

Enc 1

**Council of Governors' General Meeting
28 April 2021
Via MS Teams**

Present: Alan Richardson (Chair), Sir James Mackey (Chief Executive)

Public governors

Mick McCarthy	Berwick
Linda Pepper	Berwick
Sean Fahey	Blyth Valley
John Ostle	Blyth Valley
Ken Patterson	Blyth Valley
John Gordon	Blyth Valley
Bill Dowse	Blyth Valley
Stephen Prandle	Hexham
Louisa Deas	Hexham
Jenny Firth-Cozens	Hexham
Janet Shucksmith	Hexham
Anna Walsh	Hexham
John Forsyth	North Shields
Peter Blair	North Shields
Gill Close	North Shields
John Harrison	North West Tyneside
Jim Connolly	North West Tyneside
Tom Millen	Rest of England
Ian McKee	Wallsend
David Wilkinson	Wansbeck
Brian Kipling	Wansbeck
Paul Crook	Wansbeck
Helen Lisle	Wansbeck
Peter Bower	Wansbeck
Adam Chedburn	Whitley Bay
Heather Carr	Whitley Bay
Pamela Hood	Whitley Bay

Staff governors

Lucy Thompson	Hexham hospital
Louise Parry	North Tyneside community
Doreen Davidson	Northumberland Community
Melanie Parnell	Wansbeck hospital
Rexie Akwei	North Tyneside hospital/Cobalt

Co-opted governors

Margaret Hall	North Tyneside Council
Muriel Green	North Tyneside Council
Dianne Ford	Northumbria University

In attendance

Jennifer Coe	Head of Foundation and Community Engagement
Claire Riley	Executive Director of Communications and Corporate Affairs
Annie Laverty	Chief Experience Officer
Lucy Thomson	Community Engagement Officer
Laura Liu	Community Engagement Officer

Martin Knowles	Non-Executive Director
Moira Davison	Non-Executive Director
Bernie McCardle	Non-Executive Director
Andrew Besford	Non-Executive Director
Malcom Page	Non-Executive Director
Prof Sir Alan Craft	Non-Executive Director
Jeremy Rushmer	Executive Medical Director
Laura Olsson	Company Secretary
Birju Bartoli	Executive Director of Performance and Improvement
Marion Dickson	Executive Director of Nursing, Midwifery and AHPs
Alistair Blair	Medical Director

01/04/2021 Welcome, apologies for absence and declarations of interest

Alan Richardson, Chair, welcomed everyone to April's general meeting. There were no declarations of interest.

Apologies for absence were received from:

Ruth Connorton	Non-Executive Director
Isobel Kerrigan	Blyth Valley public governor
Peter Topping	Hexham public governor
Ann Stringer	Executive Director of HR and OD
Barry Allison	Berwick public governor
Anna Watson	Northumberland community staff governor
Jackie Lackenby	The Northumbria staff governor
Catherine Carr	Berwick public governor

02/04/2021 Non-executive directors' attendance

Non-executive directors were acknowledged as in attendance including: Moira Davison, Martin Knowles, Andrew Besford, Bernie McCardle, Prof Sir Alan Craft and Malcolm Page.

03/04/2021 Approve the minutes of the council of governors' general meeting dated 27 January 2021 (Enc 1)

The meeting minutes were approved as an accurate record of proceedings.

04/04/2021 Receive the minutes of the Board meeting held in public on 26 November 2020 (Enc 2)

The meeting minutes were received by the council of governors.

05/04/2021 Matters arising

There were no matters arising.

06/04/2020 Governors' questions on notice

One question was received from Mick McCarthy, public governor for Berwick: it has been mentioned in the recent Berwick constituency meeting that there is a major review of community services provided by the Trust taking place.

- 1) What are the terms of reference and the membership of the review group.
- 2) Why has there been no information or involvement of members of the council of governors representing the general public, staff, and key allies on this review of community services at the earliest possible stage.

Sir James Mackey, Chief Executive, responded that there is not a major review of community services taking place. There is lots of work happening in the community services business unit as there is across all of the Trust's business units where the appropriate governance structure is in place. A focus on out of hospital care, which includes community services, is a vital part of the Trust's five-year strategy, which

governors have been kept abreast of, as well as other areas of our core business, through development and general meetings.

07/04/2021 Receive the chief executive officer's performance and financial report – quarter four

Sir James Mackey, Chief Executive, provided an update on safety and quality priorities, Covid-19 (local and national picture), performance and finance, staff and patient experience, national issues and Trust priorities for the next three months and beyond.

Jim discussed the seven safety and quality priorities for 2020/21 and the progress made against each one. He talked to the slides on Covid-19 inpatient tests and confirmed that at the 23 April 2021 there were zero admitted patients with a positive lab confirmed test, however, bed occupancy was 94.1% at The Northumbria, with high numbers of admissions each day (120 on Monday 26 April 2021). Jim also discussed mortality rates and stated Covid-19 deaths had declined, having seen peaks in April 2020 and January 2021. Jim stated that hospitals do feel as if they are getting 'back to normal' but we must all be vigilant and continue to follow the guidance.

The key performance indicators show a strong performance and the Trust is in a good position to recover fully by winter. The picture is not the same across the country and there is a great deal of anxiety regionally and nationally. The Trust will be receiving extra funding as a 'lead provider' to support other trusts. We are currently exceeding 2019/20 volumes of day case surgery and have a good 18 weeks Referral to Treatment (RTT) performance (86% by the end of the month) and expect to be back to 92% by the end of the year. There has also been a strong cancer performance this quarter. The A&E four hour wait performance exceeded the target (96%) however, pressure is mounting on emergency departments and the Trust predicts 300 attendances over the bank holiday weekend.

Jim provided a summary of the financial position with the end of year audit now complete. The Trust is in a strong position but we are involved in a complex reimbursement mechanism that is challenging. For the first six months, the Trust balanced to break-even position plus £5.7m of loan covenant funding. In months 7-12 there was a planned deficit of £12m, which has now reduced to £2m and the balance should be funded at month 12. The Trust's position assumes funding of PPE factory, which is awaiting funding confirmation. Financial guidance has been received and we are working within the Integrated Care Partnership (ICP) to agree core funding and implementation of guidance, in particular the elective incentive scheme. At year-end, the Trust had a cash balance of £140m and has spent £59m against a forecast of £63m. In March 2021, the Trust completed a number of key transactions, including the purchase of the Seaton Delaval site, two new robots and a number of primary care premises. Jim discussed the Fleet VAT refund, which the Trust has been successful in claiming against HMRC for c.£11m for the period 2012 to 2017. A further claim was submitted in January 2021 for c.£12m and HMRC is currently validating the claim. At the 31 March, c.£8m has been passed on to other employing organisations and it is expected that c.£6m will be reimbursed, once the claim has been settled by HMRC. The Trust expects c.60% of the total claim to be reimbursed.

Patient experience has been very good overall in quarter four with 96% of inpatients, 95% of emergency care patients, 99% of outpatients and 98% of patients receiving day case care rating their experience as good, very good or excellent. Overall, Patient Perspective results for inpatients was 87%, outpatients 91% and emergency care 86%, all of which sit comfortably within the top 20% threshold, when compared with national data.

The 2020 Staff Survey results showed that the Trust had the highest completion rate in the NHS (80%) with 84% of staff recommending the organisation as a place to work, 87% happy with the standard of care provided and 91% of staff saying that the care of patients / service users is the organisation's top priority. The results matched our 2019 performance and we were the best performing acute organisation and the best in the NHS for staff engagement, staff morale and equality and diversity. Jim stated that huge credit needed to go to our committed, compassionate and resilient teams.

Jim concluded by telling governors that we need to remain vigilant and maintain our 'Covid discipline' given the data and trends we are seeing at present. The Trust's focus is on restoring, rebuilding and

transforming and the Board and clinical teams are already planning for winter and further into the future. We must all remember that our primary goal is to support patients, citizens and staff.

John Ostle, public governor for Blyth Valley, asked if having £140m in the bank will affect the money coming in from the government. Jim responded that it is a live risk and the Trust has struggled to get money from the centre, which has been going to other areas. We need to stay alert – the elective accelerator is a test for us to show what we can do.

Peter Bower, public governor for Wansbeck, asked whether legislation could protect the Trust from the government clawing back any surplus we have. Jim stated that they shouldn't take cash back but they could claim a dividend or take it in different ways. Good performers should be rewarded and not penalised. Jim reassured governors that it would be an exceptional case if the government did take money and papers would need to be laid before parliament for this to happen.

Ken Patterson, public governor for Blyth Valley, asked why the Trust wanted to purchase primary care premises. Jim responded that we wanted to encourage closer working between primary and secondary care.

08/04/2021 Planning

Sir James Mackey, Chief Executive, provided a planning update and began by stating that the planning process this year is like nothing we've seen before with no national planning process in place, the Trust is required to submit an Integrated Care System (ICS) plan only. Recovery and restoration, health and wellbeing of staff and inequalities feature heavily in the national guidance. The Trust has agreed to have a 'normal' business plan, which delivers on key business unit and corporate objectives in line with the Trust's five-year strategy and also meets national planning guidance and our performance and activity requirements.

Jim outlined a number of key strategic signals for the year ahead, some of the areas of focus, such as the remedial works at The Northumbria and the PPE factory and some tricky areas, such as Rothbury, the 'sealing' of The Northumbria, the Northumberland County Council partnership agreement and winter 2021/22.

In his summary, Jim talked about the amount of work the Trust needs to do over the coming year, with some challenging areas. We need to ensure we keep influencing the wider system and national bodies and stay ahead of the changing context externally, where we need to play our part but we also need to ensure we deliver our priorities. The Trust has started well on its recovery journey and the ICS plan will be submitted in line with national guidance and with a high-level business plan available for Trust purposes.

Margaret Hall, co-opted governor for North Tyneside Council, stated she was looking forward to what the ICS will mean for partnership working but queried the Trust's lead role and whether they will take account of all of the other partners, such as the local authority. Jim responded that it was a very exciting time for partnership working and there were key areas of work where all partners could make a difference, such as population health and tackling health inequalities.

John Ostle, public governor for Blyth Valley, commented on the success of the PPE factory and whether it can expand and produce high quality garments. Jim said he would like Sarah Rose to come and talk to governors about the PPE factory and its future plans, as she has some great ambitions.

Stephen Prandle, public governor for Hexham, asked for more information about the Northumberland County Council partnership agreement. Jim said governors will be able to have a full discussion on this at the single topic session that is planned in May.

09/04/2021 Assurance questions to non-executive directors

There were three assurance questions following the governors' pre-meet to discuss the quarter four performance and financial report.

1. Relating to Performance Priorities: 18-week RTT and 62-day cancer screening.

Governors wanted to know that non-executive directors have sought assurance on (i) the target of 18 weeks RTT being met in the future and (ii) the fall in meeting cancer 62-day screening targets (from the high in January) can be reversed.

Martin Knowles, Non-Executive Director, responded that RTT and recovery of overall performance has been discussed and challenged regularly at Finance, Investment and Performance (FIP) Committee – including potential downside scenarios. The Trust is recovering well since full elective activity was returned (post pressure on staffing in critical care as a consequence of Covid). The Trust has shown improvement in its performance and is currently at 85.6% with a planned full recovery by October 2021. It should be noted that the waiting list is approx. 23,000. There is also a planned recovery of all over 52 week wait patients by September 2021.

Cancer screening is a measure that has always been difficult for the Trust to consistently meet as the number of cases treated is so low. The standard is 90% and routinely the patient number treated through the bowel screening route is much lower than ten patients, hence the difficulty in meeting the standard. For those patients that enter the service through this route, patients are 'tracked' in the same way that other cancer patients are tracked and followed up to ensure that they are receiving care in a timely manner.

2. Relating to Financial Performance: Governors noted the positive position in financial performance but sought assurance concerning the reliance on the PPE factory to deliver sound finances.

Martin Knowles stated that the Trust has an extremely strong financial position as evidenced by the cash position for the year. This represents the underlying financial strength of the Trust.

The reference to the PPE factory was the consequence of awaiting national funding, which was finally confirmed in month 12; in year the factory was in a breakeven position.

3. Long Covid: Can governors be assured that there will be widely available treatment for long Covid across the Trust.

Prof Sir Alan Craft, Non-Executive Director, responded that they have been kept apprised on the Covid-19 response throughout the pandemic through monthly updates at Safety and Quality Committee and Trust Board and are assured that the right approach is being taken. In order to provide further assurance, a 'learning from Covid' item will be presented at the Safety and Quality Committee in May.

Jeremy Rushmer, Executive Medical Director, stated that we have a regular long Covid clinic run by respiratory, which accepts referrals from GPs and hospital triage via the NHS referral app in the 'normal way'. This clinic has access to rehab/physio and psychology and we are currently looking at investment, as part of our business plan, to support all patients with persistent physical symptoms. We have agreed with Clinical Commissioning Groups (CCGs) to follow NICE recommendations. There are currently no effective 'treatments' for long Covid and most strategies are about treating complications and supporting patients with structured rehab and support for their symptoms, although this may change as a result of research.

10/04/2021 Approval of following reports:

Bernie McCardle, Non-Executive Director, left the meeting.

Nomination, remuneration and development (NRD) committee (Enc 3)

The council of governors received the nomination, remuneration and development (NRD) committee report relating to the reappointment of Bernie McCardle, Non-Executive Director, for a second three-year term. This was approved by the council of governors.

Alan Richardson and all remaining non-executive directors left the meeting.

Sean Fahey, lead governor, advised that during the last NRD committee meeting the members received a verbal proposal from Sir James Mackey proposing that Alan Richardson, Chair, and all of the non-executive directors terms be extended by 12 months in order to allow continuity and consistency during this turbulent period. Sean stated that there had been comprehensive discussions at NRD committee, in which all of the committee members were in agreement with the proposal in principle, however required further information regarding the process for extending the contracts. It was therefore agreed that a further NRD committee meeting be held to receive further information on the proposal. He urged governors to support the proposal in principle, pending the process for the extensions being confirmed. This was approved by the council of governors.

Alan Richardson and the non-executive directors re-joined the meeting.

The following reports were received:

Report of the governor external audit panel (GEAP) (Enc 4)

Report of the membership strategy committee (Enc 5)

Council of governors' casual vacancy paper (Enc 6)

2021 governor election update (Enc 7)

All reports were received and noted by the council of governors.

11/04/2021 Quality account

Jeremy Rushmer, Executive Medical Director, outlined the annual planning process. Jeremy talked about the Trust's five-year strategic plan (2018 – 2023), which highlights our overall direction and what matters most and the annual plan 2021/22, which is linked to the five-year strategy and development of the clinical strategy. The quality account is a statutory requirement and how we inform the public of delivery of safety and quality priorities. This year's safety and quality objectives have been agreed for 2021/22, the annual report and corporate governance statement are complete and engagement with key stakeholders has been carried out.

The quality account 2020/21 is a look back at safety and quality priorities, provides a focus for 2021/22 and is a standard requirement for all trusts. It is written in line with annual reporting guidance and key measures and phrases must be used to make it auditable. The quality account includes information on mortality and preventable deaths as well as areas of achievement. Due to the Covid-19 pandemic, guidance has been issued stating External Audit (EA) assurance work on the quality account does not need to be undertaken for 2020/21, therefore no EA opinion on the quality account will be given this year and no governor selected local indicator will need to be chosen for the year. Jeremy stated that the process is underway and a draft account should be ready by mid-May 2021. The account will be circulated to stakeholders for formal opinion, prior to final submission, however, the date for submission to parliament is still to be confirmed.

Every year, the Trust, in collaboration with business units, governors and other stakeholders, identify a number of safety and quality priorities. For 2021/22 we have identified eight possible quality improvements, many of which build on previous improvement work. Jeremy listed the eight priorities, which include: access standards, outpatients, deteriorating patient, delirium, patient group directives, child and adolescent mental health services, patient experience and staff experience. Jeremy concluded by listing some additional key achievements in 2020/21 and highlighted some of the Trust's investments in patient care.

Sean Fahey, public governor for Blyth Valley, asked if explanations for the public could be included in the quality account, as the full account is very difficult to understand. Jeremy stated that it had to be written in a certain way for audit purposes. Claire Riley, Executive Director of Communications and Corporate Affairs, added that a summary guide is always produced, which highlights the key points.

12/04/2021 Any other business

There being no other business, Alan Richardson thanked everybody for attending this virtual general meeting and for governors continued support.

Meeting close

The next council of governors' general meeting will be on 14 July 2021.