

**Minutes of the Public Meeting of the Council of Governors
held at 1pm on Tuesday 7 July 2020
via Zoom**

PRESENT:

Prof Sue Proctor – Chair

Public Governors

Steve Howarth
Kirsty Lee
Niccola Swan
Peter Webster

Staff Governors

Gill Galea
Ruth Grant
Andrew Johnson
Sally Rawcliffe-Foo

Appointed Governors

Helen Kemp
Anna Perrett

Service User Governors

Peter Chapman
Ann Shuter
Mark Clayton

IN ATTENDANCE:

John Baker – Non-Executive Director
Rose Cooper – Corporate Governance Officer
Helen Grantham – Non-Executive Director
Dawn Hanwell – Chief Financial Officer and Deputy Chief Executive
Cleveland Henry – Non-Executive Director
Cath Hill – Associate Director for Corporate Governance
Claire Holmes – Director of Organisational Development and Workforce
Rashpal Khangura – Audit Manager KPMG
Bea King – Corporate Governance Assistant
Chris Marston – Corporate Governance Assistant
Kerry McMann – Corporate Governance Team Leader
Sara Munro – Chief Executive
Wendy Tangen – Clinical Services Inclusion Lead (for agenda item 14)
Andy Weir – Deputy Chief Operating Officer (attending on behalf of Joanna Forster Adams)
Sue White – Non-Executive Director
Martin Wright – Non-Executive Director

20/017 Welcome and introductions (agenda item 1)

Sue Proctor opened the meeting of the Council of Governors and welcomed everyone. A minute's silence was held for those affected by Covid-19 over the course of the year.

It was noted that Andy Weir was in attendance at the meeting in the absence of Joanna Forster Adams, Chief Operating Officer. The Council was also informed that Wendy Tangen, Clinical Services Inclusion Lead, would join the meeting for agenda item 14.

20/018 Sharing Stories: Specialist Supported Living Service sharing their experience of Covid-19 (agenda item 2)

Gill Galea shared a presentation with the Council of Governors on the experiences of working within the Specialist Supported Living Service during Covid-19.

Sue Proctor thanked Gill and the team on behalf of the Council. Peter Webster asked if there were any lessons learnt that might benefit service users in the future. Gill agreed that whilst there may be a point in time where staff would be able to reflect on any lessons learnt, there had yet to be an opportunity to do so, noting that the pandemic was still requiring a lot of attention.

Steve Howarth asked how the team had managed the difficult issue of visiting restrictions during Covid-19 and if there had been any lessons learnt from this. Gill informed the Council that there were protocols in place and that additional work was being undertaken with Leeds Teaching Hospitals NHS Trust to build on what had been learnt so far regarding service users who needed to be transferred into the acute services.

20/019 Apologies for absence (agenda item 3)

Apologies were received from the following governors: Tina Turnbull (Appointed Governor for Tenfold), Marc Pierre Anderson (Service User Governor), Sarah Layton (Non-clinical Staff Governor) and Les France (Leeds Public Governor). Apologies had also been received from the following Executive Directors: Claire Kenwood, Medical Director; and Cathy Woffendin, Director of Nursing, Professions and Quality. Andrew Marran, Non-executive Director, also sent his apologies for this meeting.

The Council was informed that this would be Sally Rawcliffe-Foo, Gill Galea, Marc Pierre Anderson and Kirsty Lee's final Council of Governors' meeting, but that all were eligible for re-election in the next round of elections. It was also noted that this would be Claire Kenwood's final Council of Governors' meeting, as she would be stepping down as Medical Director at the end of July, with Chris Hosker taking over the role with effect from 1 August 2020.

20/020 Changes to any declaration of interests and declaration of any conflicts of interest in respect of agenda Items (agenda item 4)

Niccola Swan noted that she had a family member working for KPMG, but not in an audit role. Rashpal Khangura informed the Council that KPMG has an internal process in place to ensure that people would not work on an audit where they have a conflict of interest.

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

20/021 Declarations of Interest for the Council of Governors (agenda item 4.1)

The Council of Governors **confirmed** that the declarations of interest listed on the matrix were correct and up to date.

20/022 Minutes of the public Council of Governors' meeting held on the 4 February 2020 (agenda item 5)

Helen Grantham requested that a correction was made to minute number 20/003, which should say that Helen Kemp had a conflict of interest instead of herself.

CM

The Council **agreed** the minutes of the meeting held on the 4 February 2020 as an accurate record, subject to the above amendment.

20/023 Matters Arising (agenda item 6)

There were no matters arising.

20/024 Cumulative Action Log – actions outstanding from the previous public meetings (agenda item 7)

Sue Proctor asked when the governors would be updated on progress with the Acute Care Excellence work as this had been paused due to Covid-19. It was agreed that this would be scheduled for the Board to Board meeting in September. Mrs Hill agreed to add this to the agenda for 10 September 2020.

Sue Proctor also asked about the action for Claire Kenwood to update the Council on the outcomes work. It was agreed that Claire would be contacted for an update outside of the meeting.

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

20/025 Chair's Report (agenda item 8)

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

20/026 Annual Members' Meeting Update (agenda item 8.1)

Cath Hill reminded the Council that due to Covid-19, the Trust was unable to go ahead with the Annual Members' Day that had been scheduled for the 28 July 2020.

Cath Hill informed the Council that the meeting would now be held on the 5 November 2020 and would last for 90 minutes instead of a full day. She explained there was potential for the meeting not to be quorate, and asked for agreement from the Council that in the event of it not being so, the meeting would still go ahead. The Council agreed this temporary change to the standing orders for the running of the Annual Members' Meeting.

Ruth Grant asked if arrangements would be made so that people could attend the meeting virtually and Cath confirmed that this would be an option, but that the exact arrangements for the meeting were still to be finalised.

The Council **supported** the arrangements for the Annual Members' Meeting on the 5 November 2020 and **agreed** a temporary change to the quoracy rules for this meeting should it be required.

20/027 Chief Executive Report (agenda item 9)

Sara Munro presented the Chief Executive Report and informed the Council of some of the work that had been going on during the Covid-19 pandemic, as well as a regional and national update on the situation. She explained that local authorities were required to create a Local Outbreak Management Procedure, which had now been completed, and informed the Council that this would be taken to a Health and Wellbeing Board to Board meeting for discussion later that week.

Sara Munro also discussed the staff anti-body testing that had been taking place across the Trust, and noted that 12% of staff had tested positive out of a total of 1300 so far.

The Council was updated on the construction of the new Child and Adolescent Mental Health Unit that was being carried out on the St Mary's Hospital site.

They were reassured that the site had been operating safely throughout the Covid-19 pandemic, and that the unit was expected to be completed on schedule.

Sara then explained the Trust's approach to enabling staff to come back to the workplace safely. She also noted that there would be a celebration event for staff which would be held at some point in the future instead of the traditional Annual Trust Awards event. Sara also spoke about the national NHS Charity and the money which had been donated to the Trust from the fund. She talked about the ideas that had been provided for how this money could be used and invited the Council to come forward with ideas on how the Trust could spend NHS donations on staff.

Peter Webster asked for an update on the memorial for staff that had lost their lives due to Covid-19. Sara explained that discussions were taking place and that they had received suggestions of what could be done.

It was agreed that a copy of the letter that had been sent to staff from Sara Munro about the Trust's commitment to tackling racism and inequality would also be sent to governors.

CM

The Council **received** the Chief Executive Report.

20/028 Lead Governor Report (agenda item 10)

Peter Webster presented the Lead Governor Report. He informed the Council that the two question and answer sessions with governors during May and June had been well attended. He also thanked Martin Wright for the comprehensive report he produced on the work of the non-executive directors during the Covid-19 pandemic. Peter then informed the Council that several governors had observed the Board of Directors' meeting on the 25 June 2020 which had been held virtually.

The Council of Governors meeting was suspended for a 15 minute break from 14:05 to 14:20.

Mark Clayton left the meeting.

The Council **received** the verbal Lead Governor Report.

20/029 Audit Committee Annual Report 2019/20 (agenda item 11)

Wendy Tangen and Anna Perrett joined the meeting.

Martin Wright presented the Audit Committee Annual Report 2019/20. He explained to the Council what the Audit Committee was, the programme of work that is undertaken, and highlighted some of the work that had been done over the

last few months. He also encouraged the governors to observe an Audit Committee meeting to gain a further understanding of the role of the Committee.

The Council **received** the 2019/20 Annual Report for the Audit Committee and was **assured** of the work of the external auditors in relation to providing assurance to the Audit Committee.

20/030 Report on the Annual Audit of the Trust's Accounts 2019/20 (agenda item 12)

Rashpal Khangura presented the report on the Annual Audit of the Trust's Accounts 2019/20. He informed the Council of the scope of work that had been undertaken, and noted that they had given a clean audit opinion and a clean value for money conclusion.

Peter Webster asked for some assurance around the handling of instances of fraud in the Trust. Martin Wright informed the Council that the Audit Committee has a representative from the Counter Fraud Team at Audit Yorkshire attend each of their meetings where they present progress reports and provide updates against the annual work plan. He added that the Team also informs the Committee of any instances of fraud that other Trusts have faced so that we can put in place preventative measures.

Peter Webster asked about the apparent dip in revenue this year compared to the previous year. Dawn Hanwell explained that this was due to the non-recurrent monies received last year which had artificially boosted the cash position. However, she assured the Council that, aside from this, the Trust had grown financially year on year.

The Council **received** the Auditors' Report and **noted** the information and assurance provided.

20/031 Trust's Annual Report Update 2019/20 (agenda item 13)

Cath Hill presented the Trust's Annual Report Update 2019/20. She explained some of changes that had been made to the requirements for the content of the Annual Report. She informed the Council that NHS Improvement had acted to reduce the burden on managers who provide the relevant information for the report due to them being involved in the management of Covid-19.

Cath informed the Council that the Annual Report had now been produced and audited, that it had been presented to the Audit Committee and the Board of Directors, and would be laid before parliament in the coming days. She also noted that it would be presented in full to the Council of Governors on the 5 November 2020 as part of the Annual Members' Meeting, but that the highlights of the report had been circulated to the Council as part of this agenda item.

The Council **noted** the procedure that had been followed in the preparation of the Annual Report, **noted** the next steps in the process and also **received** the Chair and Chief Executive's reports from the Annual Report to provide a summary of the events in 2019/20.

20/032 Increased risk of Covid-19 for BAME staff and service users (agenda item 14)

Wendy Tangen explained some of the work being undertaken to recognise and try to resolve the issues and concerns that had arisen for BAME communities during the Covid-19 pandemic.

Wendy responded to a question from Niccola Swan about whether BAME staff feel less confident in challenging and may experience higher rates of bullying and harassment in the workplace. Wendy informed the Council that whilst the data suggested that this was true, they were taking steps to resolve this, and explained that Freedom to Speak Up Ambassadors were being introduced to give staff additional support and alternative routes for them to share their experiences. Helen Grantham informed the Council about ways in which the Workforce Committee gains assurance on matters relating to equality, diversity and inclusion in the Trust.

Sue Proctor suggested that this agenda item was revisited at the November meeting and asked whether the governors would like to add this to their work plan as a key area of focus for next year. The Council agreed.

CHill

Peter Webster also asked if governors could receive cultural competency training as part of their development. Cath Hill responded that this was something they would look into and add to the governor training programme.

CHill

Rashpal Khangura left the meeting.

The Council **thanked** Wendy Tangen for her presentation.

20/033 Service Performance Update Report (agenda item 15)

The Service Performance Update Report was presented to the Council. Peter Webster asked about the figures for out of area placements. Andy Weir explained that during the peak of the Covid-19 pandemic, they had reused 22 acute beds for shielding or cohorting purposes and that this had impacted on inpatient capacity. He informed the Council of the procedure in place to reinstate these beds for mainstream mental health care when it was appropriate and safe to do so.

The Council **received** the information provided in relation to the performance data currently available.

20/034 Process for the upcoming elections to the Council of Governors (agenda item 16)

Cath Hill drew attention to the four governors who were coming to the end of their term of office. She noted that due to a slight delay in the running of the elections, due to the impact of Covid-19, there would be a short period between the end of their terms of office and the completion of the elections. She explained that this would mean that they would technically not be elected governors, but that for the duration of this short period any governors wishing to re-stand in the next election could sign a confidentiality statement. This statement would allow them to continue to be connected to the Council during the interim period whilst not being voting governors.

The Council **agreed** the timetable for the forthcoming elections to the Council of Governors which would conclude on the 9 October 2020, and also agreed that it was appropriate to allow any governor wishing to stand for re-election to sign a confidentiality statement for the short interim period between the end of their term of office and the conclusion of the election.

20/035 Hibernation plan for the work of the Council of Governors (agenda item 17)

The Council of Governors **noted** the information provided and was **assured** that any items that may have been missed due to the cancellation of its May meeting would be picked up at other points in the 2020/21 financial year.

The Chair of the meeting closed the public meeting of the Council of Governors of Leeds and York Partnership NHS Foundation Trust 3.10pm. She thanked governors and members of the public for their attendance.

Signed (Chair of the Trust)

Date