










AGENDA FOR THE MEETING OF THE COUNCIL OF GOVERNORS





17 November 2016, 2.00pm







(Governor registration and hospitality available between 1.00pm and 1.45pm)
 Middlesbrough Football Club







Agenda:

| No | | What we will talk about | Why are we talking about this | Lead Person | Supporting Paper / Spoken report |
|---------------------------------------|---|---|--|---|----------------------------------|
| 2.00pm - 2.15pm Standard Items | | | | | |
| 1. |   | Welcome and apologies for absence | <p>For information To make sure that we have enough Governors present to be quorate and introduce any new attendees.</p> <p>To advise of housekeeping arrangements</p> | Lesley Bessant, Chairman  | Spoken |
| 2. |  | Minutes of the meetings of the Council of Governors held on 29 September 2016 and 21 October 2016 | <p>To agree To check and approve the minutes of these meetings</p> | Lesley Bessant, Chairman | Attached |
| 3. |  | Public Council of Governors' Action Log | <p>To discuss To update on any action items</p> | Lesley Bessant, Chairman | Attached |
| 4. |  | Declarations of Interest | <p>To agree The opportunity for Governors to declare any interests with regard to any matter being discussed today</p> | Lesley Bessant, Chairman | Spoken |

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|----|--|---------------------------------|---|--------------------------|--|
| 5. |   | Chairman's activities | <p>For information To hear from the Chairman on what she has been doing since the last meeting There will be an opportunity to ask any questions</p> | Lesley Bessant, Chairman | Spoken |
| 6 |  | <p>Questions from Governors</p> | <p>To discuss To consider any questions raised by Governors which are not covered elsewhere on the agenda <i>(Governors are asked to provide the Trust Secretary with at least 24 hours written notice if they wish to receive a formal answer to their questions at the meeting.)</i></p> | Lesley Bessant, Chairman | <p>Spoken</p> <p>1. <u>Cliff Allison, Public Governor Durham</u></p> <p>How aware are staff at ward level of the policy on confidentiality, and are there cases when a “best interest” approach would be appropriate? An example might be when a patient with suicidal tendencies is admitted to hospital and the parents are not informed of the admission with the resulting anguish of the parents who may think that he/she is dead or in danger.</p> <p>2. <u>Dr Judith Hurst, Staff Governor Corporate Services</u></p> <p>At a time when we see so many excellent Tewv developments on its Facebook page, I am constantly getting disheartened at the small number of consistent messages from members of the public, who seem to be disheartened in some way and picking on the good work we do.</p> <p>Can I ask the board what is the approach we are taking with these people , have we spoken to them face to face to try to have some supportive conversations that could lead to a better outcome.</p> |

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| 2.15pm – 2.25pm Governance Related Items | | | | | |
| 7. |  | Summary of the discussions held at meetings of the Board of Directors from September 2016 to October 2016 | For information An opportunity to read through the key areas discussed at recent meetings of the Board of Directors | Lesley Bessant, Chairman | Attached |
| 8. |  | Increasing Transparency and Engagement | To agree To consider a report on increasing transparency and understanding of the work and performance of the External Auditors. | Marcus Hawthorn Non Executive Director | Attached |
| 9. |  | Governor Appointments | To agree The Council of Governors is being asked to agree the appointment of Governors to a number of working groups (see below). | Phil Bellas, Trust Secretary  | Spoken |
| | | <p>Appointments will be agreed by a secret paper ballot if more nominations are received than positions available.</p> <p>Nominations must be supported by a statement of no more than 250 words and received by 11 November 2016. There will be no opportunity to submit names after this time.</p> <p>The written personal statements will be circulated at the meeting, there will be no verbal statements made.</p> | | | |

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| | | <p>Trust Working Groups To appoint a Governor to each of the following groups for a period of 12 months:</p> <ul style="list-style-type: none"> a. Environmental b. Equality and Diversity c. Patient Experience d. Workforce | | | |
| 2.25pm – 2.35pm Quality Related Items | | | | | |
| 10. |  | <ul style="list-style-type: none"> i. Compliance activity in relation to the Care Quality Commission ii. An update on any items of relevance following contact with the Care Quality Commission not contained in the report at i. | <p>For information To receive a briefing on the latest information from Care Quality Commission Inspections of the Trust</p> | <p>Elizabeth Moody Director of Nursing and Governance</p>  | Attached |
| 11. |  | Service changes | <p>For information To receive a briefing on changes and improvements to services in the Trust</p> | <p>Brent Kilmurray Chief Operating Officer</p>  | To follow |
| 12. |  | Quality Account | <p>For information To receive the Trust's draft Quality Account for Quarter 2, 2016/17</p> | <p>Sharon Pickering, Director of Planning, Performance and Communications</p>  | Attached |

| No | | What we will talk about | Why are we talking about this | Lead Person | Supporting Paper / Spoken report |
|--|---|---|--|---|----------------------------------|
| 2.35pm – 2.55pm Performance Related | | | | | |
| 13. |  | The Trust's Performance Dashboard as at end September 2016 | For information To review the performance of the Trust key indicators | Sharon Pickering, Director of Planning, Performance and Communications | Attached |
| 14. |  | The Trust's Finance report as at end September 2016 | For information To receive information and review the current financial position of the Trust | Drew Kendall, Interim Director of Finance  | Attached |
| 15. |  | Council of Governors Development Plan 2016/17 | For information To receive an update on the development plan for the Council of Governors | Phil Bellas, Trust Secretary | Attached |
| 2.55pm – 3.05pm Standing Committees | | | | | |
| 16. |  | Task and Finish Group: Member and Stakeholder Representation and Engagement | For agreement To receive a report and approve the recommendations of the task and finish group | Richard Simpson Non Executive Director | Attached |
| 3.05pm Procedural | | | | | |
| 17. |  | Date and Time of next meeting: 23 February 2017, 2.00pm Holiday Inn Darlington, Scotch Corner, Richmond DL10 6NR | | | Spoken |

| No | | What we will talk about | Why are we talking about this | Lead Person | Supporting Paper / Spoken report |
|-----|--|--|-------------------------------|-------------|----------------------------------|
| 18. | | <p><u>Confidential Motion</u></p> <p><i>“That representatives of the press and other members of the public be excluded from the remainder of this meeting on the grounds that the nature of the business to be transacted may involve the likely disclosure of confidential information as defined in Annex 9 to the Constitution as explained below:</i></p> <p><i>Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office-holder, former office-holder or applicant to become an office-holder under, the Trust.</i></p> <p><i>Any terms proposed or to be proposed by or to the Trust in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.</i></p> | | | |

Lesley Bessant
Chairman
Contact:

Phil Bellas, Trust Secretary Tel. 01325 55 2001/Email: p.bellas@nhs.net

Statement of values and behaviours

Commitment to quality

We demonstrate excellence in all of our activities to improve outcomes and experiences for users of our services, their carers and families and staff.

Behaviours:

- Put service users first.
- Seek and act on feedback from service users, carers and staff about their experiences.
- Clarify people's needs and expectations and strive to ensure they are exceeded.
- Improve standards through training, experience, audit and evidence based practice.
- Learn from mistakes when things go wrong and build upon successes.
- Produce and share information that meets the needs of all individuals and their circumstances.
- Do what you / we say we are going to do.
- Strive to eliminate waste and minimise non-value adding activities.

Respect

We listen to and consider everyone's views and contributions, maintaining respect at all times and treating others as we would expect to be treated ourselves.

Behaviours:

- Be accessible, approachable and professional.
- Consider the needs and views of others.
- Be open and honest about how decisions are made.
- Observe the confidential nature of information and circumstances as appropriate.
- Be prepared to challenge discrimination and inappropriate behaviour.
- Ask for feedback about how well views are being respected.
- Consider the communication needs of others and provide a range of opportunities to access information.

Involvement

We engage with staff, users of our services, their carers and families, governors, members, GPs and partner organisations so that they can contribute to decision making.

Behaviours:

- Encourage people to share their ideas.
- Engage people through effective consultation and communication.
- Listen to what is said, be responsive and help people make choices.
- Provide clear information and support to improve understanding.
- Embrace involvement and the contribution that everyone can bring.
- Acknowledge and promote mutual interests and the contributions that we can all make at as early a stage as possible.
- Be clear about the rights and responsibilities of those involved.

Wellbeing

We promote and support the wellbeing of users of our services, their carers, families and staff.

Behaviours:

- Demonstrate responsibility for our own, as well as others, wellbeing.
- Demonstrate understanding of individual and collective needs.
- Respond to needs in a timely and sensitive manner or direct to those who can help.
- Be pro-active toward addressing wellbeing issues.

Teamwork

Team work is vital for us to meet the needs and exceed the expectations of people who use our services. This not only relates to teams within Tees, Esk and Wear Valleys NHS Foundation Trust, but also the way we work with GPs and partner organisations.

Behaviours:

- Be clear about what needs to be achieved and take appropriate ownership.
- Communicate well by being open, listening and sharing.
- Consider the needs and views of others.
- Be supportive to other members of the team.
- Be helpful.
- Fulfil one's own responsibilities.
- Always help the team and its members be successful.

**MINUTES OF THE COUNCIL OF GOVERNORS MEETING HELD ON 29
SEPTEMBER 2016, 5.30 PM AT MIDDLESBROUGH FOOTBALL CLUB**

PRESENT:

Lesley Bessant (Chairman)
Cliff Allison (Durham)
Mary Booth (Middlesbrough)
Peter Burgess (Durham)
Martin Coombs (York)
Hilary Dixon (Harrogate and Wetherby)
Dr John Drury (CCG representative for Hartlepool, Stockton on Tees and South Tees)
Gary Emerson (Stockton on Tees)
Chris Gibson (Harrogate and Wetherby)
Andrea Goldie (Darlington)
Marion Grieves (Teesside University)
Glenda Goodwin (Staff, Forensic)
Hazel Griffiths (Harrogate and Wetherby)
Catherine Haigh (Middlesbrough)
Dennis Haithwaite (Darlington)
Anthony Heslop (Durham)
Simon Hughes (Staff, Teesside)
Dr Judith Hurst (Staff, Corporate)
Gary Matfin (Staff, York and Selby)
Cllr Ann McCoy (Stockton Borough Council)
Keith Mollon (Durham)
Dr Lukkur Murthy (Durham)
Jean Rayment (Hartlepool)
Dr David Smart (CCG representative for Co Durham and Darlington)
Helen Swiers (North Yorkshire County Council)
Sarah Talbot-Landon (Durham)
Gillian Restall (Stockton on Tees)
Richard Thompson (Scarborough and Ryedale)
Judith Webster (Scarborough & Ryedale)
Vanessa Wildon (Redcar and Cleveland)
Colin Wilkie (Hambleton & Richmondshire)

IN ATTENDANCE:

Jim Tucker (Deputy Chairman)
Colin Martin (Chief Executive)
Phil Bellas (Trust Secretary)
Marcus Hawthorn (Non-Executive Director)
Brent Kilmurray (Chief Operating Officer)
David Levy (Director of Human Resources and Organisational Development)
Elizabeth Moody (Director of Nursing and Governance)
Sharon Pickering (Director of Planning and Performance)
Shirley Richardson (Non-Executive Director)
Tina Shann (Membership Administrator)
Richard Simpson (Non-Executive Director)
Hugh Griffiths (Non-Executive Director)
David Jennings (Non-Executive Director)

Paul Murphy (Non-Executive Director)
Richard Simpson (Non-Executive Director)

OBSERVERS:

The following student nurses were present:

Rebecca Ward, Gemma Weeks, Lucy Whitelaw, Isabel Withrington, Rhiannon Walpole, Ashley Williams, Emilie Wood, Samuel Woolhouse, Melissa Wright, Paul Zvomuy, Megan Connor

16/49 APOLOGIES

Drew Kendall (Interim Director of Finance)
Dr Nick Land (Medical Director)
Kathryn Ord (Deputy Trust Secretary)
Dr Mina Bobdey (Rest of England)
Richenda Broad (Middlesbrough Council)
Janice Clark (Durham)
Dr Nathaniel Drake (York)
Paul Emerson-Wardle (Stockton on Tees)
Claire Farrell (Redcar and Cleveland)
Elizabeth Forbes-Browne (Scarborough and Ryedale)
Betty Gibson (Durham)
Dr Peter Harrison (York)
Prof Pali Hungin (Durham University)
Lesley Jeavons (Durham County Council)
Kevin Kelly (Darlington Borough Council)
Ashley Mason (City of York)
Debbie Newton (representative for North Yorkshire Clinical Commissioning Groups)
Wendy Pedley (Staff, North Yorkshire)
Zoe Sherry (Hartlepool)
Angela Stirk (Hambleton and Richmondshire)
Prof Ian Watt (University of York)

16/60 WELCOME

The Chairman opened the meeting and noted apologies.

16/61 MINUTES OF PREVIOUS MEETINGS

The Council of Governors considered the minutes from the public meetings, held on 13 July 2016 and 20 July 2016.

Agreed – That the minutes of the meeting held on 13 July 2016 and 20 July 2016 be approved and signed by the Chairman, subject to Mr David Levy being noted as present at the 13 and 20 July 2016 meetings.

16/62 PUBLIC ACTION LOG

Consideration was given to the public action log noting the relevant updates provided at the meeting including:

1) Minute 16/07 – Café/restaurant provision.

There had been a discussion with Mr Allison prior to the Governor meeting and the work around improvements for café facilities at Trust premises had been taken forward. Work would commence at West Park Hospital in October 2016 to upgrade the café provision.

2) Minute 16/07 - Mobile phone access for patients.

The revised protocol and guidance now highlighted the importance for service users and patients having access to staff mobile telephone numbers. The guidance had been agreed by the Patient Safety Team and would be distributed to staff.

3) Minute 16/12 – Data within the Crisis Service Update Report

The report had been circulated on 2 August 2016.

4) Minute 16/23 – update on ADHD Services.

This update was no longer required.

5) Minute 16/29 – Restrictive Practices

There had been ongoing dialogue with Commissioners in relation to restrictive practices identified by the CQC, one of which had been about the counting of knives and forks by staff. Commissioners had been satisfied with the Trust's response.

6) Minute 16/30 – bed provision in Teesside.

A report was circulated with the agenda detailing information from Hartlepool and Stockton Clinical Commissioning Group (CCG) and South Tees CCG. No other information has been made available.

7) Minute 16/30 – information on the Better Care Funds.

A report was circulated with the agenda advising of monies allocated.

Agreed - The Council of Governors received and noted the updates to the action log.

16/63 DECLARATIONS OF INTEREST

There were no declarations of interest.

16/64 CHAIRMAN'S REPORT

The Chairman reported on activities and developments since July 2016 and highlighted the following:

- 1) The Trust had launched the arm's length Company, PIPS (Positive, Independent Proactive Support), which had begun developing various properties across Trust localities in conjunction with housing associations, to provide independent self-contained living accommodation for people with complex behaviours and learning disabilities. This was a positive investment for the Trust and the first tenant had been settled into their new accommodation in August 2016.
- 2) Meetings had taken place with all Governors across all the Trust localities. A separate meeting would now be take place with the Staff Governors, following which the issues raised would be discussed with the Chief Executive. A request was made for these meetings to also include the appointed governors.

Action: Chairman

- 3) The recent Living the Values Awards had been excellent with some very positive feedback from service users.
- 4) Consultant interviews had taken place with one out of two successful appointments.
- 5) A presentation at the Leadership for Carers, Advocate and Users event had included discussion around personal leadership journey.
- 6) A meeting had taken place with the Chairman of the City of York's Executive member for Adult Social Care and Health.

16/65 GOVERNOR QUESTIONS

1. Gary Emerson, Public Governor Stockton on Tees

"Can the Trust give Governors a more detailed written briefing on the implications of a recent allocation of funding from NHS England for a Trust wide approach to delivering some elements of Children's and Young Peoples mental health services? Also, how will this funding improve on current provision and what will be the focus of the new investment?"

Mrs Pickering informed the Governors that the Trust had been successful in a bid through NHS England to be involved in a national pilot where the Trust would become a budget holder for Tier 4 children and young people's services. The pilot would start from 1 October 2016 for a period of 6 months.

This funding would be using existing funding in a different way, with the aim to reduce the demand on inpatient beds.

The impact on community services would need to be considered, through ongoing dialogue with the Local Authorities.

2. Cllr Ann McCoy, Appointed Governor Stockton Borough Council

“Following the conclusion of the inquest into the death of an inpatient at Lanchester Road Hospital, can the Trust confirm what arrangements have been put in place to ensure that findings have been implemented across the Trust?”

Mrs Moody explained to the Council of Governors that the Trust had taken all the necessary steps to ensure lessons had been learned. Assurance was given that the Trust was not an outlier nationally. The Trust’s Heads of Nursing had been involved in discussions and actions were underway to eliminate any future risks.

3. Gary Emerson, Public Governor Stockton on Tees

In response to a question raised Governors would be aware that a revised report had been circulated on 1 August 2016 on the provision of Crisis Services. Further issues had been raised about the accuracy of the data contained within this revised report.

The Chief Executive had met with Mr Emerson before the Council of Governor’s meeting to discuss and clarify issues.

Mr Emerson indicated that he was satisfied with the outcome of the meeting.

4. Peter Burgess, Public Governor Durham & Darlington

“In times of acute indirect and direct stress and anxiety, regarding austerity, placed on the Service User which makes the vulnerable increasing vulnerable with the potential to cause an acute period of ill-health. Why is it seen as financially good practice to have a specialist Mental Health Matters job coach contracted to Services, but not a specialist employed, like a Welfare Rights Officer, to support the quality of care given by the community health centres? It seems short sighted financially and creates short-term unsustainable outcomes and a disregard for the human process an individual needs in order progress to the point when employment can be seen as a feasible option. Relapse does not evidence that recovery is a reality”.

Mr Kilmurray agreed to look into this matter and provide a full response at the next Council of Governors meeting.

Action: Mr Kilmurray

16/66 STUDENT NURSE PLACEMENT

The Council of Governors received a report on student satisfaction with Practice Placement Experience in TEWV.

Mrs Moody highlighted from the report that evidence suggested that the levels of reported student satisfaction with their placements had fluctuated at TEWV across the academic year. Overall the student experience had been a positive one.

Any concerns had been investigated and appropriate actions would be taken to address them.

The National Student Survey 2016 had confirmed that the highest levels of student satisfaction with pre-registration nursing programmes had studied at TEWV partnership Universities.

The Council also discussed the potential impact of the withdrawal of the student bursary.

It was noted that Teesside University did consider that it would have a material impact on applications.

Agreed:

- i) That a report on student satisfaction on placements be presented.**
- ii) That the report includes:**
 - a. Other professional groups (eg Allied Health Professionals AHPs) as well as nurse students**
 - b. Numbers as well as percentages of satisfaction/dissatisfaction rates.**
- iii) That a report on the impact of the withdrawal of the student nurse bursary be provided.**

Action: Mrs Moody

16/67 REGISTER OF INTERESTS

The Council of Governors received and noted the Register of Interests of Governors, as at September 2016.

Agreed: That the Council of Governor's Register of Interest's be updated with further declarations received at the meeting and uploaded to the Trust website.

Action: Mrs Ord

16/68 APPOINTMENT TO COMMITTEES

The Council of Governors voted and approved the appointment from nominations received to the following Committees:

- i) Board of Directors' Mental Health Legislation Committee – Sarah Talbot Landon, (Public Governor for Durham).**
- ii) Council of Governors' Nomination and Remuneration Committee – Mary Booth (Public Governor for Middlesbrough and Colin Wilkie (Public Governor for Hambleton & Richmondshire).**

16/69 ITEMS CIRCULATED FOR INFORMATION

The Council of Governors noted and received the following reports for information:

- i. Summary of feedback from the meetings of the Board of Directors**
- ii. NHS Improvement Risk Assessment Framework**

- iii. Latest information from Care Quality Commission Inspections of the Trust
- iv. Changes and improvements to services in the Trust.
- v. Q1 Quality Account 2016/17.
- vi. The Trust Performance Dashboard as at end July 2016
- vii. The Trust's financial position as at end August 2016
- viii. An update on the work of the Involvement and Engagement Committee

A number of typographical errors in relation to the above reports were notified in advance of the meeting.

16/70 CONFIRMATION OF FUTURE MEETING DATES

The Chairman confirmed the next meeting as 17 November 2016, 2pm at Middlesbrough Football Club.

Future meetings dates were confirmed as:

| | | |
|--------------------|--------------|------------------------------------|
| 23 February 2017, | 2pm - 5pm | |
| 25 May 2017, | 6pm - 8pm | |
| 13 July 2017, | 6pm - 7pm | Special Meeting |
| 19 July 2017, | 6pm - 7.30pm | Annual General and Members Meeting |
| 28 September 2017, | 6pm - 8pm | |
| 30 November 2017, | 2pm - 5pm | |

The venue for these meetings was still under consideration.

16/71 CONFIDENTIAL RESOLUTION

Agreed– *that representatives of the press and other members of the public be excluded from the remainder of this meeting on the grounds that the nature of the business to be transacted may involve the likely disclosure of confidential information as defined in Annex 9 to the Constitution as explained below:*

Information relating to the financial or business affairs of any particular person (other than the Trust).

Any terms proposed or to be proposed by or to the Trust in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.

Information which, if published would, or be likely to, inhibit -

- (a) *the free and frank provision of advice, or*
- (b) *the free and frank exchange of views for the purposes of deliberation, or*
- (c) *would otherwise prejudice, or would be likely otherwise to prejudice, the effective conduct of public affairs.*

The Chairman closed the public session of the meeting at 6.30pm.