

**Minutes of the Public Meeting of the Council of Governors
held on Tuesday 4 July 2023 at 1pm in the Cheer Room, The Studio, Riverside
West, Whitehall Road, Leeds, LS1 4AW**

PRESENT:

Merran McRae – Chair of the Trust (Chair of the meeting)

Public Governors

Les France
Ivan Nip

Service User Governors

Joseph Riach

Carer Governors

Peter Ongley

Executive Directors

Dawn Hanwell
Dr Sara Munro
Nichola Sanderson
Darren Skinner

Staff Governors

Ian Andrews
Nicola Binns
Gail Harrison
Amy Pratt

Appointed Governors

Ian Cuthbertson
Sayma Mirza
Gabriella Obeng Nyarko
Cllr Fiona Venner

Non-Executive Directors

Helen Grantham
Cleveland Henry
Kaneez Khan
Martin Wright

IN ATTENDANCE:

Kieran Betts – Corporate Governance Assistant
Rose Cooper – Deputy Head of Corporate Governance
Cath Hill – Associate Director for Corporate Governance
Alison Kenyon – Deputy Director of Service Development
Rashpal Khangura – Director: Public Sector Audit, KPMG (for agenda item 13)
Dr Sharon Prince – Deputy Director of Psychological Professions (for agenda item 2)

23/038 Welcome and introductions (agenda item 1)

Merran McRae opened the meeting at 1:05pm and welcomed everyone.

23/039 Sharing Stories: Update on Synergi Leeds (agenda item 2)

Dr Sharon Prince, Deputy Director of Psychological Professions, delivered a presentation on Synergi Leeds which works closely with Words of Colour, an immersive change agency, and is part of the national Synergi Collaborative Network. Sharon explained that their aim is to help eradicate ethnic inequalities in the experience of mental illness through championing systems change, new science, creative inclusion, and co-production. She informed the Council that the Synergi Collaborative was created in response to the overrepresentation of black and minority ethnic groups on inpatient wards and their detention under the Mental Health Act.

Sharon then described the various Synergi Leeds workstreams which include a grants programme; skills library; a research project with Professor Coleman from the University of Leeds; and a number of creative projects co-designed with people with lived experience including an exhibition and a documentary. She explained they were also planning to develop a knowledge library which looked at sharing and retaining learning with third sector partners across Leeds. Sharon then shared some of the achievements of Synergi Leeds which included winning the Health and Wellbeing Legacy Award in October 2022 and two Health Service Journal (HSJ) Award submissions for Race Equity and Mental Health Innovation.

The Council discussed how governors could be an ally to this work and help to support the agenda and suggested this could be done by asking questions and highlighting the issue when attending learning visits. The Council noted that currently the performance report only included one metric relating to ethnicity which was about the recording of ethnicity data and agreed it would be useful to receive data on areas such as detention rates and restrictive interventions by ethnicity. The Council also noted that NHS England had developed a Patient and Carers Race Equalities Framework to support trusts to improve ethnic minority community experiences of care in mental health services and agreed to discuss this at a future meeting.

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Next, Sharon outlined some of the ways they were able to measure the impact of Synergi Leeds. She referred to their annual report which included qualitative feedback on their efforts to put service user and carer voices at the centre of their work. However, she noted some challenges with engaging service users and carers and emphasised the need to continue to build trust.

The Council then discussed the importance of developing people's understanding of racial trauma and staff being trained to provide trauma informed care to drive cultural change and equity for service users. Sharon referred to the trauma informed professional movement in Leeds led by one of her colleagues, and the Racial Trauma Group which she was leading on for the Integrated Care System (ICS). She also highlighted the importance of improving racial equity at board and senior leader

level and suggested this could be done by showing commitment to racial equity and creating an inclusive environment that attracts people from racial minority backgrounds to want to work for the NHS.

The Council **thanked** Sharon Prince for her presentation and **welcomed** receiving a further update at a future meeting.

23/040 Apologies (agenda item 3)

Apologies noted from the following governors: Oliver Beckett (Public Governor), Caroline Bentham (Carer Governor), Alex Cowman (Non-Clinical Staff Governor), Rachel Gibala (Service User Governor), Oliver Hanson (Clinical Staff Governor), Matthew Knight (Appointed Governor), and Rebecca Mitchell (Public Governor).

The meeting was not quorate. Therefore, any decisions made at this meeting would need to be emailed out to governors for endorsement.

RC

Apologies were received from the following Board members: Joanna Forster Adams, Chief Operating Officer; Dr Frances Healey, Non-executive Director; Dr Chris Hosker, Medical Director; and Katy Wilburn, Non-executive Director.

23/041 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 conflict of interest in respect of agenda items.

23/042 Minutes of the public Council of Governors' meeting held on the 9 May 2023 (agenda item 5.1)

The minutes of the public Council of Governors' meeting held on the 9 May were **approved** as a true record.

23/043 Matters arising (agenda item 6)

Cllr Fiona Venner referred to a point she had raised at the May Council of Governors' meeting about more needing to be done at a system level to target the increasing instances of harassment and abuse from the public towards frontline staff (minute 23/034). She informed the Council that she had raised the issue at a recent Health and Wellbeing Board workshop where they had agreed to take a zero-tolerance approach to abuse and asked to receive a six-monthly review of themes from all Freedom to Speak up Guardians across the health and care system in order to gather intelligence around what issues staff are taking to them.

The Council **thanked** Cllr Fiona Venner for the update provided.

23/044 Cumulative action log – actions outstanding from previous public meetings
(agenda item 7)

Alison Kenyon provided an update on action 23/019 which related to the Veterans Mental Health and Wellbeing Service Provider Collaborative. She explained that an evaluation had been done prior to the new delivery model being commissioned and that the new model would continue to be evaluated by NHS England to ensure it met the needs of the veteran population. It was agreed that Joanna Forster Adams would look into how learning around systems and processes could be taken into account when services are recommissioned in the future.

Peter Ongley noted the response to action 23/034 and asked for more information about how service users' feedback on their own treatment is collated and cross-referenced with other data, such as Staff Survey data. Miss McRae asked that this question was answered outside of the meeting.

The Council agreed that action 23/031 could be closed.

The Council **received** the cumulative action log, **noted** the updates provided, and **agreed** the actions reported as complete.

23/045 Chair's Report (agenda item 8)

Merran welcomed Cllr Ian Cuthbertson as the new appointed governor for City of York Council replacing Cllr Claire Douglas who had recently been elected as the leader of City of York Council. Merran also noted that Tina Turnbull had retired from her post at Volition on 31 May 2023 which meant she was no longer eligible to be an appointed governor. In addition to this, Rita Dawson had stepped down on 15 May 2023 and Bryan Ronoh had stepped down on 26 May 2023. Merran thanked those governors who had recently left the Council for their support and contribution and wished them the best for the future. Merran also noted that Caroline Bentham was due to finish her first term of office as a governor on 9 October 2023 which meant this would be her last meeting and thanked Caroline for her input to the work of the Council.

Merran then directed the governors to the information provided in the report regarding the timetable for the upcoming election to the Appointments and Remuneration Committee where one seat was available. Merran also reminded governors to respond to the Corporate Governance Team with their availability for their annual one-to-one meeting with the Chair.

The Council **noted** the report from the Chair of the Trust.

23/046 Chief Executive Report (agenda item 9)

Firstly, Sara Munro provided an update on industrial action affecting the Trust. She informed the Council that the ballot held by the Royal College of Nursing had closed on the 23 June 2023, and they had not met the minimum threshold to proceed with industrial action. She noted that a significant amount of preparation work had been undertaken ahead of the upcoming strike action by junior doctors and consultants, both of which were likely to have an impact on routine care, and thanked staff for their continued efforts to mitigate the risks associated with this.

Sayma Mirza asked what impact the industrial action was likely to have on service delivery and patient experience. Sara explained that in some areas they had taken the decision to reduce outpatient provision, but reassured governors that appointments were being rescheduled as quickly as possible. Sara added that the consultants' strike was likely to have the widest impact due to junior doctors not being able to run routine clinics without consultant supervision. She also explained how the strikes had impacted the Trust and wider system in terms of admissions to inpatient mental health services.

Sara went on to advise the Council that the West Yorkshire ICS was currently in financial deficit and because of this would be subject to additional guidance and support from NHS England with a view to bringing it back into a balanced position. She explained that the Trust had been tasked with finding efficiencies in relation to out of area placements (OAPs) and agency spending and that associated governance groups had been set up to oversee this work. Dawn Hanwell emphasised that these efficiency measures had been identified to help the Trust to function within the required cost envelope without reducing access to care.

Gail Harrison asked if the Trust's OAPs spend had ever been successfully decreased and suggested developing a knowledge library for cost savings that people could refer to for effective schemes in the future. Dawn responded that this was already built into the process for identifying OAPs, and in addition to this learning and knowledge was regularly shared between partners in the system. Sara then referred to a recent 'Made' event with the Trust's Continuous Improvement Team where an improvement plan had been developed to target OAPs spend and suggested this was scheduled for discussion at a future meeting.

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Finally, Sara was pleased to announce the appointment of a new Trust Board Secretary and noted that plans were in place for a handover period with Cath Hill who was retiring at the end of July.

The Council **received** the report from the Chief Executive. The Council **noted** there had been a formatting error with the electronic version of the Chief Executive Report and **agreed** that this would be recirculated to governors after the meeting.

CGT

23/047 Lead Governor Report (agenda item 10)

Les France introduced his report and shared some feedback from a recent NHS Providers event where discussions were had on the future role of foundation trust governors in light of the new system arrangements. Merran informed governors that they would be invited to join a system wide 'public voice forum' and encouraged governors to engage with this to ensure the views of the Council were considered. Merran also referred to plans for a partnership meeting of foundation trust chairs, led by the Chair of the West Yorkshire Integrated Care Board (ICB), which was due to take place in September. The Council noted that further consideration needed to be given as to how much information governors wanted to receive about West Yorkshire system-level activity.

Les then referred to a document he had received at the NHS Providers event entitled 'Race Equality: Ten Questions for Governors' which could be used by the governors to hold each other, the Council of Governors, and the Board (via the non-executive directors) to account on race equality and agreed to share this with governors via email.

CGT

Les also noted that he and Cleveland Henry (the Trust's Senior Independent Director) had recently completed the annual appraisals process for the non-executive directors and the Chair of the Trust. He reminded governors that a full report on the outcome of these would be provided at the private meeting in November as per the Council's cycle of business.

The Council **noted** the updates provided.

Cleveland Henry left the meeting.

23/048 Finance update (agenda item 11)

Dawn Hanwell provided an overview of the finances from a Trust and system perspective and informed the Council that the Trust had ended year 2022/23 in a solid financial position. She noted that 2023/24 would be the first full year of operating as part of a statutory ICB and explained that the associated financial regime changes alongside a reduction in non-recurrent funds such as Covid-19 allocation brought some challenges in terms of financial and operating planning. She informed the Council that the only additional financial support in place for the mental health sector was the Mental Health Investment Standard (MHIS), but this did not apply to learning disability services or dementia care. She also noted that the Trust was subject to inflationary pressures particularly in the energy sector where the inflation uplift received was below inflationary pressure, and she outlined some risks associated with this. Dawn then described the Trust's approach to achieving a balanced plan for 2023/24 by identifying efficiencies in OAPs and agency spending; reducing vacancies; and increasing productivity.

Dawn then informed the Council that the West Yorkshire system was not financially balanced and had a residual gap of £25m at the end of April 2023 which had been distributed across all five 'places' within the ICB on a fair shares basis and had resulted in an £8.5m unmitigated risk to manage across the Leeds place. She explained this was being worked on collectively and they were hoping to resolve it before the end of this financial year.

Dawn then provided a finance update as of month two and noted that the West Yorkshire system was in deficit and subject to increased oversight and a more rigid regime of monitoring which was currently being worked through. She also noted that the Trust was in a small deficit at month two and processes were being put in place in response to this.

Joseph Riach noted the current demand for beds and asked for more information on the plans to create OAPs savings. Dawn explained there was an ongoing programme of work looking at internal processes relating to inpatient admission and length of stay and issues at interface such as discharge and housing support. The Council noted that this would be described in more detail as part of the presentation on OAPs at a future meeting.

Ivan Nip asked if the Trust had any financial reserves, and Dawn responded that they did not have unallocated reserves but there were guaranteed new developments as per the Trust's financial plan. She added that any fortuitous savings would be used to improve access to underfunded services, particularly attention deficit hyperactivity disorder (ADHD) assessments as this was a pressure for the whole system. Sara Munro added that the Trust would not restrict recruitment to vacancies in pursuit of financial balance.

Ian Andrews noted that the Council did not receive direct assurance on the financial aspects of the West Yorkshire ICB and suggested that lead governors of trusts across the region could have a role in understanding the system deficit at a West Yorkshire ICB level and seek assurance on the measures being taken to become financially balanced. Merran thanked Ian for his suggestion and agreed that this was an important area for governors to be kept updated on.

The Council **noted** the finance update and **considered** the key points raised.

23/049 Audit Committee Annual Report 2022/23 (agenda item 12)

Martin Wright, chair of the Audit Committee, introduced the Annual Report for 2022/23 which provided a summary of the key activities and priorities of the Committee over the last financial year as well as assurance on the work of the external auditors who are appointed by the Council. Martin highlighted some additional areas that the Committee had gained assurance on including counter fraud and health and safety and invited governors to observe future meetings if they were interested in finding out more about the work of the Committee.

The Council **noted** this report for information and assurance.

23/050 Auditors' Report on the Annual Accounts (agenda item 13)

The Council received the Auditor's Annual Report which provided a summary of the findings and key issues arising from their 2022/23 audit of the Trust. Rashpal Khangura delivered a presentation which 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 had been found. Rashpal confirmed that the audit process was the same for all trusts in the ICB, regardless of foundation trust status.

Ivan Nip asked if the auditors identified 'look forward' risks as part of their audit and Rashpal explained that this was looked at as part of the Trust's financial sustainability, where no significant risks or weaknesses had been found. Ivan then asked if governors could have sight of the Trust's financial accounts in order to understand more about upcoming risks. Cath Hill directed him to the Chief Financial Officer's Report included in the public Board papers which were available on the Trust's website ahead of each meeting. She also advised the Council that the Trust's Annual Report and Accounts would be available in full ahead of the Annual Members' Meeting on the 25 July 2023.

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

23/051 Quarterly Quality and Performance Update Report and Non-clinical Dataset (agenda item 14)

The Council received the report which outlined the Trust's performance as of April 2023 and noted the accompanying non-clinical dataset. The Council then divided into smaller groups to discuss the reports in more detail before sharing their reflections and directing questions to members of the Board as appropriate.

Firstly, Dawn Hanwell and Amy Pratt summarised their discussion on cardiometabolic physical health monitoring which covered performance against the Trust's target, interventions such as weight management and how the effect of these could be measured, and the role of the wider system in supporting physical health and wellbeing. The Council also referred to the ongoing community transformation work to improve access to community care and highlighted the importance of helping to educate the wider NHS on mental health, learning disabilities and autism. The Council also discussed the current workforce challenges and noted that a dedicated session on workforce was scheduled for the Board to Board in September.

The Council agreed that it would be helpful if the commentary on key discussions, issues and actions came at the beginning of the Quarterly Quality and Performance

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Update Report to provide context for the performance metrics later in the report. Helen Grantham also reminded governors that further detail on performance related matters could be found in the reports from the executive directors which were presented at each public Board meeting.

The Council **received** and **discussed** the Quarterly Quality and Performance Update Report and Non-clinical Dataset.

23/052 Process for the Upcoming Elections to the Council of Governors (agenda item 15)

Cath Hill outlined the process for the upcoming elections to the Council of Governors which included 11 seats from public, service user, and carer constituencies.

The Council **agreed** the timetable for the forthcoming elections to the Council of Governors which would conclude on the 9 October 2023.

The Chair of the meeting closed the public meeting of the Council of Governors of Leeds and York Partnership NHS Foundation Trust at 3:41pm. She thanked governors and members of the public for their attendance.