

**Minutes of the Public Meeting of the Council of Governors
held on Tuesday 6 July 2021 at 1pm via Zoom**

PRESENT:

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

Public Governors

Les France
Steve Howarth
Ivan Nip
David O'Brien
Niccola Swan
Kirsty Lee

Staff Governors

Ian Andrews
Ruth Grant
Oliver Hanson
Gail Harrison
Andrew Johnson
Sally Rawcliffe-Foo

Appointed Governors

Helen Kemp
Sue Rumbold
Fiona Venner

Service User Governors

Rita Dawson
Rachel Gibala
Joseph Riach

Carer Governors

Hazel Griffiths
Bryan Ronoh

Non-Executive Directors

Prof John Baker
Cleveland Henry
Helen Grantham
Andrew Marran
Sue White

Executive Directors

Dawn Hanwell
Chris Hosker
Darren Skinner
Cathy Woffendin

IN ATTENDANCE:

Ruth Berry – Interim Clinical Lead for Learning Disability Services (agenda item 2)
Lyndsey Charles – Clinical Director for Learning Disability Services (agenda item 2)
Laura Doswell – Community Learning Disability Nurse (agenda item 2)
Lauren Dowling – Learning Disability Services (agenda item 2)
Christina Edwards – Advanced Nurse Practitioner (agenda item 2)
Cath Hill – Associate Director for Corporate Governance / Trust Board Secretary
Kauser – Carer telling their story (agenda item 2)
Rashpal Khangura – Audit Manager KPMG
Bea King – Corporate Governance Assistant
Kerry McMann – Corporate Governance Team Leader
Sarah Russo – Modern Matron for Learning Disability Services (agenda item 2)
Andy Weir – Deputy Chief Operating Officer
Julia Zebelys – CQC Inspector

21/035 Welcome and introductions (agenda item 1)

Professor Sue Proctor opened the meeting at 1.00pm and welcomed everyone, in particular the eight newly elected governors to the Council.

21/036 Sharing Stories: Service experience during the pandemic - Learning Disability Services (agenda item 2.1)

Lyndsey Charles introduced herself and her colleagues to the Council. They delivered a detailed presentation which focused on how the Learning Disability Service experienced the Covid-19 pandemic and looked at staff wellbeing; how services had to change the care they provided; and how restrictions on visiting were managed.

Lyndsey shared some of the ways they had formally supported staff in the service which included team huddles and staff resource packs as well as more informal initiatives such as quizzes and exercise programmes. These were developed locally by clinical team managers and empowered those managers to have a person-centred approach to staff care. Lyndsey also talked about the process of delivering care during the pandemic and how they had helped service users to understand why staff needed to wear Personal Protective Equipment (PPE). She also discussed how they had adopted the use of virtual platforms for team meetings and some clinical appointments. Lyndsey explained how they had approached restrictions on visiting by planning celebration days and supporting 'drive by' and virtual visits.

Christina Edwards also talked about how they had supported people with learning disabilities to receive the vaccine. She explained that despite being more vulnerable, people with learning disabilities were not accessing the vaccine and this was often because reasonable adjustments were not being made to support them. The team worked with partners and created bespoke packages and easy read documents to address this. Laura Doswell then shared a story about a service user called Tom which showed the dedication and patience of the staff to slowly build up Tom's confidence to being more comfortable with the vaccine process.

Sarah Russo talked about the impact of the pandemic on the Trust's respite services and the Council heard a story from a carer named Kauser who talked about the vital role that respite services played in her family.

Andy Johnson asked if Lyndsey Charles could promote the role of a clinical staff governor and the Council of Governors in general within the Learning Disability Services. The Council agreed it would be great if they could get representation from this area. Kerry McMann would add this to the forward plan for the next governor election.

KM

The Council and attendees then divided into breakout rooms to discuss some of these issues further.

21/037 Apologies (agenda item 3)

Apologies were received from the following governors: Caroline Bentham (Carer Governor), Mark Clayton (Carer Governor), Peter Holmes (Service User Governor), Anna Perrett (Appointed Governor), and Peter Webster (Public Governor).

The meeting was quorate.

The following Executive Directors had given their apologies for the meeting: Sara Munro, Chief Executive Officer; and Joanna Forster Adams, Chief Operating Officer. Martin Wright, Non-executive Director, had also sent his apologies for this meeting.

21/038 Changes to any declaration of interests and declaration of any conflicts of interest in respect of agenda items (agenda item 4)

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

21/039 Declarations of interests for the Council of Governors (agenda item 4.1)

Steve Howarth noted that his wife's declaration was listed in the incorrect column on the Matrix of Governors' Declarations and Sue Proctor asked that this was amended.

KM

The Council **received** and **noted** all interests declared by governors as at the 1 April 2021.

21/040 Minutes of the public Council of Governors' meeting held on the 4 May 2021 (agenda item 5.1)

The minutes of the public Council of Governors' meeting that was held on the 4 May 2021 were **approved** as a true record.

21/041 Matters arising (agenda item 6)

There were no matters arising.

21/042 Cumulative action log – actions outstanding from previous public meetings (agenda item 7)

Sue Proctor presented the cumulative action log and the Council noted and agreed the actions reported as completed.

Cath Hill provided an update on the arrangements for the Annual Members' Meeting on the 28 July 2021. She explained the purpose of the meeting and encouraged the governors to attend as it was their opportunity to formally receive the Trust's Annual Report and Accounts. Cath Hill also confirmed that the meeting would be held virtually as this was the safest option given the current circumstances.

The Council **received** the updates on the cumulative action log.

21/043 Chair's Report (agenda item 8)

Sue Proctor presented the Chair's Report and welcomed Cllr Fiona Venner (Executive Member for Children, Families and Adult Social Care) as the new appointed governor representing Leeds City Council.

Sue Proctor noted that Sophia Bellas had sadly stepped down as a service user governor on the Council. Sue also noted that Sarah Layton, staff governor, had come to the end of her first term of office and had chosen not to stand again for personal reasons. Sue had been in communication with both governors and had thanked them for their contributions to the Council and wished them both well.

The Council noted that the Corporate Governance Team had created a Governor Information Portal which would allow governors to access key documents and background reading in their own time. Kerry McMann would be circulating a step-by-step guide after the meeting.

The Council **received** and **noted** the contents of the report.

21/044 Quarterly Quality and Performance Update Report (agenda item 11)

On behalf of Joanna Forster Adams, Andy Weir introduced the report which outlined the Trust's performance as of March 2021 and provided the Council with some insight from Board discussions around performance that took place at the meeting in May 2021.

Andy explained that the metrics for measuring the performance in some services was changing. He noted that for the Perinatal Service, which provided specialist support to women experiencing mental health difficulties during pregnancy and the first year following childbirth, they were working with commissioners to agree a revised trajectory for how many new women would access the service in light of the reduced birth rate (which was the basis of the trajectory).

Andy noted that the metric for measuring Section 136 was also changing. He explained that Section 136 gave the police the legal power to bring someone to the Trust for an assessment if it was thought that they were suffering from a mental illness and the legal requirement was for this assessment to be completed within 24 hours. Instead of looking at the percentage of referrals started within three hours of

arrival they would now be looking at the number of times it took longer than 24 hours for an assessment to be completed. He added that they were also looking at making changes to the Section 136 pathway. Sue Proctor suggested that the governors might like to learn more about Section 136 at a future meeting.

RC

The Council heard that the new Crisis House, called Oasis, was due to open in two weeks and this would play an important part in helping to reduce out of area bed usage. It was agreed that the Council would receive an update on Crisis House approximately six months after opening so that governors could hear how it was developing. Rose Cooper would add this to the forward plan.

RC

Andy Weir also talked about how services were focused on improving the recording of ethnicity and sexual orientation data as this information was important in helping to address health inequalities. Andy also provided some assurance around the rates of clinical supervision in the Trust (63.8% in March 2021). This had recently been the subject of a piece of work led by the new Clinical Director who had found that supervision was taking place more widely than currently reported and appropriate measures had been put in place to address this. Cathy Woffendin added that the position continued to improve with the latest figure now at 75% (target 85%).

Ivan Nip asked what more could be done about the Gender Identity Service waiting list which was currently at three and a half years. Andy responded that this was a national position and despite changes to the pathway the waiting list had not improved and conversations with commissioners had restarted. He explained what measures the Trust had put in place locally which included helping to develop a peer outreach worker role to provide support to people whilst on the waiting list.

The Council was particularly concerned about the high levels of bed occupancy in the Trust which was also a significant issue across the system. Gail Harrison suggested it would be helpful to understand how much of the problem was specifically about the number of beds and how much could be addressed if there were resources elsewhere in the system. In response to these concerns, Mrs Hanwell explained that they were bringing in external expertise to support the Trust to understand our bed capacity needs going forward; the work would be clinically led but partly driven by our requirement to understand our estate in the medium and longer term. The Council noted that this would be a significant piece of work undertaken through the autumn and Dawn would update governors on this at the Board-to-Board session in September. Sue Proctor also encouraged governors to attend Board meetings where there would be an opportunity to hear more about system wide issues that had an impact on areas such as bed occupancy.

DH

Cathy Woffendin provided an update on nurse recruitment and outlined what work was undertaken with students in their second year to support them to take up roles in the Trust when fully qualified. She explained that of the 58 nurse vacancies, 46 of these were being held for third year students. Cathy assured the Council that they use regular bank staff to mitigate against vacancies and ensure care was not compromised. Sue Proctor encouraged governors who had a particular interest in recruitment and staff wellbeing to observe the Workforce Committee where they could hear more about these issues.

Darren Skinner provided an update on the Trust's sickness absence rate which he advised was relatively static at 5.3%. He noted that conversations were happening with the Trust's Occupational Health provider about extending their offer to staff in terms of counselling and wellbeing support. Darren also provided an update on consultant recruitment. He explained that there was currently a national shortage of consultants, but they were looking at ways to attract people to apply for positions in Leeds which included a revamped relocation offer.

Chris Hosker and Andy Weir left the meeting and
Rashpal Khangura joined the meeting

The Council **noted** the content of the report.

21/045 Chief Executive Report (agenda item 9)

Dawn Hanwell introduced the report on behalf of the Chief Executive. She talked about how they were working towards achieving as high a level of normality across the organisation as possible whilst maintaining complete vigilance around Covid-19.

Dawn updated the Council on the reduced incident response arrangements to a more normal way of working, recognising that the management of Covid-19 was well embedded, and we needed to give sufficient oversight to business as usual and service pressures. Dawn added that the Executive Team had a weekly review of the current risks and issues, and that plans were in place to enable the incident response arrangements to be reintroduced should it be required.

Dawn noted work continued with the vaccination programme and that early discussions were underway nationally about a booster vaccine, the flu vaccination programme and whether to extend the vaccination to 12-18 year olds.

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

21/046 Lead Governor Report (agenda item 10)

Les France presented the Lead Governor report on behalf of Peter Webster and welcomed the new governors to the Council. Les encouraged governors to sign up to the NHS Providers' governor event on the 7 July. Kerry would share the details of this with the Council if spaces were available.

KM

Sue added that she and Peter were about to start the appraisal process for non-executive directors and thanked those governors who had already offered feedback. The Council noted that it would receive an outcome report on these appraisals at its meeting in November.

The Council **received** the verbal update.

21/047 Financial Update (agenda item 12)

Dawn Hanwell introduced the paper which provided an overview of the Trust's financial position in the context of the different framework we had been operating in since the outset of the Covid-19 pandemic. She explained that normal contracting arrangements had been suspended and we had been working with simplified financial allocation arrangements. She noted that resources had been allocated at the Integrated Care System (ICS) level with the emphasis being on partnership working across West Yorkshire and organisations breaking even rather than generating a surplus. She added that the Trust had maintained robust financial governance and remained in a strong financial position. The Council also noted that the Trust's Covid-19 costs for months 1 to 6 of 2020/21 were independently audited as part of a national assurance process which had confirmed the appropriate use of these funds.

Sue White assured the Council that from the outset the Finance and Performance Committee had looked at the arrangements for Covid-19 expenditure, including both running costs and capital costs, and had ensured that the appropriate governance was in place. Sue White also noted that the Finance and Performance Committee would be looking in detail at the Trust's underlying expenditure and income position at a future meeting. Sue Proctor asked that the dates of this Committee were shared with the governors.

RC

Nicola Swan asked for assurance around how funds would be directed to the areas of most need and spent wisely to improve the quality and capacity of services. Dawn responded that they were currently taking stock of how they could recover services and direct resources to where they could make most impact. She added that all services were currently undertaking reset work to understand their position but she highlighted ongoing challenges relating to staffing constraints.

Ian Andrews asked if PPE was still centrally funded. Dawn confirmed that it was but explained that we had incurred additional local costs over and above what had been provided to us where it was deemed appropriate, for example bespoke items such as clear masks.

Following on from this discussion, Sue Proctor noted that the main strategic areas that would be considered at the Board-to-Board in September were how clinical services needed to reset after Covid-19, our approach to our estates and understanding the capital context, and workforce and staff wellbeing.

The Council **noted** the finance update and was **assured** of the ongoing robust financial position of the organisation.

21/048 Audit Committee Annual Report 2020/21 (agenda item 13)

Helen Grantham introduced the Audit Committee Annual Report on behalf of Martin Wright who was the Chair of the Committee. She explained that its primary function was to provide assurance to the Board of Directors so that it could be assured of the strength (or otherwise) of the systems and processes in place in the organisation. Helen advised that the Committee, which was a sub-committee of the Board, had continued to meet on a regular basis throughout the pandemic and had sought assurance that robust governance structures were maintained at Board and Executive Team level. She explained that the paper set out the range of work looked at over the financial year 2020/21 as well as providing assurance on the work of the external auditors who were appointed by the Council.

Helen highlighted some areas that the Committee had gained assurance on which included health and safety management within the Trust and the process around managing the strategic risks set out in the Trust's Board Assurance Framework. Helen also discussed how the Committee had considered the Trust's role within the ICS and sought to understand how it might impact on the autonomy of the organisation. Helen advised that the current external audit contract was coming to an end and would need to go out to tender and governors would be involved in the process of the next appointment.

David O'Brien noted the deferral of some of the internal audit reviews in 2020 due to Covid-19. He asked whether the Committee was satisfied that it had received sufficient assurance about the breadth and depth of internal controls despite the reduced programme. Helen responded that the coverage had not been significantly reduced and that priority was given to key audits such as financial probity. Dawn Hanwell also explained that any 'unused' audit days were carried forward to next year's plan.

The Council **received** the 2020/21 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.

21/049 Auditor's Report on the Annual Accounts (agenda item 14)

Rashpal Khangura presented the Auditor's Report on the Annual Accounts and outlined the scope of work that had been undertaken. This included the financial statements audit which gave an unqualified (satisfactory) opinion and an assessment of the Trust's value for money arrangements where no significant weaknesses were found.

Ivan Nip asked for more information about the benchmarking process and Rashpal explained that their role was to look at what benchmarking arrangements the Trust had in place and flag any concerns accordingly. Ivan also asked about the relationship between the work of the internal and external auditors and Rashpal explained that they were required to examine the Trust's financial systems and controls separately to Internal Audit but they would liaise with them as part of the

process. Rashpal also explained that they looked at the outputs from Internal Audit and considered whether or not there had been appropriate coverage. He added that because Internal Audit had issued an opinion of significant assurance there were no concerns from their perspective.

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

The Chair of the meeting closed the public meeting of the Council of Governors of Leeds and York Partnership NHS Foundation Trust 3.55pm. She thanked governors and members of the public for their attendance.

Signed (Chair of the Trust)

Date