

ESNEFT Council of Governors

Thursday 7 April 2022

Report Title:	Governor Response to the Trust Quality Account
Executive/NED Lead:	Giles Thorpe, Chief Nurse
Report author(s):	Rebecca Driver, Director of Communications and Engagement
Previously considered by:	Audit and Risk committee – 16 March 2022

☒ Approval

☐ Discussion

☐ Information

☐ Assurance

Executive summary		
<p>Every year, the Trust is required to produce a Quality Account. Prior to 2020, all Foundation Trusts had been required to produce a Quality Report, which included the requirement for the Trust's Governors to identify one of the Quality Indicators and instruct the auditors to review and comment on the data quality. Whilst this requirement has been removed (including any auditor requirements), the Governors are invited to include a response to the Quality Account.</p> <p>There has been no indication as to whether or not the requirement for auditors and therefore the quality indicator review, will be reinstated, however annual guidance is issued at the end of January each year and the Council updated.</p> <p>The Council is asked to approve the attached Governor Response to be included as a forward to this report.</p>		
Action Required of the Board/Committee		
<p>The meeting is asked to:</p> <p>Approve the Governor response to the Trust Quality Account.</p>		
Link to Strategic Objectives (SO)		Please tick
SO1	Keep people in control of their health	<input checked="" type="checkbox"/>
SO2	Lead the integration of care	<input checked="" type="checkbox"/>
SO3	Develop our centres of excellence	<input checked="" type="checkbox"/>
SO4	Support and develop our staff	<input checked="" type="checkbox"/>
SO4	Drive technology enabled care	<input checked="" type="checkbox"/>
Risk Implications for the Trust <i>(including any clinical and financial consequences)</i>		The failure of the Trust to complete a Quality Account will lead to a breach of the regulations, and associated action may be taken against the Trust.
Trust Risk Appetite		The Board has a cautious view of risk when it comes to patient safety, patient experience or clinical outcomes and places the principle of "no harm" at the heart of every decision it takes. It is prepared to accept some risk if, on balance, the

	benefits are justifiable and the potential for mitigation actions are strong. When taking decisions involving choices between a wide range of outcomes, it will prioritise the option resulting in the greatest benefit for the most patients.
Legal and regulatory implications (<i>including links to CQC outcomes, Monitor, inspections, audits, etc</i>)	Providers of NHS healthcare are required to publish a quality account each year. These are required by the Health Act 2009, and in the terms set out in the National Health Service (Quality Accounts) Regulations 2010 as amended ('the quality accounts regulations').
Financial Implications	There are no financial implications
Equality and Diversity	<p>The Quality Account is reviewed to ensure that it does not directly or indirectly discriminate in its production of data. In accordance with the Equality Act 2010 consideration has been given to:</p> <ul style="list-style-type: none"> • age. • disability. • gender reassignment. • marriage and civil partnership. • pregnancy and maternity. • race. • religion or belief. • sex

Draft for approval

Council of Governors Statement on the (draft) Quality Account 2021/2022

The Governors of ESNEFT are the Trust's main conduit for public accountability with eighteen elected Public Governors forming a majority on the Council of Governors alongside six Staff Governors and eight Stakeholder Governors.

Over the past year, we have been particularly mindful of the constraints placed on the Trust to be able to engage with patients and potential patients in our communities, without having regular face to face contact.

We are pleased to note some of the innovative ways that the Trust has endeavoured to overcome some of the challenges, particularly in terms of effective communications, in every sense, for inpatients and their loved ones during periods of restricted visiting. We also note the active recruitment of volunteers to help support patients, particularly on the elderly and dementia wards and the focus on staff health and wellbeing.

Engagement has still been able to be achieved with patients and carers, managed effectively on-line. This can be evidenced in particular with the on-going conversations about the forthcoming Dame Clare Marx Elective Orthopaedic Centre at the Colchester site, following a full public consultation in 2019/20. Governors have been actively supporting this process.

Before the pandemic, Governors would have been visiting active patients' groups across the Trust and particular groups within the community - listening and feeding back comments to those who plan and provide services across ESNEFT's catchment area. This is just one way for the patient voice to be heard which we plan to reinstate as soon as it is safe to do so, working closely with the Patient Experience Team.

As part of one of our key statutory roles, Governors have been involved in the shortlisting and interview process for the appointment of two new non-executive director (NED) posts this year and in the appraisal process of the Chair. It is our duty to ensure that the Chair's performance meets with the Trust's vision and values and that the organisation's strategic direction meets the needs of the population that the Trust serves.

We can confirm that we have continued to hold the NEDs to account, both individually and collectively, for the performance of the Trust Board. We have done this through our attendance as observers at their Assurance Committees and at the Trust Board meetings in public. We have noted their effective questioning and challenging of management, where it is appropriate, and their contributions to the development of strategies and governance processes.

We do value that both NEDs and Executive Directors have attended our informal on-line meetings with the Chair to provide us with briefings on a number of selected issues during the year, including explanations of aspects of performance, planned capital improvements and investments.

With access to Trust leadership, data and information, we look forward to being consulted on key aspects of strategies and governance that affect the Patients' experience and to having a stronger, more effective voice within the Trust to add value to the Patients' experience of services in future.

Helen Rose, Lead Governor, March 2022