

**Oxfordshire and Buckinghamshire Mental Health NHS
Foundation Trust**

Members' Council

**Notes of a meeting held on Wednesday, 21 April 2009 at
6.00 p.m. at the Waddesdon Room, Littlemore Mental Health
Centre, Littlemore, Oxford Oxfordshire**

In addition to the Chair, Janet Godden, the following Governors were present:

Mike Alexander
Jane Amies
Meg Barbour
Margaret Batsel
Julia Besooijen
Jacqueline Bourton
Chris Brearley
Jim Couchman
Maureen Cundell

David Geaney
Stewart George
Mark Hancock
Jeanette Hocking
Lucy Toynbee
Lavinia Walker
Linette Whitehead

In attendance:

Graeme Armitage
Caroline Birch
David Bradley
Anne Grocock
Justinian Habner
Mike Hobbs
Nathan James
Helen Millar
Cedric Scroggs
Duncan Smith
Julie Waldron

Director of Human Resources
A/Director of Nursing and Clinical Governance
Chief Operating Officer
Non-Executive Director
Trust Secretary (*Minutes*)
Medical Director
Membership Officer (*Observing*)
Director of Corporate Management
Non-Executive Director (*Observing*)
Director of Finance
Chief Executive

<p>MC 17/09</p> <p>a</p>	<p>Introduction and Welcome</p> <p>The Chair welcomed Governors to the meeting. She also welcomed Meg Barbour, Julie Besooijen and Maureen Cundell to their first meeting of the Council following recent elections.</p>	
<p>MC 18/09</p> <p>a</p>	<p>Apologies for Absence</p> <p>Apologies had been received from: Simon Hyde, Anthony Monaco, Pamela Bacon, Steve Bell, Kate Allison, Jayne Champion, Richard Speight, Fiona Lomas, Pauline Fair, David Mushrow, Carrie-Ann Wade Williams, Tricia Birchely, Alan Webb.</p>	
<p>MC 19/09</p> <p>a</p> <p>b</p> <p>c</p> <p>d</p>	<p>Election Report and Thanks to Outgoing Governors</p> <p>The Chair presented the report which set out the results of the recent elections to the Members' Council. She noted that the following results were announced on 31 March 2009:-</p> <ul style="list-style-type: none"> • Meg Barbour – elected to represent Public: Oxfordshire • Lavinia Walker – re-elected to represent Service Users: Oxfordshire • Julia Besooijen – elected to represent Service Users: Oxfordshire • Maureen Cundell – elected to represent Staff: Older Adults • Pauline Fair – re-elected (unopposed) to represent Service Users: Buckinghamshire • David Geaney: re-elected (unopposed) to represent Staff: Adult Services <p>Each had been elected for a three-year term.</p> <p>The result of the election for the Public: Buckinghamshire Governor would be declared in May.</p> <p>The Chair thanked the following outgoing Governors for their important contribution to the development of the Members' Council during its first year:</p>	

e	<ul style="list-style-type: none"> • Laurelia D'Arcy Singer • Ray Stone • Roger Priest • Wendy Edwards • Mary Daniel <p>The Council noted the report and welcomed the new Governors.</p>	
<p>MC 20/09</p> <p>a</p> <p>b</p>	<p>Minutes of the Previous Meeting – 17 February 2009</p> <p>The Minutes of the meeting were approved as a true and accurate record, and the Chair signed a copy, subject to the inclusion of the following amendment:</p> <p>Item MC 08/09b (Appointment of Auditors), replace Cedric Scroggs with Roger Reed as the Non-executive member on the sub-committee.</p>	
<p>MC 21/09</p> <p>a</p> <p>b</p> <p>c</p> <p>d</p>	<p>Matters Arising</p> <p>Item MC 06/09e – Parking Charges: the Chief Operating Officer reported that the policy to remove visitor car parking fees from Trust sites was being implemented.</p> <p>Item MC 06/09j – Warneford Meadow: the chair reported that the Oxfordshire County Council had decided to register the Warneford Meadow as a Town Green. The Board of Directors would consider the implication of this at its next meeting.</p> <p>Item MC 09/09e – Patient Typing: Linette Whitehead said she would still appreciate a report / presentation on the 'patient typing' work.</p> <p>Item MC 10/09e – Governors Planning Session: the Chair said that she had discussed with the Chief Executive and Trust Secretary the idea of holding an all-day planning session for Governors. It was agreed that this was a good idea but should be progressed after the Foundation Trust Network / FT Governors' Association meeting had occurred in Oxford on 23 July. Whilst detail around this meeting was still being finalised, it was possible that it could impact upon any proposals for</p>	<p>DB</p>

<p>e</p>	<p>Governors' workplans or building Governor networks across the South Central region.</p> <p>Item MC 11/09e – Oxford Academic Health Science Centre: the Medical Director reported that the 'International Panel' had not approved the University of Oxford and Oxford Radcliffe Hospitals NHS Trust's application for an Academic Health Science Centre. The key partners would meet in the coming months to discuss next steps and the Council would be updated when more was known.</p>	<p>JG / JW / JCH</p>
<p>MC 22/09</p> <p>a</p> <p>b</p>	<p>Register of Governors' Interests</p> <p>The Trust Secretary presented report which detailed the Register of Governors' Interests.</p> <p>Governors confirmed the interests listed in the Register.</p>	
<p>MC 23/09</p> <p>a</p> <p>b</p>	<p>Report from Board of Directors</p> <p>Anne Grocock, Non-Executive Director, provided an oral update on recent meetings of the Board of Directors held in February and March 2009. The following main items had been considered at these meetings:</p> <ul style="list-style-type: none"> • Buckinghamshire Provider Services – the Board approved an agreement for the Trust to provide interim management of the Buckinghamshire PCT Provider Services. The Council noted that it had received an overview on this proposal at its last meeting. • Assurance Reports – a number of patient focussed reports were presented to the Board to provide it with assurance that Healthcare Commission Core Standards were being met. Areas included: public health standards; privacy and dignity; and safety. • Private Prescribing in Old Age Psychiatry – the Board considered and debated the ethical issue as to whether medication for mild and moderate dementia, which was not approved by the National Institute for Health and Clinical Excellence (NICE), should be prescribed to patients in a private capacity. The Board took the general view that private prescribing should be avoided 	

	<p>but requested that the matter be considered in depth at the Trust's Clinical Ethics Committee. A recommendation from this Committee would be presented to the Board meeting in May 2009.</p> <ul style="list-style-type: none"> • Staff Survey Results – the Board discussed the results of the Staff Survey and looked at the plan prepared to address areas of concern. A further Board seminar on the survey would be held later in the year. • Pandemic Flu – the Board approved the plan to respond to a pandemic flu. • Mid Staffordshire NHS Foundation Trust – the Board considered recent reports about failings within the Mid Staffordshire NHS Foundation Trust. A small working party was established to consider the applicability to OBMH of recommendations made in the reports. The party would report back to the Board in the coming months. 	
c	<p>Anne Grocock said a particular area of interest of hers was sustainability. She was supporting the Director of Development in establishing a carbon management plan for the Trust. Any Governor interested in this area would be most welcome to assist the Trust in developing its plan to reduce energy costs and carbon emissions.</p>	
d	<p>David Geaney asked whether Non-Executive Directors should be involved in the meetings planned to look at the results from the Staff Survey. The Director of Human Resources said that this was a good idea and Anne Grocock agreed to attend the meetings.</p>	
e	<p>Lavinia Walker asked whether research on medication was taken into account when deciding on prescribing policies. The Medical Director said research was taken into account and added that NICE was presently reviewing its policy on prescribing anti-dementia medication.</p>	
f	<p>The Council noted the oral report.</p>	
MC 24/09	<p>Annual Plan 2009/10 – Objectives and Financial Plan</p>	
a	<p>The Chief Operating Officer presented the report which set out the proposed aims, objectives and milestones of the Trust's Annual Plan. He thanked Governors who had provided</p>	

	<p>comments and suggestions over the past months, many of which had been included. In addition to the written report, the Chief Operating Officer gave a presentation which set out how services would work towards meeting the aims, objectives and milestones.</p>	
b	<p>The presentation set out how services would be of high quality and value:-</p> <ul style="list-style-type: none"> • LEAN and Six Sigma tools would be adopted to develop efficient pathways across services. • Work would be undertaken on inpatient wards, enhancing ward processes and admission, making wards safe, and increasing therapeutic activities on wards. • Addressing out-of-hours through determining what was needed at night, making sure that out-of-hours is not resourced due to failures of services during the day and stopping 'front door assessments' at the Warneford. • Using patient needs types to group patients by needs and organising staff resources around these needs. • Improving the quality of the Trust's estate, including a rebuild of the Highfield Unit, a new Manor House and improving facilities at the Warneford. 	
c	<p>Additionally, the presentation explained how the Trust would utilise outcome measurement tools, such as the Dr Foster Patient Experience Tracker, to improve the standards of services.</p>	
d	<p>On the LEAN and Six Sigma work, David Geaney noted the use of external consultants to assist in this work and said that this expertise should become embedded within the organisation to reduce the costs of consultants. Lucy Toynbee agreed and asked how long the Trust anticipated using external consultants. The Chief Operating Officer agreed that the skills need to be brought within the Trust and said that OBMH staff were being trained. He could not say how long consultants would be required but said that the Trust's allocation of resources in this area was much lower than many other NHS trusts.</p>	
e	<p>Lavinia Walker said some people would prefer to be assessed at the Warneford, especially out-of-hours, because they felt unsafe going to the John Radcliffe Hospital. The Chief Operating Officer appreciated the concerns but said that the Crisis Team needed to be used for out-of-hours assessments. He said that further information on out-of-hours would be</p>	

	provided to the Council during the coming year.	DB
f	The Council discussed the patient needs typing and how national guidance had been issued for this. The Council acknowledged that money was required to implement this process and many challenges remained.	
g	On the Dr Foster Patient Experience Tracker, Lucy Toynee asked whether this would increase bureaucracy and require more staff to be employed in order to maintain levels of care. The Chief Operating Officer said it was difficult to see how using the Tracker would increase the bureaucracy for staff. He said that it was important that staff were given the time to use the Trackers as the information collated would be fed back into improving care.	
h	The Director of Finance provided an overview of the Trust's financial position and its projections for the Financial Year 2009/10. The Trust had finished the year having met its financial targets and with a planned surplus. The plan for 2009/10 was to build on the surplus in order to re-invest it into the Trust's capital programme.	
i	In terms of contracts for 2009/10, the one with Buckinghamshire had been agreed but the Oxfordshire and forensic contracts remained outstanding.	
j	The Director of Corporate Management reminded the Council that there was still time for comments on the objectives, aims and milestones before the Board approved the Annual Plan for submission to Monitor.	
k	The Council noted the report and presentation.	
MC 25/09	Standards for Better Health Declaration – Council Comments on Performance of the Trust	
a	The A/Director of Nursing and Clinical Governance presented an oral update on the Trust's Standards for Better Health Declaration. She outlined how the Board monitored compliance during the year and how it declared compliance for the entire year.	
b	As an NHS foundation trust, the Governors had been invited to provide comments to be including with the Declaration. Two	

<p>c</p> <p>d</p>	<p>had been received. The A/Director of Nursing and Clinical Governance acknowledged the difficulty for Governors, and other partner organisations, in providing comments. She said she would look at how to improve the process (within the rules set down by the Care Quality Commission) for the coming year. Chris Brearley said it was very difficult for Governors to be asked to comment on a document which they had not seen. The A/Director of Nursing and Clinical Governance understood the point but said that the comments should focus on how Governors found the Trust; they were not supposed to refute or agree with what the Trust was declaring. The Chief Executive added that developing a quality and safety indicator dashboard for the Council may assist in the future.</p> <p>In terms of the comments received from Governors, the Council was informed that the following had been raised:-</p> <ul style="list-style-type: none"> • the difficulty in providing comments; • the delivery of medication; • cleanliness of environments; • staff respect for patients/carers; • the need for 24-hour access to food on wards; and • how patients are observed on wards. <p>The Council noted the update.</p>	
<p>MC 26/09</p> <p>a</p> <p>b</p>	<p>Report from the Nominations and Remuneration Committee – Non-Executive Directors' Cost of Living Uplift</p> <p><i>Given the nature of the business to be discussed, Non-Executive Directors, including the Chair, left the meeting at this point. The Chief Executive took the chair of the meeting for this item.</i></p> <p>Chris Brearley presented the report on behalf of the Council's Nominations and Remuneration Committee. The report proposed uplifting the remuneration of the Chair and Non-Executive Directors by 1.5 per cent in line with senior staff in other parts of the NHS. This followed the announcement of an uplift for doctors, dentists, top civil servants, and senior staff in the Strategic Health Authorities and Primary Care Trusts through the national pay awards.</p> <p>Chris Brearley said the Committee did consider a freeze on the uplift for the current year but came to the conclusion that this would be a mistake as it would only store up problems in the</p>	

<p>c</p> <p>d</p> <p>e</p> <p>f</p> <p>g</p> <p>h</p>	<p>future.</p> <p>The Council discussed the proposal. Linette Whitehead said that she was concerned at the timing of this uplift given the broader economic outlook and the earlier increase in remuneration. Chris Brearley acknowledged that point and said it had been discussed by the Committee. The Committee noted the importance of the Trust remaining in step with other NHS organisations.</p> <p>Jim Couchman asked whether or not there had been any cost of living increases awarded to Non-Executive Directors in the past. The Chief Executive said that this was a new move but it did not mean any obligation for future increases.</p> <p>David Geaney said that the Council should support the Committee's decision as the Non-Executive Directors were colleagues and should receive the same uplifts as other members of the Trust.</p> <p>Lucy Toynbee asked whether or not Non-Executive Director remuneration should always be linked to cost-of-living uplifts. The Chief Executive suggested that the Council's Committee consider this point.</p> <p>The Council voted on the Committee's recommendation and it was supported with one vote against and two abstentions.</p> <p>The Council approved the recommendation to uplift Non-Executive Directors' remuneration by 1.5 per cent from 1 April 2009.</p> <p><i>The Chair and Non-Executive Directors re-joined the meeting and the Chief Executive explained the Council's decision.</i></p> <p><i>The Chair of the Trust retook the chair of the meeting and added that Non-Executive Directors were not aware of this proposal for an uplift and had not instigated it.</i></p>	
<p>MC 27/09</p>	<p>Planning for the Replacement Chair Appointment</p> <p><i>The Council agreed that the Chair of the Trust could remain in the chair of the meeting for this item as she had already announced her intention to retire.</i></p>	

<p>a</p> <p>b</p> <p>c</p> <p>d</p> <p>e</p>	<p>The Chief Executive presented the report which set out the proposed process for selecting a new Chair of the Trust. The Council noted that Janet Godden was due to retire on 31 March 2010.</p> <p>The Council noted that a selection panel was required under section 10.6.1 of the Constitution. The Chief Executive proposed utilising the existing membership of the Nominations and Remuneration Committee for this selection panel. For this, a Public Governor would be required to replace Ray Stone. She also noted that Simon Hyde had not been able to attend a number of recent meetings so suggested nominating another Service User Governor to stand in for Simon should he not be in a position to work on the Committee and panel.</p> <p>The Council nominated the following:-</p> <ul style="list-style-type: none"> • Public Governor – Mike Alexander • Service User Governor – Julie Besooijen (to take up the position if Simon Hyde confirms he is unable to remain on the Committee). <p>The Chief Executive said that she had received an e-mail from Kate Allison asking how other Governors could be involved in the selection process. The Chief Executive said that she would propose to the panel that a series of 'focus groups' involving other Governors and Non-Executive Directors be established to hold discussions with candidates and feed back views to the panel. She said focus groups had been used by other organisations and NHS foundation trusts for Executive and Non-Executive director appointments and were considered to be very useful.</p> <p>The Council approved the process for selecting the new Chair and the new appointments to the Nominations and Remuneration Committee as outlined above.</p>	
<p>MC 28/09</p> <p>a</p>	<p>Questions from Public</p> <p>None.</p>	

<p>MC 29/09</p> <p>a</p> <p>b</p> <p>c</p>	<p>Any Other Business</p> <p>Review of Trust Constitution The Trust Secretary said he would be reviewing the Trust's Constitution in light of the first year of operation as an NHS foundation trust. Any changes would be proposed to Monitor for their consideration and approval. He said he would welcome working with any interested Governors on this review before presenting any proposals to the Council and Board. Governors interested should contact the Trust Secretary direct.</p> <p>Manor House The Chief Operating Officer said that the Trust had now accepted a tender for the demolition of Manor House, Aylesbury. This was an important step for the Manor House Redevelopment project.</p> <p>AGM The Chair reminded Governors that the AGM would be held on 22 July in Buckinghamshire. She said that it would be good to have a Governor or a small Group of Governors providing a short report to the AGM on the work of the Council. Anyone interested should contact the Trust Secretary.</p>	
<p>13</p>	<p>The meeting was closed at 8.10 p.m.</p>	

Signed:
Chair

Date: