

BOARD OF GOVERNORS

Minutes of a Meeting of the
University Hospitals Birmingham NHS Foundation Trust
Board of Governors held on 5 December 2008
Trust Headquarters Meeting Rooms 1 & 2 QEMC

Present: Sir Albert Bore (Trust Chairman)
Caroline Badley
Alan Bailey
Rita Bayley
John Buckels
Margaret Burdett
Hazel Flinn
Brian Hanson
Gwyneth Harbun
Ruth Harker
Cllr James Hutchings
Lt Gen Louis Lillywhite
Geoffrey Oates
Bridget Pearce
Rosanna Penn
David Spilsbury
Martin Straker Welds
Barbara Tassa
Joan Walker

In attendance: Julie Moore (Chief Executive)
Mike Sexton (Director of Finance)
Tim Jones (Executive Director of Delivery)
Kay Fawcett (Chief Nurse)
Kevin Bolger (Chief Operating Officer, Acting)
Morag Jackson (New Hospitals Project Director)
Fiona Alexander (Director of Communications)
David Burbridge (Director of Corporate Affairs & Foundation Secretary)

G08/53 Welcome and Apologies for Absence

The Chairman welcomed everyone present to the meeting. Apologies for absence were received from Kadeer Arif, Paul Brettle, Norman Cave, Professor David Cox, Marie Greer, Paul Darby, Valerie Jones, The Most Revd Vincent Nichols, Edward Peck, Erica Perkins, Gisela Stuart, Prof David Tidmarsh, David Ward, Anne Waller and Shazad Zaman.

G08/54 Quorum

The Chairman noted that a quorum was present and accordingly the meeting could proceed to business.

G08/55 Minutes of the previous meeting of the Board of Governors and of the Annual General Meeting (both 25 September 2008)

The Minutes of the meeting of the Board of Governors of 25 September 2008 were accepted as an accurate record, as amended and initialled by the Chairman.

The Minutes of the Annual General Meeting held on 25 September 2008 were accepted as an accurate record.

G08/56 Matters Arising

None.

G08/57 Declarations of Interest

Brian Hanson declared an interest as a Trustee of UHB Charities.

G08/58 Chairman's Report

The Chairman updated the meeting with regard to certain matters covered in his written report on the activities of the Board of Directors. In addition to those matters set out in the written report, he informed the Board of the following:

1. Following the retirement of the Rt Revd Mark Santer as a non-executive director, the posts of Vice-Chair of the Board of Directors and Senior Independent Director had become vacant. The Chairman proposed that these be filled by Stewart Dobson and Clare Robinson respectively and this was agreed by the Board of Governors.
2. Following the approval of the Board of Governors to changes to the constitution relating to the make-up of the Board of Governors, approval from Monitor had been sought, as required. Monitor had reviewed the proposed amendments and had confirmed their approval of the proposed amendments subject to confirmation of two issues. The first of these was a request to the Trust to confirm that none of the trust's hospitals include a medical or dental school that is provided by the University of Central England (now Birmingham City University) – this had been confirmed. Secondly, the Trust was asked to confirm that the proposed changes to the classes within the Public constituency would be implemented at the same time as elections for these revised posts became due, i.e. July 2009. The Board of Governors had originally proposed that these changes become effective in 2010. There was a short discussion regarding the timing of the implementation of the changes and it was agreed that the Trust could confirm to

Monitor that the changes regarding public and patient governors would be implemented when the elections next became due i.e. July 2009.

The immediate consequences of Monitor's approval were that this meeting will be the last meeting for those stakeholder governors whose seats are ceasing to exist. The Chairman thanked all those governors for their contributions to the work of the trust and confirmed that the Trust would continue to engage with the stakeholders represented by those Governors in alternative ways.

3. The trust had now engaged a new membership database supplier and employed a membership manager, Sarah Snowden. Additionally, the services of Hunter Lodge had been engaged to assist the Trust with a membership recruitment campaign as part of the Trust's plan to develop an active and committed membership. A presentation on this campaign was scheduled for the Board of Governors' seminar on 26 January 2009.
4. The Chairman asked the Chief Executive to update the Board with regard to matters concerning the Birmingham Children's Hospital ("BCH"). The Chief Executive reported that the Healthcare Commission were currently investigating the matter, which stemmed from very serious concerns with potential clinical risks first raised by specialist clinicians employed by UHB who undertook some work at BCH. Whilst it was important not to prejudge the outcome of that investigation, it was appropriate that the Board of Governors were briefed on the series of events that had led to this.

The meeting discussed the actions taken by the Trust to date and there was unanimous support for the decision by the Trust not to respond to the inaccurate statements made in the press. It was agreed that the proper course of conduct was to allow the proper authorities (i.e. the Commissioners and the HCC) to investigate the matters.

G08/59 Report from Board of Governors Nominations Committee

The Chairman reported that the Committee had considered the steps that should be taken by the Trust with regard to filling the vacancy for a non-executive director that would arise on the expiry of the current term of Tony Huq, on 30 June 2009. The Committee had considered the requirements of good governance and, noting that Mr Huq will have served two terms totalling eight and a half years made three recommendations to the Board of Governors.

IT WAS RESOLVED that:

1. There should be an open competition for the appointment of a non-executive director to fill the vacant post and that any individual who met the requirements of the person specification for financial/commercial experience at a senior level within a large commercial organisation would be considered;
2. the Trust should engage the services of a recruitment agency to ensure a satisfactory field of candidates; and
3. if Mr Huq were, following the open competition, to be reappointed, any such reappointment would be subject to annual re-appointment.

G08/60 BNHP Progress Report

The Board considered the report by the New Hospitals Project Director, who confirmed that 2008 had been a very good year with the project continuing to be ahead of plan. The focus of the Trust had shifted to commissioning and completion, with detailed planning now taking place.

Resolved: To accept the reported progress.

G08/61 Quarterly Infection Control Report

The Board considered a report presented by the Chief Nurse. The trust continued to perform below its trajectories for both MRSA and Clostridium Difficile. There had been a small number of Norovirus cases, which had affected a very small number of staff – all such outbreaks had been successfully countered.

There was discussion regarding the treatment of patients with MRSA and about the proposed catering facilities at the new hospital. It was confirmed that, whilst the new hospital would not have full catering facilities in accordance with the design which envisaged food being prepared off-site, work was being undertaken to assess various different systems of food provision, with the objective of ensuring high quality and nutritious patient meals. Further work would be undertaken in this respect early next year and the Board of Governors would be involved in the process.

Resolved: To accept the reported progress.

G08/62 Quarterly Performance Indicators Report

The Board considered a report presented by the Executive Director of Delivery, who highlighted the achievement of the national thrombolysis target remained a risk for the Trust, due to the small number of cases now being undertaken following the expansion of the PPCI service and the poor performance of the ambulance trust. There was a short discussion regarding the issues with the performance of the ambulance trust and the

Chairman confirmed he was due to meet soon with his counterpart at WMAS to discuss these issues.

There was discussion about initiatives to reduce the number of DNAs (failures of patients to attend appointments), including the use of text message reminders. A review of Trust initiated cancellations had seen a reduction from 12% to 105, with further work needed to achieve the trust's target of 7.5%.

Resolved: To accept the reported progress.

G08/63 Quarterly Finance & Activity Report

The Board considered a report presented by the Director of Finance. The meeting noted the strong performance of the Trust and the favourable variance against budget of £7.9 million.

The Trust now had a Monitor financial risk rating of 5, the highest level. It was confirmed that none of the Trust's cash deposits were held with "at risk" institutions.

Resolved: To receive the contents of the report.

G08/64 Governors' Feedback

Councillor Hutching confirmed that the two issues he had requested to be raised (issues at BCH and catering arrangements in the new hospital) had been sufficiently dealt with already during the meeting.

G08/65 Any Other Business

There was a discussion about the investment in terms of both money and human resources that the Trust was committing to quality of care accounts. It was confirmed that the Trust had invested a considerable amount into quality systems and that the trust's Head of Governance was actively involved with the national patient safety campaign.

There was a short discussion regarding the need for the Trust to be aware of its carbon footprint.

G08/66 Date of Next Meeting

Thursday 17 March 2009
(pre meeting at 9.30am - 10.00 am). Main meeting 10.00am - 12.00noon
Meeting Rooms 1 & 2 Trust Headquarters

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Chair

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Date