **noted** its contents. The Council **agreed** to the outlined action plan created from the Big Conversation and to receive an update on these actions during the 2019 Annual Members' Day.

Oliver
Tipper

18/049 Report following the Board to Board event on the 5 September 2018 (agenda item 14)

Cath Hill presented the feedback from the Board to Board meeting on the 5 September 2018. She outlined that the full-day event was attended by eleven governors and twelve Board members. The Council noted that 'Board to Board' meetings are designed to allow an informal, open dialogue between governors and directors on the Trust's key strategic issues. Cath reminded the Council that the topics discussed at the meeting were collective leadership; working with partners; and Trust finances. Cath highlighted that during the day there were presentations from executive directors, followed by group discussions, and then feedback to the whole group.

Cath went onto present the key themes that were captured during the Board to Board meeting and asked that any actions would be agreed by executive directors in terms of lead and timescales. It was agreed that there would be an update at the

CH

Council of Governors meeting in February 2019 on this.

The Council **noted** the contents of the report following the Board to Board event on the 5 September 2018.

18/050 The Trust's Key Strategic Risks (agenda item 15)

Cath Hill outlined the information on the Trust's Key Strategic Risks. She explained that the Board of Directors had agreed on what these specific risks were in November 2017. She highlighted where the risks are received and monitored closely by the Board of Directors and its sub-committees. Niccola Swan commented that some of the top risks were generic and could apply to any trust. Sue White responded by saying that some are clearly NHS-wide, but still apply as the top risks to our Trust. Cath Hill said that there was a subsidiary list and a full report would be going to the next Board of Directors meeting in November 2018. It was agreed that Cath would think of a way to distil the list down in its future iterations.

CH

The Council **noted** the information on the Trust's Key Strategic Risks.

18/051 Annual Cycle of Business (agenda item 16.1)

Cath Hill presented the Annual Cycle of Business for the Council of Governors' formal meetings, the Annual Members' meeting and the Board to Board meeting. The paper highlights the standing items; statutory and non-statutory duties; work involving non-executive directors; and administrative business for the Council of Governors. Cath explained that the Annual Cycle of Business is used to see what agenda items would be in each meeting.

Cath Hill asked the Council to be assured that the Annual Cycle of Business includes all of the statutory duties which the Council must carry out; alongside the areas which governors have asked to be informed on.

The Council **noted** and **approved** the Annual Cycle of Business.

18/052 Refresh of the Governor Role Description (agenda item 16.2)

Cath Hill presented the refreshed Governor Role Description. She highlighted that this was a public document which would be uploaded onto the website once approved.

EW

The Council **noted** the refreshed Governor Role Description and **agreed** the amendments that had been made.

18/053 Refresh of the Appointments and Remuneration Committee Terms of Reference (agenda item 16.3)

Cath Hill presented the refreshed Terms of Reference for the Appointments and Remuneration Committee. She outlined that following discussion at the Council of Governors’ meeting on the 3 July 2018, a revision had been made in terms of the membership of the Committee.

The Council **noted** the amendments that were made as part of the review by the Corporate Governance Team, and **ratified** the refreshed terms of reference for the Appointments and Remuneration Committee.

18/054 2019 meeting dates (agenda item 16.4)

The Council **noted** the meeting dates for 2019.

The Chair of the meeting closed the public meeting of the Council of Governors of Leeds and York Partnership NHS Foundation Trust at 3.50pm. She thanked governors and members of the public for their attendance.

Signed (Chair of the Trust)

Date