

Draft

King's College Hospital

NHS Foundation Trust

King's College Hospital NHS Foundation Trust BOARD OF DIRECTORS

Minutes of the meeting of the Board of Directors held at 15.00 hrs on
Tuesday, 20 May 2008 in the Dulwich Committee Room, King's College Hospital

Present:	Michael Parker (MP)	Chair
	Robert Foster (RF)	Non-Executive Director (Vice Chair)
	Rita Donaghy (RD)	Non-Executive Director
	Prof Alan McGregor (AM)	Non-Executive Director
	Dr Martin West (MW)	Non-Executive Director
	Dame Jacqueline Docherty (JD)	Acting Chief Executive
	Michael Griffin (MG)	Executive Director of Human Resources
	Simon Taylor (ST)	Executive Director of Finance & Information Services
Non-voting Directors:	Roland Sinker (RS)	Director of Strategic Development
	Ahmad Toumadj (AT)	Director of Capital, Estates & Facilities
	Jane Walters (JW)	Director of Corporate Affairs
In attendance:	Rita Chakraborty (RC)	Assistant Board Secretary (minutes)
	Peter Fry (PF)	Assistant Director of Performance & Contracts
	Sally Lingard (SL)	Ass. Director of Communications & Marketing
	Keith Loveridge (KL)	Employee Relations Manager
	Brady Pohle (BP)	Senior Trust Solicitor
	Judith Seddon (JS)	Ass. Director of Governance
Observers:	Yvonne Grwerdler	
	Chrissie King	
	Marvin Nyadzayo	
	Tim Smart	

Item	Subject	Action
08/66	Apologies John Moxham and Maxine James.	
08/67	Declarations of Interest None.	
08/68	Chair's Action The Chairman reported that he had been asked to sign a Memorandum of Understanding with an educational institution in Zimbabwe. This was on behalf of the International Development Unit (IDU) and the Chairman was not aware of any financial obligations resulting from the MoU.	

The Board expressed concern that the proposed agreement had not been discussed by the IDU Board or the Trust Board of Directors and, secondly, that it was unclear whether legal advice had been sought. Concerns were also linked to the current political situation in Zimbabwe.

It was suggested that, in the first instance, Board members receive a copy of the proposed MoU and that a clear process is proposed to deal with similar situations arising in the future.

1. Circulate a copy of Memorandum of Understanding to Board members.	Jack Barker
2. Draft a process for dealing with requests to enter into a Memorandum of Understanding.	JW – next BoD

08/69 Minutes of the meeting held on 22 April 2008

The minutes of the meeting held on 22 April 2008 were APPROVED subject to the following changes:

08/52 & 08/45

Change 3rd bullet point to:

“The committee would like to see a boost in the research capability of the Dental Institute on the Denmark Hill site. The recent appointment to the **Dental** [remove “Ophthalmology”] Team of a consultant with strong research skills would help.”

08/58 – Response to a consultation on ‘A Picture of Health’

Remove ‘Acting’ from Tim Higginson’s job title. [Subsequent to the meeting, it has been confirmed that he is Acting Chief Executive.]

08/59 – Performance Review 2007/08

- 2nd sentence: “...improvements in [add] **meeting** government targets...”
- 3rd sentence: “Further reductions in infection control [add] **in year** may require quarterly targets.”
- Para 2, 2nd sentence: [remove] ...**such as more maternity services at Lewisham Hospital and the nearby newly planned Foundation for Fetal Medicine.**”
- Para 5, 1st sentence: “...in the HCC ratings system [add] **for use of resources...**”

08/62 – Workforce Strategy

Final sentence: “The Board NOTED and APPROVED the Workforce Strategy [add] **subject to sight of HR Strategy objectives in July.**”

08/70 Matters Arising/Action Tracking

08/55 Chief Executive’s Report

AHSC website hits to be provided by Sally Lingard.

08/69 – Minutes of 22 April 2008 Board of Directors

Add action re. HR Strategy Objectives to be received by Board in July.

08/71 Chair & Non-Executive's Report

Maxine James tabled an update on meetings attended in the previous month:

- April 1 Attended Audit Committee meeting with HpC and Sodexo
- April 22 Chaired Equality & Diversity Committee
Attended appraisal with Michael Parker
Attended Board meeting
- April 24 Attended CE short-listing meeting with Chair and NEDs
- April 25 Attended farewell event for Malcolm Lowe Lauri
- May 01 Attended Board strategy workshop
- May 09 Attended Chief Executive interview panel meeting

Dawn Primarolo MP, who had recently visited King's, had been impressed with the DVT unit and had commended its team.

The Chairman welcomed Tim Smart, who was briefly attending the meeting as part of his initial visit to the Trust, and congratulated him on his appointment as King's Chief Executive from October.

The Board NOTED the Chair and Non-Executive's Report.

08/72 Chief Executive's Report

Jacqueline Docherty presented the item. The Trust's financial position remained strong with a full year surplus of £12.5m, which was £5.2m above projection.

Work on meeting the 18-weeks target was progressing well, the result of collaborative working between clinicians and managers.

Extra activity was being accommodated both at King's – through extended days and weekend work, and at off-site units; for instance, some neurology and orthopaedics patients were being treated at Lewisham. Despite these challenges, infection control levels were continuing to fall.

The Trust was developing strategies for managing rising occupancy levels including fortnightly theatre lists to track medium term demand from clinicians.

Performance against targets was encouraging, especially the improvement in 62 day cancer waits, which had increased from 90% to 96%.

The results of the Healthcare Commission's 'Annual Health Check' were due later in the year and the Trust was hopeful of an 'excellent' rating in both categories.

The Trust was considering a trial IT system to track infection control patients, for which DoH funding was possible.

It was noted that Mike Marrinan's appointment as Deputy Medical Director was welcomed by clinicians. Candidates were being sought for a second post of Director of Trauma to provide additional support to the Executive Medical Director.

The 60th anniversary of the NHS will be marked at the Trust with a nursing conference. Senior politicians and DoH staff were being invited to attend.

The Board NOTED the Chief Executive's Report and CE Brief.

08/73 Finance Report – Month 12

Simon Taylor presented the item.

A meeting had taken place with the external auditor following completion of the main audit; no substantial concerns had been raised. The accounts and annual report will be considered for Board approval on 03 June at which point ST hoped the audit will be complete and an unqualified audit opinion offered.

The Chairman congratulated the Finance Team for their swift preparations within a tight turnaround.

The Board NOTED the Finance Report Month 12.

08/74 Healthcare Commission 2007 Staff Survey

Mike Griffin and Keith Loveridge presented the item.

Out of 26 key scores, the Trust had achieved its best results so far (measured as the top 20% for all NHS Trusts) for 11 survey scores but was in the bottom 20% for 6 scores.

The main changes since last year were highlighted along with actions taken following the past year's results.

The 2 areas where the Trust's score had declined since 2005 were 'bullying from staff' and 'well structured appraisals'. The increase in bullying may be linked to a campaign last year to raise awareness across the Trust. In the case of the appraisals issue, it was suggested that the blip might be due to the recent introduction of E-KSF – an electronic performance management system.

The Board explored the issue of 'percentage of staff working extra hours', for which the Trust's result was in the bottom 20%. This was acknowledged as an issue affecting most London Trusts. It was noted that King's aggregate score was the highest for all London acute teaching trusts.

The Board also discussed why more staff in Administration/Clerical and central functions/corporate services intended to leave their job compared with other staff groups. Vocational training was popular with Healthcare Assistants but the take-up of training opportunities amongst Administration/Clerical staff was lower. It also appeared that some staff groups were being recommended for a Commendation Award less often than others. Some analysis would be undertaken of the breakdown of awards by staff group.

The differences in experience by demographic group (gender, ethnicity and disability) were narrowing. The Chair commented that the Trust needed to be mindful of requirements under the Disability Discrimination Act. The number of staff categorising themselves as disabled had increased from 5% to 12%, and this change would be reflected in the Workforce Strategy objectives.

The Board NOTED Healthcare Commission 2007 Staff Survey.

Feed back on analysis of Commendation Award winners by staff group.
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MG – 24 June

08/75 National Inpatient Survey 2007 – headline findings

Jane Walters presented headline findings recently received from the National Inpatient Survey 2007. A full report will be given at the June meeting.

The following headline information was included:

- Comparison of King's scores 2004 – 2007
- Areas where King's had scored in the top 20% or bottom 20% of trusts nationally
- Comparison of King's position London acute teaching hospitals and hospitals in the South East London sector.

The data, which was gathered in July 2007, was based on the same format as the National Staff Survey. Using an average of the scores for all questions, the Trust was in fourth position for all London teaching hospitals.

The Board NOTED the headline findings of the National Inpatient Survey 2007 and that a more detailed report will be presented at the June Board meeting.

08/76 Legislative Review 2007/08

Brady Pohle introduced this item, which included updates on the implications of the Corporate Manslaughter and Homicide Act 2007 and Criminal Justice and Immigration Act 2008. Both acts came into force recently.

In the case of the Corporate Manslaughter Act, the primary focus would be the actions of the Board of Directors but the actions of General Managers and Ward Managers could also be relevant. If found guilty of a gross breach, the Trust could be liable for an unlimited fine, which would not be covered by existing insurance.

In addition to the two updates, it was noted that recent changes to data protection legislation were aimed at strengthening processes rather than for penalising one-off breaches. The Board was reminded that annual reports relating to information governance and the responsibilities of the Caldicott Guardian are considered by the Governance Committee.

The Board NOTED the Legislative Update.

08/77 Annual Plan 2008/09

Jacqueline Docherty and Peter Fry presented the Annual Plan for the formal approval of the Board.

The Board of Governors had been consulted on the content of the draft plan, which had also formed the basis of the 5 community consultation events for members held during March 2008. The views of members and Governors had been included within the final plan.

The plan comprised the following elements:

- Annual Plan Commentary
- Membership Report
- Board Statements covering the areas of risk, service performance, clinical quality, compliance with terms of authorisation and Board roles, structure and capacity.
- Update on Schedule 2 (mandatory goods and services) and Schedule 3 (mandatory education and training)

A draft of the plan had been forwarded to Monitor to ensure that they were content with the format and depth of information. The Trust was required to submit the final plan by 30 May.

A short summary would be prepared for circulation to staff and patients via wards, departments and payslip collection points.

Martin West queried how the Trust ensures that information on patient volumes is linked to financial projections. Jacqueline Docherty explained that the Executive Director of Finance attends Performance Committee meetings, whilst JD herself attends Finance Committee meetings ensuring a link to Performance and Operations. The minutes of both committees are circulated to the Board. In addition, the activity based costing system is used as an accurate proxy for financial forecasting. Finally, the Trust scorecard measures finance and performance metrics.

Simon Taylor added that the First Choice Team was exploring ways to compile and interrogate information more effectively through a web-based system.

Prior to consideration of the self-certification statements, the Board was reminded of the key sources of assurance detailed in the Schedule of Assurance accompanying the report, covering all 5 areas.

The Board of Directors:

1. NOTED the Annual Plan process
2. AUTHORISED the Acting Chief Executive to sign off any final amendments prior to submission of the Plan to Monitor
3. AUTHORISED the Acting Chief Executive and Chairman to sign the statements of self-certification, and
4. APPROVED the Annual Plan 2008/09.

08/78 Working Together

Jane Walters introduced this revised version, which had been approved by the Board of Governors on 6 May 2008. It was intended to provide a clear understanding and definition of the respective roles and responsibilities of both Boards, and a framework for how they will work together for the benefit of the Trust, its patients and the broader community.

It was suggested that a clarification note accompany the quotation from the FT Governors' Association paragraph under 2.2 (Role of the Board of Governors) in respect of the Governors' role in the appointment of the Chief Executive.

The Board APPROVED the document 'Working Together'.

08/79 Information Items

Clinical Excellence Awards 2008

Mike Griffin introduced the report, which included analysis of the outcome of the 2008 local Clinical Excellence Awards.

It was noted that there had been an increase in the number of successful applications from female entrants.

The BMA panel member had commended the Trust on its monitoring system.

Robert Foster commented on the huge commitment required of panel members and also suggested that the awards should allow for more recognition of part-time and support staff.

The Chairman commended panel members for their involvement.

The Board NOTED the report on the Clinical Excellence Awards 2008.

08/80 Any other Business

None.

08/81 Date of Next Meeting:

Tuesday 03 June 2008 at 3.00 pm in the Dulwich Committee Room.