

**Minutes of the Public Meeting of the Council of Governors
held on Thursday 5 November 2020 at 1pm
via Zoom**

PRESENT:

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

Public Governors

Les France
Steve Howarth
Ivan Nip
Mussarat Khan
Niccola Swan
Peter Webster

Staff Governors

Ruth Grant
Andrew Johnson
Sarah Layton

Carer Governors

Caroline Bentham

Appointed Governors

Helen Kemp
Cllr Anna Perrett

Service User Governors

Sophia Bellas
Peter Chapman
Rita Dawson
Peter Holmes
Ann Shuter

Executive Directors

Joanna Forster Adams
Claire Holmes
Christian Hosker
Sara Munro

Non-Executive Directors

Prof John Baker
Helen Grantham
Cleveland Henry
Andrew Marran
Sue White
Martin Wright

IN ATTENDANCE:

Rose Cooper – Corporate Governance Officer
Cath Hill – Associate Director for Corporate Governance / Trust Board Secretary
Bea King – Corporate Governance Assistant
Chris Marston – Corporate Governance Assistant
Kerry McMann – Corporate Governance Team Leader

20/036 Welcome and introductions (agenda item 1)

Professor Sue Proctor opened the meeting at 1.00pm and welcomed everyone.

She introduced Sophia Bellas, David O'Brien, Rita Dawson and Caroline Bentham as new governors to the Trust, and welcomed both Sally Rawcliffe-Foo and Kirsty Lee back onto the Council noting that they had been re-elected as governors.

20/037 Sharing Stories: Andrew Marran's experience of volunteering with the Trust during the Covid-19 pandemic (agenda item 2.1)

Andrew Marran presented his experience of volunteering with the Trust during the Covid-19 pandemic. He shared his story with the Council and summarised what he had learned throughout the period. He concluded by showing photographs of some of the activities he took part in. It was agreed that Andrew would have a discussion with the Voluntary Service around creating an edited version of the presentation to use as promotion material for volunteering.

AM

20/038 Apologies (agenda item 3)

Apologies were received from the following governors: David O'Brien, Cllr Rebecca Charlwood, Adam Seymour and Kirsty Lee. It was noted that Mussarat Khan would join the meeting later.

The following Executive Directors had also given their apologies for the meeting: Dawn Hanwell, Chief Financial Officer and Cathy Woffendin, Director of Nursing, Professions and Quality.

20/039 Changes to any declaration of interests and declaration of any conflicts of interest in respect of agenda items (agenda item 4)

Cath Hill agreed to contact Helen Grantham to confirm the nature of the business or company she had listed on the declaration of interest form.

CHill

It was noted that Dawn Hanwell's son would be taking up a Joinery Apprenticeship with Interserve, who were leading on the development of the new Child and Adolescent Mental Health Service (CAMHS) unit and that this should be added as a declaration of interest for her. The Council was also informed that Andrew Marran was no longer the Chair of the Leeds Student Residents Ltd, and was no longer a Director of Rhodes & Beckett Ltd. Mrs Hill agreed to make these changes to the declaration of interest matrix.

CHill

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

20/040 Non-executive Directors' Annual Declarations of Independence, and Fit and Proper Person (agenda 4.1)

The Council **noted** the Non-executive Directors' Annual Declarations of Independence, and Fit and Proper Person.

20/041 Minutes of the public Council of Governors meeting held on the 7 July 2020 (agenda item 5)

The minutes of the public Council of Governors meeting that was held on the 7 July were **approved** as a true record.

20/042 Matters arising (agenda item 6)

There were no matters arising.

20/043 Cumulative action log – actions outstanding from previous public meetings (agenda item 7)

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

With regard to action 20/005 around outcomes data, Sara Munro provided an update. She explained that as part of the Trust's Quality Strategic Plan there had been an agreement to work in partnership with the Institute of Health Improvement (IHI) and apply improvement methodology to various aspects of the Trust's business. She added that staff were working with the IHI to develop an improvement methodology for outcome measures and that this would link to tools such as CareDirector to ensure that metrics were nuanced to individual services. It was agreed that this would be reflected in the governor's work programme going forward and an update would be added to the agenda for the February Council of Governors' meeting.

CHill / RC

The Council **received** the update on the cumulative action log and was **assured** that progress was being made.

20/044 Chair's Report (agenda item 8)

Sue Proctor presented the Chair's report. She informed the Council that this would be the last Governors' meeting with Sue White as Deputy Chair, and thanked her for her commitment in the role. She advised that Helen Grantham

would take over the role with effect from January 2021.

Sue Proctor informed the Council of the function of the Board of Directors to identify and support the recommendation of the Senior Independent Director, and that Martin Wright had agreed to continue this role for another two years. She reported that the Board had unanimously agreed with this decision.

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

20/045 Chief Executive Report (agenda item 9)

The Council received the Chief Executive's report. Sara Munro shared some national, regional and local Covid-19 news with the Council, and discussed the implications of 'alert level 4'. She reiterated the infection control measures that were in place in the Trust, highlighted some of the work to support the health and wellbeing of staff, and explained the ongoing Gold Command and Incident Response Team meetings that had been taking place.

In terms of local pressures, Sara discussed Leeds Teaching Hospitals Trust's recent announcement that they had exceeded 300 patients who had tested positive for Covid-19. She explained that the positive results were a combination of patients admitted for Covid-19 treatment and patients admitted for other procedures, such as A&E.

The Council was informed that the Trust had continued to deliver all clinical services during the pandemic. Sara also reported that non-front-line staff had been instructed to work from home if they could and were being supported to do so.

Sara detailed some of the work staff had undertaken to celebrate Black History Month and to raise awareness of Islamophobia Awareness Month throughout November. Sara also discussed what the Trust was doing to help tackle Islamophobia.

She then updated the Council on the completion rate for the staff survey, and also report that staff had been continually encouraged to get a flu jab and that a campaign was in place to promote this.

Finally, Sara outlined some of the reasons for the Trust to be proud.

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

20/046 Update on tackling inequalities in the Trust, including racism (agenda item 13)

Claire Holmes gave an overview of the work that had been undertaken in order to

tackle inequalities in the Trust, and the disproportionate disadvantages that had come to the forefront due to Covid-19. Claire explained that the paper referred to the statutory reporting requirements and outcome measures the Trust was required to submit. She also noted that this had been published on the Trust's website. Claire outlined the key themes that needed to be worked on, and summarised what progress had been made around these themes so far. The Council was informed that despite the progress made and data suggesting that the Trust was ahead of its peers in some cases, they were treating the data as a reinforcement that there was still a gap in experience within the Trust which was something to improve on.

Claire gave an overview of some of the key programmes of work undertaken. With regard to how the Trust was keeping staff and service users safe through Covid-19, she focused particularly on the rollout of wellbeing assessments and provided assurance that individual care planning had continued. In terms of PPE, Claire reiterated that the Trust took protecting staff seriously and that standards had been set higher than the national level.

Regarding improving representation, Claire informed the Council that they had worked with NHS England to set targets and this had been reinforced through the People Plan. She noted they had also been working on disclosure rates for disability and ethnicity, as they still had a proportion of staff and service users who had not disclosed these details.

Claire then informed the Council of the work that had been undertaken to improve experience and support career progression. She explained some of the changes that had been made to the recruitment process, service user engagement and the introduction of the Freedom to Speak Up Ambassadors.

Finally, Claire drew the Council's attention to the tackling health inequalities report, and shared some of the recommendations that had come from the report. It was agreed that Kerry McMann would circulate the West Yorkshire and Harrogate Health and Care Partnership report to governors.

KM

Nicola Swan asked for Claire's perspective on the Trust running at 10% vacancy level. She asked how sustainable this was and how easy it had been to recruit. Claire noted that 8-10% vacancy level was the Trust's target, and that more staff had been in post than previously. She explained that a higher level of investment in roles and establishment had created a higher vacancy level. She also noted that they had seen turnover decrease.

Peter Webster asked for details on the issue around disabled staff feeling more harassed / under pressure. Claire responded that they had been working in partnership with the disability and wellbeing network on this, and explained some of the details of the work. She also noted that the network had received increased level of investment.

Claire Holmes left the meeting.

Sue Proctor invited the Council to ask any questions that they might have from

the previous agenda items.

Peter Webster asked if governors could receive the Chief Executive's report ahead of the meeting, and whether they could receive information on how the Trust's services were impacted by Covid-19. Sue Proctor responded that the Chief Executive's report was delayed due to the recent news of alert level 4, but that this would normally be circulated in advance.

John Baker noted that Board sub-committees received performance data at both the Quality Committee and the Finance and Performance Committee. He also noted that a discussion had taken place at Board regarding the ethical implications of access to services.

The Council **noted** the update on tackling inequalities within the Trust.

20/047 Lead Governor Report (agenda item 10)

Peter Webster provided the Lead Governor report to the Council. He was pleased to note that governors had continued to observe Board sub-committees during the pandemic. He noted that there should be further consideration as to how governors were involved in observing committees and suggested that a protocol was developed.

CHill

Peter Webster welcomed the new governors to the Trust and to the Council, noting that he was pleased with the outcome of the elections. He informed the Council that there had been a governor showcase event and that governors had offered ideas as to how they might develop tools to support them which would be discussed further at future governors' pre-meetings.

Sue White asked if governors had been able to participate as usual during the pandemic, and noted that a virtual service visit had recently taken place at Mill Lodge. She also asked if the new schedule of service visits would be able to go ahead following the move to the highest level of alert. Peter Webster responded that governors had been able to operate as normal during the pandemic, and Sue Proctor reassured the Council that a forward plan of virtual visits would be developed in due course which would involve governors

Ruth Grant left the meeting.

The Council **received** the verbal update.

20/048 Cleveland Henry - observations of a new Non-executive Director (agenda item 15)

Sue Proctor welcomed Cleveland Henry to the Council of Governors, and noted that he had joined the Trust as a Non-Executive Director in the midst of the first

wave of Covid-19. Cleveland introduced himself and explained his previous experience working across the health sector over the last decade.

Cleveland praised what he had seen so far during his time working within the Trust, and described it as an extremely well-led organisation. He praised how well the Trust had adapted to the Covid-19 announcements, and commended the passion across the organisation to support service users. He also noted that he was heartened by the Trust's focus on diversity. Cleveland added that it had been a privilege but also a challenge becoming a Non-executive Director during this time, but that he continued to have a great appetite and determination to be part of the relentless drive to deliver and improve the services provided.

Sophia Bellas asked if any thought been given to inequalities in terms of social class. Sue Proctor explained that the Trust looked at a breadth of diversity issues and took the matter very seriously.

The Council **received** the updates from Cleveland Henry.

20/049 Report from the Chair of the Mental Health Legislation Committee (agenda item 11)

Andrew Marran presented his report as the Chair of the Mental Health Legislation Committee. He explained that the Committee was the organisation's primary way of ensuring it remained compliant with mental health legislation and also that they were clear on how stakeholders were supported to deal with legislative processes and functions. He informed the Council that the main aim was to ensure they had a mechanism to report back to Board, and to maintain a route of escalation. He then explained how the Committee functioned, who attended the meetings and how the Committee would engage with service users in the future.

Governors were advised that they were able to observe the Mental Health Legislation Committee and should contact Kerry McMann if they were interested.

20/050 Report from the Chair of the Workforce Committee (agenda item 12)

Helen Grantham presented her report as the Chair of the Workforce Committee. She explained that the Workforce Committee was established in November 2019, and the Board had agreed to its establishment to give focus and coordinated oversight of risks and key initiatives in relation to the Trust's workforce. She explained that the Committee was scheduled to meet six times over the last 12 months, but that due to Covid-19 all formal meetings were stood down until October 2020. She noted that during this time there were still informal calls and Zoom meetings held with Claire Holmes, Director of Organisational Development and Workforce, and Joanna Forster Adams, Chief Operating Officer, to offer support and gain assurance.

Ivan Nip asked about the Trust's recruitment process and how proactive it had

been. John Baker discussed the recruitment work undertaken at the Trust in relation to nursing staff, and Helen Grantham turned the Council's attention to the 'looking forward' section of the report and explained that they would be reviewing resourcing strategies.

Sue Proctor reminded the governors there would be a presentation on the Leeds Health and Care Academy at a future Council meeting which would provide more detail on its achievements and future potential in relation to the Trust's services. Sue then invited the Council to ask any questions regarding the two reports from the sub-committees.

Regarding item 11, the report from the Chair of the Mental Health Legislation Committee, Niccola Swan enquired about two service users who had been detained for over five years. Sue Proctor advised that the chairs of the sub-committees were having a joint meeting on the 10 November, and suggested this issue could be raised at that meeting. Andrew Marran assured the Council that there was an active process that managers were involved in around reviewing such cases.

KM

With regard to item 12, the report from the Chair of the Workforce Committee, Helen Kemp asked about vacancies within the Trust and whether some of the roles could be looked at more holistically. Helen Grantham informed the Council of examples where the Trust had demonstrated a different recruitment strategy, and how they would be looking to further this.

The Council **welcomed** the report from the Chair of the Mental Health Legislation Committee and also from the Chair of the Workforce Committee.

20/051 Quarterly Performance and Quality Update Report (agenda item 14)

Joanna Forster Adams introduced herself to the Council and explained some of her responsibilities throughout the pandemic. She praised the Trust for its efforts throughout the summer months, and noted that patients and service users had largely adapted well to the changes brought about by Covid-19. She informed the Council that the vast majority of services had continued to operate despite the significant disruption at the beginning of pandemic, and explained how some of these services had been restricted.

Joanna informed the Council that the data reported in 2020-21 should to be treated with some caution in terms of data quality, due to the implementation of the new CareDirector patient information system, but explained that there had been data validation work carried out in order to understand and resolve any issues.

Joanna explained that there had been a decrease in referrals at the beginning of the pandemic with pressures across acute services, but that community services were almost back to normal activity and that in some areas they were forecast to see an increase in demand over winter.

Peter Webster asked about some of the indicators where performance had decreased. John Baker informed the Council that the Quality Committee had been monitoring this, and that executive directors had presented comprehensive reports on the matter and that the Committee had been assured. Joanna reassured the Council on how the Trust had adapted its approach to providing services in new ways.

Ivan Nip asked whether the Trust would be able to cope with the impending disruption over the course of the winter. Joanna reassured the Council that despite the challenges, the Trust was more prepared and equipped than at the start of the pandemic, and that they would be communicating with staff and service users around this.

The Council **received** the report and **noted** its contents

20/052 Process for the upcoming elections to the Council of Governors (agenda item 16)

The Council **agreed** the timetable for the upcoming elections to the Council.

20/053 Proposed changes to the Constitution and its Annexes (agenda item 17)

Mrs Hill presented a paper which explained the proposed changes to the Constitution. She noted that these changes took account of the ways in which the Board and Council of Governors now operate and that there were no areas of contention. The Council considered the proposed changes.

Ivan Nip queried why the Strategy Committee had been disbanded. Sue Proctor explained that the Trust had changed the way it operates with governors in terms of their involvement with the formulation of strategy and that the Strategy Committee had been superseded by the annual Board to Board meeting in order to be more effective.

With regard to the vacant seat which was earmarked for Equitix, Mrs Hill noted that Equitix had indicated that they did not want to put anyone forward for this seat and she added that this was an opportunity for the Council and the Board of Directors to consider which other partner organisation this might now be offered to. Governors were invited to give this thought and to liaise with Sue Proctor about this.

Govs / SP

The Council **approved** the proposed changes to the Constitution and its Annexes.

20/054 Review the Council of Governors' Terms of Reference (agenda item 18.1)

The Council was informed that there had been a change to the Terms of Reference to allow meetings to take place remotely.

The Council **agreed** the amended Terms of Reference.

20/055 Approval of the Council of Governors' Annual Cycle of Business for 2021 with updated Hibernation Plan (agenda item 18.2)

The Council **approved** the Council of Governors' Annual Cycle of Business for 2021 and the updated Hibernation Plan.

20/056 2021 and 2022 Meeting Dates (agenda item 18.3)

The Council **noted** the meeting dates for 2021 and 2022.

20/057 Report from the Chair of the Appointments and Remuneration Committee for the meeting held 20 October 2020 (agenda item 19)

The Council **received** the report from the Chair of the Appointments and Remuneration Committee for the meeting held 20 October 2020.

20/058 Approval of the revised Terms of Reference for the Appointments and Remuneration Committee (agenda item 19.1)

The Council **approved** the refreshed Terms of Reference for the Appointments and Remuneration Committee.

The Chair of the meeting closed the public meeting of the Council of Governors of Leeds and York Partnership NHS Foundation Trust 3.30pm. She thanked governors and members of the public for their attendance.

Signed (Chair of the Trust)

Date