

Minutes of: Council of Governors

Date/Time of meeting: 25 January 2023 at 5pm

Title / Department	Name	Initials	Present / apols
Core member			
Chair	Kathy Doran	KD	P
Non-Executive Director	Mark Tattersall	MT	P
Non-Executive Director	Elkan Abrahamson	EA	P
Non-Executive Director	Geoff Broadhead	GB	P
Non-Executive Director	Terry Jones	TJ	P
Non-Executive Director	Asutosh Yagnik	AY	P
Non-Executive Director	Anna Rothery	AR	A
Chief Executive	Liz Bishop	LB	P
Director of Workforce & OD	Jayne Shaw	JS	P
Medical Director	Sheena Khanduri	SK	P
Chief Nurse	Julie Gray	JG	P
Chief Operating Officer	Joan Spencer	JSp	P
Director of Finance	James Thomson	JT	P
Chief Information Officer	Sarah Barr	SB	P
Director of Strategy	Tom Pharaoh	TP	P
Public Governor	Anne Olsson	AO	P
Public Governor	Jonathan Heseltine	JH	0
Public Governor	Andrew Waller	AW	P
Public Governor	John Field	JF	P
Public Governor	Caroline Pelham-Lane	CPL	P
Public Governor	Sonia Holdsworth	SH	P
Public Governor	Keith Lewis	KL	P
Public Governor	John Roberts	JR	P
Public Governor	Vincent Olsson	VO	P
Public Governor	Hussein Rahil	HR	A
Public Governor	Jane Wilkinson	JW	P
Public Governor	Miles Mandelson	MM	P
Public Governor	Glen Crisp	GC	P
Staff Governor	Abhishek Mahajan	AM	P
Staff Governor	Myfanwy Borland	MB	A
Staff Governor	Laura Jane Brown	LJB	P
Staff Governor	Linzi Hickson	LH	P
Appointed Governor	Yvonne Nolan	YN	P

Appointed Governor	Samuel Cross	SC	P
Appointed Governor	Andrew Schache	AS	O
Appointed Governor	Mahmoud Elfar	ME	A
Appointed Governor	Nick Small	NS	A
Appointed Governor	Nancy Whittaker	NW	A
Appointed Governor	David Gawne	DG	P

Also in attendance

Title	Name	Initials
Corporate Governance & Governor Engagement Officer	Anne Mason	AMa
Skye Thomson	Corporate Governance Manager	ST
Abby Ashcroft	Corporate Governance Administrator	AA
Paul Buckingham	Interim Associate Director of Corporate Governance	PB
Emer Scott	Associate Director of Communications	ES

	Standard business
1-23	Welcome, introduction & apologies: The Chair welcomed all those in attendance and gave a warm welcome to the new Governor for the Isle of Man, David Gawne, who was attending his first Council of Governors meeting. Introductions then followed and the Chair noted the apologies from the table above.
2-23	Declarations of interest: No declarations of interest were noted <input checked="" type="checkbox"/>
3-23	Minutes of previous meeting: 5th October 2022 The minutes were approved as an accurate record
4-23	Matters arising/ Action Log None
5-23	Chief Executive Update The Chief Executive provided the following updates to the Council of Governors: LB informed the Council that Clatterbridge Cancer Centre has taken part in a Clinical Services Review, working in partnership with other NHS and social care partners, to help people with cancer get a seamless service wherever possible. A paper will be published with the Integrated Board Papers on 24 th February 2023 and means the Trust will continue to increase working relationships with Liverpool University Hospital and other partner hospitals. LB went on to highlight the following: <ul style="list-style-type: none"> • The results of the National Staff Survey are expected in February 2023. • The CQC inspection of Clatterbridge Private Clinic gave an overall rating of Good with no recommendations. • Positive feedback is still being received following the Staff Awards in December 2022. • LB commended the teams for the care and treatment of patients on the 15th and 20th December during the strike action, which had little impact on the patients.

	<ul style="list-style-type: none"> Planning is now taking place with the Strike Committee, regarding the scheduled strike action that is due to take place on two consecutive days, 6th and 7th February 2023, which will be further impacted with the ambulance strike and teachers strike. <p>KL asked why the staff were on a 2hr rotation? LB explained that this was to support those staff who were working to take part in the strike to support their colleagues.</p>	
6-23	<p>Lead Governor Update The Lead Governor provided the following highlights to the Council of Governors:</p> <p>JW thanked the executive team for inviting a number of Governors to the Staff Awards and reiterated the success of the evening.</p> <p>JW attended a very successful meeting with the Lead Governors from The Walton Centre and Liverpool Women's Hospital who had a number of great ideas for joint working and the group plan to meet either monthly or bi-monthly to improve collaboration.</p> <p>JW commented that the addendum report, item CG-16-23, details a requirement for Governors to engage with "the rest of the population" and expressed concern as to how this will be achieved when the Council of Governors meet only 4 times a year, and therefore suggested either an increase in meetings or additional workshops.</p>	
	Reports and Action Plans	Action
7-23	<p>Performance and Quality Update</p> <p>The Executive Team updated the Council of Governors on Key Operational Issues, Quality, Workforce and Finance within the Trust.</p> <p>Operational Highlights JSp highlighted that the Trust has experienced a period of missing the 62-day target in the first half of 2022 due to factors outside the Trust's control such as; late referrals and delays with test results from specialist laboratories. However, test results have seen an improvement due to working collaboratively with Liverpool University Teaching Hospital laboratories that have helped expedite test results.</p> <p>Extra activity is taking place to aid recovery from the Covid-19 pandemic and recruitment for specialist areas in radiotherapy and chemotherapy nursing is ongoing.</p> <p>Discharges remain challenging with continuing issues with transfer of care affecting length of stay, however, the Trust is involved in a Northwest campaign to achieve timely discharges.</p> <p>Planning for the forthcoming industrial action is taking place to ensure that the service remains safe for patients.</p> <p>NHS Planning guidance was published in December 2022 and an update on the implications was brought to Trust Board on 25th January 2023.</p> <p>The Trust continues to support Liverpool University Hospitals Foundation Trust following the opening of the new Royal Liverpool Hospital throughout winter, with appropriate transfer of patients and clinical support.</p>	

Quality Highlights

JG advised that the Trust's performance has fallen below the Key Performance Indicator due to the fill rate for core staff being slightly lower than the target. To mitigate this, there are twice daily staff meetings to review staffing levels and skill mixes.

New dashboards have been developed to display performance and activity in real time such as, the number of admissions and whether VTE risk assessments have been carried out.

Infection rates remain high, not just at the Trust but nationally. A review of clinical post surgery infections has taken place with the outcome showing that infections were not due to a lapse in care, however the learning from the review will be shared across the Trust.

JG also highlighted that a response to a complaint is out of time, however this is due to arranging a face-to-face meeting with the complainant, with their agreement, to ensure a thorough resolution takes place.

A Policies Task and Finish group has been set up to manage Standard Operating Procedures and Policies to streamline documentation and make them less onerous.

KL asked if the bank nurses that are used are specialist nurses. JG clarified that generally the bank nurses used are Clatterbridge Cancer Centre staff who are signed up to the bank, however, if other bank nurses are used the skill mixes are reviewed to ensure there is appropriate support for the patients.

Workforce Highlights

JS updated the Council of Governors stating that despite the Trust's high sickness levels of 5.9% in December, performance remains good with appraisal rates and training targets of 90% being met.

Staff turnover is at 16.2% which is 1.2% above target however the Workforce team are working closely with the clinical teams to review turnover and sickness to identify where improvements can be made.

JW queried the challenges with Radiology and Chemotherapy staff. JS advised that these staff groups are over-established to manage the increased workloads, however, Radiographers are difficult to recruit nationally.

AW asked how the Trust's turnover compares to other similar Trusts. JS replied that the Trust uses the Model Hospital data to benchmark against and compares favourably against The Christie.

AW and JF asked what are the causes of the high turnover? JS informed some reasons are work life balance, preferring to work on the Wirral and the commute to Liverpool. JS added that currently the NHS is struggling overall with the ongoing industrial action.

Research and Innovation

SK advised that the Trust is currently below the target for trial recruitment due to a strategic, clinically led decision, made in December 2021 to prioritise the set up and opening of Experimental Cancer Medical Centre (ECMC) studies. These studies are

	<p>scientifically relevant but difficult to recruit patient numbers, and as a specialist cancer centre, the Trust portfolio focuses on early phase trials.</p> <p>The Research and Development Team continue to work collaboratively with service departments and are working to maximise recruitment to all open trials.</p> <p>SK added that the Trust is delighted to achieve Experimental Cancer Medicine Centre Status and has exceeded the target for the number of studies opened in December 2022.</p> <p>JF complimented the achievements of Professor Christian Ottensmeier, who took part in the latest ground round, stating his contributions will make a major impact on future trials.</p> <p>Finance</p> <p>JT informed that the Trust's financial position to the end of December is £93k above plan, with a group position to the end of December of £2.391m surplus. Risks have been mitigated with support from the Integrated Care Board for this financial year. The Trust's cash position has a closing balance of £67.4m which is £13.3m above plan. Capital spend is currently reporting below plan with the majority of spend expected in the last quarter of the year.</p> <p>Agency spending is above the cap in December by £57k with £398k year to date. Further controls have been put in place by NHSE/I to monitor agency spend with Divisions providing exit strategies for all agency spends which are being monitored regularly throughout the year.</p> <p>Planning for the new financial year has commenced following the NHS Planning Guidance that was released in December 2022.</p> <p>The Council of Governors noted the contents of the report.</p>	
8-23	<p>Audit Committee</p> <p>The Chair, MT, provided an update from Audit Committee.</p> <p>MT advised that there are 2 reports, one from 13 October 2022 and 12 January 2023 and highlighted the consistent theme of BAF Cyber Security with a residual risk score of 12, which is to be achieved by 31 March 2023. MT commented that the residual risk score is unlikely to reduce further given the changing nature of cyber threats</p> <p>An Internal Audit Progress Report provided positive assurance on progress to complete the 2022/23 Internal Audit Plan by 31 March 2023. Feedback from a review by The Mersey Internal Audit Agency was received which provided assurance that the Trust's self-assessment against the 72 questions in the checklist had been fully completed and that the self-assessment scores in respect of the 12 NHSE specified questions were reasonable.</p> <p>The Audit Committee carried out the annual review of the Terms of Reference and endorsed a number of proposed amendments which aim to provide clarity of the Committee function, and will ensure consistency with the model Terms of Reference detailed in the HFMA Audit Committee Handbook.</p>	

	<p>MT informed that Audit Committee was advised that, whilst a decision had been taken nationally that the additional Elective Recover Funding, (ERF), mechanism for activity in excess of 104% would not be processed in 2022/23, the Cheshire & Mersey system had agreed that the level of planned ERF to meet the Trust's financial plan will be supported by the Integrated Care Board (ICB). This is a significant development given the concerns raised previously by the Board in relation to the level of risk associated with the lack of clarity surrounding ERF.</p> <p>The Council of Governors noted the contents of the Reports</p>	
9-23	<p>Performance Committee Assurance</p> <p>The Chair, GB, provided an update from Performance Committee</p> <p>The winter planning and bed utilisation review has taken place, informing that there were areas of good practice and system support, however issues relating to the cost of mutual aid beds were raised, resulting in a funding request being made to the Integrated Care Board.</p> <p>A Cost Improvement Programme (CIP) deep dive prompted discussion regarding challenges with recurrent and non-recurrent CIP. The report highlighted the future for CIP around transactional savings and a move towards more transformational and strategic savings schemes for CIP going forward.</p> <p>The Emergency Preparedness Report states that the assurance score against the Core Standards has changed after a review by the Board from 91% to 77%, following an external review due to the late change in assessment criteria. The team are making good progress and anticipate a return to the higher score in quarter 4.</p> <p>The Council of Governors noted the contents of the Report.</p>	
10-23	<p>People Committee Assurance Report</p> <p>Non-Executive Director provided the following update to the Council and highlighted the following:</p> <p>GB advised that the Committee meeting took place during the strike action and stated that emergency plans were put in place with local derogations to ensure the Trust remained in a safe position. Business Continuity Plans were updated regularly.</p> <p>Mandatory Training was reported to be on target and a report was requested for Trust Board on historical data around ILS and BLS underperformance.</p> <p>The new Equality, Diversity and Inclusion Lead has now started at the Trust on 4th January 2023 and will cover both The Clatterbridge Cancer Centre and Alder Hey Trusts.</p> <p>The People Committee noted the national changes to the Apprenticeship Public Sector Act and discussed the Trust plans to promote apprenticeships utilising unexplored pathways, as well as through recruitment and staff development.</p> <p>LJB queried the areas of underperformance with the People Commitment Implementation Plan. JS advised the two main areas being: the Equality, Diversity, and Inclusion plan due to a delay with collaborative working and with the Digital programme, both of which are now getting back on track.</p>	

	The Council of Governors noted the contents of the Report	
11-23	<p>Charitable Funds Committee Assurance Report Non-Executive Director and Chair of Charitable Funds, EA, introduced the Report noting the following:</p> <p>EA explained that Northwest Cancer Research uses “Incorporating Clatterbridge Cancer Research” along with their name which is causing confusion amongst donors. The Charity has requested they relinquish use of this name. The Charity has applied to trademark its own name and will also be applying for a full Gambling Commission Licence in line with further growth of its lottery.</p> <p>Two funding requests have been agreed, £150k for the NIHR Biomedical Centre bid, and £283K for the purchase of an Akoya Phenocycler Fusion Instrument to facilitate faster decision on the type of immunotherapy to offer patients.</p> <p>JW queried the discrepancy with Northwest Cancer Research and asked if the Charity were already aware of this issue. EA informed that the Head of Fundraising is aware of this issue and details of legacies are negotiated on a case-by-case basis.</p> <p>The Council of Governors noted the contents of the Report</p>	
12-23	<p>Quality Committee Assurance Report Non-Executive Director EA, introduced the Chair’s Report highlighting the following:</p> <p>EA advised that the Annual Patient Experience and Inclusion Report was approved by the Committee and will be published on the Trust’s Website.</p> <p>The Quality and Safety of Mental Health, Learning Disability and Autism Inpatient Service Report provided evidence of assurance and identified areas of improvement following a True for Us review. The review followed a letter sent in light of the BBC Panorama programme focusing on the Edenfield Centre, Greater Manchester Mental Health NHS Foundation Trust to Chief Nurses, to request that Boards reflect on the content and take action to ensure that the behaviours and actions demonstrated are not present in their own services.</p> <p>The Council of Governors noted the contents of the Report</p>	
13-23	<p>Patient Experience and Inclusion Committee (PEIC) Report AW, Public Governor, presented the highlights of the report:</p> <p>Monthly, Non-Executive Director and Governor Engagement visits, are proving very successful and any potential issues highlighted that require immediate action are addressed on the day by the clinical lead and all other actions are captured through the reporting structure, addressed by the Divisional Area and through the Patient Experience and Inclusion Committee. Shared learning from any actions identified, is disseminated at a Divisional Level and through the Patient Experience Operational Group and Assurance Committee to ensure wider learning across the organisation.</p> <p>The Clatterbridge Cancer Centre NHS Foundation Trust has been rated one of the best hospitals in England for inpatient care for the third year running, following the results of the Adult Inpatient Survey 2021.</p>	

	<p>Some Governors took part in the Patient Led Assessment of the Care Environment (PLACE), which involved putting the patient's views at the centre of the assessment process and used information taken directly from assessors to report how well Clatterbridge Cancer Centre Liverpool is performing. It is anticipated that the results of the PLACE assessment will be released in February 2023.</p> <p>AW reiterated the success of the Staff Excellence Awards and stated it was a joy to attend and to watch staff getting recognised for their hard work. LB went on to compliment the Workforce and Operational Development Team and the Communications team for putting the event together and advised that plans are taking place for this year's Staff Excellence Awards.</p> <p>KL agreed that the Non-Executive Director and Governor Engagement visits are very instructive and requested more dates be sent out in an easy-to-use format for Governors to complete</p> <p>Action: Dates for Non-Executive Director & Governor Engagement Walk-Rounds to be obtained from June onwards and sent in clear and easy to use format for Governors to complete.</p>	CG&G EO
14-23	<p>Membership Engagement and Communications Committee LJB, Staff Governor, and Chair of the Membership Engagement and Communications Committee (MECC), provided an update highlighting the following:</p> <p>A meeting has been arranged with Angie Ditchfield, the new Equality Diversity and Inclusion Lead, to discuss how the Committee can reach all communities and the Committee will also be linking in with the Cancer Alliance Team.</p> <p>LJB confirmed that the Committee has now approved the membership materials which will debut at the Glow Green Night Walk charity event on 3rd February 2023 and will be attended by some of the Governors and the Corporate Governance Team to recruit new members to the Trust.</p> <p>The Charity Team will be attending the next Membership Engagement and Communications Committee in February to support the development of an events calendar to promote membership opportunities.</p> <p>A collaboration meeting has been arranged on 23rd February 2023 with the Chairs of other Membership Committees from local Trusts, led by Liverpool Women's Hospital to join forces and share ideas around membership engagement.</p> <p>The Council of Governors noted the contents of the report.</p>	
15-23	<p>Five Year Plan – Strategy progress update The Director of Strategy, TP, provided the following update with input from the Executive Team:</p> <p>TP introduced the report and noted that the plan is nearly two years in progress. The aim of the plan is to maximise the benefits of Clatterbridge Cancer Centre Liverpool (CCCL), and its unique network of care. TP outlined the challenges facing the Trust and highlighted some the progress against the six strategic priorities, which are communicated through CCC Live, Team Briefs and through a Board report, which is available on the Website.</p>	

	<p>Be Outstanding The Trust is rated one of the best hospitals in England for inpatient care following the Care Quality Commission's (CQC), National Inpatient Survey, published in October 2022. CCCL continues to support of the opening of the New Royal Liverpool Hospital, new appointments in the Quality and Governance Team and development of the Chimeric Antigen Receptor T-cell (CAR-T) therapy as well as the start of Clatterbridge Cancer Centre Wirral redevelopment programme.</p> <p>Be Collaborative Clatterbridge Cancer Centre, (CCC), continues to lead the Cheshire and Merseyside, (C&M), Urgent Cancer Care Programme, continues leading the C&M Community Diagnostic Centre Programme, plays an active role in C&M Health and Care Partnership. CCC is also the provider for the region Cheshire and Merseyside Acute and Specialist Trusts, (CMAST), and is engaging in a review of acute hospital services in Liverpool.</p> <p>Be a Great Place to Work The Trust had the first Staff Excellence Awards, has dedicated development for Band 5 & 6 staff, received good staff engagement at the listening events and through staff networks. The Health and Wellbeing Extravaganza had an excellent response from staff with over 400 staff taking part and there was a 65% response rate to the 2022-2023 staff survey.</p> <p>Be Research Leaders The Trust achieved a successful bid for Biomedical Research Centre together with the Royal Marsden and the official launch of the NIHR Liverpool Clinical Research Facility (CRF) with Liverpool University Hospital Foundation Trust, (LUHFT) and Liverpool Heart and Chest took place in November 2022. The Trust also successfully bid for the Experimental Cancer Medicine Centre (ECMC) renewal in January 2023. A new Deputy Director of Clinical Research has been appointed and the Clatterbridge Research Funding scheme was launched in November 2022.</p> <p>Be Digital The new Digital strategy and key themes have been agreed and good progress made on the telemedicine pilot of remote monitoring of immunotherapy and advanced lung cancer patients. A Digital team successfully bid for funding from Health Education England, to support a Virtual Reality project for Sepsis training and a number of digital themes are embedded within the Trust's business as usual, with the appropriate governance in place.</p> <p>Be Innovative A new innovation strategy has been for approval through Trust governance structures in January 2023, and engagement with local and national innovation partners is taking place. The Bright Ideas Scheme has had 120+ submissions including one from a patient. Proposals are now in development for a Big Ideas scheme to encourage innovation on a larger scale.</p> <p>Some of the challenges affecting the strategies are, staff turnover and vacancies in key corporate services. Elective recovery, increasing referrals, higher patient complexities and mutual aid for the New Royal Liverpool Hospital have had an impact on management and capacity to support the delivery of the strategy. The focus on the</p>	
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	<p>opening of the New Royal has impacted on the ability to progress development of Clatterbridge Cancer Centre Wirral (CCCW), and Halton sites.</p> <p>The next steps are to deliver the remainder of the programme supporting the New Royal with link bridges and shared areas with CCCL, the establishment of CAR-T therapy service, development of a new clinical quality strategy and trust wide quality approach; and proposals to redevelop CCCW.</p> <p>JW asked how many bright ideas had been implemented. TP advised that some ideas link in with the Green Plan, others are eligible for innovation funding and others are quick fixes that are implemented with ease, however there are no confirmed numbers, but all ideas receive feedback.</p> <p>LJB asked if the Innovation Manager could present some Bright Idea examples to the Committee.</p> <p>AM asked if artificial intelligence is being used for data collection and analysis. SB confirmed that this is reviewed regularly in diagnostic projects.</p> <p>CPL asked if there were plans available around the redevelopment of CCC-W. TP confirmed that plans are in the very early stages with nothing tangible to share except that the Trust is committed to the redevelopment programme and regular updates will be provided at Council of Governors.</p> <p>Action: Innovation Manager to be invited to Council of Governors to present examples of implemented Bright Ideas</p> <p>The Council of Governors noted the contents of the presentation.</p>	CG&G EO
16-23	<p>System Working & Collaboration: Role of Councils of Governors</p> <p>The Interim Associate Director of Corporate Governance, PB, introduced the addendum report and highlighted the following:</p> <p>PB advised the Council of Governors that the report, published on 27th October 2022, contains an addendum to the statutory duties of NHS Foundation Trust Governors, explains how the existing legal duties of Councils of Governors support system working and collaboration.</p> <p>The Addendum provides clarity on three of the duties:</p> <ol style="list-style-type: none"> 1. Holding the Non-Executive Directors to account - and recognising that the Trust's success will increasingly be judged against its contribution to the objectives of the Integrated Care Systems. 2. Representing the interests of Trust members and the Public - to support collaboration between organisations and the delivery of better, joined up care, Councils of Governors are required to form a rounded view of the interests of the 'public at large'. This includes the population of the local system of which the Foundation Trust is part. No organisation can operate in isolation, and each is dependent to a greater or lesser extent on the effort of others. 3. Taking Decisions on Significant Transactions - in the context of due process including consideration of the 'public at large' and impact on partners within the Integrated Care Systems. 	

	<p>PB met with KD and JW to discuss development of a plan to incorporate the views of the “Public at large”, which will require input from the MECC and additional Council of Governor meetings or workshops. JW will email Governors to obtain a consensus on the best approach. PB offered to conduct 1-1 or group sessions prior to workshops being arranged to discuss Governor roles and responsibilities if required.</p> <p>MM request details of the work plan for Council of Governors, Corporate Governance team to circulate.</p> <p>PB advised that a network of Company Secretaries from local organisations are reviewing training and development sessions for Governors to enable collaborative working.</p> <p>Action: JW to canvas the Governors to ask if they prefer additional Council of Governors meetings or Governor Workshop to discuss development plan for system working and collaboration</p> <p>Action: Governor Work Plan to be circulated to all Governors</p> <p>The Council of Governors noted the contents of the report.</p>	<p>JW</p> <p>CG&G EO</p>
For Approval		
17-23	<p>Review of Trust Constitution</p> <p>The Interim Associate Director of Corporate Governance, PB, introduced the report:</p> <p>PB asked the Council of Governors to approve the proposed amendments to the Trust’s Constitution following a review originally carried out in March 2022. PB explained that the outcomes of the review were originally reported to the Audit Committee on 1 April 2022, however, the Committee requested a number of further amendments prior to reconsideration of the updated Constitution at the next scheduled Committee meeting in July 2022. Unfortunately, the action was not progressed, due to the unplanned extended absence of a key post holder and remained an outstanding action on Audit Committee Action Log.</p> <p>The original review was comprehensive and supported by Hill Dickinson LLP to provide an independent view and ensure the content reflected established best practice.</p> <p>The Council of Governors approved the proposed amendments to the Constitution and are to be provided with an updated copy.</p> <p>Action: PB to provide Council of Governors with the updated copy of the Trust’s Constitution</p>	<p>PB</p>
Any Other Business		
18-23	<p>Meeting Review</p> <p>The Council of Governors agreed the meeting went well.</p>	
19-23	<p>Any other Business</p> <p>ST reminded all Governors to complete the On-Boarding packs as they are required to sign the Code of Conduct, Confidentiality Agreement and Conflicts of Interest.</p>	

	ST invited Governors to attend the Glow Green Night Walk on 3 rd February 2023 where membership recruitment will be taking place and advised that all updates for Governors are contained within the monthly Governor Bulletin, which Governors are encouraged to read.	
	Date and time of next meeting via MS Teams: 26th April 2023 at 5pm	