

**King's College Hospital NHS Foundation Trust Board of Directors - PUBLIC**

Minutes of the meeting of the Board of Directors held at 14:30 on Tuesday, 21 May 2013 in the Dulwich Committee Room, King's College Hospital.

**Members:**

Prof Sir George Alberti (GA)	Trust Chair
Graham Meek (GM)	Non-Executive Director, Vice Chair
Marc Meryon (MM1)	Non-Executive Director
Chris Stooke (CS)	Non-Executive Director
Faith Boardman (FB)	Non-Executive Director
Sue Slipman (SS)	Non-Executive Director
Prof. Ghulam Mufti (GM1)	Non-Executive Director
Tim Smart (TS)	Chief Executive
Roland Sinker (RS)	Chief Operating Officer
Simon Taylor (ST)	Chief Financial Officer
Dr. Michael Marrinan (MM)	Medical Director
Dr. Geraldine Walters (GW)	Director of Nursing & Midwifery
Angela Huxham (AH)	Director of Workforce Development (until item 13/63)
Jane Walters (JW) – <i>Non-voting Director</i>	Director of Corporate Affairs
Jacob West (JW1) - <i>Non-voting Director</i>	Director of Strategy (except for part item 13/62-13/63)

**In attendance:**

Jill Lockett	Director of Performance & Delivery (KHP)
Sally Lingard (SL)	Associate Director of Communications
Tamara Cowan (TC)	Board Secretary (Minutes)
Marion MacKay (MM)	King's Charity Trustee
Stuart Owen	Public Governor
James Eales	NHS Graduate Management Trainee
Tim Killen	Astellas Pharma Ltd
Sara Nelson	Strategic Clinical Network – NHS England
Ansu Dooraree	Astellas
Geoff Worley	Trust Member
Catherine Stack	Trust Staff (item 3.1.2 only)

**Apologies:**

<u>Item</u>	<u>Subject</u>	<u>Action</u>
13/75	<u>Apologies</u>  Apologies for absence were noted.	
13/76	<u>Declarations of Interest</u>  There were no declarations of interest.	

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13/77	<b><u>Chair's Action</u></b>	
	There were no Chair's actions to report.	
13/78	<b><u>Minutes of previous meetings – 30 April 2013</u></b>	
	The minutes of the meeting held on 30 April 2013 were approved as a correct record.	
13/79	<b><u>Action Tracking/Matters Arising</u></b>	
	The following matters arising were noted:	
	<ul style="list-style-type: none"> <li>• TS had been in contact with Sir Robert Naylor, Chief Executive University College Hospital London, about sharing intelligence about cancer survey results. Sir Naylor had agreed to provide the Trust with some insights into its services and Polly Edmonds would follow this up;</li> <li>• Nick Hurd had donated money, through NESTA, to the Trust's Volunteer programme on behalf of the government and this sum would be matched by the Trust's Charity; and</li> <li>• The Secretary of State for Health, Jeremy Hunt MP, visited the Trust to look at how the the governments paperless NHS initiative has been implemented in the hospital.</li> </ul>	
13/80	<b><u>Chair's and Non-Executive Directors' (NED) Report</u></b>	
	The report on the activities of the Chairman and non-executive directors for the period was noted.	
13/81	<b><u>Update from Board Committee Chairs</u></b>	
	<u>Quality &amp; Governance Committee (QGC)</u>	
	GM1 reported that one of the key remits of the Committee was to review the Trust performance in the three quality domains. In all these areas, QGC is assured that everything is happening that should be.	
	In the wake of the Francis Report recommendations the Trust is looking at how to ensure it continues to address the right issues through this Committee.	
	<u>Strategy Committee</u>	
	SS reported that the Committee is trying to concentrate on key issues confronting the Trust. Through its review of the Trust's strategic matrix and horizon scan and consideration of wider strategic issues the Committee can challenge and develop key objectives for the Trust.	

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	<p>The Committee is increasingly inviting external presenters to help shape the internal strategic thinking and direction of travel. Most recently Merav Dover attended the Committee to present on the development on the integrated care programme which is an important area of work for the Trust. The Committee also has regard and oversight of the commercial activities of the Trust.</p>	
	<p><u>Finance &amp; Performance Committee</u> GM advised that the Committee met on a monthly basis to review operational and financial performance.</p>	
	<p>Given the current demand and capacity challenges the Committee has had extensive discussions about financial and operational performance.</p>	
	<p><u>Audit Committee</u> CS reported that the Committee routinely received and reviewed audit report from KPMG, Deloitte and the internal Counter Fraud Team. Senior members of the management team are also invited to attend Committee meetings especially when there is a particular area where further assurance is required.</p>	
	<p>The Committee plays a significant role in shaping the internal and external audit plans and approving the annual report accounts for the Trust.</p>	
	<p><u>Equality &amp; Diversity Committee</u> MM1 reported that the Committee is made up of executive and non-executive directors and diversity and inclusion leads. It is responsible for setting the '<i>effortless inclusive</i>' objectives for the Trust and implement the equality diversity system.</p>	
	<p>The Committee is now looking at how it can streamline and better deliver its remit.</p>	
13/82	<p><b><u>Update on Council of Governors Activities</u></b></p>	
	<p>The report on the activities of the Council of Governors for the period was noted.</p>	
13/83	<p><b><u>Chief Executive's Report</u></b></p>	
	<p>The Board noted the Chief Executive's report for the period.</p>	
	<p>The following key points were noted:</p> <ul style="list-style-type: none"> <li data-bbox="298 1614 1370 1677">• The level of performance at the Trust is very high and encouraging. However, it was unfortunate that the Trust missed the Emergency Department target;</li> <li data-bbox="298 1715 1370 1845">• The whole health system is under enormous pressure, in addition to the local challenges around the unwinding of South London Healthcare Trust (SLHT), judicial review of the decision about Lewisham services and the issues facing St George's and Croydon hospital;</li> <li data-bbox="298 1883 1370 1946">• The pressures on A&amp;E had been featured in the press recently and the Trust has been invited to comment and provide evidence;</li> </ul>	

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- With such challenges it is getting increasingly difficult for the Trust to sustain its current level of performance;
- Accordingly, the Trust continues its current negotiation with the NHS Trust Development Authority for the proposed acquisition of the Princess Royal University Hospital (PRUH); Work continues between KHP partners and developing plans for closer integration of the organisations; and
- Across the sector, there is partnership working on urgent care pathways and Shelford Group members are collaborating on joined-up approaches to the system.

**13/84**      **King's Health Partners' (KHP) Update**

The Board noted the update on KHP activity and the presentation provided by Jill Lockett (JL).

The following key points were noted:

- The pre-qualification questionnaire will be submitted on 31 May 2013. JW1 has provided invaluable support and help pulling together the application;
- The Academic Health Sciences Network (AHSN) was provided with an unqualified licence and funding of £4.5m for one year. The AHSN will have to prove it can deliver its key objectives before further funding is provided;
- Clinical Academic Groups (CAGs) workshops to facilitate the development of the KHP full business case (KHP FBC) are ongoing; and
- CAGs are working well together and in some areas are developing joint research strategies. This can be evidenced by work between the Child Health and the Child and Adolescent Mental Health CAGs to develop research in eating disorder.

**13/85**      **Performance Report – Month 01**

RS presented the performance report from Month 01.

The Board noted the report and the following key points:

- The Trust access target and 'how are we doing?' scores;
- During April/May faced significant challenges with healthcare acquired infection, never events and referral to treatment targets;
- The Trust has developed mitigating strategies in these areas but capacity constraints remain a significant catalysis and challenge;
- Tertiary transfers are also a casualty of high demand for services with the number of bed days increasing;

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- The Trust has agreed contracts with Clinical Commissioning Groups (CCGs) and is now finalising the contract with NHS England; and
- Work from the Francis Group, made up of governors, non-executive directors, CCGs and executive team members, continue and the staff listening activities had been launched.

The Board noted the performance report and reiterated how seriously the Trust regards safety.

<b>13/86</b>	<b><u>Quarterly Patient Experience Report</u></b>	
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The Board noted and discussed the Quarterly Patient Experience report.

The following key points were raised:

- The Trust is performing well but is below the benchmark in maternity;
- The Trust has a plan around improving patient care by using listening and involvement events for staff and patients under the banner 'all together better';
- The friends and family test (F&F) was launched but the challenge of getting feedback from the emergency department remains. The F&F results will be published in July.
- The Trust is also looking at how it captures softer patient feedback and the feasibility of introducing text feedback for patients;
- The complaint response rates are up 10% on last year with many complaints being resolved by the Patient Advisory Liaison teams;
- The volunteer programme is doing well and will receive funding from NESTO. The Trust's Charity would match this funding and it will be used to conduct an impact study; and
- One of the quality priorities for the coming year is capturing and building on learning points for the coming year.

**It was agreed that service improvements would be presented to the Board and a breakdown of the areas of complaints would be included in the quarterly patient experience report.**

**JW**

<b>13/87</b>	<b><u>Annual Plan 2013-2014 – Forward Plan</u></b>	
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The Board was presented with the forward plan for 2013-2014 for approval.

JW1 advised that:

- The forward plan does not include any of the proposals around the proposed acquisition of the Princess Royal University Hospital (PRUH) because the transaction is not yet finalised.

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Should the proposed acquisition go ahead the Trust would be required to submit a revised plan to Monitor; and

- The forward plan has been shaped:
  - by the financial constraints in the NHS budget, the Trust's stretch CIP plans and the challenges around increasing demand and reducing price;
  - the new commissioning environment with a majority of the Trust services now being commissioned through NHS England; and
  - the need to provide high quality services and care to patients despite the external factors impacting on the Trust. The importance of quality is further highlighted in the recommendations from the Francis Report.

The Board raised the following in discussion:

- The Trust had done a good job planning for 2013/14 given the challenges in the internal and external environment;
- The plan needs to be kept under close scrutiny with enough fluidity to reflect the underlying tectonic plates; and
- The fundamental rationale in the plan should be that the Trust wants to deliver high quality patient care.

**The Board approved the forward plan for 2013-14.**

<b>13/88</b>	<b><u>Annual Plan 2013-2014 – Membership Return</u></b>	
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**The Board noted and approved the membership return for submission to Monitor as part of the annual plan.**

<b>13/89</b>	<b><u>Annual Plan 2013-2014 – Board Statement</u></b>	
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The Board considered the Board Statements which will be submitted as part of the annual plan submission.

The Board raised and noted the following:

- There were four new statements three of which were not part of the Compliance Framework but Monitor had asked the Trust to self-certify against them;
- The Council of Governors had been asked for their input on their training programme for 2013-14 and they are happy the Trust has sufficient plans in place; and
- Given the challenges the Trust has had around healthcare acquired infections, referral to treatment and emergency department targets in the first two months of the year it is not possible for the Trust to declare compliance with Statement 11 and consequently the Statements 6 and 8. The action plans in each of these areas will be presented to the Board and the finance and performance committee every month.

<u>Item</u>	<u>Subject</u>	<u>Action</u>
	<p><b>The Board agreed that:</b></p> <ul style="list-style-type: none"> <li>• <b>It would self-certifying non-compliance with Statement 11 in the following areas:</b></li> <li>• C-Difficile – Despite good performance in 12/13, the new prescribed quota of 49 case presents further challenges therefore this is an area of risk for the Trust;</li> <li>• MRSA – The Trust performed very well with only 2 cases in 12/13, however, the de-minimis of 6 means that this is a continued risk in 13/14;</li> <li>• 18 week admitted referral to treatment – The Trust is planning to proactively reduce more of its longer-waiters. This will result in the Trust breaching its 18 week admitted RTT target; and</li> <li>• Emergency Department (ED) target – In line with trend in the health system, the Trust has experienced two years of step increase in the acuity of emergency patients attending ED. The Trust believes this trend will continue in 13/14 which puts achievement of the ED 4-hour target at risk.</li> <li>• <b>Accordingly, the Board is also self-certifying non-compliance with:</b></li> <li>• Statement 6 due to the link with Statement 11 in respect of continued compliance with its licence; and</li> <li>• Statement 8 with reference to the link with Statement 6 regarding 'continued compliance', but in all other respects will be compliant.</li> <li>• <b>The Board would self-certify compliance with statements 18 and 19(ii) despite not forming part of the Compliance Framework; and</b></li> <li>• <b>The Board will review action plans for addressing these risks on a monthly basis and keep Monitor abreast of any material developments.</b></li> </ul>	
13/90	<p><b><u>Confirmed Minutes</u></b></p> <p>The Board noted the confirmed minutes of the Finance &amp; Performance Committee held on 26 March 2013.</p>	
13/91	<p><b><u>Any Other Business</u></b></p> <p><u>Centenary Plans</u></p> <p>SL advised that plans are in place for the Trust's centenary celebrations in the summer. Banners, sculptures and displays will be placed around the Trust in the coming weeks.</p> <p>Fact plaques will be placed around the Trust and the William Bentley Todd Unit would be given a facelift.</p> <p><b>It was agreed that SL would circulate further details to the Board for information.</b></p>	

**Item**

**Subject**

**Action**

13/92

**Date of Next Meeting**

Tuesday, 28 May 2013 at 11:00 in the Dulwich Committee Room.