

GLOUCESTERSHIRE PARTNERSHIP NHS FOUNDATION TRUST

MINUTES OF THE BOARD MEETING 20 AUGUST 2007

PRESENT

- Robert Maxwell, Chairman
- Lizzie Abderrahim, Non-Executive Director
- Sandra Betney, Director of Finance
- Roger Brimblecombe, Non Executive Director
- Shaun Clee, Chief Executive
- Mike Evans, Non Executive Director
- Kay Harrison, Director of Human Resources
- Hazel Watson, Director of Nursing, Social Care and Therapies
- Paul Winterbottom, Medical Director

IN ATTENDANCE Anna Hilditch, Board Administrator

1. WELCOMES AND APOLOGIES

Apologies were received from Tracey Barber, Frank Powell and David McGrath

2. DECLARATION OF BOARD MEMBERS' INTERESTS

No amendments to the Declaration of Interests were received. No conflicts of interest were declared for the business of the day.

3. MINUTES OF THE MEETING HELD ON 23 JULY 2007

A request was made that additional wording be inserted into paragraph 6.3 regarding Sir Michael Pitt's assessment of the Trusts performance to read "had been slightly critical about *some of the Trust's services*". The minutes of the meeting held on 23 July were agreed subject to this addition.

4. MATTERS ARISING AND ACTION POINTS

- 4.1 A query was raised regarding the action identified relating to the Charitable Funds Committee. It was suggested that this referred to the need to review the Terms of Reference for the Committee. The Chief Executive agreed to establish the background behind the action and address the problem with the Director of Corporate Affairs.
- 4.2 Following the action identified at the last meeting, the Board received a document produced by the Assistant Director of Planning and Performance outlining some example formats for a summary of the Trust's business plan. The Board were asked for comments. The Chairman noted that the summary was very generic and he would prefer it to be more specific year on year. The Chief Executive suggested that the Trust adopt a top level summary and then look at creating individual summaries at department level. It was thought that this would help to link the Trust's key strategic objectives with team and subsequently individual objectives. The Board agreed.
- 4.3 The Director of Finance was asked for her views on the use of the word surplus. She advised the Board that this was a regulatory word and there was not another word that could be used in its place. There was a requirement for the Trust to achieve a "surplus" position so it would be difficult to move away from this. The Director of Finance suggested that the Trust could look into teaching people why the Trust needed to have a surplus, so as not to look at this as extra money. The Board noted that work was underway to create a presentation on the new financial regime that the care group accountants would take out and to present to teams.

ACTION: The Chief Executive agreed to follow up the issues relating to the Charitable Funds Committee with the Director of Corporate Affairs.

5. QUESTIONS FROM THE PUBLIC

No questions were received from members of the public.

6. CHAIRMAN'S REPORT

- 6.1 The purpose of this item was for the Chairman to bring to the attention of the Board significant items of business that had taken place over the past month.
- 6.2 The first meeting of the Nominations and Remuneration Committee of the Trust's Governors had taken place on 2 August. It was noted that the Committee had important items of business to consider but the meeting had been conducted well and the recommendations agreed would be presented to the full Council of Governors at an additional meeting on 30 August for approval. The Committee had appointed Julie Garnham, Public Governor for Tewkesbury as deputy Chair of the Nominations and Remuneration Committee. The Chairman informed the Board that he had announced at this meeting his intention to resign as Chairman of the Partnership Trust once a suitable candidate had been chosen to replace him.
- 6.3 The Chairman expressed his thanks to all staff for the work and effort put into continuing services during the flooding.
- 6.4 The Board were advised that Simon Thompson had been successfully appointed as Director of Operations. Simon was currently the Managing Director of Mental Health and Social Care in Dudley. It was hoped that this post would be taken up on 1 October 2007.

7. CHIEF EXECUTIVE'S REPORT

- 7.1 The purpose of this report was for the Chief Executive to bring to the attention of the Board significant items of business and progress.
- 7.2 The Chief Executive picked up on the Chairman's statement that he intended to resign as Chair of the Trust once an appropriate successor had been appointed. He agreed to draft a note regarding the Chairman's resignation, along with the steps that the Trust was taking to appoint to the post, as soon as possible. This would be circulated to all staff and key stakeholders.
- 7.3 The Board were informed that the Mental Health Act 2007 had received Royal Assent on 19 July 2007. Section 45, which deals with the delegation of Foundation Trusts' duties as "hospital managers" was brought into force on 24 July 2007. It was noted that further discussions would take place later in the meeting as a paper was included on the agenda.
- 7.4 The Chief Executive noted that the Trust had successfully appointed a Director of Operations, as previously reported by the Chairman. Interviews would be held later in the week for the remaining Service Director posts for Learning Disabilities, CAMHS and Substance Misuse.
- 7.5 It was noted that the IRP had submitted their report and recommendations to the Secretary of State on schedule, however, the Trust had not received confirmation of when the Secretary of State would announce their decision. A variety of statements would be drafted taking account of the different potential outcomes. The Medical

Director was nominated as Clinical Lead for all media interest. The Executive Team had been liaising with colleagues within the Older Age Care Group about a cascade system for communicating the news to staff.

- 7.6 The Chief Executive seconded the Chairman's earlier thank you to staff for maintaining services during the flooding. He noted that a letter had been received from Sir Ian Carruthers expressing his thanks and it was agreed that this would be circulated in GPT News in Brief. The Chief Executive informed the Board that he felt it had been a useful exercise and had brought many different teams together. It was agreed that a report on learning from the exercise would be pulled together and presented back to the Board in September. The Board were also asked to note the efforts put in by colleagues in the Estates Department at the Hospitals Trust.
- 7.7 The Chief Executive informed the Board that, as part of the implementation of the Integrated Performance Management initiative, performance review meetings would be set up with each of the strategic service units, the first of which would take place in September. The Chairman asked whether it would be appropriate for the Non-Executive Directors with a particular interest in a care group to be included in these meetings. The Chief Executive advised that he was happy to consider this, however, there was a need to get the role of the Non-Executive right in terms of scrutiny. It was the Executive Team's role to manage the Strategic service units. It was suggested that Frank Powell be invited to attend the first meeting with the Working Age Adult care group to see how this would work.

ACTION: The Chief Executive agreed to draft a letter for the Chairman regarding his resignation which would be circulated to all staff and stakeholders asap

ACTION: A report on the learning received from the floods would be compiled and presented to the Board in September

ACTION: Frank Powell to be invited to attend the first performance review meeting with the WAA care group

8. FINANCE REPORT

- 8.1 The purpose of this report was to outline the Trust's financial performance for the 2007/08 financial year, up to the period ending 31 July 2007.
- 8.2 The Director of Finance informed the Board that the Trust was still in the process of finalising the month 3 accounts. It was noted that this, along with the time lost due to the flooding, meant that the starting position for the month 4 report was still uncertain and the figures were estimates based on the ledger.
- 8.3 The Board noted the new detailed financial overview which had been included in the report. It was agreed that these were helpful to have. The Chairman queried whether these indicators would replace those currently used in the Performance Dashboard. It was agreed that a more detailed discussion about this would take place at the Performance Management Committee on 4 September.
- 8.4 The Director of Finance informed the Board that the forecast outturn was a surplus of £1,695k. Some of the key movements from last month's position included additional provision for corporate cost pressures such as re-branding, membership and pay increases, a reduction in the provision for redundancies and the successful negotiation of the Coventry invoice. Some of the risks still facing the outturn position, however, included the continued non-payment of the Worcestershire debtor of £1.1m, a potential

VAT reclaim of £234k and the PCT not meeting the additional costs of contract variation for staffing at Colliers Court. The Board noted that the Trust had agreed a block contract, however, it was agreed with the PCT that they would provide additional funding to allow for staffing at Colliers Court. It was noted that if this funding had not have been agreed the client would have been sent out of county. Lizzie Abderrahim noted that the Trust needed to be careful that it didn't make too many variations to the contract.

- 8.5 The Director of Finance advised that the Trust needed to keep emergency measures in place for the rest of the year, however, it was agreed that it should be renamed to make it descriptive of its nature and appropriate for the Trust's current financial position.
- 8.6 Mike Evans noted the adjusted likely case forecast position tables and queried how the Worcestershire debtor could be reported as £0.1m, suggesting that it would either be £1.1m or 0.
- 8.7 Shaun Clee noted that the risk adjusted likely worst case forecast was a surplus of £1.2m. He queried the effect that this worst case position would have on the risk ratios which based on the current position generated a score of 4 under Monitor's new compliance framework. The Director of Finance informed the Board that this would move the Trust to a marginal 3 which could flip down to a 2 but this was dependent on a number of factors.
- 8.8 The Board were informed that current cash flow estimates indicated that the Trust would not breach any of its cash balance limits between now and the year end. Assumptions driving the forecast cash positions included the sale of Thirlestaine Court, expected payment of the Worcestershire debtor in October and the potential sale of Holly House to the PCT in September.
- 8.9 The Director of Finance reported that the establishment controls were nearly all sorted out. The Corporate department would need to be realigned with the new structure and directorates.

9. PERFORMANCE DASHBOARD

- 9.1 The purpose of this report was to update the Board on performance against key performance measures and targets during the first quarter of 2007/08. It was reported that performance in the majority of areas had improved.
- 9.2 The Board noted that Membership had been added to the dashboard for the first time. It was noted however that this should be reported as amber.
- 9.3 A query was raised regarding the absence of a target for the provision of risk relapse management plans. The Chief Executive suggested that this should be 100% and advised that there would need to be some evidence on how this score was being met. A request was made that targets that had not been agreed continued to state "to be agreed" rather than including false information. It was also suggested that a timeframe be included for when the proposed target would be in place.
- 9.4 The Board were advised that stretch targets had not yet been included within the dashboard report, however, it was hoped that these would be developed following the performance management meetings with the Strategic service units.
- 9.5 Concern was raised regarding the recorded figure of zero under suicide rate during the period 2006/07. This would be checked.

- 9.6 A further query was raised regarding the employment of community development workers. It was noted that this had not yet been achieved, however, the Trust had scored green against this target. This would be referred back to the Information Team for clarification.

ACTION: Concerns regarding the target for the provision of risk relapse plans and the figures recorded for suicide rates and the employment of community development workers to be addressed with the Head of Information Management Services for clarification

10. NON-EXECUTIVE DIRECTOR ROLE IN DISCHARGING DETAINED PATIENTS

- 10.1 The purpose of this report was to seek approval of the Board for the changes proposed to the way in which hearings by the Hospital Managers under the Mental Health Act are carried out following revisions to Section 23(6) - Section 45 of the Mental Health Act in July 2007.
- 10.2 As noted earlier in the meeting, Royal Assent for the Mental Health Bill 2007 was received on 19th July 2007. The changes to Section 23 made in the new Mental Health Act 2007 permit powers to be exercised by any three or more persons (MHA Managers) authorised by the Board who are not Executive Directors or employees of the Trust.
- 10.3 The Chairman approved the report and suggested that the current Mental Health Act Managers (MHAM) be reinstated to sit as members of panels as soon as possible. He noted that Non-Executive Directors would continue to play a part in the panels, as far as they were able, taking account of their different commitments.
- 10.4 Lizzie Abderrahim noted that the Non-Executive Directors would not be forced to opt-in, and it should not be the role of each Non-Executive but a collective role. The Chairman agreed to pull together some guidance on this.
- 10.5 The Chairman noted that he was keen for a Non-Executive Director to be present at each panel, not necessarily in the role of Chair. He also suggested that it would be very helpful when setting up the panel meetings that a Chair be sought beforehand and not left until the day of the panel. Lizzie Abderrahim advised the Board that it was her view that the Non-Executive Director's would attend the panels because they were also MHAMs, it was not a special role simply because they were Non-Executive Directors. Non-Executive's should therefore form part of the overall pool of MHAM and selected for panels accordingly.
- 10.6 The Board agreed that the MHAMs would be reinstated into the role of discharging detained patients. It was suggested that as far as possible a Non-Executive Director would be invited to each panel, however, they would have the same status as the other MHAMs. The MHAM Committee would be delegated to formally report back on reviews conducted to the Trust Board. These changes would take effect immediately.

11. ANY OTHER BUSINESS

There was no other business.

12. DATE OF THE NEXT MEETING

The next Board meeting would take place on Monday 24 September 2007 at 10.30am in the Samuel Hitch Suite, Wotton Lawn, Gloucester.

**BOARD MEETING
 ACTION POINTS**

Date of Meeting	Item ref	Action	Lead	Status
20 August 07	4	The Chief Executive agreed to follow up the issues relating to the Charitable Funds Committee with the Director of Corporate Affairs.	Chief Executive	
	7	<p>The Chief Executive agreed to draft a letter for the Chairman regarding his resignation which would be circulated to all staff and stakeholders asap</p> <p>A report on the learning received from the floods would be compiled and presented to the Board in September</p> <p>Frank Powell to be invited to attend the first performance review meeting with the WAA care group</p>	<p>Chief Executive</p> <p>Director of NSCandT</p> <p>Chief Executive</p>	Complete
	9	Concerns regarding the target for the provision of risk relapse plans and the figures recorded for suicide rates and the employment of community development workers to be addressed with the Head of Information Management Services for clarification	Chief Executive	