

COUNCIL OF GOVERNORS

Minutes of the Council of Governors meeting
held on Wednesday 12 November 2008, 6.30pm in the Lecture Hall,
Luton & Dunstable Hospital NHS Foundation Trust

Present:

Governors present:

Public Governors:

P Ashton	K Barter	P Brown
A Coutinho	J Curt	A Dayton
M Dewar	B Gupta	R Harrison
G Hiscox	A Kaas	M Rainbow
T Rasamuthiah	V Skates	R Turner
J Wright	J Young	M Hussain

Staff Governors:

P Aspell	B Hanley	C Chan
S Brant	C Underwood	L Groves
C Smith	P Brown	

Appointed Governors:

C Smart	B Davidson
G Taylor	

Board of Directors present:

Prof S Dhillon, Chair
C Bygrave, Non-Executive Director
S Ramsden, Chief Executive
R Long, Director of Corporate Services
A Palmer, Director of Nursing & Clinical Services
L Watson, Director of Personnel & Development

Also in attendance:

J Payne, PA to Director of Nursing & Clinical Services (taking minutes)

Action

1. Apologies for absence

Apologies were received from: P Trivedi, N Bell, A Slade, T Cossey, S Cassels, P Spencer

Prof Dhillon welcomed new Governors – Sarah Brant, Brian Davidson – University of London.

2. Minutes of Council of Governors Meeting held on 9 July 2008

The minutes were agreed as a true and accurate record.

Minutes of the Annual Members Meeting held on 22 September 2008

Some amendments have already been received. Page 3 – Rowena Harrison should be listed under Dunstable constituency.

Following other minor amendments, the Council of Governors agreed that the minutes are a true record of Annual Members Meeting.

3. Matters Arising

Celebration plans for anniversary – B Mayes is putting together plans and will communicate details to Governors – 14 February 2009. B Mayes

Future Focus – this was distributed after the meeting.

NHS Constitution – B Mayes sought the views from staff, Governors and Directors and the response was submitted to the SHA. Subsequent to the meeting the SHA have produced a document that highlights many of the comments made from NHS Trusts and interest groups across NHS East of England. There is a small reference to the L&D NHSFT in the document which can be accessed via the website.

GP Link – circulated to Governors.

Chronic Pain Management – L Grigg will attend a meeting on 11 December on pain management with the PCT to discuss the possibility of a centre for treatment of chronic pain centre being set up in the area. Further information would be available once that meeting has taken place. AP

4. Chairman's Report

Prof Dhillon reported that overall 2007/8 was a pleasing year and Healthcare Commission ratings will be discussed later on the Agenda. She referred to a report on the Monitor website on Foundation Trusts relating to their performance and noted that the L&D is in the middle and below average, but we can be proud of what we have achieved.

The L&D has been put forward for "Acute Trust of the Year", results at the beginning of December.

5. Report from the Board Secretary

- i) Resignation of Michael Ryan, Governor, Luton Public constituency. R Long noted the recommendations under item 12 of the Constitution. The Council of Governors approved the adoption of 12.22.2 which means the next highest polled candidate would be offered the post until elections are carried out next year. REL
- ii) R Long noted A resignation from Professor Kate Robinson, Appointed Governor for University of Bedfordshire and Professor Alan Slade is her replacement. Alan Williams has resigned as a Non-Executive Director from 26 September 2008.
- iii) Beds and Herts Constituency – Following approval from the Council of Governors at the Annual Members Meeting, arrangements have been made for a bi-election to fill the vacant post. R Long presented the timetable for the bi-election and Governors were asked to speak to

- iv) The Council of Governors accepted the paper prioritising the issues discussed at the year end stocktake. The following points were highlighted.
 - a. With regard to Governors attending Board of Directors meetings as observers, it was suggested Governors wishing to attend meetings should express interest to R Long. Dates to be circulated. All
 - b. Committees – need replacements for Governors to sit on the groups. Patient Experience – M Rainbow requested more detail. A Palmer noted that he would be happy to share the Patient Experience report. AP
 - c. Formal meetings between Governors and the Board – request from Governors to have 2 meetings. M Rainbow noted that these should be structured. S Dhillon suggested that prior to the AMM there is a formal business meeting.
 - d. Governors manning a desk in the main entrance – R Long happy to organise. REL
 - e. Small working group to review the L&D's Foundation Trust Constitution – interested Governors to express interest to R Long. All
 - f. Governors to take sessions at Council of Governors meetings – A Dayton to lead. AD
- v) Terms of Reference – the updated Terms of Reference were approved.
- vi) Calendar of events for the year – R Long presented the calendar of events and noted that the dates in bold are confirmed dates. It was suggested that the joint meeting of Board of Directors and Council of Governors takes place in February. R Long outlined the seminars.
- vii) Appointment of Auditors – C Bygrave briefed the Council of Governors on the revised Audit Code for Foundation Trusts and recommended the re-appointment of current auditors (the Audit Commission) for the next 3 accounting years for the Trust, to March 2012. CB explained the discussions at the Audit Committee with regard to fees and was satisfied that they were of a reasonable level. He also referred to the discussions of the Audit Committee in deciding not to recommend a tender process this year. This was agreed and the Audit Committee recommended the re-appointment of the Audit Commission. The Council of Governors agreed to support this recommendation.

6. Report from the Board of Directors

S Ramsden referred to the traffic light report and noted that up to the end of September everything was going well. He briefed the Council of Governors as follows:

The Board in Brief highlighted the discussion at the Board of Directors meeting on 31 October. The Trust received a serious letter from Monitor which was highlighted

primarily by poor communication from the hospital regarding the NICU e-coli outbreak and the national media. Clinical management of the outbreak has been good but the communications of the outbreak has not been so good.

Prior to this, Monitor had been in contact with regard to the 18 week target as they were a little concerned and wanted some assurance that actions would meet milestones at the end of December. Discussions had been re-assuring that the work being done would meet the target.

At that time, the situation in A&E had started to cause concern and the rate of admissions has been at an all time high. This has meant that the achievement rate of the A&E target has failed over some weeks.

The actions that the Board considered are:

- An external review by PricewaterhouseCoopers with regard to the communication and e-coli outbreak.
- The process with regard to reporting of SUIs to be revisited.

S Dhillon formally apologised to the Governors on behalf of the Board of Directors and noted that the Board is taking the matter really seriously. She re-assured the Governors that the way in which the issue was dealt with clinically was timely and effective and this was confirmed by the Health Protection Agency. It was the judgement of the investigating team taking into account the wishes of the parents who did not want a press release to go out. The 2 babies were extremely premature.

A Dayton remarked that it would be good to receive press releases frequently. It was agreed that this would be actioned forthwith.

BM

C Smart recommended that the Council of Governors accept the apology from the Board of Directors and move forward.

A question was asked with regard to reporting of SUIs to Monitor. R Long will liaise on this with Monitor.

REL

A full report of the investigation will be available at the next Council of Governors meeting.

SR

S Ramsden then updated the Council of Governors on other matters as follows:

Refurbishment of surgical block – due to the pressure on the hospital at the moment it has been agreed that beds in the new ward (Ward 18) will be used for contingency short term and the refurbishment of the surgical block will commence when the beds in ward 18 are available.

Theatre 6 development – this is an additional theatre to allow the removal of risk in obstetrics theatre and allow relocation of gynaecology theatre sessions.

European Working Time Directive (EWTB) – The Board had approved a plan to increase the number of doctors in training and other posts.

Healthcare Commission Standards – Annual Rating for 2007/8 – The Trust was awarded 'Excellent' for use of resources and 'Fair' for quality of service (narrowly missing a 'Good' rating by one point). This target related to the reduction in the

number of emergency bed days and having more intermediate care in the community and we had interpreted this measure around delayed discharges.

7. Reports from Governors

Patient Representative Group – Minutes will be circulated to Governors.

MdW

PEAG – notes were taken as read.

Equality Strategy Committee – unfortunately apologies were received from Governors for the previous meeting. Community conversations have taken place at the Irish Forum, Hindu Centre and Sight Concern. Further consultation forums are being developed and L Watson is happy to receive suggestions for communities to approach. A project has been undertaken with regard to supporting patients with disabilities – a sticker is being developed to go on the front of patient notes (subject to approval from patient) and this is being launched on 3 December. A leaflet will be going out with appointment letters.

8. Reports from Sub committees

Membership & Communications – There are now 13,394 members. A video is being created. Two Member surgeries have been scheduled for early 2009.

Remuneration and Nominations Committee – C Smart reported that there is a vacancy on Remuneration and Nominations Committee. Nomination papers will be circulated.

Following the resignation of a Non-Executive Director, Mr Alan Williams, the Non-Executive Directors Remuneration and Nominations Committee considered the implications in terms of succession planning for the future. The Committee believes it is essential to have the option to consider, in exceptional circumstances, the ability to extend the terms of office of Non-Executive Directors for 1 year and asked the Council of Governors for agreement. It was suggested that the wording is altered to 'up to maximum of one year'. C Bygrave noted that according to the Constitution, Governors can appoint for a one year extension but only for one year at a time. The recommendation received majority approval from the Council of Governors, 2 abstainers. Over 100 applications have been received for the post.

9. Questions from the Floor

Change in policy to cancer drugs – how do we handle this – it was agreed to refer this to the next meeting.

AP

10. Bedfordshire LINK

Charlotte Bonser was in attendance from Bedfordshire LINK and gave a presentation on the service. LINK replaces the PPI in Health forums. Charlotte's contact details: Charlotte.bonser@valuton.org.uk

11. Strategic Direction and Service Development

This item was deferred.

12. Item(s) for Information:

There were no other items for information.

13. Any Other Business

There was no other business.

14. Date of Next Meetings:

18 March at 6.30 pm in the Lecture Hall, Comet

S Dhillon asked the members of the public to kindly leave to enable the private Council of Governors meeting to commence.

These Minutes may be subject to disclosure under the Freedom of Information Act 2000, subject to the specified exemptions, including the Data Protection Act 1998 and Caldicott Guardian principles.