

**GOVERNORS' CONSULTATIVE COUNCIL**

**Minutes of the meeting of the Governors' Consultative Council of Heart of England NHS  
Foundation Trust held in the Education Centre, Heartlands Hospital  
on 7 March 2011 at 4.30 p.m.**

**PRESENT:** Mr C Wilkinson (Chairman)

***Governors:***

Mr Arshad Begum  
Ms Kath Bell  
Prof Ian Blair  
Ms Sheila Blomer  
Mr Aftab Chughtai  
Dr Olivia Craig  
Ms Valerie Egan  
Mr Albert Fletcher  
Mr Neil Harris  
Mr Richard Hughes  
Mr John Jebbett  
Mr Michael Kelly  
Dr Sunil Kotecha  
Ms Gwynneth Lamb

Ms Heidi Lane  
Councillor Ian Lewin  
Ms Frances Linn  
Ms Veronica Morgan  
Mr David O'Leary  
Mr Barry Orriss  
Mr John Roberts  
Mr Roy Shields  
Ms Bridget Sproston  
Mr Stuart Stanton  
Ms Liz Steventon  
Dr Jagjit Taunque  
Ms Margaret Veitch  
Mr Tom Webster

**IN ATTENDANCE:**

***Non Executive Directors***

Mrs Anna East  
Mr Richard Samuda

Ms Louise Galvin  
Dr Ann Keogh  
Ms Elaine Tandy

Mrs Angie Hudson (Minute taker)

***Executive Directors***

Dr Aresh Anwar  
Ms Lisa Dunn  
Mr Simon Hackwell  
Dr Mark Newbold  
Mr Adrian Stokes  
Dr Sarah Woolley

The Chairman welcomed everyone to the meeting and apologised for the room change; the Lecture Theatre is currently being upgraded and therefore unavailable for this meeting. The Chairman advised the Governors that Mr Shahid Mir was unable to attend the meeting due a close family bereavement and that he had written to Shahid on behalf of the Trust and the Governors to offer condolences.

The Chairman introduced the Trust's new Medical Director, Dr Aresh Anwar.

**11.11 1. APOLOGIES FOR ABSENCE**

Ms Famida Begum, Mr David Bucknall, Ms Mandy Coalter, Mr Tim Freeman, Professor Chris Ham, Mrs Francis Hamer, Ms Patricia Hathway, Mrs Najma Hafeez, Mr Paul Hensel, Mr Richard Harris, Lord Philip Hunt, Mr Andy Laverick, Mr Shahid Mir, Mr Paul Sabapathy, Mr Dev Sarmah, Ms Yvonne Sawbridge, Mr John Sellars, Ms Mandie Sunderland.

## **11.12 2. MINUTES OF THE MEETING HELD ON 10 JANUARY 2011**

11.02 The circulation of hard copies of the papers was raised. It was agreed that hard copies would be circulated to Governors who requested paper copies otherwise 'papers' would be circulated by email. A few hard copies of the papers would be available at the meeting should a copy be needed.

**ACTION: AH**

11.04 Mr Albert Fletchers name to be removed as he advised that he did not ask the question referred to at paragraph 9.

11.05 Reference to Mr Stanton to be removed from paragraph 7 and 8 on page 5.

Following these amendments the minutes were agreed as a correct record and signed by the Chairman.

## **11.13 3. MATTERS ARISING**

The schedule showing matters arising were noted.

## **11.14 4. MINUTES OF SUB-COMMITTEES:**

### **4a Informal Governor's Meeting - 22 October 2010**

The above minutes were received and agreed as a correct and accurate record and signed off by the Chairman

### **4b Appointments Committee - 12 November 2010**

The above minutes were received and agreed as a correct and accurate record and signed off by Mandy Coalter who chaired the meeting.

### **4c Appointments Committee - 14 January 2010**

The above minutes were received and agreed as a correct and accurate record and signed off by Mr Roy Shields, Chair of the meeting.

## **11.15 5. APPOINTMENT OF CHAIR**

Mr Roy Shields advised the Governors Consultative Council that after following the correct and proper appointment procedure as set out in the Governors Handbook, the Appointments Committee had interviewed three shortlisted candidates on Friday 4 March 2011 for the post of Chair.

The Appointments Committee along with Professor Chris Ham, external advisor, after careful deliberation and discussion unanimously recommended the appointment of Lord Philip Hunt of Kings Heath as Chair of Heart of England NHS Foundation Trust. Lord Hunt is recommended for his broad background a significant experienced within the NHS. He has an extensive portfolio and outstanding career in health including as Chief Executive of the NHS Confederation and on two occasions as a Minister at the Department of Health. He has held many important national roles including Chairman of

the National Patient Safety Advisory Group and Patient Charter. Currently Lord Hunt is a member of the All Party Parliamentary Group on Primary Care and Public Health. The Committee is delighted to recommend the appointment of such a high calibre person as Chair. The following questions were addressed to and answered by Mr Shields:

Q: There was a view that the process adopted had not been compliant with Monitor's Blue Book;

A: The process had been set up in accordance with the Trust's Constitution and Governors' handbook and had been followed to the letter. The Trust has also taken legal advice on the process from Capsticks, Solicitors, to confirm that the process had been followed correctly. Following the last round of failed interviews the Chairman and Monitor had requested an outside advisor be appointed following which Professor Chris Ham, Chief Executive of the Kings Fund had been appointed. As Professor Ham was unable to attend this evenings meeting he had sent a letter endorsing the process followed and the conclusions of the Appointments Committee in recommending Lord Hunt be appointed as the new Chair.

The process had also been overseen by Ms Mandy Coalter, Director of HR, and Nicola Bullen from the Trust as well as taking advice from Elizabeth Buggins, Chair of NHS West Midlands.

Q: It would have been helpful if a resume had been included in the paperwork sent out by Mr Shields to give some background information on the successful candidate.

A: The point was taken on board and it will be ensured that this is done in the future.

Q: He (Lord Hunt) is a very busy man, will he be able to devote time to HEFT?

A: We asked the same question. Lord Hunt is used to operating at this level and used to making the best use of his time available.

Q: I am not concerned with blue book but rather the lack of consultation with Governors and that the process had not been dealt with as democratically as it should be.

A: The first meeting to discuss the Appointment of a new Chair had been an open meeting to which all of the Governors had been invited. Following this meeting following the members of the Appointments Committee had been selected.

Q: There is no mention of how one became a member of Appointments Committee, are people elected by Governors?

A: Appointments were made by the Governors at the first meeting to discuss the appointment of the new chair. Any Governor can apply.

Q: This should be in the constitution.

A: I can confirm that it is in the Constitution.

Mr Shields advised the Governors that a meeting will be set up to review the process and gather lessons learned.

Mr Roy Shields passed on his and the Appointments Committee's thanks to Mrs Margaret Ward, Executive Assistant to Ms Coalter for her administrative assistance throughout the process.

**The proposal to accept the recommendation of the Appointments Committee to appointment Lord Philip Hunt as Chair of Heart of England NHS Foundation Trust was motioned by Mr Albert Fletcher and the motion was seconded.**

**The Chairman asked for a show of hands in favour and against – the motion was carried unanimously.**

## 11.16 6. REAPPOINTMENT OF NON EXECUTIVE DIRECTOR

Mr Shields advised that Mrs Najma Hafeez's term of office at Non Executive Director was due to come to an end at the end of April 2011. The Appointments Committee had discussed the reappointment of Mrs Hafeez and it had been agreed that she would be asked to attend for interview and give a presentation on what she had done during her term of office and what her plans were for the future. The Appointments Committee had also discussed Mrs Hafeez commitment to attendance of meetings over the last few months, but had taken into account that she had been through some personal issues including a close bereavement. Her attendance had been reviewed and attendance at meetings had improved. The Appointment Committee had held a lengthy debate following the interview and it was their recommendation that the Governors reappoint Najma Hafeez for a further term of office. The following questions were addressed to and answered by Mr Shields:

- Q It was commented that during the past 6 months Mrs Hafeez had attended every meeting during that period and had made worthwhile comments and observations.
- Q Mr Wilkinson was asked to comment on his view of Mrs Hafeez conduct and performance as a Non Executive Director and his recommendation for the reappointment.
- A Mr Wilkinson advised that he was abstaining from the discussion as Mrs Hafeez was a family friend and has registered his conflict of interest and had not been involved in the process.

Mr Shield advised in the case of past reappointments the Chairman's appraisal had been taken into account, however due to the conflict of interest, the Appointments Committee had moved away from this on this particular occasion. However in all future appointments appraisal documentation will be taken into account.

**The reappointment of Mrs Hafeez was proposed by Mr Albert Fletcher and seconded by Dr Sunil Kotecha.**

**The Chairman asked for a show of hands for and against and the motion. The motion was carried.**

The Chairman thanked the contribution of everyone involved in the processes for the appointment of the new chair and for the reappointment of the Non Executive Director.

The Chairman advised that he would be writing to Professor Chris Ham on behalf of the Trust Board to thank him for his time and consideration.

The Chairman also expressed his thanks to the Appointments Committee and to Roy Shield's for his leadership, the Appointments Committee and the Governors for their support during these two processes.

## 11.17 7. Q3 MONITOR RETURN

Mr Adrian Stokes gave an update on the Q3 Monitor return, the expected year end financial position and the challenges facing the Trust in 2011/12 including efficiencies that the Trust will need to make. Mr Stokes advised the meeting that the circulated presentation had been updated shortly before the meeting and this would be circulated following the meeting. The highlights from the presentation were:

- Monitor has given the Trust a green rating.
- The Trust was compliant on all 40 of its national targets

- 85% of CIP targets had been delivered
- Ward Block 1 at Good Hope Hospital was completed at the end of February and some hospital services had begun to occupy the ward block at the start of March 2011.
- A&E 4 hours 95% performance has been challenging and the Trust are working towards being green by the year end. The position is being monitored on a daily basis to ensure the Trust achieves the A&E 95% 4 hour target.

The following questions were addressed to and answered by Mr Stokes:

Q: Will the Trust's over-performance on income put the PCTs under pressure?

A: This year end negotiations are still underway but it is expected that the conclusions will be satisfactory to both sides.

Q: Have the Trust looked at other hospitals for trends on whether everyone getting older and sicker? Is it happening everywhere?

A: There are more attendees at Good Hope and Heartlands Hospital than some other larger Trusts A&E attendance numbers and data shows that the Trust does have to deal with more complex cases.

Q: During Q3 the Trust has looked at the different ways patients present at hospital and it needs to look at where we can make improvements. A&E at Solihull is different and the Trust need to look at how it works over the three sites to divert patients (eg if Solihull is busy divert to other site).

The Trust recognised that the Good Hope Hospital site was the Trust's most challenging site and had in place a management leadership team on the Good Hope site to improve the position.

Q: It was requested that future presentation do not have coloured backgrounds as they make the slides hard to read.

A: This was agreed.

Q: A few of the London trusts are refusing to sign contracts because they don't agree with tariffs, is this the same for Heart of England?

A: The Trust is still working with PCTs to resolve and agree contracts.

Q: Where is the Trust in relation to negotiating contracts with PCTs?

A: The Trust is in negotiations with the PCT clusters along with the GP Consortiums in attendance. Finance systems have been built to adapt to the new GP Consortium.

Q: Will contracts be honoured by the new GP consortium?

A: Yes, however contracts are agreed yearly and these are fed down from the Department of Health and driven by patient income. These contracts have to be negotiated yearly.

Q: Why do patients sit for 4 hours to wait for a Doctor to see them, should this be less than 4 hours?

A: The 4 hour A&E target is a national target and one which the Trust measures itself against. Most patients do not wait longer than 4 hours, the average is a little more than an hour. The Trust reviews all patients who present at A&E by a triaged process ensuring that those patients who require urgent attention are seen promptly.

## 11.18 8. REMUNERATION OF CHAIR AND NON EXECUTIVE DIRECTORS – PROF IAN

## **BLAIR**

Professor Blair reported that there had not been a meeting to discuss the remuneration of the above. Given the external environment and the debate around salary increases, the Chair and Non Executive Directors had agreed not to take a salary increase for the coming year and the Governor's Council was asked to agree to this proposal.

**Agreed.**

### **11.19 9. QUALITY ACCOUNTS – DR SARAH WOOLLEY**

Ms Rachel Blackburn presented an update on the Quality Accounts process. The Trust is required to produce a quality account which gives detail on the quality of services provided to patients. The structure of the account is mandated by the Department of Health. The Trust have set up an internal project team from staff from different specialities and as part of this process events are being set up on site and User Groups and stakeholders are being invited to discuss priorities for coming year.

### **11.20 10. Annual Report on Equality and Diversity – Ms Pam Chandler**

Ms Pam Chandler, Head of Equality and Diversity gave an update on the work that has been ongoing over the last year. The Equality and Diversity team have been responsible for delivering the CQC requirements and these have focussed on

- Delivering training in all areas and to managers
- Establishment of web link for staff, patients and carers
- Interpreting team activity increased to ensure more interpreters are available when required.

During the next quarter the Equality and Diversity Directorate will be working on developing KPIs around quality of patient services for both patients and staff. The Chairman thanked Ms Chandler and the Equality and Diversity Directorate for the work undertaken to date.

### **11.21 11. COMMUNITY SERVICES UPDATE – MR SIMON HACKWELL**

Mr Hackwell gave a presentation on the progress to date of the business transfer of Solihull Community Services and Heart of Birmingham's Community Sexual Health Services. The Business case has a £4million budget which will transfer to HEFT on the 1 April 2011; this includes the transfer of staff. The Trust is working with the PCTs on final negotiations. The final budget is yet to be agreed. The Trust Board is due to meet on the 30 March 2011 to discuss and agree the business transfer agreement. The Transfer of community services in Solihull gives HEFT an opportunity to give patients better patient pathways. Mr Hackwell agreed to send out the presentation to the Governor Consultative Council. The following questions were addressed to and answered by Mr Hackwell:

Q: What is happening in Sutton Coldfield and around Good Hope Hospital?

A: Their community services have moved to Birmingham Community Health Services

**11.22 12. ANY OTHER BUSINESS**

The Chairman advised that the agenda for the GCC and Trust Board Away Day planned for the summer will be determined by Governors, and any agenda items are to be sent the Company Secretary's office.

Q: At the last meeting it was advised that Ultragenda would be fully operational by the end of March. Could the Council have an update to the next meeting on progress?

A: Mr Stokes advised that the pathway management system in Ultragenda is now in place and work is on track to complete on time. Mr Laverick to present an update to the next meeting.

Q: There was an article on the news that the Good Hope Hospital has a specialist sepsis nurse, do all of the site have one or just the Good Hope site?

A: The Trust has a total of 20 outreach practitioners who cover all three sites.

As this was the Chairman's last Governors meeting he wanted to formally thank all Governors for their support and friendship over the last five years and it was appreciated how important it was the Governors hold the Trust and its Board to account.

As some of the Governors were due to retire at the end of March it was suggested that it would be nice to be able to get the outgoing Chair and Governors together with the incoming Chair and Governors to share knowledge they have. **Ms Dunn agreed to arrange an event.**

Mr Shields thanked Mr Wilkinson on behalf of all the Governors for the huge amount of work and time he had given to the Trust over the years.

Ms East added the Trust Board's thanks to Mr Wilkinson for the enormous amount of work and the successful achievements of the Trust whilst he has been Chairman.

Ms East also extended the Trust Board's thanks to the Governors who were retiring for their input, time and commitment to the Trust.

**11.23 13. DATES OF NEXT MEETINGS**

23 May 2011

19 September 2011

21 November 2011

The meeting closed 6.35pm.

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Chairman