

**Minutes of the Council of Governors meeting held on
13 December 2022, 2pm – 5pm
Via TEAMS**

Present

Helen Taylor, Chair of ESNEFT (Chair)
Helen Rose, Lead Governor / Public Governor, Rest of Suffolk and Lead Governor
John Alborough, Public Governor, Rest of Suffolk
Emma Blowers, Staff Governor, Colchester
Abhijit Bose, Staff Governor, Ipswich
Gemma Bourne, Staff Governor, Ipswich
Caroline Bowden, Public Governor, Colchester
Peter Coleman, Public Governor, Rest of Suffolk
Isaac Ferneyhough, Staff Governor, Colchester
David Guest, Public Governor, Colchester
Rebecca Hopfensperger, Stakeholder Governor, Suffolk County Council
Pride Mukungurutse, Staff Governor, Colchester
Tim Newton, Public Governor, Ipswich
Martin Nixon, Public Governor, Rest of Essex
Gillian Orves, Public Governor, Rest of Suffolk
Mayuri Patel, Public Governor, Ipswich
Mary Rudd, Stakeholder Governor, East Suffolk Council
Alison Ruffell, Public Governor, Colchester
Elizabeth Smith, Public Governor, Rest of Essex
Sara Smith, Stakeholder Governor, Anglian Ruskin University
Donald Sturgess, Public Governor, Colchester
Barry Wheatcroft, Public Governor, Rest of Essex
Jane Young, Public Governor, Rest of Essex

In attendance

Eddie Bloomfield, Non-Executive Director
Paul Fenton, Director of Estates & Facilities
Ann Filby, Trust Secretary
Mike Gogarty, Non-Executive Director
Nick Hulme, Chief Executive
John Humpston, Non-Executive Director
Mark Millar, Non-Executive Director
Steve Parsons, Interim Director of Governance
Richard Spencer, Non-Executive Director / Senior Independent Director

Helen Chasney, Membership & Committee Secretary (Minutes)

Apologies

Harvey Crane, Public Governor, Ipswich
Shane Gordon, Director of Strategy, Research and Innovation
Carlo Guglielmi, Stakeholder Governor, Essex County Council
Lynda McWilliams, Stakeholder Governor, Tendring District Council
Daniel Tweed, Stakeholder Governor, Colchester Garrison

		ACTION
45/22	1. Welcome and Apologies for Absence	
	The Chair welcomed everyone to the meeting and apologies for absence were noted as above.	
46/22	2. Declarations of Interest	
	The Chair gave members an opportunity to mention any interests in relation to the agenda items. No declarations of interest were received.	
47/22	3. Minutes of the meeting held on 20 October 2022	
	The minutes of the meeting were received and accepted as a correct record.	
48/22	4. Matters arising from the minutes	
	There was one action which remained outstanding with an update provided. The other action was proposed for closure, which was confirmed.	
49/22	5. Report from the Trust Chair	
	<p>The Chair advised that, as governors, they would have recognised the extraordinarily challenging times currently being experienced within the NHS. Nick Hulme, Chief Executive, will cover some of the work that is currently taking place in his update, to help address the challenges of increased demand over this winter period and recovery of waiting lists from the pandemic. The following update was provided.</p> <ul style="list-style-type: none"> • Governors were encouraged to read the latest edition of ESNEFT life. Hard copies are available in the main Trust sites. • The Chair visited Clacton Hospital and the Community Diagnostic Centre (CDC) and met with Will Quince, the Colchester MP and Minister of Health. This is one of our mostly challenged populations that the Trust serves and levels of ill health are higher. This development means that there are now a range of diagnostic tests available right at the heart of those communities in Clacton. • Workforce remains the major risk area across the NHS and ESNEFT. The first ESNEFT careers fair was recently held at the Community Stadium in Colchester. More than 500 local students from North Essex and Suffolk attended to hear about jobs in ESNEFT and the wider NHS, which showcased the range of different career options. A new healthcare assistant recruitment video has been created which is being used on social media and through other channels, again highlighting the opportunities to join the Trust into these important roles. • The Christmas event for volunteers provided the opportunity to say thank you to our 500 volunteers across both trusts and it was interesting to learn about the scope of their role. • There are over £150 million worth of capital developments across the Trust in the big build programme. The breast care centre at Ipswich is opening early in the new year and there will be an opportunity for governors to visit. The first phase of the revamp of the children's department in Ipswich has also opened, which was a joint programme of work with the charity. • At the annual members meeting, there was a presentation about research and innovation, including use of robots and robotic surgery. The Chair was pleased to report that we now have our third surgical robot. These are in use on both hospital sites and available on colorectal and gynaecological surgery, and also, now urology surgery. • Martin Lewis Jones, who was a public governor in Suffolk, has stood down from his role and will be replaced by Trevor Catlow. James Stephens has also stepped down from his role as a Staff Governor and we are pleased to announce that Allison Weston will be returning to the Council. • At the last Council meeting, it was confirmed that we are embarking on a recruitment process for Non-Executive Directors. The Appointments and Performance Committee will 	

	ACTION
<p>be meeting at the end of this week to shortlist for the Non-Executive Director vacancy and the two Associate Non-Executive Director vacancies, and an update will be provided in due course.</p> <ul style="list-style-type: none"> • Governors were thanked for attending the induction session. There will be follow up sessions on equality, diversity and inclusion and information governance. • The importance of governors completing the induction processes including the risk assessments was highlighted, which will enable the programme of visits to be recommenced. • The well led review took place recently, which is an external review of our leadership and governance arrangements, and governors were involved as part of the survey and were interviewed. The final report is expected in the new year. The initial verbal feedback that was received by the Board was encouraging and provides the Trust with some clear areas for discussion. 	
Assurance and Accountability	
50/22	6. Lead Governor Election Process
<p>The Interim Director of Governance advised that, as previously discussed, the election for a lead governor was due. An invitation for expressions of interest was circulated with one expression of interest being received from Helen Rose. Helen has therefore been duly elected for the 12 month period as prescribed in the standing orders. There is the possibility that the term of office may change as we review feedback from the well led review.</p> <p>The Chair thanked Helen Rose for standing again as Lead Governor and for all her work and support.</p>	
51/22	7. Chief Executive's briefing on Trust activities
<p>The Chief Executive expressed his thanks to all governors for the work that they do along with the Non-Executive Directors.</p> <p>The immense pressure that services are under due to the increase in operational demand was noted. The number of covid patients is still present but is reducing. The Chief Executive encouraged members to have their COVID and flu vaccinations. There are currently unprecedented levels of waiting times across all elective specialties and there is a significant backlog of cancer patients, in terms of working through both the diagnosis and treatment of cancer. The number of patients coming into our A&E department are about the same as pre-COVID levels, however, they are more acutely unwell, and it is more difficult to get the patient into departments.</p> <p>The Chief Executive was pleased to announce that ESNEFT won't be affected by the strikes this week. On 15 and 20 December, the Royal College of Nursing has decided not to proceed across all organisations. However, if the strikes continue in the new year, we will most likely be affected. Good contingency plans are in place, and it is important that support is provided to the individual in terms of their decision.</p> <p>Currently we are in the middle of a two-week process where ESNEFT is looking at all processes to avoid admissions, by supporting patients in their own homes, by working with the ambulance service, primary care and also local authorities to ensure that people are discharged as soon as they are medically stable.</p> <p>The clinical strategy is continuing to be developed. The Director of Innovation, Strategy and Research will be discussing with all divisions about what this will look like. There are vast opportunities of artificial intelligence in terms of diagnosing and treating patients.</p> <p>Business planning for next year is currently being reviewed. We have had relatively comfortable financial settlements over the last three years, mainly supported by non recurrent funds of Covid, and are possibly looking at difficult years ahead. We will need to review how care can be delivered in a different way, whilst not compromising on quality,</p>	

	ACTION
<p>safety or patient experience.</p> <p>Patricia Hewitt was asked to review the role of integrated care boards including relationships with the regional and national teams and we are awaiting feedback. One of the challenges for the Trust is how to support staff and patients in managing degrees of risk. ESNEFT, along with the ICB, are looking at the risks across the system to start assessing this from a clinical view to ensure that we are reducing the pressure on the whole system as efficiently and effectively as we can.</p> <p>The Director of Estates and Facilities provided the following update on the Big Build programme.</p> <ul style="list-style-type: none"> • We are working closely with the clinical strategy team to review the strategy outputs and consider what they will mean in the way of the physical changes with the estate. Over the next five to 10 years, we are planning some reasonably large schemes depending on receipt of national funding. • At Ipswich Hospital, the ED UTC (urgent treatment centre building) is in progress for completion by July 2023. Phase one is the new main entrance and retail area, phase two is construction of the UTC, phase three will be internal reconfiguration of the emergency department and phase four is the closing phase, which is the upgrade of the Garrett Anderson Centre and moving the fracture clinic. • The biggest build is the Dame Clare Marx Building at Colchester Hospital, which will have 330 modular units, and is to be completed by April 2024. The centre will house eight theatres and 72 beds. This is in honour of and named after Dame Clare Marx, the first female president of the British Orthopaedic Association and the Royal College of Surgeons and the first female chair of the General Medical Council, who sadly passed away on 27 November this year. There will be a public memorial service for Clare in Woodbridge in the spring of 2023. <p>Questions and comments:</p> <p>Isaac Ferneyhough, Staff Governor, advised that he had the opportunity to listen to Sir David Behan who stressed the importance of optimism and hope in the NHS. Isaac referred to the nurses who may be under pressure to discharge patients and asked if there was a message of hope that could be given to staff to assure them that there is light at the end of the current tunnel. The Chief Executive commented on risk management across the system and the short term hope is quite challenging. The hope comes from the incredible work that we do in treating 10,000 people a day. We need to be careful not to collude too much with the negativity that is prevalent around the public sector, generally and specifically around the NHS, and to constantly remind ourselves of the purpose to serve our patients. Our vacancy rate is lower than it has ever been, and we have now employed more nurses and more doctors than we ever have done previously. There is long term hope of how different care may be in the future.</p> <p>Tim Newton asked when the recruitment process will begin for the elective orthopaedic centre. The Chief Executive advised that the recruitment process has started even though we are not opening for another 18 months. There is a very detailed workforce plan in place, which will clearly be a challenge, although the new build will be very attractive to applicants.</p>	
<p>52/22 8. Board Proceedings Report</p>	
<p>The Interim Director of Governance presented the report and advised that it is a summary of the main decisions and issues considered by the Board in the period since the last Council meeting. The report covers the September and November Board meetings, and it provides governors with an opportunity to raise any queries, and was not to reconsider Board decisions.</p> <p>The Chair informed governors that the public Board meetings are now all face to face, and this is another opportunity for governors to meet Board members.</p> <p>Questions and comments:</p> <p>Helen Rose, Lead Governor, thanked the Director for the comprehensive report.</p>	

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	Alison Ruffell encouraged governors to attend Board meetings as she found this very interesting and informative.	
53/22	9. Verbal reports from Board Committees	
	<p>a. Performance Assurance Committee Tim Newton advised that the Committee is chaired efficiently and effectively. The Non-Executive Directors were very well prepared and consistently demonstrated their excellent grasp of the issues which means they were able to ask key questions about Trust processes and lead constructive discussions on managing risk and improving outcomes.</p> <p>Elizabeth Smith commented that she was particularly impressed with the way that the Non-Executive Directors, who do not have a healthcare background have actually picked up on some very complex issues.</p>	
	<p>b. Quality and Patient Safety Committee The Chair noted that no governors were able to attend the meeting as observers.</p>	
	<p>c. People and Organisational Development Committee The Chair noted that no governors were able to attend the meeting as observers.</p>	
	<p>d. Audit & Risk Committee A meeting had not been held since the last Council of Governors' meeting.</p>	
	<p>e. Charitable Funds Committee John Alborough commented that the Chair is superb and has an open approach to discussion. The funds are considerable and, of course, there is a concern regarding inflation and interest levels. John was very satisfied as an observer, that this was taken seriously.</p> <p>Gill Orves commented that there are detailed explanations, thought provoking discussions and rigorous constructive challenge. Gill commented that it is wonderful to see attendees' passion for their department and for improving the experiences for their patients.</p>	
54/22	10. Report from the Lead Governor	
	<p>Helen Rose gave a warm welcome to the new governors who have attended their first meeting today.</p> <p>It was reported that the Membership & Engagement Group continues to work on ways to connect with other Trusts and communities.</p> <p>A number of governors have been involved with the estate and facilities team in some of the PLACE (Patient Led Assessment of the Care Environment) visits. These have been a good way to get to know the Trust geography and to appreciate the importance of the environment in which patients are cared for. The governors have learnt that it's not just about how clean a ward or department should be, but also the importance of clear, safe, signage, access to facilities and keeping patients' information secure and private.</p> <p>One of the governors' key roles is to ensure that the non-executive directors are holding the executives to account by acting as observers on the Trust assurance committees and look forward to receiving the paper on the refreshed allocations for each Committee.</p>	

		ACTION
Governance		
55/22	11. Appointments to Committees	
	<p>The Trust Secretary advised that following the recent elections, one to one meetings have been undertaken with the majority of governors. The main aim was to obtain a greater understanding regarding governors' backgrounds, where interests lie and to build knowledge of the Council. This underpinned the proposals presented for changes to observers for Board Assurance Committees and membership of Council Committees.</p> <p>To ensure attendance, three governors were proposed for each Board assurance Committee, to enable two to attend every meeting. Expressions of interest had also been received for specific pieces of work, such as audit matters, system working and review of the Trust Constitution and as opportunities arise, we will be able to focus on those governors that are particularly interested. There are still a couple of allocations to be confirmed.</p> <p>Comments and questions: Alison Ruffell asked if the expectation would be for two governors to attend each Board Committee meeting. The Trust Secretary confirmed that the requirement was for two governors to attend in accordance with the Terms of Reference and more information on the Committee meeting dates would be circulated by the end of the week.</p> <p>Isaac Ferneyhough informed the Chair and Trust Secretary that he was happy to attend the Standards Committee, if required.</p> <p>The Chair advised that the changes for the Appointments and Performance Committee will take effect after completion of the current Non-Executive Director recruitment.</p> <p>The Council noted the proposed membership, with a tenure of 18 months.</p>	
56/22	12. Trust Constitution review	
	<p>The Interim Director of Governance set out the outline plan to review the constitution in 2023 to bring the current document up to date and incorporate learning from the well led review.</p> <p>Discussion of emergent proposals for changes will be brought to the Council of Governors meeting in March 2023, and then formal amendments will be made to the constitution and brought back to both the Council and the Board for approval in the summer.</p> <p>The Council noted the intended timeline for reviewing the Trust Constitution.</p>	
57/22	13. NHS Code of Governance briefing	
	<p>The Interim Director of Governance informed members that a briefing took place in a previous informal session to outline the changes in the Code. This was to reflect the change in the legislative environment in terms of forming integrated care systems and to update the Code which hasn't been revised since 2014. The final version has now been published.</p> <p>It was highlighted that the Trust's vision, values and strategy will be expected to align with the triple aim objectives and the integrated care system approach, and in particular a focus on reducing health inequalities, board level engagement with stakeholders, including governors engaging with those they represent and the general public, and the diversity of the non-executive appointments.</p> <p>The Chair commented on the emphasis regarding diversity of board members, which has been a strong driving factor in the recent recruitment process for Non-Executive Directors to bring a broader range of experience and backgrounds.</p>	
Appointments		
	There were no items for consideration.	

		ACTION
Membership and Engagement		
58/22	14. Membership and Engagement Group update	
	<p>John Alborough provided the following update.</p> <ul style="list-style-type: none"> • A newsletter is to be produced to cover a range of topics, including patient experience, charity work and the volunteers team. This will follow on from the ESNEFT life magazine and an update will be provided at the next meeting. • A discussion took place on the quality strategy lead by Anne Rutland, Deputy Director of Nursing, which highlighted that there is so much more information on what's happening at the Trust that need to be shared with the membership. • John's experience in taking part in the PLACE visits was described, which was found to be extremely rewarding. <p>The Chair advised that the engagement team will be working on different ways for people to become engaged or involved with the Trust. A reminder was given that all governors are invited to attend the membership and engagement meetings which are held bi-monthly. The group is a good opportunity for governors to share examples of how they are engaging in different networks or in their local communities.</p>	
Briefings and Information		
	There were no items for consideration.	
Public questions		
59/22	15. Questions from members of the public present	
	<p>Helen Rose advised that this meeting is a very important way for members to engage with communities and public attendance is to be encouraged.</p> <p>Helen Rose thanked the Non-Executive Directors for coming to the Council meetings.</p>	
60/22	16. Date of next meeting Wednesday 8 March 2023, location to be confirmed in due course.	

Signed Date

Helen Taylor, Chair

Disclaimer: The minutes do not necessarily reflect the order of business as it was considered.