

SOUTH EASTERN HEALTH AND SOCIAL CARE TRUST

Minutes of a meeting of the South Eastern Health & Social Care Trust Board held on Wednesday 21 January 2009 at 11.00 am in the Recreation Hall, Ulster Hospital

PRESENT: Mr C McKenna, Chairman
Mr J Compton, Chief Executive
Mr P Davison, Non Executive Director
Mr D Flanagan, Non Executive Director
Ms F Graham, Non Executive Director
Mr N Mansley, Non Executive Director
Mr J Trethowan, Non Executive Director
Mr P Cummings, Director of Finance & Estates
Ms C McArdle, Director of Primary Care, Elderly & Executive Director of Nursing
Mrs K Thompson, Director of Children's Services & Executive Director of Social Work

IN ATTENDANCE: Mr D Bannon, Director of Adult Services
Mr E Molloy, Director of Human Resources & Corporate Affairs
Mr S McGoran, Director of Hospital Services
Mr J Simpson, Director of Planning, Information & Performance Management
Miss I Low, Board Secretary & Assistant Director of Risk Management & Governance

Mr W McAuley, Strategy & Policy Co-ordinator (for item 04/09)
Mr H McPoland, Assistant Director, Human Resources (for item 11/09)
Mrs B Campbell, Assistant Director of Social Work, Regulation, Improvement & Audit (for item 12/09_
Mr A Mayhew, Assistant Director, Older People's Services (for item 13/09)
Mrs H McBurney, Assistant Executive Support Services Manager
Miss C Hughes, Personal Assistant

APOLOGIES: Ms D Mann-Kler, Non Executive Director
Mr D O'Hara, Non Executive Director
Mr C Martyn, Medical Director

OPENING REMARKS

The **Chairman** welcomed all those present to the South Eastern Health & Social Care Trust Board meeting.

01/09 CHAIRMAN'S BUSINESS

(a) Business Under The Confidential Section of the Meeting

The **Chairman** advised members of the public that the Trust Board had met immediately prior to this meeting to discuss some items of confidential business.

(b) Congratulations to Mr Compton

The **Chairman**, on behalf of the Trust Board, congratulated Mr Compton on his appointment as Chief Executive of the new Regional Health & Social Care Board. He undertook to keep the Trust Board advised of interim arrangements to fill the post of Trust Chief Executive.

(c) Approval of Bank Mandate

The **Chairman** advised that this item had been removed from the agenda today.

02/09 MINUTES OF THE PREVIOUS MEETINGS

The minutes of the previous meetings held on 19 November 2008 and 17 December 2008, having been previously circulated, were taken as read and signed by the Chairman as a true and accurate record.

03/09 MATTERS ARISING FROM THE PREVIOUS MINUTES

Members were advised that there were no matters arising from the minutes of the previous meeting.

04/09 PRESENTATION

New Public Protection Arrangements

Mrs Thompson introduced Mr McAuley, Strategy & Policy Co-ordinator for the PSNI. **Mr McAuley** outlined the new legislation in respect of violent and sexual offenders and how these aim to reduce the offenders' opportunity and/or inclination to reoffend. The Public Protection Arrangements Northern Ireland involved a total of 23 Agencies, including the Police, Social Services, Probation Service, Prison Service and NI Housing Executive together with other Agencies as required, for example NSPCC, Education, etc.

Mr McAuley explained that the organisational structure is headed by a Strategic Management Board and, at an operational level, Local Area Public Protection Panels (LAPPs). Administration is provided by the Police and LAPPs are not geographically laid out but rather meet the needs as required. He detailed how offenders are categorised ranging from Category 1, which is the lowest category and people tend to be dealt with by a single Agency, to Category 2, which identifies potentially dangerous persons with multi-agency intervention to identify risks and develop a management plan, to finally Category 3, which is the high risk category where there is compelling evidence of re-offending and multi-agency

management plans are reviewed on at least a monthly basis. He noted that there are relatively few Category 3 offenders. **Mr McAuley** advised that Risk Management Plans contain two elements – enforcement to restrict behaviour and encouragement to support measures to change behaviour and attitudes.

Following his presentation, **Mr McAuley** answered some queries from Board members during which he detailed the membership of LAPPs and confirmed that the numbers of staff involved will be kept under review. Social Services are a core member of LAPPs and, through Mr Connor, Director of Social Services at EHSSB, information is shared between LAPPs and Social Workers. He noted that rehabilitation of offenders is a challenging area for LAPPs, especially regarding the provision of appropriate accommodation, employment and lifestyle.

The **Chairman** thanked Mr McAuley for a very comprehensive and informative presentation.

05/09 Speaking Rights: Potential Impact of CSR

The Chairman welcomed Mr Kevin Lawrenson, Northern Ireland Public Services Alliance (NIPSA), who had requested speaking rights today to address the Board on the potential impact of CSR financial targets on Family and Child Care Services.

Mr Lawrenson commenced his presentation by advising that NIPSA had been involved throughout the development of Children's Services reforms and roll-out and it had been agreed that substantial additional funding would be required to action these changes. However, the situation now appears to be somewhat changed in that not only is there no additional funding but the Trust had identified savings to meet targets for CSR. He expressed concern about the level of additional family support; the DHSSPS data on the number of unallocated child care cases within Northern Ireland; and the struggle to provide safe and effective child protection services whilst using a high number of first year Social Workers.

Mr Lawrenson concluded his presentation by reminding Trust Board members of their responsibility as Corporate Parents which requires the necessary structures and resources to be in place to protect children. He believed that whilst it would be possible to blame the Government/politicians for the financial situation, or the Minister for approving the budget, this could not take away from the fact that "the buck stops with you". He also appealed to the Non-Executive Directors to represent the public interest which would be the protection of all vulnerable children.

The **Chairman** thanked Mr Lawrenson for the clear delivery of his views and invited Mr Compton to make a response. **Mr Compton** stressed that there had been no degree of casualness or complacency in drawing up the proposals, and it is not possible to disregard the fact that CSR is a Government spending review and everyone has to work within its expectations and it is not possible for the Trust to set itself outside of this system. The proposals in relation to Children's Services are relatively modest and many of the services changed would be a matter of debate regardless of CSR, for example, fewer Children's Homes if realistic alternatives are available and that is what the Trust is working towards.

The **Chairman** again thanked Mr Lawrenson for his contribution and assured him that all the Non Executive Directors fully understood their responsibilities as Corporate Parents and took these very seriously.

06/09 CONSULTATION PROPOSALS - REFORM & MODERNISATION AGENDA

Mr Compton reported that a number of public meetings had taken place in respect of the Trust's consultation proposals throughout the Trust's area which have been well attended and were very constructive. In addition, approximately 500 consultees have been contacted regarding the proposals; meetings have taken place with a number of Councils, political parties, Health Economy Groups and also staff. He commented that the single biggest issue of concern expressed had been the proposed change to Elderly Persons' Homes and the impact on the current residents.

Mr Compton stated that the consultation exercise will continue during February 2009 and at the end of the process a synopsis of all the issues raised will be compiled and presented at the March 2009 Board meeting. The Trust will then make recommendations to the Minister but it is he who ultimately has decision making responsibility and will either approve or reject the recommendations made by the Trust Board. Mr Flanagan left the meeting at this point.

07/09 REPORT BY THE CHAIRMAN OF THE FINANCE COMMITTEE FOLLOWING THE MEETING HELD ON 8 DECEMBER 2008

In the absence of Mr O'Hara at the meeting, Mr Cummings included the report from the Finance Committee in his report at minute 08/09 below.

08/09 FINANCIAL REPORT FOR THE PERIOD ENDED 30 SEPTEMBER 2008

Members received, for information, Paper No: SET/01/09, Minutes of the eighth meeting of the Finance Committee held on 8 December 2008, for information. Also, Paper No SET/02/09, Director of Finance Report for the period ended 30 November 2008, which had been circulated with the papers for the meeting.

Mr Cummings reported that the November report revealed a small surplus and this position had been achieved through a combination of good financial management by Directorates and successful negotiations with Commissioners to secure non-recurrent support. Concern had been expressed regarding the continued rise in activity levels with a resultant impact on the Hospital Services budget. **Mr Cummings** indicated that this situation will continue to be monitored and discussed with Commissioners into the new financial year. In addition he noted the continuing high costs associated with core expenditure items, eg oil and gas.

In relation to CSR, **Mr Cummings** noted that in year 1, 91% has been achieved. A good start to Year 2 will be important. **Mr Cummings** concluded by stating that he remained confident that the Trust would achieve financial breakeven at 31 March 2009. In response to a query, **Mr Molloy** confirmed that Access NI is now achieving the required delivery of staff checks within 4 weeks. It is expected that this improvement will be sustained.

09/09 PERFORMANCE MANAGEMENT REPORT - CORPORATE SCORECARD – 31 DECEMBER 2008

Members received, for consideration, Paper No: SET/04/09, Performance Management Framework – Corporate Scorecard (January 2009), which had been circulated with papers for the meeting. In presenting the paper, **Mr Simpson** noted that action plans are in place to deal with areas in amber. He gave a brief presentation highlighting the areas of concern in the exception report regarding Access targets for A&E 4 hour target for treatment and the Acute Delayed Discharge target. The key issues relating to these areas included the growing number of attendances at A&E/admissions and the admission rates outstripping discharge rates. These issues are being managed through the Emergency Care Reform Programme and include a number of actions including 7-day working, balancing acuity with bed utilisation, reconfiguring beds and capacity planning. **Mr Simpson** detailed the 2007 and comparative 2008 A&E attendances which clearly displayed the growing number of patients. He also highlighted the improved Complex and Simple Discharge performance during this period and praised the response from the Community Teams in this achievement.

The **Chairman** noted that the recent level of admissions have not been experienced in a decade and remarked on the fantastic response by all members of staff including the Executive Management Team, A&E staff, all Ward staff and Community Teams. **Mr McGoran** commented that plans had been put in place to deal with the expected increased winter pressures but the admission levels were unprecedented and could not have been foreseen. He reiterated the praise for all staff across the organisation in dealing with the situation and acknowledged the assistance of colleagues in Belfast Trust in taking an ambulance divert for 8 hours on Wednesday 14 January 2009. **Mr Compton** advised that throughout this period the Trust had remained in control of the situation and that no patient was discharged or transferred before they were fit to do so. Over the next period of time staff will reflect on the situation and any lessons for the future will be detailed. He noted that the Trust's population demographic continues to increase in the over 65 age group and there are an increasing number of patients from areas which would not normally have attended the Ulster Hospital. These challenges will require the organisation to work more efficiently and discuss scale and capacity.

Brief discussion took place regarding the situation and, in response to a query, **Mr Compton** confirmed that GPs had been part of the solution to the problem and there did not appear to have been a number of inappropriate referrals to A&E. **Mrs McArdle** noted that a GP led virtual ward at Ards Hospital had been very beneficial.

10/09 “HAVING YOUR SAY” – A CONSULTATION DOCUMENT

Members received, for consideration and approval, Paper No: SET/05/09, Having Your Say – A Plan for Personal and Public Involvement, which had been circulated with papers for the meeting. The **Chairman** read out a brief statement from Ms Mann-Kler (unable to attend meeting) which advised that she had been a member of the Personal & Public Involvement (PPI) sub-committee and fully endorsed the aims and objectives detailed as a sound method of service design and delivery. A pre-consultation process has already taken place and feedback

received. There will be a commitment to legally abide by PPI soon and this draft Strategy, in her opinion, puts the Trust well on the way to meeting the legal requirements.

Mr Simpson gave a brief presentation on the development of the draft PPI Plan and sought Board approval to proceed to formal consultation. The main aim of the PPI is to detail the Trust's engagement with Service Users/Carers, Groups representing specific areas for e.g. Children/Older People/Mental Health and also localities/population. He noted the benefits and indicated that effective involvement is critical to achieve the changes required to ensure sustained services into the future. **Mr Simpson** concluded by outlining the timetable of the preparation, consultation process and submission of a revised plan to Trust Board in April 2009. In response to a member's query, Mr Simpson undertook to circulate a copy of the minutes of the PPI Sub Committee.

The **Chairman** sought, and received, approval to proceed to formal consultation in respect of the Having Your Say document.

11/09 EVALUATION OF STAFF SURVEY RESULTS

Members received, for consideration, Paper No: SET/06/09, entitled 'Executive Summary of Evaluation of Staff Survey Results', which had been circulated with papers for the meeting.

Mr Molloy briefly outlined the background to the survey and welcomed Mr McPoland, Assistant Director, Human Resources to present the findings of the survey. On behalf of member he congratulated Mr McPoland on his recent appointment as Director of Human Resources & Corporate Affairs, Department of Education and Development and wished him every success in his new role. He personally thanked Mr McPoland for contribution to the HPSS over the last 35 years and his contribution to the Human Resource agenda.

During **Mr McPoland's** presentation he advised that the staff survey had been carried out by a third party and included Social Care staff. The 52% response rate was viewed as a very good response and was an indicator that staff wanted to communicate with management. He highlighted some of the results and indicated that further analysis is available by professional groupings and Directorates. Some of the key issues related to work/life balance, training and development, pay and conditions, harassment and bullying, failure to widely circulate existing policies and communication with staff on all levels.

The report has now been placed on the Trust website and action plans will be developed in relation to specific issues within individual Directorates. A follow-up survey will be carried out. **Mr McPoland** advised that the DHSSPS are planning to carry out a regional survey in October 2009 and negotiations are underway to try to postpone this date in order to provide a meaningful evaluation of attitudes within the Trust when action plans have had an opportunity to produce changes. Brief discussion took place regarding the survey and members expressed their satisfaction in relation to this initiative.

12/09 CORPORATE PARENTING REPORT FOR THE PERIOD 1 APRIL 2008 TO 30 SEPTEMBER 2008

Members received, for consideration and approval, Paper No: SET/07/09, Corporate Parenting Report (1 April 2008 to 30 September 2008), which had been previously circulated. **Mrs Thompson** highlighted that this is a retrospective report and that there have been significant developments within the service since the report had been produced. She then introduced Mrs Campbell, Assistant Director of Social Work, Regulation, Improvement and Audit who gave a brief presentation on the report which addressed the following areas:-

- Child Protection - Key Issues;
- Children Looked After;
- Care Leavers;
- Children with Disabilities;
- The Trust's Focus; and
- Improving and Ensuring Safe and Effective Children's Services

A brief discussion ensued and Mrs Campbell responded to the individual queries raised by members. She said that the report revealed an increase in the levels of severity and out of 427 children on the register, 318 are in the most vulnerable age group of between 0 - 12 years. She then provided detailed statistics on the children who are looked after, leaving care and, in respect of children with a disability. Information on the Directorate's focus in the incoming months was highlighted and reference was made to key areas such as information management, supervision and trend analysis, ensuring competent staff, the Children's Directorate Risk Register, workforce and quality strategies. Finally, Mrs Campbell summarised the arrangements for improving and ensuring safe and effective children's services.

The **Chairman** thanked Mrs Campbell for a very comprehensive and informative presentation.

The **Chairman** then sought, and received approval to, the Corporate Parenting Report for the period 1 April 2008 to 30 September 2008.

13/09 SPEAKING RIGHTS – INDEPENDENT HEALTH & CARE PROVIDERS

The **Chairman** welcomed Ms Montgomery, Honorary Secretary, and Mr Kerr, Deputy Chair, of Independent Health & Care Providers (IHCP) to the meeting.

Ms Montgomery thanked the Chairman for the opportunity to address the Board regarding the Trust's Policy for the purchase of Elderly Care Home Places. She indicated that IHCP represented those providing services for clients who are vulnerable, e.g. mental health, learning disability or special needs. **Ms Montgomery** believed that the new policy has far reaching implications for the provision of care to these client groups within the independent sector. The aim of the policy appeared to be to drive down Trust costs for care home placements whereas the IHCP works to continually improve care standards and sometimes Care Homes, who provide additional quality care standards, include a supplementary charge. **Ms Montgomery** expressed concern regarding a range of issues including:-

- Low payment rates may lead to these clients only receiving minimum standards.
- Extend deadline for submission of responses to enable further consultation with Providers.
- The Trust should seek the regional rate of the full necessary costs to provide this type of care.
- Consideration should be given to the additional costs faced by Providers including heating, lighting, staffing and the additional standards imposed.

Ms Montgomery concluded her presentation by asking the Trust Board members to think very carefully before proceeding with this policy. In response, **Mr Compton** thanked Ms Montgomery for her very balanced presentation. He stressed that the Trust viewed the policy as an opportunity to work in partnership with IHCP/Providers. The Chairman also thanked Ms Montgomery for a very informative presentation.

14/09 POLICY FOR THE PURCHASE OF ELDERLY CARE HOME PLACES BY THE SOUTH EASTERN HSC TRUST

Members received, for consideration and approval, Paper No: SET/08/09, Policy for the Purchase of Care Home Places for Older People by the South Eastern HSC Trust, which had been circulated with papers for the meeting.

Mrs McArdle welcomed Mr Mayhew, Assistant Director Older People's Services, to the meeting. **Mr Mayhew** gave a detailed presentation on the proposed policy for the purchase of Care Home places for Older People and advised that the policy was developed to ensure consistency and exercise control on this major expenditure area. It aims to promote partnership working and produce clarity regarding charges. The current system of paying rates above funding has implications and consequences for the Trust by diverting funding from other services.

Mr Mayhew advised that, through negotiations, the number of residents for whom the Trust pays supplements has been reduced to 57. To date 41 homes have accepted the new policy and 24 are not yet in agreement. He stressed that the phasing out of supplements, over the next three years, has been a matter of negotiation with Providers and has not been imposed by the Trust. Providers who offer new placements at the agreed rate will be included on an approved list which will be used when awarding block contracts, and will also be clearly distinguished when providing lists of Care Homes to prospective residents/relatives.

Mr Mayhew concluded his presentation by noting that Ms Montgomery had expressed concern regarding the policy possibly jeopardising current placements and stressed that, as detailed on pages 7/8 of the policy, it will not affect existing residential placements. **Mr Compton** noted that the Trust's proposed policy ensures that funding is spent prudently and in no way is there an implied criticism of the Independent Sector. Trust staff will continue to work with Providers during the transitional period and continue the sense of partnership in care provision.

A brief discussion ensued and **Mr Compton** indicated that the Trust must operate within the rules and there has been substantial progress in working towards a

common approach. This new system will remove confusion and provide clarity for individuals, and their families, when considering care providers. Work is also taking place with DHSSPS staff regarding a regional rate for the province. The **Chairman** then sought, and received, Trust Board approval to implement the proposed Policy for the Purchase of Care Home Places for Older People.

Finally, **Mrs McArdle** advised that Mr Mayhew would be leaving the Trust in February 2009 to take up a new post as Director of Praxis. On behalf of members, she thanked Mr Mayhew for his many years of service and wished him well in his new appointment in the private sector.

15/09 INFECTION CONTROL

Members received, for information, Paper No: SET/09/09, Infection Reduction Plan 2008-09, and Paper No: SET/10/09, MRSA Bacteraemia and Clostridium Difficile Infections from April – December 2008, with the papers circulated in advance of the meeting.

Mrs McArdle highlighted the amber areas where improvements have been achieved. The red area of concern has been addressed by an action plan which has been implemented. She concluded by noting the improvement in relation to the monthly figures for Clostridium Difficile and MRSA and indicated that they will continue to be closely monitored.

16/09 REPORT BY THE CHAIRMAN OF THE GOVERNANCE COMMITTEE

Members received, for information, Paper No: SET/11/09 being a Report of the Governance Committee held on 1 December 2008 together with the minutes of the meeting, which had been previously circulated. **Mr Compton** highlighted the key issues discussed at the meeting and no issues were raised for discussion.

17/09 UNALLOCATED CHILD CARE CASES AS AT 28 NOVEMBER 2008 AND 26 DECEMBER 2008

Members received, for information, Paper No: SET/12/09, Unallocated Children's Cases with Social Work Teams in both Learning and Physical Disability as at 28 November 2008; and Paper No: SET/13/09, Unallocated Children's Cases with Social Work Teams in both Learning and Physical Disability as at 26 December 2008.

Mrs Thompson advised that there has been an increase in unallocated cases (due to public reaction to publicity of serious cases in England) resulting in marked increases in referrals. Additional temporary staff have been employed, at additional financial costs to the Directorate, in order to respond to this situation. She hoped that the situation will soon level out in the incoming weeks.

18/09 ANY OTHER BUSINESS

There were no items of Any Other Business raised at the meeting.

19/09 DATE AND VENUE OF NEXT MEETING

The **Chairman** confirmed that the next Trust Board meeting will be held on **Wednesday 18 February 2008 at 11.00am in the Great Hall, Downshire Hospital, Downpatrick.**

_____ Date: _____

**Mr Colm McKenna
Chairman**

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