

COUNTESS OF CHESTER NHS FOUNDATION TRUST

CONFIDENTIAL: Correspondence involving Lyn for the period September 2018

Date	From	To	Correspondence
19/9/18			<p>Telephone call held between Lyn Simpson and the Chair of Countess of Chester, Duncan Nichol</p> <p>Lyn Simpson (LS) advised Duncan Nichol (ON) that it was in no-ones interest to go ahead with the vote of no confidence against the CEO and that it would be helpful if it could be prevented. The following steps were considered on the call:</p> <ol style="list-style-type: none"> 1) LS suggested ON would need to identify someone to act up into the CEO post as it was recognised that Tony Chambers (TC) could not continue in his current role. LS advised to look for an alternative placement for TC but there would be an expectation that the trust (Countess of Chester) would fund this. 2) ON confirmed that 72 hours previous to this call the clinicians brought to his attention that they wished to press on with the vote of no confidence. ON convened the NEDs and they were made aware of the emerging position. LS was made to believe that there may be a secret ballot of the members this afternoon. 3) LS and DN agreed the suggested way forward was; <ol style="list-style-type: none"> a. to prevent the vote of no confidence and ON to take this forward b. to ensure that TC does not go back on site and perhaps works from home for the next week, whilst LS considers alternative options c. to agree that if an alternative option for 6 months could be found that TC would not go back to Countess of Chester d. that if a substantive post could not be found then TC would need to be made redundant from the trust e. for LS to secure some expert HR advice over the next few days to assist in the deliberations 4) LS would talk to TC to outline the conversation had as above 5) ON would let LS know the outcome in terms of whether he could avoid the secret ballot and advised he was keen to prevent this happening. 6) LS to contact Maria Robson to discuss ongoing HR advice.
19/9/18	Lyn Simpson	Ian Dalton	<p>LS text ID to advise of the conversation held with ON as above</p>
19/9/18			<p>Telephone call held between Lyn Simpson and the Chief Executive of Countess of Chester, Tony Chambers</p> <p>LS held a telephone call with TC to advise of the above call held with ON.</p> <p>LS informed TC that she had a call from Ian Dalton (ID) on Monday 17 September to advise that the situation at the Countess of Chester was getting difficult and potentially a vote of no confidence. ID asked LS to contact ON to outline a potential way forward.</p>

29/11/18	Lyn Simpson	Duncan Nichol	<p>Lyn emailed Sir Duncan following text conversation with TC:</p> <p>"I have held off sending the below note until TC had the opportunity to speak to you and he advised that this would be the case on the 22 November. I have heard nothing further from TC and beginning to feel slightly concerned that we might be out of the loop a little.</p> <p>My email below remains relevant and I have copied to Maria in order that she is aware.</p> <p>I understand that TC is potentially looking to be seconded to a different organisation to that of our previous discussions, and for a longer period. While overall approval of the terms of his settlement sit with you and your Remuneration Committee, I would advise that rehabilitation periods linked to similar settlements in the NHS seldom last more than one year (especially where these are funded solely by the original employing trust). Please also remember that as his current salary is above £[I&S]a, the host organisation for his secondment will need to seek approval (if an NHS Trust) or comment (if an FT/CCG) for his salary while on secondment.</p> <p>Thanks,</p> <p>Lyn"</p>
3/12/18	Sir Duncan	Lyn Simpson	<p>Duncan responded to Lyn's email of 29/11 to advise: Tony had not kept him posted on his conversations leading to the change to his placement option, which I do not regard as a secondment. However the settlement terms agreed between the trust and TC had not changed and in particular Cote would cease paying TC salary on the 30 June 2019, when his statutory notice period expires. DN was not aware of the requirement on the host organisation referenced in the last sentence of your email. <i>(Please also remember that as his current salary is above £[I&S], the host organisation for his secondment will need to seek approval (if an NHS Trust) or comment (if an FT/CCG) for his salary while on secondment.)</i></p> <p>4112118- Ak has sent onto Maria Robson to ask if there is anything further NHS/ need to do with this?</p>