NHS
Torbay and South Devon
NHS Foundation Trust

MINUTES OF THE 2023 ANNUAL MEMBERS MEETING

HELD AT 4PM ON THURSDAY 21 SEPTEMBER 2023

TREC, TORBAY HOSPITAL

Present:

Sir Richard Ibbotson	Chairman
Liz Davenport	Chief Executive
Mark Brice	Interim Chief Finance Officer
Peter Milford	Lead Governor
Eileen Engelmann	Chair - Membership Committee
Shelly Machin	System Director
Sam French	Community Services Manager
Rhoda Allison	Deputy Chief Allied Health Professional

Foundation Trust members, Governors, staff members and members of the public (present and via MS Teams)

In attendance:
Mark Bartlett (Manager), Grant Thornton LLP

1. **Welcome and Apologies**

In welcoming those present, the Chairman thanked those efforts of being at the meeting and explained the reason for the meeting finally held face to face and anticipates some momentum to pre-pandemic attendance levels.

Chairman Introduced Roy Tuttle, Chairman of League of Friends.

Apologies were received from Councillor J Hawkins, Louise Winfield, Gerald Penney, Councillor Ged Yardy, Jo Turl, Jonathan Shribman, Val Browning, Robin Sutton, Keith Yelland, Hilary Milner, James Hartley, Ian Currie, Adel Jones, Jacqui Lyttle, Councillor Andrew Macgregor

2. **Lead Governor Welcome**

The Trust's Lead Governor, Peter Milford, provided a welcome.

Peter Milford highlighted the following:

- Elected Lead Governor and Elected Public Torbay Governor
- Local boy, born at Torbay Hospital and lives in Paignton.
- Your Trust, please contribute and get involved as a member of the Trust.
- Forward your name to become a Governor next year.

3. **Present minutes of Annual Members meeting held on 16th November 2022**

The Chairman asked for approval for previous minutes held in November 2022, because we can't call a member meeting until Parliament agree and approve the reports and annual account.

Minutes approved.

4. **Annual Report 2022/23 – Chief Executive and Chairman**

Liz Davenport, the Trust's Chief Executive, provided the meeting with an overview of the Trust's Annual Report for 2022/23. The following was highlighted:

About us

- Proud to work in this organisation and have a leadership role, one of the most challenging periods within the NHS.

- Reflect on the year 2022/23 highlights, challenges we face and our future.

- Working in very challenging times via the media:
  - RAAC Reinforced Autoclaved Aerated Concrete – none in this hospital.
  - Lucy Letby Trial– her crimes betrayed all our trust, and our thoughts are with the families affected.
  - Impact on industrial action on our services – support staff the right to strike but collaboration to retain safety.

- Reflect on community care and working with our partners to provide the best care.

- Appreciation was expressed for the Trust's compassionate and skilled staff; volunteers and fundraisers; members and governors; and partners.

At a glance

- Busy year, some statistics were provided for the year 2022/2023 and these included: 3,200 adults supported with long term social care packages 1,883 babies had been born; 160,000 diagnostic tests undertaken; £664m operating budget; 188,000 outpatient appointments and 260,000 follow-up appointments; 68,000 emergency attendances; 11,000 day surgery cases; and 78,700 medicines dispensed on discharge from the hospital.

Our community

- Torbay Hospital is the largest employer in Torbay and South Devon and we take this really seriously. How we spend our money. How we support local business and education providers or our statuary health care providers. Responsibility to how we support vulnerable families and to ensure care for vulnerable children to ensure a best start in life. Working in collaboration with education, local businesses or social care partners.

Our challenges

- Challenges faced when over three years ago World Health Care declared COVID-19, within the NHS 75 year history caused a huge impact; access planned care, emergency care services and waiting much longer for those interventions. NHS continues to recover.

- NOF4 National Oversight Framework 4 due to financial and operational performance challenges

Our Successes

- Access to the care they need with digital at the core to provide care closer to home

- Expanding capacity that meets economic generation, increasing space in our theatres and diagnostics

- New Horizon Centre helping students train and developing new people – new opportunities to become clinicians and support workers for this organisation.

- Opening of £15 million Acute Medical Unit to improve urgent care when needed.

- Heart of the strategy Health and Wellbeing Centres

Our Partnerships

- Integration – first Trust in the country to bring social services together and we have seen the benefit, particularly through the pandemic

Our brighter future

- Building our brighter future – part of the hospital programme
- Lots of building work over the site including demolishing over old buildings. Delighted to see Workplace staff attending the meeting.
- Electronic Patient Record – procurement.

Our Membership

Chairman provided the meeting with an overview of the Trust's Membership for 2022/23. The following were highlighted:

Our Membership

- Governors decided to change consistence to recruit outside of our footprint including Out of Trust Area, Southwest Peninsula and Rest of England
  Two values:
  1. Holiday makers use our service have opportunity to be represented.
  2. NHS to be more collaborative.

Governors Elections

- The annual elections for the Council of Governors took place and the following people were elected:

- Public governor, Teignbridge constituency: James Hartley, Andrew Postlethwaite
- Public governor, Torbay constituency: John Kiddey* Alison Ramon, Andrew Stilliard

* Following the resignation of Mark Tyrell-Smith (Torbay constituency) which took place after the close of the election process, John Kiddey, as the Governor who received the next highest number of votes after those listed above, was appointed. John will serve the remainder of Mark Tyrell-Smith's term, i.e., two years.

- Public governor, South Hams and Plymouth constituency: Val Browning
- Public governor, rest of the South West peninsula: not filled
- Staff governor, Newton Abbot ISU: Jonathan Shribman
- Staff governor, Coastal ISU: not filled
- Staff governor, Torquay ISU: Sal Aziz

Appointed Governors

- Devon Partnership Trust: Clare McAdam
- Teignbridge Council: Andrew MacGregor (since replaced by John Nutley following local council elections in May 2023)
- Torbay Carers Strategy Steering Group: Hilary Milner
- University of Exeter Medical School: Chrissie Thirlwell (since stood down from the role due to leaving her role at the Exeter Medical School)
- Plymouth University PSMD: Louise Winfield

Thank You

Chairman informed this will be his last Annual Members Meeting and would like to use this opportunity to sincere thank all. Including Council of Governors, Volunteers, Torbay League of Friends, Membership, and last of all staff that continue to produce remarkable results during pressures.

NHS Our Trust

Video, narrated by children:
Key highlights:

- Thank you to all our volunteers for donating their free time and fundraisers
- AMU
- Endoscopy Unit
- Radiotherapy Unit
- Special care unit
- Children best start to life - family hub for help and advice
- Stop using harmful gases
- Saved 200 tonnes
- NHS Nightingale played an important role in the pandemic
- A&E Improving
- Horizon centre had a face lift for medical students and staff can learn and relax after lessons
- History in the corridor
- Maternity Services to support Mothers Stop smoking Unicef supporting families
- Diabetes
- Lottie Bryon-Edmond - Honorary Director of the board for raising awareness for organ donation and fundraising
- Well done to staff for winning awards

- League of Friends donations include Organ donation memorial, Reality headsets, Twin cot donation and Equipment for AMU
- Big thanks to all volunteers generous donate time and our caring staff

5. **Annual Accounts 2022/23 – Chief Finance Officer**

Mark Brice, Interim Chief Finance Officer, joined the Trust recently, provided an overview of the Trust's accounts for 2022/23, highlighting the following:

2022/23 - challenging year for all

- Surplus deficit for the year 17.1m
- Capital expenditure £45.2

Thank you, League of Friends, for the generous over £500k to equipped patient trollies and recliners.

- Cash balance £34.7

Performance and Future Outlook

In 2022-23

- Significant efficiency and productivity and were not fully delivered resulting in deficit variance to plan – To note, financial framework for 2023 no longer contained most of the income top up processes that were introduced by NHS England in 2021which continued into 2022 for the actions responding to the pandemic.
- Covid funding allocation reduced by 70% in-year and will further reduce the following year
- Backlog reduction and recovery expectations were not fully met

Current year 2023-24

- Planned in-year deficit at £32.6m
- Significant cash efficiency and productivity expectation at £46.6m - Important to note that the Trust is working closely with our partners across Devon system
- Backlog reduction and performance recovery targets includes 101% of 19/20 baseline levels
- Ongoing industrial actions are having an impact on cost and performance

Headline Financial Numbers

	£m 2022-23	£m 2021-22	£m 2020-21	£m 2019-20
Income	644.1	601.5	559.9	499.4
Pay costs	(343.4)	(305.9)	(285.9)	(269.4)
Non-pay costs	(307.8)	(286.4)	(267.5)	(241.9)
Finance costs	(8.1)	(7.4)	(6.3)	(6.8)
Other items (e.g. impairments)	(1.9)	(0.6)	(0.3)	0.7
Surplus / (Deficit)	(17.1)	1.2	(0.1)	(18.0)

6. **External Auditor Report – Grant Thornton**

Barrie Morris, Grant Thornton, gave a presentation on the findings of the external audit for the year 2022/23.

Overview

Two responsibilities that external auditors

1. Providing an opinion on financial statements
2. Providing an opinion on value for money arrangements

Financial statements audit

- We received the statements on 27 April 2023
- Audit completed throughout May and June 2023
- Unqualified audit opinion given on 28 June 2023 (in line with statutory deadline)
- Materiality £9.65m, triviality £300k, senior officer renumeration £20k
- Significant risk of material error and where we focus our work:
- Management override (non-rebuttable under ISA's)
- Risk of fraud in revenue (rebuttable under ISA's)
- Valuation of Property, Plant and Equipment (PPE) – significant judgements
- Other risk: - IFRS16 – Right of use assets – first time implementation
- No adjustments were made that impacted the financial performance
- One unadjusted item relating to extrapolation of an accrual not made (£1.5m)
- A number of disclosure amendments
- Key issues and recommendations:

1. Valuation approach for PPE and lack of timely support from Trust's valuer
2. Populations for sample testing required significant manipulation
3. Journals self-approval
4. Segregation of duties in finance system
5. Timely removal of leavers from the payroll system

Value for money

- Assessment covers three areas:
  - Financial sustainability
  - Governance
  - Improving economy, efficiency and effectiveness (3E's)
- Significant weakness identified in financial sustainability:
  - In 2022-23 delivered a £17.1m deficit against a breakeven plan

- Underlying deficit of £58.9m
- Under delivery of CIP (£25.1m vs £28.5m) and cost overspends
- 2023-24 a planned deficit of £32.6m (includes £46.6m of savings)
- Recommended need for System and Trust medium / long term financial planLots of masking money under performance

- Governance – appropriate arrangements in place

- 3 E's:
- Challenging operational environment
- Struggling to meet some performance targets:
- Urgent and Emergency Care (57.6% vs 95%)
- Ambulance handover times
- Access to cancer treatment 62 day wait – (63.2% vs >85%)
- Referral to Treatment long waits (48.1% vs >92%)
- CQC Inspection in 2020 – only one 'Must do' action outstanding on medical care staff appraisal achievement rate

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The following reports were issued during the year 2022/23: regular audit progress reports and sector updates; audit plan; interim and final audit findings; auditor's report; auditor's annual report on value for money arrangements; and audit certificate.

7. Question and Answer Session

Question asked by Mark Hodge, Electrician in the Trust.
Subject: Question for AMM 2023
Message: I would like to ask the board and governors their plans for recruitment in Estates Delivery Team.
When I joined nearly 4 years ago, we had 7 personnel on the electrical team. One member retired about 2 years ago, the position was advertised multiple times, but the position was not filled. At the end of June this year another team member resigned. The position has been advertised twice with not replacement in sight. Another team member has handed in his notice leaving date 22/9/22.
This leave 4 members of the electrical team and one of those collapsed at work with a cardiac event at the end of august / beginning of September possibly from work stress. He is now on long term sick.
We work an 8 week call out rota so there are now 3 people (+ a supervisor) to cover this. The team have all pulled together to cover this, but this is not sustainable.
The mechanical team have just lost a member bring their number down to 6 persons. The week this person left, we had to get an external contractor to cover one day of on call because not enough staff to cover.
The electrical team run on load generator tests each month. August's and September's have been cancelled due to lack of staff. This puts the hospital at risk.
Our workload has never decreased in fact it has increased with the introduction of the new AMU, Salus Ward and the return of the maintenance of the staff residences.
Is it now time for the trust to reinstate RRP and or rebranding of jobs, so we can retain and recruit new staff.

Response from Jake O'Donovan, Workplace Director
In recent years, we have seen a number of estates delivery colleagues resign due to a number of different reasons, whilst there are no significant trends, in the majority of cases those colleagues have done so due to a reluctance to undertake on call responsibilities (which

is essential for the Trust) or the desire to increase their salary in a short period of time. Efforts have been made to replace those individuals, however there are challenges in competing with private sector pay rates, particularly for electricians, where at the top of their existing band (4) with the Trust, they are some £5.00 per hour below the average electrician salary for Devon and this shortage of directly employed electricians is compounded during periods of annual leave and sickness.

Various initiatives to improve the recruitment of electricians have been trialled, with limited success. Work tasks of Trust electricians have been reviewed and some of these re-distributed to other roles within the Estates Delivery function (such as Site Maintenance Operatives) who are easier to recruit and are able to undertake some of these activities (such as fire alarm tests) safely, we have also worked with supply chain partners to enlist their support to cover any resource gaps.

In collaboration with our recruitment team, we are continuing to push hard in order to recruit more electricians (including giving the consideration of a re-introduction of a recruitment and retention payment and a pay scale review) whilst simultaneously reviewing our Estates Delivery structure to understand whether further opportunities to reduce the work stack of Trust electricians and collaborate with supply chain partners exist.

It is correct that we have sought the support of a contractor to cover gaps in the on-call rota, this is not uncommon and will continue to be an option. The Head of Estates Delivery and Electrical Supervisor have developed a plan of action to address the short-term vacancy gaps (which include a combination of contractor support and agency) which will create capacity for our electrical team both in relation to in-hours work and on-call activity.

Due to last minute sickness related absence (non-work related), August's generator load test was unable to be carried out. Septembers has been deferred by a fortnight but has not been cancelled. The load test is conducted each month in order to charge and warm up the generators on site, this is something the Trust does in order to achieve best practice but is not a statutory requirement. We have worked with the Trust Head of Technical Services to assess the risk of the load test not being undertaken in August and whilst not ideal, this is not seen as a high-risk issue, given a successful test was conducted in July and a further test is planned for September. Given the resource constraints within August, this was viewed as a low-risk task which could be deferred.

It is worth noting that, our electrical team continue to do an outstanding job and have maintained a really strong position on statutory and mandatory maintenance for the past 12 months to ensure our electrical systems are safe and compliant and this continues.

Further questions:

Andrew Stillard *asked about using agency staff?*
Jake O'Donovan replied *with the challenging deficit and limited skilled set access it is limited*
Alison Ramon Are there other issues in the Southwest and similar challenges in other Trusts
Jake O'Donovan replied *regarding the issue with Payrate difficulty. Previously used RRP Recruitment and retention payment. Plymouth also have similar recruitment issue.* Michelle Westwood *confirmed it is a national problem*. Liz Davenport summarised this matter is increasingly important project due to building brighter future. Chairmen highlighted other skills not just nurses and doctor's needs improving and needs all our help to raise the profiles. Mark Hodges highlighted the implications working in the Trust as an electrician currently regarding pay and staffing concerns.

RI thanked for there question and hard work.

8. **Adult Social Care**

Shelly Machin, Family and Community Care System Director and Sam French Adult Social Care Manager, joined the meeting to give a presentation on Adult Social Care. Reorganising connecting back the communities.

The following was highlighted:

- Connecting back to communities – care we give – hospital small part
- Social care and support we give.
- Uniqueness as an organisations
- Grow your on social worker, 3 community service manages – mental health – health services including discharge
- Proud of social work
- Delegated functions under Torbay Council
- Statutory legislation under Care Trust
- Services that we provide wellbeing, live independently, safe and well, under care act
- Transition services – pathways from childcare to adult care
- Housing
- Children services
- Range of staff – several sites – kings house Union house, St Edmunds, Tor Hill house
- Complex service team, Adult social care, admin, nurses, dieticians
- Operational Teams
- Safeguarding Team
- Market managers
- Key legislation based around The Care Act 2014
- Volunteering sector
- Performance data – increase care support.
- Recruitment difficult but able to obtain staff

- PM – question highlighted increase 10% carers in one year – support for cares

- SWM – Thanked SF for the presentation around the complexity – Social worker retain and recruitment? How are we learning from Maternity Services – Improvement in social work – show case torbay to the Univerisites – don't look on Hospital for jobs – profile nationally – unique – apprenticeship scheme in Torbay

- DK – Volunteer sector – progression into the community – relationship with the volunteer sector – community health support innovations health staff in the locality settings for better access – services open to the pubic – not publicity – where are estates to hubs in the community to get access to the MDT team.

- KL – Firstly thank you for what you do and secondly, feedback from doctors were how impressed they were of the better relationships to help patients – Unique and it's the DNA.

- Insight to know better Richard

9. **Dementia**

Rhoda Allison, Deputy Chief Allied Health Professional, joined the meeting to give a presentation on Dementia.

The following was highlighted:

General Facts
- Estimate over 20 thousand in Devon with Dementia
- Dementia range
- Risk factors
- Look at your own brain health

Dementia care
- 14 of hospital beds occupied living with dementia.
- Over third, emergency don't back to where they live
- Hospital attendance life changing event
- Cognitive disability
- 5 keys priorities – dementia nurses – assurance free to leave – lacked capacity – legal – physically active – good nutrition – education of staff

Education of staff
- Skill up staff and partners, social care, local care homes with different needs
- Dementia bus – project group of staff
- First conference 50-60 ¾ staff and care home staff including dementia patients
- Exeter university – Clare Pentanocks research programme run for 10 years – 5 priorities – resources available – booklet to take away
- Jo Sykes – why should I plan for my care / advanced care planning.
- Questions
- Annie wonderful presentation great working together – well done NBE truly deserved?
- AR Advanced planning – advice for someone in denial to help carers to navigate not expect diagnoisis – Collectively culture to discuss openly more about the subject – peer support – community cafes – not intimidating DK Agreed by journey of having the conversation – distressing for all involved. Different set of skills with support for best interest – don't be afraid to reach out.

10. **Close of meeting**

In closing the meeting, the Chairman thanked everyone for their attendance, interest and support for the first meeting back face to face after COVID. He asked anyone who had any questions about the presentations to contact the Trust. Please fill in the feedback form hybrid way to deliver the meeting.