

## 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 24<sup>th</sup> November 2009 in the Dulwich Committee Room, King's College Hospital

<b>Members</b>	Michael Parker (MP) Robert Foster (RF) Rita Donaghy (RD) Maxine James (MJ) Prof Alan McGregor (AM) Sir Jonathan Michael (JM) Dr Martin West (MW) Tim Smart (TS) Angela Huxham (AH)	Chair Non-Executive Director Non-Executive Director Non-Executive Director Non-Executive Director Non-Executive Director Non-Executive Director Chief Executive Executive Director of Workforce Development Acting Medical Director Executive Director of Operations Chief Financial Officer Executive Director of Nursing & Midwifery
	Michael Marrinan (MM) Roland Sinker (RS) Simon Taylor (ST) Dr Geraldine Walters (GW)	Acting Director of Strategy Director of Capital, Estates & Facilities Director of Corporate Affairs
<b>Non-voting Directors</b>	Zoe Lelliott (ZL) Ahmad Toumadj (AT) Jane Walters (JW)	
<b>In attendance:</b>	Sally Lingard Prof John Moxham Sir Anthony Merrifield Fiona Nicholls Judith Seddon Jenny Yao Rita Chakraborty Francesca Clough Jan Thomas	Ass. Director, Communications & Marketing Executive Director, King's Health Partners Chair, KCH Charity General Manager / Freedom of Information Lead Ass. Director of Governance Ass. Director of Quality Improvement Assistant Board Secretary (minutes) Staff Governor – Patient constituency

Item	Subject	Action
09/153	<b>Welcome and Apologies</b> Apologies – none	

**09/154      Declarations of Interest**

None.

**09/155      Chair's Action**

None.

**09/156      Minutes of the meeting held on 27<sup>th</sup> October 2009**

The minutes of the meeting held on 27<sup>th</sup> October 2009 were approved subject to the following amendment:

09/142 Finance Report month 6

3<sup>rd</sup> paragraph, final sentence "... a revised target surplus of £3m."

**09/157      Matters Arising**

None

**09/158      Chair/NEDs Report**

The Chair/NEDs Report was noted. In addition to the events listed, Michael Parker also attended the Cultural Diversity Group evening event on 28<sup>th</sup> October.

Maxine James gave the following verbal report:

- 6 October    Attended NHS London Board Development Masterclass
  - Carried out Go See Audit of Toni & Guy Ward and New Born Baby Unit accompanied by Jenny Yao
  - Attended Board to Board workshop with Governors
- 16 October    Attended African Communities Project open day in Hammersmith
- 21 October    Attended Mary Seacole Leadership & Development Awards at RCN
- 22 October    Attended Governance Committee
- 23 October    Attended Breaking Through annual conference
- 26 October    Attended meeting with Donna Kinnair
- 27 October    Attended Board Leadership seminar at Kings Fund on "Dealing with the Downturn" presented by Steve Barnett, NHS Confederation
  - Attended KCH Commercial Services AGM
  - Attended interview with King's Values Team
  - Attended Appointments & Remuneration Committee
  - Attended Board meeting
- 29 October    Attended launch of King's Values
  - Attended Board seminar
  - Attended OBV's BHM celebration with Rt. Hons Dawn Butler and Sadiq Khan

09/159

## **Chief Executive's Report**

Tim Smart presented the Chief Executive's Report and the following issues were highlighted:

### National targets

Although the A&E target of 98% was not met during October, performance had improved during November and the target was being achieved. The opening of the Medical Admissions Unit had contributed to this improvement; however, mounting pressures were likely to continue in the coming months.

### Winter Pressures

The impact of swine flu so far is lower than expected. The staff vaccination programme continues. The increase in patient numbers and capacity issues were being felt across most London trusts.

### Financial performance

The deficit position moved adversely in month 7 to £1.032m. However, the introduction of spending controls was taking effect. Further detail would be provided in the Finance Report.

### Electronic Patient Status Boards

The successful trialling of the boards will now be followed by the launch of a live system on 8 December – the first such system in the country.

### King's Values

Following the launch of King's Values in October, the DVD was available on the King's website, where there had been 2,500 hits so far. The DVD was also available via You Tube which was increasing coverage still further. The Executive were developing plans to deliver the second phase of the values work, further information on which would be provided at the next meeting.

### Tender for Soft Facilities Management

The tender process was now complete and an official announcement would be made by the Trust following a meeting of the HpC Board later that day.

The Board noted the Chief Executive's Report and CEO Brief.

**09/160**

**Finance Report – month 7**

Simon Taylor presented the Finance Report for month 7. The Trust had achieved a risk rating of '3', which was on target. The deficit had increased from £0.69m at month 6 to £1.032m and the finance position was now £3.6m adrift from the planned target of a £2.6m surplus. However, the deterioration was slower than in month 6.

The introduction of cost controls appeared to be working; weekly reports on requisition orders over the last 4-5 weeks showed that spending had dropped by £100k per week and was currently at the same level as last year. This did not include drugs expenditure or bank/agency costs but these were moving in the same direction. The full impact would be known in the next 2 months.

The impact on cashflow was considerable given a lag time of 4 - 5 months between expenditure associated with over-performance and receipt of income. The Trust would be discussing actual versus projected performance. Suppliers were pressing for prompt payment within 30 days.

Given that the cash balance was £7.105m against a year-end target of £25.614m, the Trust wished to apply, subject to Board approval, for an external loan from the FT Financing Facility of £5m to cover 50% of the Industrial Estate purchase price. The property purchase of Coldharbour Lane Industrial Estate is part of the planned capital expenditure for 2009/10 and the Trust's initial plan was to fund this capital purchase through internally generated resources. In the current economic climate, and to proceed with a challenging capital plan, the Trust requires a capital cash injection in order to improve the Trust's creditor payment performance to within the 10 day and 30 day DoH guidelines.

An additional factor placing pressure on finances was the continued use of facilities at Lewisham Hospital. The success of the Medical Admissions Unit would enable the Trust to close one of the temporary wards at Lewisham with effect from 1 December. The Trust would continue to operate Linden and Frank Cooksey wards.

Martin West asked about recovery of income from private patients. Simon Taylor responded that delays in payment were due mainly to slow response from foreign embassies and UK insurers.

**09/161 Performance Report - month 6**

Roland Sinker presented the performance report. In Month 6, the Trust achieved two out of four key areas of performance –18 weeks referral to treatment and infection control - but was off target on the emergency 4 hour wait and for average length of stay (ALOS).

A&E faced several challenges around staffing, acuity of patients, and the 'halo' effect associated with the award of Trauma Centre status. However, the situation had improved following an action plan signed off by the Lambeth, Southwark and Lewisham PCT Alliance and NHS London.

Following the success of the Medical Admissions Unit a surgical admissions unit was now being considered.

In the future, the performance report would include data on performance against targets set by the lead commissioner (NHS Southwark).

Average Length of Stay targets had not been met. Investigation and a subsequent action plan, focussing on admission just before surgery and driving down discharge times, had helped to reduce elective ALOS levels to just above target. Non-elective ALOS had also improved since the opening of the Medical Admissions Unit in October.

Other areas for focus were MRSA screening and timely responses to complaints.

The following observations were noted:

- Experienced acute physicians were needed in the Medical Admissions Unit with the forthcoming departure of an experienced locum.
- Performance scorecard – improvement in the vacancy rate was reflection of improved establishment control and more accurate data collection.

The Board noted the Month 6 Performance Report and scorecard.

<b>Performance report to include data on performance against targets set by the lead commissioner (NHS Southwark).</b>	<b>RS</b>
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**09/162 Quality Focus**

Tim Smart presented a report on the Quality agenda in the following 3 key areas:

- Embedding quality into operational delivery
- Delivering the trust's 4 identified quality priorities
- Developing capability and a high performing culture

There was a discussion concerning mortality performance – one of the trust's 4 quality priorities. King's had made strong progress in recent months according to both the CHKS risk-adjusted mortality index and the Dr Foster model. It was felt that the main causes were more appropriate categorisation of data and closer scrutiny by the Trust of any areas of concern.

The Trust had zero 'never events' as defined by the National Patient Safety Agency.

The Trust's MRSA levels were below the national target but above the average level for London teaching hospitals.

Executive 'Go See' visits would re-focus on patient dignity.

Alan McGregor suggested that an indicator was introduced to monitor the number of patient falls. It was noted that the new electronic patient status boards can record falls incidents.

Sir Anthony Merrifield suggested that KCH charity could consider funding to assist with quality initiatives.

The Board noted the update on Quality.

<b>Introduce an indicator to monitor the number of patient falls.</b>	<b>RS/GW</b>
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09/163

### **Update on King's Health Partners**

John Moxham tabled a brief update on KHP and gave the following verbal update:

#### Memorandum of Understanding with University of California, San Francisco

UCSF was the 7<sup>th</sup> strongest AHSC in the US with particular strengths in transplantation, cardio-vascular and neurosciences. A joint workshop, sponsored by the British consulate, was being planned to focus on immunology, genetics and global health. It was hoped that clinical interactions would develop in the future.

#### HIEC bids

21 bids were submitted across England. Initial feedback indicated that the 3 bids from London HIECs were well received. Success would provide opportunities to bid for innovation money. A 'dry run' had taken place the same day to prepare for the formal panel assessment in early December where KHP would be represented by Stuart Bell, Anne Greenough and Robert Lechler.

#### CAG leader appointment process

Job descriptions were being finalised; adverts would be issued soon with recruitment and selection phased during spring 2010 in four waves. The job descriptions would be circulated to Board members.

#### Vascular services

Discussions had been taking place amongst KHP clinicians concerning vascular surgery services following announcement of Healthcare for London's intention to review models of care. There was support for a cross-campus service led by St Thomas' as this would create the largest and most comprehensive service in London capable of meeting required patient volumes.

There were inter-dependent services, such as interventional radiology, which would require a presence on each site. Any decision about service configuration would involve prior discussions with local commissioners, and be presented formally for approval to the Board.

#### Cardiology and Cardiac Surgery

HfL models of care suggested that more complex mitral valve repairs will be required, therefore the volume of procedures would be increasingly important. Other areas of focus will be aortic dissection and electro-physiology.

### Cancer care

Services in England needed considerable improvement to match those in comparable European countries. KHP and the Royal Marsden have both indicated a willingness to collaborate and discussions on how to take this forward continue.

### Campus plans

An overall vision for KHP was being discussed at strategy leads meetings and also through CAG strategy plans. CAG accreditation included a requirement for clear evidence of 30% efficiencies. For instance, the change in vascular pathways would result in surgical rotas covering both sites and shared equipment.

Finally, TS informed the Board that the earliest anticipated date for a presentation of a partnership agreement to individual boards would be January 2010. It was agreed that a final draft would be circulated to the Board before presentation for formal approval.

The Board thanked John Moxham for his verbal update.

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| <ul style="list-style-type: none"><li>• <b>CAG leader job descriptions had been circulated to Board members.</b></li><li>• <b>A final draft of the partnership agreement will be circulated to the Board in advance of its formal consideration.</b></li></ul> | <b>TS</b><br><b>TS</b> |
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**09/164**

### **Emergency Department re-development update**

Roland Sinker and Sally Lingard presented the report.

Following the public consultation into the re-development of the Emergency Department, the Boards of all four partner organisations involved ( KCH, SLAM, NHS Southwark, NHS Lambeth) were being invited to approve the broad design and layout of proposals for the use of space for a re-developed emergency department. The redesign had been warmly endorsed by service users.

Once the design has been approved in principle by the partner Boards, KCH will formally take over management of the project and initiate the tender process. Approval will also be required for an internal business case setting out capital and revenue expenditure, details of which will become clearer once the tender process has concluded.

The Board approved in principle the re-design of the Emergency Department.

**09/165**

**Declaration of Compliance with Core Standards**

Judith Seddon presented a report outlining the process for reviewing compliance with the Core Standards for the period 1 April – 31 October 2009 and the recommendations of King's Executive on compliance for each standard. She acknowledged the expert assistance of Fiona Nichols and members of the risk and clinical effectiveness teams in discharging this process over recent months.

The trust was required to make a part year declaration to the CQC by 7 December 2009.

Following the breach of the Hygiene Code earlier in the year, the process for providing assurance to the Board on compliance with core standards had been reviewed and strengthened. The process had involved a structured system of risk assessment and enhanced inspection, underpinned by an evidenced audit trail.

The Board made the following observations:

C7 - the importance of measuring risk and recognition that corporate governance requires greater capacity

C14 – whether there is a correlation between levels of patient complaints and current performance. JS responded that issues are dealt with swiftly, wherever possible; however, this leaves the more complicated and lengthier cases.

It was noted that any standards flagged as amber would be addressed in an action plan.

The Board :

- i) agreed that it had received *reasonable assurance* that there had been *no significant lapses* for the period April – October 2009 and that on this basis therefore, the Trust was compliant with all core standards.
- ii) agreed that in line with previous years that the electronic sign off of the Declaration be undertaken by recording the name of the Board of Directors on the Care Quality Commission's on-line declaration form.
- iii) Congratulated the team involved on the implementation of a thorough and well evidenced process

**09/166**

**Confirmed Minutes of Committee Meetings**

The Board noted the following confirmed minutes:

- Performance – 08 October 2009
- Finance – 22 September 2009

**09/167**

**AOB**

None

**09/168**

**Date of Next Meeting: Tues 15 December, 3.00 pm - Dulwich Rm**