

## **Report to the Meeting of the Members' Council**

**For Information**

**9 February 2011**

### **Report from the Board of Directors**

#### **Executive Summary**

This report provides a headline summary of the main issues considered by the Board of Directors since the last report to the Members' Council in November 2010. Over this time, the Board met on 24 November 2010, 15 December 2010 and 26 January 2011. Cedric Scroggs, Non-Executive Director, will speak to this report at the meeting.

#### ***Matters Approved:***

- Executive Director Appointments: the Board endorsed the appointment of the following Executive Director appointments:-
  - Medical Director – Dr. Clive Meux
  - Director of Nursing – Ros Alsted
- Constitutional Amendments: taking into account the views of the Members' Council, the Board endorsed the submission of proposed changes to Monitor. Changes covered the areas discussed at Council (name, Membership Constituencies and Board composition). The changes were submitted to Monitor on 30 November 2010. To date the Trust has not received a formal response from Monitor. An oral update on progress and what was submitted will be presented to the Council when it considers the CHO Integration Programme.
- Monitor In-Year Submission – Q3: the Board approved the Q3 in-year submission to Monitor. The submission was for Financial Risk Rating of four and a Governance Risk Rating of Green. In making its submission, the Trust declared that it failed to meet the CPA: patients having a formal review within 12 months target.
- Charitable Funds: the Board approved the OBMH Charitable Funds financial statements and annual report.
- Charitable Funds Committee: following the resignation of Elaine Whittaker, the Board approved the appointment of Anne Grocock as chair of the Charitable Funds Committee.

- CHO Integration: the Board considered, in detail, the following due diligence reports relating to Community Health Oxfordshire (CHO) and the proposed transaction:-
  - Legal
  - Financial
  - Clinical

Taking note of the reports and their findings, the Board agreed that negotiations on the Business Transfer Agreement (BTA) should continue. At each meeting, the Board has discussed the progress with agreeing the BTA.

The Board also approved certifications (Board self-certification and Medical Director certification) that were required to be submitted to Monitor as part of the assessment.

- Legal Services: following a procurement exercise, the Board approved the Trust entering into a contract with Beachcroft LLP for the provision of legal services.

#### ***Matters Discussed / Noted:***

- Update on Members' Council Meeting: the Board noted the discussion and issues raised by the Members' Council at its meeting in November 2010. In particular, the Board noted the comments and views on the proposed Constitutional amendments. These were taken into account when the Board came to a view on the proposed changes to be submitted to Monitor.
- 'Never Event': the Board received an update on a 'never event' which had occurred on Marlborough House, Medium Secure Unit (Milton Keynes). The incident involved the escape of a transferred prisoner. The individual was at large for a short period of time and was soon apprehended by the police and returned to prison. During the time at large, no harm came to the prisoner nor any other individual or property. The Board discussed the action plan that had been developed following a review of the incident.
- CQC Quality and Risk Profile (QRP) Report: the Board received a report which set out the CQC's QRP Report on OBMH. The QRP was used by the CQC to gather information on providers and monitor compliance against the 16 essential regulations and outcomes. The report showed no red rated risks for the Trust but some risks had been identified. The Board discussed the presentation of the report and how the data did not provide a comprehensive picture.
- Q2 and Q3 Reports on Progress Against the Trust Business Plan: the Board noted progress against the Trust's business plan through quarterly reports.
- NHS Operating Framework: the Board discussed the NHS Operating Framework and the recently published Bill relating to the NHS.
- Activities on Vaughan Thomas Ward: the Board watched a short film which showed how Vaughan Thomas Ward was providing activities for patients. The film also included the perspective of patients.

**Assurance Reports**

In 2010/11, the Care Quality Commission changed its regulatory approach to a process of 'Registration' with a focus on 'Outcomes'. The Board received a report which provided an overview of the Trust's compliance against all the Regulation for the Trust's 11 registered locations.

At every monthly meeting, the Board considers the Finance Report (which includes a section on the Cost Improvement Programme) and Quality Report. A monthly report on progress with the CHO integration work is also presented.

**Recommendation**

The Members' Council is asked to note the report.

**Author and Title:** Justinian Habner, Trust Secretary

**Date:** 31 January 2011