






Torbay and South Devon NHS Foundation Trust
Public Council of Governors

MS Teams

9 March 2022 14:00 - 9 March 2022 16:00

AGENDA

| # | Description | Owner | Time |
|-------|--|--|--------|
| 1 | Opening Matters | | |
| 1.1 | Chairman's welcome and apologies for absence: Jonathan Shribman, Deborah Kelly | Chair | 2:00pm |
| 1.2 | Declarations of Interest | Chair | |
| 2 | Business from Previous Council of Governors' Meeting | | |
| 2.1 | Minutes of Council of Governors' Meeting held on 3 November 2021 (enc) | Chair | 2:05pm |
| |  2.1 - Minutes of Council of Governors' Meeting held... 7 | | |
| 2.2 | Matters Arising Not Covered Elsewhere on the Agenda | Chair | |
| 3 | Business Reports | | |
| 3.1 | Chairman's Report (verbal) | Chair | 2:10pm |
| 3.2 | Chief Executive's Report (enc) | Chief Executive | 2:20pm |
| |  3.2 - Chief Executive's Report.pdf 15 | | |
| 3.3 | Lead Governor's Report (verbal) | Lead Governor | 2:35pm |
| 4 | Non-Executive Director Reports | | |
| 4.1 | Non-Executive Director Committee Reports (verbal): | | 2:45pm |
| 4.1.1 | Audit Committee | Mrs S Taylor | |
| 4.1.2 | Quality Assurance Committee | Mrs J Lyttle | |
| 4.1.3 | People Committee | Mrs V Matthews | |
| 4.1.4 | Finance, Performance and Digital Committee | Mr P Richards | |
| 4.1.5 | Building a Brighter Future Committee | Mr C Balch | |
| 4.1.6 | Torbay Pharmaceuticals Board (verbal) | Mr R Sutton | |
| 5 | Governance Reports | | |
| 5.1 | Report of the Interim Director of Corporate Governance and Trust Secretary (enc) | Interim Director of Corporate Governance | 3:05pm |
| |  5.1 - Report of the Interim Director of Corporate Go... 17 | | |

| # | Description | Owner | Time |
|-----|---|--|---------|
| 5.2 | Governor Learning and Development (verbal) | Interim Director of Corporate Governance | 3:15pm |
| 5.3 | Reimbursement of Expenses for Governors and Members Policy (enc)  5.3 - Reimbursement of Expenses for Governors an... 23 | Interim Director of Corporate Governance | 3:35pm |
| 6 | Governor Engagement | | |
| 6.1 | Feedback and Questions from Members and Governors including Governor Communication Log (enc)  6.1 - Feedback and Questions from Members and... 31 | Chair | 3:40pm |
| 7 | Closing Matters | | |
| 7.1 | Any Other Business | Chair | |
| 7.2 | Close of Meeting | Chair | 3:45pm* |
| | *A private meeting for Governors will take place at 3:45pm | | |
| | Dates of Next Meetings: 4 May 2022, 3 August 2022, 2 November 2022 (all 2pm - 4pm - virtual or boardroom) | | |

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MINUTES OF THE COUNCIL OF GOVERNORS MEETING

HELD ON 3 NOVEMBER 2021 AT 2PM

VIA MICROSOFT TEAMS VIDEO-CONFERENCE

Present

| | | |
|--------------------|----------------------------|--------------------|
| | * Richard Ibbotson (Chair) | |
| * Nicole Amil | * Matthew Arthur | * Derek Blackford |
| * Craig Davidson | * Carol Day | * Loveday Densham |
| * Eileen Engelmann | Lorraine Evans | * Annie Hall |
| * Steven Harden | Jonathan Hawkins | * Lynne Hookings |
| Febuary Howson | Emily Huggins | Mike James |
| Deborrah Kelly | * John Kiddey | * Mary Lewis |
| * Rosemary Rowe | (*) Jonathan Shribman | * John Smith |
| * Andrew Stilliard | * Jean Thomas | * Radia Woodbridge |
| Keith Yelland | | |

* denotes member present / () = present for part of meeting

Directors

| | | | |
|-----|-----------------|--|--------|
| | Liz Davenport | Chief Executive | (CE) |
| * | Ian Currie | Medical Director | (MD) |
| | Joanne Watson | Health and Care Strategy Director | (HCSD) |
| | Judy Falcão | Chief People Officer | (CPO) |
| (*) | John Harrison | Chief Operating Officer | (COO) |
| * | Adel Jones | Director of Transformation and Partnerships | (DTP) |
| * | Deborah Kelly | Chief Nurse | (CN) |
| * | Dave Stacey | Chief Finance Officer and Deputy CEO | (CFO) |
| * | Chris Balch | Non-Executive Director | (CB) |
| * | Jacqui Lyttle | Non-Executive Director / Senior Independent Director | (JL) |
| (*) | Vikki Matthews | Non-Executive Director | (VM) |
| (*) | Paul Richards | Non-Executive Director | (PR) |
| * | Robin Sutton | Non-Executive Director | (RS) |
| * | Sally Taylor | Non-Executive Director / Vice Chair | (ST) |
| (*) | Sarah Wollaston | Non-Executive Director | (SW) |

In attendance

| | | |
|----------------|--|-------|
| Emily Long | Director of Corporate Governance and Trust Secretary | (DCG) |
| Sarah Fox | Corporate Governance Manager | (CGM) |
| Sally-Ann Reay | Membership Manager and minute taker | (MM) |

1. OPENING MATTERS

1.1 Chairman's welcome and apologies for absence

Apologies for absence were received from Cllr Lorraine Evans, Jonathan Hawkins, Deborrah Kelly and Michael James.

Apologies were also noted from Liz Davenport (Chief Executive) Dr Joanne Watson (Health and Care Strategy Director, and Judy Falcao (Chief People Officer).

The Chairman welcomed Emily Long (Director of Corporate Governance and Trust Secretary) to her first Council of Governors meeting since taking up her role.

1.2 Declarations of Interests

There were no declarations of interests.

2. BUSINESS FROM PREVIOUS COUNCIL OF GOVERNORS' MEETING

2.1 Minutes of Council of Governors' meeting held on 4 August 2021

The minutes of the meeting held on 4 August 2021 were approved as a true record.

2.2 Matters arising not covered elsewhere on the agenda

There were no matters arising.

3. BUSINESS REPORTS

3.1 Chairman's Report

The Chairman provided the following verbal report:

Annual Members' Meeting (AMM) 2021 – the Chairman reported back on the 2021 AMM which had been headed up by himself and Dave Stacey (Deputy Chief Executive) as Liz Davenport had been called away at short notice. He thanked Governors who had attended the virtual meeting and for the positive feedback given. The Chairman said he was keen for either a face to face AMM in 2022 or a blended method, but this would be dependent on any Covid restriction regulations in place at that time.

Director of Corporate Governance and Trust Secretary – the Chairman referred to the retirement of Jane Downes at the end of September 2021 and welcomed the arrival of the new Director, Emily Long who is keen to support all the Governors in their work.

Devon Integrated Care System (ICS) – Governors will recall, the Devon ICS had been placed under "mandated support" under the NHS System Oversight Framework (SoF) at Level 4, with both the Royal Devon and Exeter NHS Foundation Trust (RD&E) and this Trust being placed individually at Level 3 within

that framework. The Trust rating of Level 3 primarily related to the Trust's financial record.

Non-Executive Directors' Update – the Chairman announced that Mr Jon Welch had now retired and he welcomed Dr Sarah Wollaston as the new Non-Executive Director. Dr Wollaston had given a presentation earlier in the morning at the Network Meeting with Governors on the topic of the current stresses on the Primary Care Sector. The meeting also noted that Mrs Sally Taylor had accepted an offer of a six-month contract extension, until June 2022.

Chair of Devon Integrated Care System – the appointment process for a permanent Chair for the Devon ICS was still ongoing and Dame Suzi Leather would therefore continue in her interim Chair role until a substantive postholder had been appointed.

RD&E Outgoing Chair – the Chairman reported that a replacement for the outgoing RD&E Chair, James Brent had not yet been identified.

Torbay Mayor Visit – Governors were informed that the Torbay Mayor had visited the Trust on 31 August 2021 and had been briefed by staff on many issues, including the desire for a park and ride scheme. These points had been taken back for consideration by the Mayor and Council.

Torbay Hospital League of Friends Donations – the Chairman highlighted the very generous donation of two paediatric ventilators within the Emergency Department at Torbay Hospital. The Board would formally like to record their thanks for this donation, which allowed for far greater functionality and movability of the equipment.

Black History Month – the excellent work taken forward by Sanita Simadree (Diversity and Inclusion Lead) and her team with regard to work on the equality and diversity agenda was noted. The Chairman encouraged Governors to look at the Trust website regarding the events arranged regarding Black History Month.

The Chairman asked if the Lead Governor wished to add anything and he responded that all major important issues had been suitably covered.

3.2 **Chief Executive's Report**

Dave Stacey, Deputy Chief Executive provided this report, in the absence of Liz Davenport.

The Deputy Chief Executive reported that Dartmouth Health and Wellbeing Centre new build was progressing successfully. A Community-led bid regarding the previous Dartmouth Hospital site was progressing and supported by the Trust within the bounds of the NHS Rules on finances.

A local survey was currently live regarding options for the use of the former Dartmouth Hospital site and these views would be taken to the 13 January 2022 stakeholder group meeting, with an interactive open workshop planned.

The Trust had been highlighted nationally as one of the top ten Trusts in the country for staff receiving a double dose of the Covid vaccine (94%) which reflected the hard work of the team providing jabs at the Horizon Centre, both out of hours and at weekends. In addition, some 4000 staff had received their flu vaccination to date.

The Deputy Chief Executive reported on the Strategic Outline Case (SOC) for the Building a Brighter Future (BBF) programme. The completed SOC was undergoing a review process by the Region. It was noted the Trust was awaiting confirmation regarding release of seed funding. The Devon Long Term plan has further refinement required for the 1st April 2022 start and Dr Rob Dyer (previous Trust Medical Director) would be picking up a role with the Integrated Care System to assist on this work.

The Deputy Chief Executive reported on current challenges whereby the Trust remained at highest level of escalation (Opel 4), and had been so fairly consistently since July 2021. This meant that staff were tired and concerned that the experience of care for the public was lower than they would wish. The “best week” programme had been ambitious in the aim to help and some progress had been made on restoring elective services and freeing up staff time to care. Continued work was taking place with local partners on winter planning and bidding for extra funds, and ensuring support for domiciliary care and care homes.

Questions were invited but none received. The Chairman urged all Governors to attend drop in booster sessions or have their flu jab locally. The public no longer had to wait to be invited and he referred them to the NHS website.

4. NON-EXECUTIVE DIRECTOR REPORTS

4.1 Non-Executive Director Committee Reports

4.1.1 Audit Committee

Mrs Taylor reported that the Audit Committee meeting held in early September 2021 had no major issues of concern, with the next meeting due January 2022. Work continued with the Chairs of all Audit Committees across Devon discussing high level risks for a Devon wide audit.

The Council of Governors noted the report on the work of the Audit Committee.

4.1.2 Quality Assurance Committee

Mrs Lyttle reported on the Quality Assurance meeting held in September 2021. Deep-dive reports had been received, with good debates and presentations by teams. In particular they had been looking at Children’s services and domiciliary care. They had been assured as a committee that processes in place to mitigate avoidable harm.

The Council of Governors noted the report on the work of the Quality Assurance Committee.

4.1.3 Finance, Performance and Digital Committee

Mr Richards reported on several key issues including:

- The Committee continued to review cash balances and capital expenditure, ensuring delivery against the agenda and capital was spent in a timely manner.
- Focus on system working and the Strategic Outline Case as cost improvements can only come through via the BFF plans and digital focus. The Committee was considering a range of sources to ensure the digital programme is developed as soon as possible, which will help drive future efficiencies.

The Council of Governors noted the report on the work of the Finance, Performance and Digital Committee.

4.1.4 People Committee

Mrs Matthews apologised for joining the meeting late, due to other diary commitments and travel requirements.

Mrs Matthews reported that the August 2021 People Committee had looked at overall resourcing strategy. Good work being undertaken by the People Directorate looking at future proofing this area, particularly around multi-disciplinary roles. The October meeting had been chaired by Professor Balch, as she had been away on that occasion.

Mrs Matthews briefed Governors on the new achievement review process, which were nearly completed and which showed great creativity including vlogs and short online training sessions.

The People Committee had also focused on overspends on both bank and agency staff, which although they allowed the Trust flexibility, required in depth review of the financial cost. In August 2021 the overspend was £1.3m. A deep dive into the factors driving the overspend was taking place.

Professor Balch gave an update from the October 2021 People Committee, which head had Chaired in the absence of Mrs Matthews. The Committee noted that staff sickness rates were rising and discussed workforce issues relating to retirement of key staff groups. Deep dive information was provided regarding how it felt to belong to the Trust and wider NHS. A report was also received on BAME and Disability group progress.

The Council of Governors noted the report on the work of the People Committee.

4.1.5 Building a Brighter Future ('BBF') Committee

Professor Balch reported that the Committee had focused on the risk management structure around the BBF programme. Oversight was being maintained on the digital business case work which was being accelerated.

Plans continued on the wider stakeholder engagement and also clinical engagement.

Deep dives were being undertaken to give assurance that the BBF programme will deliver appropriately. Complex issues around site enabling works were underway, including which services could be off site/on site.

With regard to the digital element of the BBF programme, there was a requirement to secure funding in order to move at pace regarding a transition to an electronic patient record (EPR). However, central management restrictions around the overall New Hospital programme (NHP) have meant it is unlikely that the digital OBC will be approved by the original planned date of October 2022, and likely to be therefore April 2023.

The Chairman added that the Trust is likely to be informed by middle of December if any seed funding would be available, which will help fund and keep the BBF programme team running and then kick start in April 2022 involvement of an external team. This process was delayed by six months as explained by Professor Balch earlier.

4.1.6. **Torbay Pharmaceuticals Update Report**

Mr Sutton gave an update on recent activity at Torbay Pharmaceuticals (TP) and the Chairman requested that this be formally added to the next Council of Governors agenda. Mr Sutton reported that TP had continued to experience lower than planned levels of purchases by the NHS, primarily due to lower elective activity in this sector. This was expected to continue for the remainder of the financial period, running at 66% of the pre-covid period. However, this had been off set in the first half of the year by increased commercial sales to non-NHS customers.

ACTION: CGM

The long-term project for a high-speed improved vial production line was progressing well and central NHS funding had been given for this project.

The update report on TP was received and noted.

5. GOVERNANCE REPORTS

5.1 Governance Quarterly Report

The Corporate Governance Manager highlighted the following key points from the report:

- The 2022 election cycle information was laid out in Section 1 of the paper and the Corporate Governance Manager thanked the Membership Manager for her work on the election process.

Mr Stilliard questioned the number of seats to be contested in the Torbay Constituency (as listed in section 1.1 of the report) and the Chairman explained that the number of seats for that constituency could not be revised

and published until after any decision made at the Private Council of Governors meeting later today.

- Governors were advised that following a review of the Governor Code of Conduct, minor alterations had been made to reflect changes to job titles and ensure wording consistent with the Trust's constitution.

No objections were raised and the updated Governor Code of Conduct was therefore approved.

- The 2022 Council of Governors Work Plan was presented for information.
- The 2022 Schedule of Council of Governors Meeting Dates was presented for information.

The Governance Quarterly Report was received and noted.

5.2 **Chair's Report Membership Committee 12 October 2021**

The Chair's Report from the Membership Committee held on 12 October 2021 was received and noted.

5.3 **Report from Governor Working Group on Building a Brighter Future (BBF)**

The Associate Director of Communications and Partnerships referred to the report circulated with the agenda and asked if there were any questions from Governors. It was noted that the Governors Working Group had not met recently but activity would recommence with the arrival of Emily Taylor as the new Communications and Engagement Manager. Governors also noted that Laura Jenkins had moved the stakeholder mapping along successfully and the team now looking at procuring a stakeholder relationship management system to support this work.

The report from the Governor Working Group on BBF was received and noted.

6. GOVERNOR ENGAGEMENT

6.1 **Feedback and Questions from Members and Governors including Governor Communications Log**

It was noted that Governors had the opportunity to submit questions on notice to the Trust but that none had been received on this occasion. The Membership Manager reported that no additional Governor questions had been received since the previous Council of Governors and hence no Governor Communications Log had been submitted to this meeting. The Chairman added that the recent staff governor question on lack of car parking provision will be responded to and added to the next log in turn.

7. CLOSING MATTERS

7.1 Any other business and close of meeting

There being no further business the Chairman closed the meeting at 14.54.

Details of next meeting

The next meeting would be held at 2pm on Wednesday 2 February 2022, either in the Boardroom or via Microsoft Teams Video Conference.

DRAFT

| COUNCIL OF GOVERNORS | |
|--|---|
| Report title: Chief Executive's Report | Meeting date: 09 March 2022 |
| Report appendix | n/a |
| Report sponsor | Chief Executive |
| Report author | Associate Director of Communications and Partnerships |
| Report provenance | Discussion items discussed at Board and Board Sub-Committee level |
| Purpose of the report and key issues for consideration/decision | <p>The Council of Governors ('COG') meetings are a key part of our governance arrangements and throughout the COVID-19 pandemic we have endeavoured to maintain communication with Governors via regular briefings, email, bespoke newsletters and virtual meetings.</p> <p>I am also mindful of the important role that Governors provide in actively seeking feedback from members of the public and the support Governors are able to provide to us in communicating key messages.</p> <p>At the previous COG meeting Governors received a high-level report on: the new Dartmouth health and wellbeing centre and the redevelopment of the former Dartmouth and Kingswear community hospital site, our COVID-19 vaccination and flu vaccination programmes for our staff, our new hospital programme <i>building a brighter future</i>; how we are responding both locally and system-wide to the current situation, including our Winter Escalation Plan.</p> <p>At the Board to Council of Governors meeting in December 2021 Governors received an update on the digital strategic outline business case for <i>building a brighter future</i> and the digital citizen presentation as well as a presentation on our winter plan and our winter communications plan.</p> <p>Since the last Council of Governors meeting, Governors have received a further update on the digital aspect of the <i>building a brighter future</i> programme and the development of our outline business case and a briefing on the Devon County Deal.</p> <p>While Governors have received operational briefings via the monthly Governor Network meetings, it is my intention at this Council of Governors' meeting to provide, along with my Executive colleagues, an update on the following key areas:</p> <ul style="list-style-type: none"> • our recovery plan to stabilise our position and reduce our waiting lists both locally and system-wide; |

| | | | | |
|---|--|---|---|---------|
| | <ul style="list-style-type: none"> • mandatory COVID-19 vaccinations as a condition of deployment for health and care staff; • the redevelopment of the former Dartmouth and Kingswear community hospital site; • the new hospital programme and <i>building a brighter future</i>; • current position regarding the Devon Long-Term Plan; • our response to the recent focused Care Quality Commission inspection. | | | |
| Action required (choose 1 only) | For information <input type="checkbox"/> | To receive and note <input checked="" type="checkbox"/> | To approve <input type="checkbox"/> | |
| Summary of key elements | | | | |
| Strategic objectives supported by this report | Safe, quality care and best experience | X | Valuing our workforce | X |
| | Improved wellbeing through partnership | X | Well-led | X |
| Is this on the Trust's Board Assurance Framework and/or Risk Register | Board Assurance Framework | X | Risk score | 20 |
| | Risk Register | X | Risk score | various |
| BAF Risk 4: To provide safe, quality patient care and achieve best patient experience | | | | |
| External standards affected by this report and associated risks | Care Quality Commission | X | Terms of Authorisation | |
| | NHS Improvement | X | Legislation | |
| | NHS England | X | National policy/guidance | X |

| COUNCIL OF GOVERNORS MEETING | | | | | | | | | | | | | | | |
|---|---|---|---|---|-----|-------------------------------|---|---|-----|--------------------|---|--------------------|---|---------------------------------|---|
| Report title: Report of the Interim Director of Corporate Governance and Trust Secretary | | Meeting date: 9 March 2022 | | | | | | | | | | | | | |
| Report appendix | | | | | | | | | | | | | | | |
| Report sponsor | Interim Director of Corporate Governance and Trust Secretary | | | | | | | | | | | | | | |
| Report author | Corporate Governance Manager | | | | | | | | | | | | | | |
| Report provenance | n/a | | | | | | | | | | | | | | |
| Purpose of the report and key issues for consideration/decision | The report provides corporate governance updates on matters of relevance to the Council of Governors. | | | | | | | | | | | | | | |
| Action required | For information <input type="checkbox"/> | To receive and note <input checked="" type="checkbox"/> | To approve <input type="checkbox"/> | | | | | | | | | | | | |
| Recommendations | To receive and note the items as shown in the Report of the Interim Director of Corporate Governance and Trust Secretary. | | | | | | | | | | | | | | |
| Summary of key elements | | | | | | | | | | | | | | | |
| Strategic objectives supported by this report | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Safe, quality care and best experience</td> <td style="width: 20px;"></td> <td style="padding: 5px;">Valuing our workforce</td> <td style="width: 20px;"></td> </tr> <tr> <td style="padding: 5px;">Improved wellbeing through partnership</td> <td></td> <td style="padding: 5px;">Well-led</td> <td style="text-align: center; padding: 5px;">X</td> </tr> </table> | | | Safe, quality care and best experience | | Valuing our workforce | | Improved wellbeing through partnership | | Well-led | X | | | | |
| Safe, quality care and best experience | | Valuing our workforce | | | | | | | | | | | | | |
| Improved wellbeing through partnership | | Well-led | X | | | | | | | | | | | | |
| Is this on the Trust's Board Assurance Framework and/or Risk Register | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Board Assurance Framework</td> <td style="padding: 5px;">n/a</td> <td style="padding: 5px;">Risk score</td> <td style="width: 20px;"></td> </tr> <tr> <td style="padding: 5px;">Risk Register</td> <td style="padding: 5px;">n/a</td> <td style="padding: 5px;">Risk score</td> <td></td> </tr> </table> | | | Board Assurance Framework | n/a | Risk score | | Risk Register | n/a | Risk score | | | | | |
| Board Assurance Framework | n/a | Risk score | | | | | | | | | | | | | |
| Risk Register | n/a | Risk score | | | | | | | | | | | | | |
| External standards affected by this report and associated risks | <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Care Quality Commission</td> <td style="width: 20px;"></td> <td style="padding: 5px;">Terms of Authorisation</td> <td style="text-align: center; padding: 5px;">X</td> </tr> <tr> <td style="padding: 5px;">NHS Improvement</td> <td style="text-align: center; padding: 5px;">X</td> <td style="padding: 5px;">Legislation</td> <td></td> </tr> <tr> <td style="padding: 5px;">NHS England</td> <td style="text-align: center; padding: 5px;">X</td> <td style="padding: 5px;">National policy/guidance</td> <td style="text-align: center; padding: 5px;">X</td> </tr> </table> | | | Care Quality Commission | | Terms of Authorisation | X | NHS Improvement | X | Legislation | | NHS England | X | National policy/guidance | X |
| Care Quality Commission | | Terms of Authorisation | X | | | | | | | | | | | | |
| NHS Improvement | X | Legislation | | | | | | | | | | | | | |
| NHS England | X | National policy/guidance | X | | | | | | | | | | | | |

| | | |
|---|--|--------------------------------------|
| Report title: Report of the Interim Director of Corporate Governance and Trust Secretary | | Meeting date: 9 March 2022 |
| Report sponsor | Interim Director of Corporate Governance and Trust Secretary | |
| Report author | Corporate Governance Manager | |

Introduction

The report provides corporate governance updates on matters of relevance to the Council of Governors.

1. 2022 Elections

1.1 The annual elections for the Council of Governors commenced towards the end of 2021. The available seats are shown below:

| | | |
|-----------------|-----------------------------------|-------------|
| Public Governor | Teignbridge Constituency | (six seats) |
| Public Governor | Torbay Constituency | (two seats) |
| Public Governor | South Hams and Plymouth (Eastern) | (two seats) |
| Staff Governor | Newton Abbot ISU | (one seat) |
| Staff Governor | Coastal ISU | (one seat) |

1.2 Following the close of elections on 7 February 2022 Civica, the Trust's Returning Officer, confirmed the successful candidates for each Constituency as follows:

South Hams and Plymouth Eastern Area

Dave Cawley
Craig Davison

Torbay

Mark Tyrrell-Smith
Peter Milford

Teignbridge (elected unopposed)

Eileen Engelmann
Janette Goodman
Annie Hall
Michael James
John Smith
1 x vacancy

Staff Governor Vacancies – no nominations received.

Action required: To receive and note the 2022 election update report.

2. Chair and NED Appraisals

- 2.1 The Governor Nominations and Appointment Committee considered the process by which the 2021/22 appraisals for the Chairman and NEDs would be undertaken, and agreed that a similar process as developed for the 2020/21 appraisals would be followed for the 2021/22 appraisals. Governors will shortly be asked to provide feedback on the performance of the Chair and NEDs, both collective and individually, to inform feedback that would be provided to them as part of the appraisal process.

Action required: To note the Chair and NED Appraisals Process

3. Appointment of Lead Governor and Deputy Lead Governor

- 3.1 CoG will recall that John Smith and Eileen Engelmann took up the positions of Lead Governor and Deputy Lead Governor respectively on 3 February 2021 for a period of a year.
- 3.2 CoG will be aware the term of office was due to end during the yearly election period. Agreement was reached to extend this until May each year so that expressions of interest can be obtained following the close of the election process, and positions confirmed at the May CoG.
- 3.3 Should there be more Governors submitting expressions of interest than there are vacancies, an election by secret ballot will be held in accordance with the Trust's standard procedures.

Action Required: Expressions of interest to be sought for the Lead Governor and Deputy Lead Governor positions in March 2022.

4. Membership of Governor Nomination and Remuneration Committee

- 3.1 As CoG will be aware, Lynne Hookings and Carol Day will cease to be Governors at the end of their full three-year term of office and Mary Lewis will be standing down as a Governor at the end of February 2022. Therefore, there will be vacancies for three public governors on the Governor Nomination and Remuneration Committee as of 1 March 2022.
- 3.2 The Committee have proposed that expressions of interest for the vacant seats are requested once the 2021/22 election cycle is completed at the end of February 2022.
- 3.3 Should there be more Governors submitting expressions of interest than there are vacancies, an election by secret ballot will be held in accordance with the Trust's standard procedures.

Action required: To note that expressions of interest for the Public Governor vacancies on the Governor Nominations and Remunerations Committee will be invited in March 2022.

4. Governor Observers – Board Committees

4.1 The annual refresh of the Governor Observer positions on the following committees will become due in Quarter 1 2022/23.

- People Committee
- Quality Assurance Committee
- Finance, Performance and Digital Committee
- Audit Committee
- Building a Brighter Future Committee
- Charitable Funds Committee

4.2 The Governors are invited to discuss and confirm their agreed approach to the refresh of these positions for 2022/23.

Action required: To note the annual refresh of Governor Observers for Board Committees in March 2022.

5. Governor Training and Development

An externally facilitated bespoke schedule of workshops for all Governors will be taking place in the coming months, culminating in the previously advertised training session taking place on 6 July 2022. This training is being provided by the Good Governance Institute (GGI). Representatives from the GGI will be joining the meeting shortly to introduce themselves and discuss the training that will be provided, and to answer any questions.

Action required: to note the training that will be provided by the GGI over the next few months.

8. Governance & Governor Nomination & Remuneration Committee updates

8.1 The Governor Nomination & Remuneration Committee met on 14 December 2021 and again on 15 February 2022, whereby they received a briefing on proposals to commence Non-Executive Director (NED) Recruitment and commence a review of the Trust constitution. The key drivers for this are that:

- We have a large proportion of NEDs due to retire in 2022/2023, creating a risk in relation to a lack of continuity of knowledge and leadership, as well as a lack of forward planning for the necessary NED skill set mix.
- This does however offer an opportunity to review the skills we need on the Board as we go into the new ICS System, stagger those due to retire to provide continuity.

In support of this an aligned review of the constitution is proposed to:

- Update and bring it into line with current precedent
- Simplify and widen our approach to NED recruitment through the introduction of a new Constituency (boundaries to be agreed)

- Broadening our ability to recruit the right skills for our Trust and ensuring we are representative of our and the West Country's demographic.
- Providing the opportunity to recruit within the Devon ICS.

As a result, the Governor Nomination & Remuneration Committee approved (in principle) extensions of office to our current NEDs who are due to retire, these extensions were formally agreed at the meeting held on 15 February 2022.

It is therefore proposed that the Council of Governors ratify the below extensions of office:

- **Jacqui Lyttle for a ninth year commencing 1 October 2022**
- **Robin Sutton for a seventh year commencing 1 May 2022**
- **Chris Balch for a second term of three years commencing 14 April 2022**
- **Sally Taylor for a further 6-month term commencing 30 June 2022 (taking her total length of office to ten years)**

Furthermore, the Governor Nomination & Remuneration Committee considered and approved the re-appointment of Sir Richard Ibbotson as Chairman, for a further term of office of one year commencing 1 June 2022, subject to the Council of Governors ratification.

Alongside this, a proposal to appoint a recruitment firm to assist in the NED recruitment process was also approved, scoping this year and next to support succession planning requirements. This two-phase recruitment will facilitate an immediate recruitment exercise and provide the space to undertake a detailed review of the constitution, with the Governors support and input. Following a detailed discussion, it was agreed to appoint Odgers Berndtson. Engagement with the Council of Governors will therefore commence in due course.

The Board was briefed of this proposal on Friday 4 February and provided its support.

As such, the Council of Governors are asked to consider convening a working group to commence the constitutional review, with the support of the Interim Director of Corporate Governance.

Action required: Approval of the Non-Executive Director re-appointments outlined and the re-appointment of the Chairman.

Action required: Indicate support for the Constitution review and intent to convene a working group in due course, with indications of interest for the working group sought.

9. 2022 Schedule of Council of Governors Meeting Dates

9.1 Meeting dates for the 2022 Council of Governors, Board to Council and Annual Members Meeting are shown below:

| | |
|-----------------------------------|---------------------------------|
| Council of Governors (2pm to 4pm) | 4 May 4 August 2 November |
| Governors event & lunch | 6 July |
| Board to Council (2pm to 4pm) | 6 July 14 December |
| Annual Members Meeting | 22 September |

Action required: To receive and note the 2022 schedule of meeting dates.



Torbay and South Devon
NHS Foundation Trust

Reimbursement of Expenses for Governors and Members

March 2022
Version 6.2

- Deleted: December
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Torbay and South Devon
NHS Foundation Trust

Document Information

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| Date of Issue: | July 2007 | Next Review Date: | March 2023 | Deleted: December 2021 |
| Version: | 6.2 | Last Review Date: | February 2021 | Deleted: 1 |
| Author: | Director of Corporate Governance and Trust Secretary | | | Deleted: December |
| Director(s) Responsible | Chairman | | | Deleted: 2018 |
| Approval / Consultation Route | | | | |
| Approved By: | Date Approved: | | | |
| Governance Board | 4 July 2007 | | | |
| Governance Board | 21 July 2010 | | | |
| Council of Governors | 28 September 2011 | | | |
| Board of Directors | 5 October 2011 | | | |
| Council of Governors | 14 December 2016 | | | |
| NED Appointments and Remuneration Committee | March 2019 | | | |
| Council of Governors | March 2022 | | | Deleted: February |
| Links or overlaps with other policies: | | | | |

Amendment History

| Date | Reason for Change | Authorised |
|------------------|---|------------|
| 18 December 2009 | Minor changes to ensure consistency of terminology. Section 2.1 referred to Health and Social Care Act 2003 now NHS Act 2006. Section 4.3, added some additional Groups/Committees. | Chairman |
| 12 July 2010 | Section 2.1 (updated to reflect new Government white paper) and section 5.2 (quarterly submissions). | Chairman |
| 5 October 2011 | Council of Governors (28 Sept) then Board of Directors approved change in mileage rate from 24p to 45p per mile. Revised section 4.3 | Chairman |
| 18 March 2019 | Reviewed by Company Secretary | Chairman |
| February 2021 | Reviewed by Company Secretary Minor changes/updates following personnel changes and titles of Committees/Groups | Chairman |
| March 2022 | Minor changes/updates following changes in job titles | Chairman |



Torbay and South Devon
NHS Foundation Trust

DOCUMENT SUMMARY

This document lays down the guidelines under which Governors may be reimbursed for legitimate expenses, incurred in the course of their official duties, as governors or members of the Torbay and South Devon NHS Foundation Trust.



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Torbay and South Devon NHS Foundation Trust

1. Policy and Audit Declaration

This policy has been drafted in accordance with the principles of significant legislation such as the European Convention on Human Rights (ECHR) 1998 (as amended), Race Relations (Amendment) Act 2000 and the Equality Act 2010. Under the Freedom of Information Act 2000, the document is classified as 'OPEN'.

2. Policy Statement

2.1 The Trust shall provide fair and appropriate reimbursement for the governors and members who participate in events and activities arranged by [and for the benefit of the](#) Trust (see introduction to section four).

[2.2](#) This policy applies to all governors (and members under the conditions set out in the introduction of section four) asked to work with Torbay and South Devon NHS Foundation Trust.

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2.3 [Prospective governors may not make claims under this policy.](#)

3. Introduction

3.1 Torbay and South Devon NHS Foundation Trust ([the "Trust"](#)) is committed to the involvement of governors and members in all areas of its work whenever decisions are to be made which influence changes to the way the services are provided.

3.2 The post of governor of the Trust is voluntary, and it is a fundamental principle nationally that no governor shall receive any form of salary or remuneration for being a governor.

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3.3 The policy of [the](#) Trust requires that:

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[a\)](#) [All those acting for or on behalf of the Trust look to achieve value for money, noting that all funds apportioned to the Trust are to be applied in the achievement of public benefit for the people of Devon.](#)

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[b\)](#) People contributing their views are not out of pocket for any reason as a result of participation [in Trust business and in the fulfilment of their role](#);

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b)
c) Reimbursement practice with partner organisations for joint events is agreed, and to communicate the arrangements with participants.

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4. Reimbursement

4.1 Governors participating in Trust events such as Council of Governors meetings, events, Committees or Working Groups, as agreed or invited by the Trust, and whose expenses are not paid by another organisation, shall be entitled to claim expenses.

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Torbay and South Devon
NHS Foundation Trust

- 4.2 Members may be entitled to claim if they have been personally requested to participate in an event by telephone call, personal letter, or personal email from a member of the Foundation Trust Office and when agreement has been made in advance for them to do so.
- 4.3 Expenses will only be reimbursed for the following expenditure:
- i. Travel expenses by the cheapest available means to attend Council of Governors meetings, Board-to-Council meetings, regional / national governor events, members and local constituency meetings arranged by the Trust, and where applicable, meetings of the Membership Committee, Governor NED Nominations and Remuneration Committee and other Board Sub-Committee meetings. Mileage allowances, including allowances for passengers, will be paid at the tax-free limit set for volunteers by HMRC.

Note: In circumstances where public transport would not be appropriate or reasonable, governors / members may claim full reimbursement for the fares incurred. Receipts must be attached to claims.
 - ii. Parking and toll charges incurred as a direct result of attending the above meetings;
 - iii. Public transport to be reimbursed on provision of receipt;
 - iv. Subsistence allowance where the governor / member is away from their home, for the purpose of attending one of the above meetings, and where no refreshment is provided at the Trust's expense will be paid in line with Trust subsistence rates. Unless in exceptional circumstances, overnight expenses will not be paid. Periods away from home are calculated from the times of leaving and returning home;
 - v. Where a governor / member requires alternative transport arrangements, costs will be met, only by prior agreement;
 - vi. Expenses of a companion required to enable a governor / member to participate. If the attendance (including travel) exceeds five hours, and refreshments are not provided at the venue, expenses for refreshments of up to £5 can be claimed.
- 4.4 In accordance with NHS accounting rules all expenses (except mileage) should be submitted with receipts, and expenses should be claimed within three months. Further information should be sought from the Foundation Trust Office. The Foundation Trust Office will issue reminders to all governors who claim expenses.
- 4.5 Claimants should be aware that if they are in receipt of benefits these payments may impact upon their entitlements. This should be clarified with the local benefit agency prior to an expense claim being made.

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5. Process for Reimbursement

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5.1 Governors remain wholly responsible for the completion and accuracy of their claims. Claim forms are available upon request from the Foundation Trust Office.

5.2 Completed forms should be passed to the Foundation Trust Office or **Corporate Governance Manager**, for authorisation. Claims will only be reimbursed direct to a nominated bank or building society account (the account number and sort code of which is stated on each claim) in accordance with the Trust's accounting timetable.

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[5.3 In the event that the appropriateness of a reimbursement is queried or disputed by the Foundation Trust Office or Corporate Governance Manager in accordance with this policy, interpretation of this policy shall be referred to the Trust Chairman for final decision.](#)

6. Audit

6.1 Completed forms will be retained for the same period as those submitted by Torbay and South Devon NHS Foundation Trust staff.

7. Contact Details

Corporate Governance Manager/ Foundation Trust Office 01803 655705

8. Review

8.1 A review of this document will be conducted every three years or following a change to associated legislation and/or expenses rates and is the responsibility of the **Director of Corporate Governance and Trust Secretary**.

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| ID | Date Requested | Governor | Constituency | Summary Description | Executive Lead | Response Date | Summary Response | Status |
|-----|----------------------------|-----------------|-----------------|---|------------------|---------------|---|-----------|
| 109 | Wednesday 03 November 2021 | Matthew Arthur | Staff Governors | Raised issue at Network Meeting (03.11.21) - increasing staff concern over lack of car parking capacity, causing considerable stress to staff. Mention of increased demand for space by patients and increased building work on site/lorries utilising spaces. Wanted re-assurance that this issue was being addressed in future planning particularly with regard to the BBF scheme. | J Harrison - COO | 09.11.2021 | <p>My name is Jake O'Donovan, I'm the Deputy Director in the Estates and Facilities Management function here at TSDFT, the e-mail below has been passed to me in order for me to provide you with a full and thorough response on the matters you raised.</p> <p>Firstly, many thanks for your feedback – we can't get better if our service users don't tell us what is and isn't working, so your engagement on this is hugely appreciated.</p> <p>We're really sorry for the difficulties you've experienced regarding parking on the acute site. Kier construction are undertaking some trenching work as a part of the Devon Partnership Trust (DPT) building project, the trenching is essential because it enables the laying of utilities for the new DPT premises. Unfortunately, the nature of this worked has caused the temporary loss of a significant number of parking spaces on site which is placing additional pressure on provision across the site.</p> <p>Kier are now in the final stages of these works and we have been advised that the majority of spaces should be returned for use at the end of this week. In the short term, our traffic team are present in the affected area helping to redirect staff and patients to alternative parking on site. Whilst this does not resolve the problem, it does ensure that colleagues are directed to the various parking locations across site, meaning there can be equal distribution of vehicles to spaces, instead of particular areas becoming disproportionately impacted.</p> <p>In relation to future provision, we can confirm that car parking will be a key consideration as part of the Building a Brighter Future (BBF) planning activity and this has already been a feature in a number of planning discussions. Further details will be shared as part of future Trust-wide communications related to BBF.</p> <p>Once again, many thanks for your feedback and we hope that the detail provided has given the clarification you were seeking. Happy to discuss.</p> | Responded |
| 110 | Friday 03 December 2021 | Loveday Densham | Torbay | Can I ask why the Trust has not considered the purchase of a couple of 'pods' (Pre-fabs) to turn into emergency wards with temporary staff to help with the problem of bed shortages, these would be similar to Ashburn and Yealm Wards at the RD&E. | J Harrison - COO | 07.01.2022 | <p>During the summer months operational teams worked with estates colleagues to consider the possibility of purchasing temporary wards to place on the Torbay Hospital site. Unfortunately it was not possible to find an available and appropriate flat space to place the temporary facilities that enabled the unit to be 'plugged in' to the main hospital. Therefore this option was not pursued. In addition, our local and national staffing challenges has meant that we would have been unable to secure sufficient temporary staff to run the wards at a safe level.</p> | Responded |
| 111 | Thursday 02 December 2021 | Stephen Harden | Torbay | Question raised at the Network Meeting 02.12.2021 regarding Patient Transport Services having been stood down by the CQC for a spell earlier in the year. | J Harrison - COO | 15.12.2021 | <p><u>Response read out by Chairman at Board to CoG on 15.12.2021 and followed up by email:</u> I have investigated with the relevant managers responsible for this service and they have confirmed that our Patient Transport Services have at no point been stood down, however there has been some reduced vehicle capacity due to Infection Prevention Control measures which were necessarily put in place due to the response to the Covid pandemic.</p> | Responded |
| 112 | Friday 17 December 2021 | John Kiddey | Torbay | <p>BBC Spotlight Programme: Reading the attached email from Jane Harris, I have a couple of questions. Please pass them to the appropriate NED for an answer since they are the people whom we governors are meant to hold to account</p> <ol style="list-style-type: none"> When was this information made available to NEDS? What reasons have been given to NEDS for the delays? Are there special circumstances unique to Torbay hospital which explain the exceptionally high level of delays? What assurance can NEDS give governors that steps are being taken to analyse and address the problem? | Lyttle - SID | 11.01.2021 | <p>Further to your recent governor questions addressed to the trust foundation office, I am responding as the Senior Independent Director for the trust as we do not have a Non-Executive Director (NED) who is directly responsible for communication (as communications is an operational area).</p> <p>In order to facilitate you and your fellow Governors, in your duty to "hold the non-executive directors, individually and collectively, to account for the performance of the board of directors" and to represent the interests of trust members and of the public my response will be from that perspective based on the sequence of events supporting your questions.</p> <p>I will answer each question in turn.</p> <p>With regard to your questions around ambulance handover delays, the coverage on BBC Spotlight on 16 December 2021 and communication thereof, the NEDs were advised of the potential media coverage at 15:30 on 16 December. This is in line with the trust cascade processes. I have been assured that the Board (inclusive of Non-Executive and Executive Directors) were briefed on potential media coverage as soon as this was confirmed and before it was shared with staff, and then Governors. The message to Governors was sent at 15:44 on 16 December 2021. The cascade process was therefore invoked as rapidly as possible and within a very short timeframe.</p> <p>In terms of information about ambulance handover delays and performance against targets for the Emergency Department, this information is regularly provided to both the Quality Assurance Committee and the Finance, Performance and Digital Committee and oversight assurance is communicated through these sub-committees to the Board of Directors, who receive a collective update on operational matters at each meeting. The Board receive operational reports by way of performance information, the Chief Executive Officer and Chief Operating Officer's monthly report, along with any relevant insight into delays or issues as well as the detail on steps being taken to address issues, thus ensuring direct reporting of information and oversight assurance of further detail at a Committee level.</p> <p>With regards to your request for reassurance that information is not unjustifiably being 'withheld by management from governors', I can advise as follows.</p> <p>There are two separate but interlinked areas of focus for the trust at the moment. Firstly, the operational effectiveness challenges (workforce resilience levels) faced in December and secondly the need to prepare for COVID escalation.</p> <p>I have checked with the foundation trust office and their records show that between 02 and 17 December, eleven communications took place with Governors (either in the form of meetings or emails) and in addition, two Governors newsletters were issued. In my view, this supports the trust's view that they have endeavoured to communicate regularly and be as open as possible with governors during December and going into January as to the challenges both ourselves and other Trusts are facing.</p> | Responded |
| | | | | | | | <p>In furtherance of this and the anticipated increased burden on Executive time the trust took the decision to invoke its standard operating procedure to stand down all non-essential governance meetings for January, with a review of February pending. It is my understanding that this was communicated to both NEDs and governors as early as possible, with work undertaken to review each Committee workplan in turn and conversations were held with the relevant Chairmen and Executive leads to ensure proper governance and risk management.</p> <p>It is my view that based on the level of communication identified above, the trust has been open and communicated regularly on workforce issues as to its successes (briefly de-escalating to Opel 3 late December) as well as its challenges.</p> <p>With regard to COVID preparedness, on 13 December 2021 the NHS in England returned to a Level 4 incident as per the letter from Amanda Pritchard and Professor Stephen Powis. A Level 4 incident requires NHS England National Command and Control to support the NHS response. NHS England coordinate the NHS response in collaboration with local commissioners at the tactical level.</p> <p>As you will see from the letter (which can be accessed publicly here: C1487-letter-preparing-the-nhs-potential-impact-of-omicron-variant-and-other-winter-pressures-v4.pdf (england.nhs.uk)) the trust was required to take a number of important actions to prepare for and respond to the Omicron threat. As such this involves a significant amount of operational detail and discussions about how the trust responds both as an organisation and a system.</p> <p>Some information that is shared with the trust through a Level 4 incident is categorised as confidential and is not our information to share. At times all organisations, the NHS included, maintain confidentially while consolidating their position and communicating as to the most efficient ways in which to operate; at an individual trust, system and national level. The intention is however always to be as transparent as possible and share the decision making processes as well as outcomes when and where it is appropriate to do so.</p> <p>As you will be aware from the briefing Jane Harris gave to Governors at our Board to Governors meeting on 15 December, under a level 4 incident our public facing messaging requires national approval. The NEDs and the trust have always prided ourselves on being open and honest in our conversations with Governors and I believe we shared as much information with you as we can to support you to hold us (the NEDs) to account and to keep you informed of key decisions and challenges, their potential impact and what action is being taken to address them.</p> <p>I believe that all of your issues have been addressed and thank you for your continued support.</p> | |
| 113 | Monday 20 December 2021 | Matthew Arthur | Staff Governors | <p>I would like to pose the following question to the executive team as staff governor:</p> <p>During Friday's critical failure of telephony and internet within the trust, was the decision made to close the hospital to new admissions at any point? If so, when, if not, why?</p> <p>What was the cause of this outage and if related to the age of our systems, will the replacement of this aged infrastructure be given the highest possible priority, including engaging with our local members of parliament to push for funding if necessary to prevent this extremely dangerous situation from occurring again?</p> | A Jones - DoTP | 22.12.2021 | <p>The Trust set up a business continuity incident in order to manage the IT outage. Business continuity arrangements were put in place and discussions with partners across Devon were held to ensure that were able to provide care for our patients. Closing the hospital is not a decision that the trust can make in isolation of our partners and there are capacity constraints across all providers in Devon. We did however receive support from our local hospitals.</p> <p>A full investigation into the root cause of the IT failure will be undertaken and reported on, however the age and fragility of our IM&T infrastructure is the highest risk on our corporate risk register. As described at the recent Council of Governors meeting, we have agreed to proceed with the business case, subject to securing national funds. We are ensuring that we are engaging at the very highest levels nationally to secure the funding</p> | Responded |

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|---------|----------------------------|-------------------|------------|---|------------------|------------|---|-----------|
| 114 (A) | Tuesday 22 December 2021 | John Kiddey | Torbay | <p>Please send the following question to the Lead NED (I assume this is the correct route)</p> <p>"At a meeting of the Trust membership committee today (22nd Dec), we were asked by Emily Long to cancel a membership meeting in January because of the pressure the Trust, and its management, are under. The committee agreed to the request after hearing about the urgent need to concentrate on issues created by Covid etc.</p> <p>I asked Ms Long what the trust is facing in the coming days and weeks. She talked about changes being made in the emergency plan and the need for staff to focus on this rather than other less crucial matters such as trust membership. Again, we supported her.</p> <p>However, Ms Long said something which I feel needs further explanation. She said some of the information she had is not to be made available to the public.</p> <p>Since governors are the "eyes and ears" of trust members, I would like to know what sort of information is being withheld. I appreciate that personal information, patient and staff identity etc would be covered, but I cannot see that any other facts about what the trust is doing in this current emergency should be withheld from governors.</p> <p>What assurance can you give that the information withheld by management from governors in this instance is justified?"</p> | E Long - DCG | 23.12.2021 | <p>Many thanks for your email. I wonder if I may respond and provide some clarification, thus supporting your request. As Richard is the Chairman and Jacqui is the Senior Independent Director, who would be the most appropriate Non-Executive Directors to formally respond to a governor question of this nature, I have also copied them in, providing further transparency.</p> <p>During the Membership Committee agenda setting meeting yesterday we discussed the need to step down some of our governance meetings in January (Board committees included) to provide the space for us to manage our current OPEL level 4 status, related to staffing and organisational efficiency, and to facilitate preparation for the potential of a new COVID wave, a different escalation process. You enquired as to whether the Trust had access to information which the general public do not, I responded that all organisations, healthcare included, will naturally always retain some commercially sensitive or other confidential information in the exercise of their operations. However, as I commented, much of the information we have with regard to Omicron is in the public domain - the Government undertake briefings for example – nobody yet knows how or whether this wave will have a significant operational impact, as such we are making all the necessary preparations for an event which may or may not occur. We hope to have more detailed modelling soon but this is not yet available to us.</p> <p>We always endeavour to be as open, honest and transparent with the Governors in fulfilling your roles as key stakeholders and reviewing the Non-Executive Directors (NED's) performance. As such we had hoped to meet with you all during December to discuss and explore our communications with you and ensure that we were getting that balance right, unfortunately this was not possible and as a group you communicated your support for us to reschedule that meeting, releasing Executive time.</p> <p>I do hope that clarifies the response I provided and I wish you all a very happy Christmas break.</p> | Responded |
| 114 (B) | Wednesday 23 December 2021 | John Kiddey | Torbay | <p>My recollection of the Membership meeting differs from yours. When speaking of the covid planning work which lead to you asking us to cancel the meeting, had you said no information (apart from the obvious commercially sensitive and patient/staff details etc) was being withheld, then I would have had no concern. If you can confirm that is the case, I would be willing to withdraw my question to the lead governor. You will appreciate that the NHS is now a highly politicised state enterprise and information is tightly controlled as a result. As a representative of the public, I need to be assured that we are told the whole truth about what is happening so that I can, in turn, assure people I meet.</p> | E Long - DCG | 24.12.2021 | <p>Thanks for your reply. Having consulted with Dave (acting for Liz) and Sir Richard, I am not sure our continued exchange of emails will resolve your question. As such, I suggest that your original question of 22 December is wrapped into the work that the Senior Independent Director is already undertaking, so as to ensure all avenues are explored and the Trust response to you is coordinated and comprehensive.</p> | Responded |
| | | | | | J Lyttle - SID | 11.01.2022 | <p>See response to Question 112 above which covers both 112 and 114 by Jacqui Lyttle, Senior Independent Director.</p> | Responded |
| 115 | Monday 24 January 2022 | Jonathan Shribman | South Hams | <p>How is the Trust implementing the NHS Policy: 'Clinical guide for the management of non-coronavirus patients requiring acute treatment: cancer November 2020' or a later version? In particular how are patients who are not receiving P1 and P2 treatments followed up and reviewed for inevitable deterioration? See P3 below.</p> <p>Many of these patients may receive sub-optimal management not receiving palliative chemotherapy or radiotherapy. I realise this is a sensitive issue but I would appreciate a frank discussion.</p> <p>Priority level 3:</p> <ul style="list-style-type: none"> • Curative therapy of a low chance (10–20%) of success. • Adjuvant (or neo) therapy which adds 10–20% chance of cure to surgery or radiotherapy alone or treatment given at relapse. • Non-curative therapy with a high (>50%) chance of >1 year life extension. | J Harrison - COO | | <p>Deleted - formal wording received from JS below</p> | |
| 116 | Tuesday 25 January 2022 | John Kiddey | Torbay | <p>The pandemic has clearly had a severe impact on the normal functioning of the council of governors, many of whose members have had little direct personal contact with the trust over the past two years. With this in mind, I would like to know what arrangements the senior management propose for the election of governor observers, elections of lead and deputy lead governors and for the training/ induction of new governors.</p> | E Long - DCG | 28/01/2022 | <p>Answer (taken in parts to address fully):</p> <p>Remote working & Training/ induction of new governors</p> <p>Naturally the pandemic has created a lost opportunity for face to face interaction, growth of rapport, learning and visibility within the Trust. We remain mindful of this, as I have touched upon at Network and Governor meetings recently. We do not know what the months or year ahead hold for our formal meetings. However, to mitigate this as far as possible the Chairman, my team and I are working to create a programme of learning and events during 2022, COVID permitting, to promote interaction with the Governors. Providing opportunity for networking, to build collegiate relationships and to visit the Trust site. To that end we have identified a date in July where we hope to invite the Council of Governors onsite – offer tours of the site, the opportunity for learning and development as well as an informal lunch which the Board and Executive will be invited to attend. This was noted in the meeting schedule and newsletter circulated on 7 January. We separately hope to bring forward a learning and development proposal for consideration. If you have any specific requests for this or any other events, or interactions, which we could support I would greatly welcome this. We want to provide the support and create the space that the Governors want, rather than what we think that they may like.</p> <p>The more formal procedural aspects of our governor induction process you will already be aware of (and sadly Sally-Ann is unavailable for me to liaise with on this at present), but this includes the offer of a meeting with the Chairman and/or member of the Governance team to welcome them. Each governor will also receive an induction pack, containing all pertinent information, as well as house keeping information – meeting schedules etc. Governors are asked to sign the Code of Conduct and make any necessary declarations upon joining the Trust, certainly ahead of their first meeting. My understanding is that training is also offered, this is provided by Governwell.</p> <p>Election of governor observers</p> <p>Our hope and intention had been to review this in line with the elections of lead and deputy lead governors (covered below), however, as we will be losing at least two governor observers at the end of February 2022 when they stand down (Lynne Hookings for Audit and Mary Lewis for Charitable Funds), new terms starting 1 March 2022, as well as potentially Craig Davidson for QAC if he is not re-elected, we will need to take a view sooner. I will ask the Chairman to discuss this with the lead and deputy lead governors in the first instance but I feel that the Council of Governors should broadly consider the desired approach for the year ahead.</p> | |

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| 116 cont | | | | | | | <p>Elections of lead and deputy lead governors</p> <p>Further to the email circulated by the Chairman on 13 January 2021, the Chairman advised as follows:</p> <p>Email sent on behalf of Chairman:</p> <p>Dear Governor</p> <p>As you will be aware, we have a Council of Governors meeting scheduled to take place on Wednesday 2nd February. I have discussed the timing of this meeting with our Lead Governor because it falls before the end of the current governor election cycle (voting ends on the 7th February, with successful candidates announced on the 8th February). In addition, a number of Trust meetings have been stood down in January to release executive time to focus on the current pressures in the system, meaning NEDs will not have much to say in their usual update reports. I'm not keen on imposing on you to attend meetings that are potentially of limited value.</p> <p>The Lead Governor and I therefore intend that we postpone the CoG due to take place on the 2nd February and hold it on the 9th March in place of the scheduled Board to Council of Governors.</p> <p>I know that you value updates on how the Trust is managing the ongoing level of demand and a briefing on the current situation will be provided at the Governor Network Meeting on the 3rd February.</p> <p>With best wishes, as ever,</p> <p>Richard</p> <p>The Chairman spoke with the Lead Governor and Deputy governor on more than one occasion prior to Christmas and in the New Year on this matter. It was proposed and agreed that as both Eileen and John were not subject to re-election, having uncontested seats, that they would retain their roles until May 2022. This allows for the full conclusion of the governor election cycle giving the widest candidate pool available the opportunity to put their name forward. We will therefore be in a position to consider the process for re-election in March when the Council of Governors meet again. This was agreed to be the fairest, most pragmatic, way forward in accordance with our constitution.</p> <p>The Council of Governors were advised of this approach in the 7 January newsletter, as follows (attached):</p> <p>"...Turning to Governors' business, the election process is continuing as planned. It's also a year ago since John and Eileen very helpfully stepped into the roles of Lead and Deputy Lead Governor. At that stage I hadn't given thought to the year period landing in the middle of Governor elections. This therefore isn't the right time to consider LG/DLG intent so I have asked John and Eileen if they will remain in post under current arrangements until the May CoG. I'm delighted to report that they are content so to do, and offer deep thanks to them both for their leadership and engagement during 2021."</p> |
| 117 | | Keith Yelland | Torbay | <ol style="list-style-type: none"> 1. Is the money for the upgrade to EPR coming out of the £350m BBF project or is it a standalone IT improvement? I had thought that £50m was set aside within the £350m, is that not right? 2. Is this money time sensitive? Is it available for a limited time? I assume we have to do something before November 2023 when our support stops?! 3. Would there be better cost benefit if we had the same system as Exeter or our partner hospitals? Is there a way that we could 'piggyback' onto the R,D&E? 5. Why Cornwall was allowed to tender alone and can Plymouth will be able to join our procurement as they are behind schedule? 6. Is there danger that the BBF programme is going to end up being largely a new computer programme (EPR) rather than actual hospital buildings? | A Jones - DoTP | 03.02.2022 | Covered as part of the BBF/Digital presentation given at the Governor Network Meeting on 3 February 2022. |
| 118 | 17.02.2022 | Jonathan Shribman | South Hams | In the light of the recent unannounced CQC visit and report on patient feeding on a red/ Covid ward how can the Governors, patients and their families be assured that across the Trust that admitted patients are being fed and given fluids appropriately. | D Kelly - CN | | |
| 119 | 17.02.2022 | Jonathan Shribman | South Hams | Staff concerns or a complaints result in issues being identified on a particular ward or wards. If significant issues are identified on a ward how is that translated into Trust wide assurances that those issues aren't occurring elsewhere? | D Kelly - CN | | |
| 120 | 01.03.2022 | John Kiddey | Torbay | It is now two years since the board received a report from the Company Secretary detailing significant failures in the way the Trust handles its communications policy. Her report followed a highly critical assessment by the communications specialists Freshwater. Changes were made in management as a result and improvements were promised. What assurance can you give that Trust communications management is now functioning effectively in all areas and that all the recommendations of the Freshwater report have been fully implemented? | A Jones - DoTP | | |

