Countess of Chester Hospital **NHS**
NHS Foundation Trust

EXTRA-ORDINARY BOARD OF DIRECTORS (PRIVATE)

MINUTES OF THE MEETING HELD ON THURSDAY, 2ND MAY 2017 at 12 NOON
TRAINING ROOM 3 & 4

		Attendance	
Chairman	Sir D Nichol	☑	
Non Executive Director	Mr A Higgins	☑	
Non Executive Director	Mr J Wilkie	☑	
Non Executive Director	Mr E Oliver	☑	
Non Executive Director	Mrs R Hopwood	☑	
Non Executive Director	Ms R Fallon	☑	
Chief Executive	Mr T Chambers	☑	
Medical Director	Mr I Harvey	☑	
Interim Chief Finance Officer	Mr S Holden	☑	
Director of Nursing & Quality	Mrs A Kelly	☑	
Director of People and Organisational Development	Mrs S Hodkinson	☑	
Director of Corporate & Legal Services	Mr S P Cross	☑	
Director of Operations	Ms L Burnett	☑	

In attendance:
Mrs C Raggett – Secretary to the Board

1. **TO RECEIVE A FINANCIAL SUMMARY 2016/17**

   Mr Holden presented the Financial Summary 2016/17 to the Board.

   Sir Duncan thanked Mr Holden for the summary and stated that this was a good financial outcome for the year end.

2. **TO RECEIVE AN UPDATE ON THEINSURANCE PAPER, PREVIOUSLY SUBMITTED TO THE FINANCE AND INTEGRATED GOVERNANCE COMMITTEE ON 7TH MARCH 2017**

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3. **UPDATE ON THE NEONATAL SERVICE**

Mr Harvey reported that following completion of the Royal College review, we had met with clinicians about what else could be done. In respect of meeting with the parents it became clear that we were unlikely to get to that point. Dr Hawden had been asked what she meant by a forensic review and she said it was whatever we wanted it to be. Mr Harvey had met with the Chair of the Child Death Overview Panel (CDOP), a small number of CDOP members, including Superintendent Nigel Wenham of Cheshire Police, Dr Holt and Dr Jayaram to discuss the circumstances that led to the reviews, where we had got to and to discuss from a CDOP point of view where to get a degree of closure. The feeling was that we had done everything and that the next step was to consider a police investigation. It was agreed that Superintendent Nigel Wenham would discuss this with the Assistant Chief Constable (ACC) and guide the Trust to a letter to invite a police investigation to the Chief Constable. Mr Chambers, Mr Harvey and Mr Cross are meeting the ACC and wider police team on 15th May 2017 to report on the reviews and actions taken to date. Superintendent Wenham has been very measured at the meeting and made it clear it would be an investigation and that the staff interviewed would be interviewed as witnesses not suspects. The scope of the investigation will be restricted to an 18 month time period.

Mrs Hopwood asked if there was a future process agreed for any unexplained deaths. Mr Harvey replied that he had already had the conversations and any unexplained deaths would now be reported to CDOP. Sir Duncan asked who determines if a death is unexplained. Mr Cross replied that if a death occurred the Executive Team would be aware as the process for the paediatricians to raise this is already in place. In any exceptional circumstances these would be discussed with the Chair of CDOP and the police.

Mr Higgins referred to the meeting on 15th May 2017 where there will be a discussion of what has been done to date and asked how the investigation would go forward. Mr Harvey stated that there was an earlier meeting on 5th May 2017 with the police to discuss the terms of reference for the investigation.

In response to a question from Mr Wilkie about informing parents and staff, Mr Chambers advised that the police at this stage are keen that the process be managed jointly by the police and the Trust. The next steps will be agreed at the meeting with the police on 5th May 2017.

In response to a question from Mrs Hopwood about communications, Mr Harvey gave details of the agreed single point of contact for wider NHS stakeholders such as NHSI, NHSE and the CCG. Ms Margaret Kitchen, Chief Nurse North, NHS England will be the single point of contact as she has had previous similar experience. Mr Harvey has updated Ms Kitchen on the process to date and she has feedback that we have done everything in the way and order that it should be.

Mrs Hopwood asked in terms of the relationship with the Board and clinical leaders of the unit, was there an action plan to address this, Mr Harvey replied that there is an action plan as part of the Royal College review and this is in draft at the moment due to the network being slow to respond. Mr Harvey has asked Ms Kitchen to speak to the network about this. Mr Harvey had also met with Dr Jayaram to update him as to where we are up to.

Mrs Fallon asked about the position of the staff member that had been due to go back to the unit. Mrs Kelly and Mrs Hodkinson continue to meet with the staff member on a weekly basis with support from the Head of Nursing, Urgent Care, Occupational Health and RCN support. She is still keen to get back on the unit and due to on-going clinical concerns raised by the consultants we have told her that we did not feel it was appropriate. She is continuing to support the complaints function and she is obviously finding it difficult to manage her parents. Mrs Kelly and Mrs Hodkinson have agreed to have a conference call with her and her parents.

Sir Duncan asked if the staff on the unit know there has been a CDOP referral. Mr Harvey replied that the staff on the unit did not know. Mrs Kelly added that as further concerns were raised this was told to the member of staff in a high level way and we were open with her but we do not know what she has fed back.

Mr Harvey stated that it was not a formal CDOP referral as he had telephoned the Chair of CDOP to explore as to how to take this forward given the actions we have taken to date.

Mrs Hodkinson reported that he RCN full time officer was the union representative for the staff member and he had asked about a secondment in a clinical basis but we advised that we would not do that.

Sir Duncan stated that after the meeting on 15th May 2017, there may be a need for the Board to meet up again.

4. **<u>TO APPROVE THE CHANGE OF TITLE FOR THE DIRECTOR OF OPERATIONS</u>**

Mr Chambers presented a paper on the proposal for the change of the title for the Director of Operations. Mr Chambers reported that Mr Glover will be leaving the Trust and this gave an opportunity to look at structures and also the planning function. Planning fits into two spheres operational planning sits alongside financial planning including the annual plan and then there is Mr Bett with the Model Hospital and strategic medium to long term planning such as the ACO and STP work. The IMT role has 3 parts the technical side, the operational side and business intelligence. Within this there is also information governance. Then there is the strategic agenda on how to move the digital agenda forward including the electronic patient record. Throughout the acute provider sector there is a move towards moving to the title of Chief Operating Officer (COO) to align with the Model Hospital and encompass the change in portfolio to include planning. I&S I&S. The change of title is to recognise the changing role for Ms Burnett taking on operational planning and delivery. Mr Cross will now be responsible for the Information Governance function.

A full discussion took place regarding the role of COO at the Countess of Chester Hospital NHS Foundation Trust, having regard to the joint role with CWAC, the proposed responsibility for planning and partnerships and the technical support management for IMT.

Sir Duncan stated that the change of title is formally agreed by the Board.