

**MINUTES OF COUNCIL OF GOVERNORS MEETING
HELD ON TUESDAY 1 SEPTEMBER 2020, FROM 14.00- 15.35 HOURS
MEETING HELD DIGITALLY VIA MICROSOFT TEAMS**

PRESENT	<p>Caroline Maley Valerie Broom Susan Ryan Rob Poole Lynda Langley Carole Riley Orla Smith Andrew Beaumont Carol Sherriff Kevin Richards Rosemary Farkas Marie Hickman Kel Sims April Saunders Farina Tahira David Charnock Angela Kerry Cllr Jim Perkins Roy Webb</p>	<p>Trust Chair and Chair of Council of Governors Public Governor, Amber Valley Public Governor, Amber Valley Public Governor, Bolsover and North East Derbyshire Public Governor, Chesterfield and Lead Governor Public Governor, Derby City East Public Governor, Derby City West Public Governor, Erewash Public Governor, High Peak and Derbyshire Dales Public Governor, South Derbyshire Public Governor, Surrounding Areas Staff Governor, Admin and Allied Support Staff Staff Governor, Admin and Allied Support Staff Staff Governor, Allied Professions Staff Governor, Medical Appointed Governor, University of Nottingham Appointed Governor, Derbyshire Mental Health Forum Appointed Governor, Derbyshire County Council Appointed Governor, Derby City Council</p>
IN ATTENDANCE	<p>Margaret Gildea Geoff Lewins Sheila Newport Julia Tabreham Richard Wright Ifti Majid Claire Wright Justine Fitzjohn Denise Baxendale Mark C Stocks Leida Roome</p>	<p>Non-Executive Director and Senior Independent Director Non-Executive Director Non-Executive Director Non-Executive Director Non-Executive Director Chief Executive Deputy Chief Executive, Director of Finance Trust Secretary Membership and Involvement Manager Grant Thornton Auditors Personal Secretary (note taker)</p>
APOLOGIES	<p>Adrian Rimington Christopher Williams Ashiedu Joel Julie Lowe Jo Foster Al Munnien Rachel Bounds Julie Boardman Stuart Mourton</p>	<p>Public Governor, Chesterfield Public Governor, Erewash Non-Executive Director Public Governor, Derby City East Staff Governor, Nursing Staff Governor, Nursing Appointed Governor, Derbyshire Voluntary Action Public Governor, High Peak and Derbyshire Dales Public Governor, Derby City West</p>

ITEM	<u>ITEM</u>
DHCFT/GOV /2020/001	<p><u>WELCOME, INTRODUCTIONS, CHAIR'S OPENING REMARKS, APOLOGIES FOR ABSENCE & DECLARATION OF INTERESTS</u></p> <p>Caroline Maley welcomed all to the meeting. She reminded everyone that the meeting was being streamed for public viewing and was pleased to see the number of governors who had dialled in. The apologies were noted. No declarations of interest were notified.</p>

DHCFT/GOV /2020/002	<p><u>SUBMITTED QUESTIONS FROM MEMBERS OF THE PUBLIC</u></p> <p>No questions from members of the public had been received.</p> <p>Adrian Rimington, public governor, had submitted the following question:</p> <p>‘A person consulted with the mental health people and got the impression they were only interested in self-harming and drug addiction in terms of admission to the Hartington Unit. Is this the case? Are we still on our brief regarding a mental health service?’</p> <p>Ifti Majid noted that we cannot comment on individual cases. However, he observed that individuals with addictions or self-harming behaviours needed to get the help and support that they needed. This could be via our inpatient units or the crisis teams. There is no doubt that over the last 6 months the number of patients we are seeing in our in-patient units with psychosis has grown. We are seeing more people who are more acutely unwell and with more complex needs, as well as more people who are new to our services. So whilst we are still providing services to those with mental ill health, we do also need to provide the services to those with additions and self –harming behaviours.</p> <p>Caroline reminded the Council that questions from governors should be presented to the Governance Committee for consideration.</p>
DHCFT/GOV /2020/003	<p><u>MINUTES OF THE COUNCIL OF GOVERNORS’ MEETINGS ON THE 3 MARCH AND 7 JULY 2020</u></p> <p>The minutes of the meetings held on 3 March and 7 July 2020 were accepted as a correct record.</p>
DHCFT/GOV /2020/004	<p><u>MATTERS ARISING AND ACTIONS MATRIX</u></p> <p>All completed ‘green’ actions were scrutinised to ensure that they were fully completed. The Council of Governors agreed to close completed actions. Comments were made as follows:</p> <p><i>Item DHCFT/2020/024 – staff survey results</i> – due to COVID-19 this item has been deferred. Jaki Lowe, the newly appointed Director of People and Inclusion will now take the lead on this and meet with staff governors to go through the themes from the Staff Survey.</p> <p><i>Item DHCFT/2020/028 – governors’ handouts for engagement activities</i> – due to COVID-19 this item has been closed.</p> <p>RESOLVED: The Council of Governors noted the completed actions and comments on the Action Matrix.</p>
DHCFT/GOV /2020/005	<p><u>CHIEF EXECUTIVE UPDATE</u></p> <p>Ifti Majid provided the meeting with an update on the current situation regarding the COVID-19 pandemic which included:</p> <ul style="list-style-type: none"> • The COVID-19 figures for Derbyshire (4.27) and Derby City (10.1). Ifti confirmed that the Trust does not have any COVID-19 positive patients, which is due to the hard work of the staff and the strict infection control and prevention measures which are in place. Valerie Broom, governor, asked if the figures for Amber Valley are available; Ifti advised her that the figures are 0.79. • The Trust has a Covid Secure Policy in place. It was noted that the Trust is still requesting staff, where appropriate, to work from home. • Services are beginning to be restored to pre-COVID-19 levels. However the Trust is anticipating an increase in referrals to the Child and Adolescent Mental Health Services (CAMHS) as children and young people return to school. • A number of development projects have been progressing during the COVID-19

	<p>period. The move to replace the patient record system from Paris to OnEPR has continued to move forward due to the efforts of the Steering Board and local focus groups. It is planned that CAMHS and LD (Learning Disabilities) will move to the new system at the end of November 2020, followed by Older Adults in March 2021 and Working Age Adults later on in 2021.</p> <ul style="list-style-type: none"> • Estate work in the Trust is ongoing to ensure that staff can see patients in a COVID-19 secure way; some of the clinical bases need to be re-located. Community bases are also being reviewed to ensure that both patients and staff can meet in a safe environment. • The Trust has submitted a capital bid for the eradication of dormitories; there is a national focus on this. The Trust has also bid for capital monies to provide a Psychiatric Inpatient Care Unit (PICU) in order to reduce the out of area figures and to support Primary Care. • NHS England (NHSE) has published a Phase 3 Restoration Plan letter and actions for this need to be undertaken and completed between now and the end of March 2021. The Trust's restoration plan is due to be submitted imminently. • The COVID-19 pandemic has highlighted health inequalities eg Black, Asian and Ethnic Minority groups. <p>Valerie Broom felt that the Government has now adopted a stricter policy in terms of restoration. Ifti Majid confirmed that this indeed seems to be the case, for example Trusts need to focus on reducing the waiting lists that had increased during the pandemic.</p> <p>Carol Sherriff, governor noted that the High Peak and Derbyshire Dales has a higher rate of COVID-19 cases and asked what advice governors could pass on to the community in order to reduce this. Ifti explained that it would be helpful to cascade the current health advice around handwashing, keeping a social distance and wearing face coverings.</p> <p>Carol Sherriff also asked what the abolishment of Public Health England (PHE) will mean. Ifti explained that the Government has replaced PHE with a new agency called National Institute for Health Protection (NIHP) that will specifically deal with pandemics. PHE, NHS Test and Trace Service and the Joint Biosecurity Centre have been merged to form NIHP under a single leadership team.</p> <p>Carole Riley, governor, asked whether the Trust is dependent on the Commissioners for the proposed PICU. Ifti Majid explained that the Trust currently does not have a PICU on its sites; hence patients are currently commissioned out of area. The Trust is keen to have a PICU on site so that patients can be cared for locally; and the Commissioners are supportive of this.</p> <p>Caroline Maley thanked Ifti Majid for his comprehensive update.</p> <p>RESOLVED: The Council of Governors noted the helpful information and explanations provided by Ifti Majid.</p>
<p>DHCFT/GOV /2020/006</p>	<p><u>PRESENTATION OF THE ANNUAL REPORT AND ACCOUNTS 2019/20 AND REPORT FROM THE EXTERNAL AUDITORS, GRANT THORNTON</u></p> <p>Claire Wright, Deputy Chief Executive/Director of Finance, reminded governors of their statutory role i.e. governors must be presented with the NHS Foundation Trust's annual accounts, any report from the auditor on them and the annual report at a general meeting of the Council.</p> <p>Claire explained that an overview of the Annual Report and Accounts for 2019/20 will also be presented, consistent with financial reporting, at the Annual Members' Meeting this afternoon. She referred to the governor training and development session on finance which she facilitated in August and conveyed her appreciation to governors for their interaction during this session.</p> <p>Claire introduced Mark Stocks of external auditors, Grant Thornton, who provided a</p>

	<p>summary of the Annual Audit letter for the Trust. Mark explained that Grant Thornton key responsibilities are to:</p> <ul style="list-style-type: none"> • Give an opinion on the Trust’s financial statements • Assess the Trust’s arrangements for securing economy, efficiency and effectiveness in its use of resources (the value for money conclusion). <p>Mark explained that the audit was completed before the revised deadline, which was testament to the work of the Finance Team and other Trust staff who worked together to present the annual report and accounts. Mark presented a positive annual report letter and confirmed that due to the COVID-19 pandemic, the requirement to comment on the Quality Report has been suspended.</p> <p><i>Sheila Newport left the meeting at 14.45 hours.</i></p> <p>Lynda Langley extended thanks to Mark Stocks for the information given and for a good report. She explained that one of the duties of the Lead Governor is to represent the Council of Governors at the Audit and Risk Committee meeting to observe the Annual Accounts ‘sign off’. Lynda attended the meeting in June along with Grant Thornton and observed Non-Executive Directors (NEDs) receive assurance on the accounts. Lynda conveyed her appreciation to Claire Wright, Deputy Chief Executive/Director of Finance and the Finance Team.</p> <p>Caroline Maley also conveyed her appreciation to Mark Stocks for the positive report. It was noted that this was Mark’s last meeting as Grant Thornton had requested to be released early from the contract with the Trust.</p> <p><i>Mark Stocks left the meeting at 14.52 hours.</i></p> <p>RESOLVED: The Council of Governors</p> <ol style="list-style-type: none"> 1) Received the Annual Report and the Accounts for 2019/20 and noted that the document would be presented to the Annual Members’ Meeting this afternoon 2) Received the Annual Audit Letter summary and assurance from Mark Stocks, Grant Thornton Auditors.
<p>DHCFT/GOV /2020/007</p>	<p><u>GOVERNORS ANNUAL EFFECTIVENESS SURVEY</u></p> <p>Denise Baxendale explained that the Governors Annual Effectiveness Survey is carried out yearly in line with best practice. There are 28 questions including three free text sections for capturing suggestions for training needs, suggestions for improvements and an overall assessment of effectiveness.</p> <p>In November 2019, the Council of Governors agreed that the survey should be repeated in September 2020; and that the survey should not be anonymous. This will ensure that any issues or feedback raised are addressed with the appropriate governors.</p> <p>Denise confirmed that the survey will be circulated this week and the deadline for completing the survey will be 18 September. The results of the survey will be presented to the Governance Committee and Council of Governors. A paper copy will be available for those governors unable to complete the survey online. The response rate for last year’s survey was 96% and it is hoped that a further improvement can be seen this year. Caroline Maley encouraged all governors to take part in this survey. Any queries should be directed to Denise.</p> <p>ACTION:</p> <ul style="list-style-type: none"> • Governors are encouraged to complete the Governors Annual Effectiveness Survey. <p>RESOLVED: The Council of Governors noted the information on the Governors Annual Effectiveness Survey.</p>

<p>DHCFT/GOV /2020/008</p>	<p><u>NON-EXECUTIVE DIRECTORS DEEP DIVE (INCLUDING ANNUAL REPORT OF AUDIT AND RISK COMMITTEE)</u></p> <p>Geoff Lewins, as Chair of the Audit and Risk Committee, presented the Deep Dive, which included the annual report of the Audit and Risk Committee, to governors.</p> <p>Geoff explained that the Committee oversees the production of the Annual Report and Accounts which included liaising with the external auditors Grant Thornton. He also explained that preparing and auditing the report and accounts was made considerably more difficult by the COVID-19 pandemic but the Committee had gained significant assurance in the end result.</p> <p>It was also noted that the Audit and Risk Committee also carries out a significant amount of other work during the year reviewing the Trust's system of risk management.</p> <p>Geoff also confirmed that he is a member of the Governance Board for the new patient recording system OnEPR.</p> <p>Angela Kerry, governor, conveyed her appreciation to Geoff and the Audit and Risk Committee for the work they have carried out.</p> <p>RESOLVED: The Council of Governors received the Deep Dive which included the Annual Report of the Audit and Risk Committee from Geoff Lewins.</p>
<p>DHCFT/GOV /2020/009</p>	<p><u>ESCALATION ITEMS TO THE COUNCIL OF GOVERNORS FROM THE GOVERNANCE COMMITTEE</u></p> <p>It was confirmed that no items have been escalated to the Council.</p>
<p>DHCFT/GOV /2020/010</p>	<p><u>SUMMARY OF INTEGRATED PERFORMANCE REPORT</u></p> <p>The Integrated Performance Report (IPR) was presented to the Council of Governors by the Non-Executive Directors (NEDs). The focus of the report was on workforce, finance, operational delivery and quality performance.</p> <p>Richard Wright as Chair of the Finance and Performance Committee updated the meeting on the following:</p> <ul style="list-style-type: none"> • During the COVID-19 pandemic the Trust received a monthly top up which amounted to £564,000 in May. According to the phase 3 letter from NHS England the Trust can claim retrospectively until the end of September 2020. • A plan is to be submitted concerning the restoration of services. Further retrospective monies may therefore be required in order to offset the COVID-19 spending • Lessons have been learnt during the pandemic and it is envisaged that these will be taken up in the future, for example virtual consultations. <p>Margaret Gildea as Chair of the Quality Committee referred to:</p> <ul style="list-style-type: none"> • The positive feedback the Trust has received in how it is responding to the pandemic for example the Trust has received a letter from the Care Quality Commission (CQC) which is complimentary about the services provided at Cubley Court. • The restoration of services; Margaret assured the meeting that work streams are in place to complete actions where services need additional support to be fully restored. • The Flu vaccinations programme is due to be launched and there is a national expectation that all staff should have the vaccine; the response rate last year was 71.9%. A similar take up might be expected for the COVID-19 vaccine when it becomes available. <p>Julia Tabreham as Chair of the People and Culture Committee and NED Lead for</p>

	<p>Freedom to Speak Up (FTSU) updated the meeting on the workforce which included:</p> <ul style="list-style-type: none"> • Acknowledging inspirational leadership within the Trust • Virtual meetings using Microsoft Teams is working very well • Welcoming Jaki Lowe, newly appointed Director of People and Inclusion to the Trust. Julia explained that the People and Culture Committee will ensure that inclusion is embedded in the People Plan • Working with Tam Howard, FTSU Guardian to build in further reporting mechanisms and to revise the FTSU report which is presented to Trust Board. <p>Susan Ryan, governor, referred to the increase in the use of seclusion and prone restraint in the IPR and asked whether there are plans to reduce the likelihood of restraint and to review the care plans. Margaret Gildea explained that the situation was being closely monitored and a project plan has been established and issues and actions are being reviewed. Caroline Maley also confirmed that these statistics are also monitored by the Mental Health Act Committee.</p> <p>RESOLVED: The Council of Governors 1) Noted the information provided in the IPR 2) Agreed that the NEDs have held the Executive Directors to account.</p>
<p>DHCFT/GOV /2020/011</p>	<p><u>GOVERNANCE COMMITTEE REPORT</u></p> <p>The Council of Governors received the report from the Governance Committee meetings which took place on 2 April, 9 June and 11 August. Kel Sims, Chair of the Committee referred the meeting to the annual review of the Governance Committee Terms of Reference. She explained that at the Committee meeting, governors agreed that the Terms of Reference remained fit for purpose and agreed amends regarding membership.</p> <p>Kel Sims conveyed her appreciation to Denise Baxendale for preparing the report, and to Julie Lowe, Deputy Chair of the Committee who had chaired the meetings due to her re-deployment as Personal Protective Equipment (PPE) Lead for the Trust.</p> <p>RESOLVED: The Council of Governors 1) Noted the information provided in the Governance Committee Report 2) Approved the minor amendments to the Governance Committee's Terms of Reference.</p>
<p>DHCFT/GOV /2020/012</p>	<p><u>GOVERNOR ELECTIONS UPDATE</u></p> <p>Denise Baxendale gave a verbal update on the situation regarding governor elections. She explained that two governors' terms of office end on 25 September and this will mean there will be two vacancies in the following constituencies:</p> <ul style="list-style-type: none"> • Chesterfield – one public governor vacancy • Allied Professions – one staff governor vacancy <p>The process to begin the elections for the two vacancies above was planned to begin in June 2020 but guidance issued in March, advised foundation trusts to delay governor elections. Governors were made aware of the delay at the Governance Committee in April. Denise confirmed that in addition to the vacancies outlined above, there is also a vacancy in Bolsover and North East Derbyshire. This seat remains vacant following on from the winter 2019 elections when no nominations for the seat were received.</p> <p>All three vacancies will be included in the 2021 elections by which time there will be a further five vacancies:</p> <ul style="list-style-type: none"> • Bolsover and North East Derbyshire – one public governor vacancy (this means there will be two vacancies for this area) • High Peak and Derbyshire Dales – one public governor vacancy

	<ul style="list-style-type: none"> • Administration and Allied Support Staff – one staff governor vacancy • Nursing – two staff governor vacancies <p>The process for all eight public and staff governor elections will begin in the spring and will be run in line with the guidance included in the Constitution.</p> <p>Caroline Maley, on behalf of the Council of Governors, extended her thanks to April Saunders and Adrian Rimington whose terms of office end on 25 September. April conveyed her appreciation to governors for their support during her six years as Staff Governor for Allied Professions.</p>
<p>DHCFT/GOV /2020/013</p>	<p><u>ANY OTHER BUSINESS</u></p> <p>Retirement Angela Kerry notified the meeting that she will be retiring at the end of September; and confirmed that her successor is Jodie Cook. Angela expressed an interest in standing in future public governor elections when a seat becomes vacant in her area. Caroline Maley thanked Angela for her valuable contribution to the Council of Governors over the years that she was an Appointed Governor.</p> <p>Lead Governors meeting Lynda Langley notified the meeting that the next Lead Governors meeting is taking place on 17 September; and will feedback to governors via Governor Connect.</p> <p>Lynda conveyed her appreciation to Carole Riley, Deputy Lead Governor for presenting at the Annual Members’ Meeting this afternoon. She also extended her thanks to Angela Kerry, Adrian Rimington and April Saunders for their commitment to the governor role.</p> <p>Covid changes Susan Ryan asked if the temporary changes to services during the COVID-19 pandemic have impacted on quality. Caroline Maley explained that the impact of COVID-19 on the Trust’s services will be covered at the Annual Members Meeting (AMM) today but gave the assurance that the impact was being closely monitored through the Incident Management Team.</p>
<p>DHCFT/GOV /2020/014</p>	<p><u>REVIEW OF THE MEETING EFFECTIVENESS AND FOLLOWING THE PRINCIPLES OF THE CODE OF CONDUCT</u></p> <p>The Council of Governors agreed that the meeting:</p> <ul style="list-style-type: none"> - Was efficiently chaired - Covered all agenda items with enough time for discussion.
<p>DHCFT/GOV /2020/015</p>	<p><u>CLOSE OF MEETING</u></p> <p>Caroline Maley thanked all for their attendance and input and reminded the meeting that the Annual Members’ Meeting is to follow shortly, to which all are invited.</p> <p>The next meeting will be on: Tuesday 3 November 2020, from 2.00pm. This will be a virtual meeting.</p> <p>The meeting closed at 15.35 hours.</p>