

Meeting Title	Board of Directors		
Date	18 March 2021	Agenda item:	Bo.3.21.8b

## Report from the Chair of the Regulation & Assurance Committee

Presented by	Dr Maxwell Mclean, Chairman		
Author	Laura Parsons, Associate Director of Corporate Governance/Board Secretary		
Lead Director	Prof Mel Pickup, Chief Executive		
Purpose of the paper	To provide a summary of the discussions held and outcomes from the Regulation & Assurance Committee meeting held on 10 March 2021		
Key control	This report is relevant to all Strategic Objectives		
Action required	To assure		
Previously discussed at/informed by	Regulation & Assurance Committee – 10 March 2021		
Previously approved at:	Committee/Group	Date	
	N/A		

### Key Matters Discussed

1. This paper provides a summary of the Regulation & Assurance Committee meeting held on Wednesday 10 March 2021 via Microsoft Teams. The meeting was chaired by Dr Maxwell Mclean. The agenda for the meeting is attached at Appendix 1. The purpose of the Regulation & Assurance Committee is to seek assurance that the Trust is properly governed and is achieving its strategic objectives and meeting its statutory responsibilities.

### Finance & Performance

#### Finance & Performance Academy Chair's Report

2. The Chair of the Academy (Julie Lawreniuk, Non Executive Director) provided a summary of the items discussed at the Finance & Performance Academy meeting held on 24 February 2021. The Academy had received a presentation in relation to the Act as One programmes, including details of successes and benefits achieved so far. It was agreed to consider how to better connect the programme leads with the Trust CBU's. The Act as One Programme would also need to link into the Trust's own improvement programme once developed. In future the Academy will receive quarterly updates in relation to Act as One.
3. The Chief Operating Officer provided a detailed update on performance, and good performance in relation to the Emergency Care Standard and cancer two week waits was noted in particular. Referral to Treatment performance was 66.9%, and the Academy had sought assurance that patients were being kept safe, and discussed the prioritisation process. It was noted that the performance trajectories for 2021/22 were uncertain due to the impact of Covid and awaiting confirmation of planning guidance.
4. A capital update was provided, the Trust was behind plan and the actions being taken to address this were discussed. The financial position was reported as better than plan. The Academy had also discussed the updated financial principles which are part of the Strategic Partnering Agreement across Bradford District and Craven.
5. The Terms of Reference and work plan were agreed. The Estates & Facilities improvement plan will be presented on a quarterly basis. The Chair was also keen to ensure that all members of the Academy

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could provide input to the discussions.

## **People**

### **People Academy Chair's Report**

6. The Academy Chair (Director of HR) provided an update from the People Academy meeting held on 24 February 2021. The Terms of Reference and work plan were agreed, but it was noted that the work plan would evolve as the Academy becomes more embedded.
7. In relation to the people metrics, there was a focus on sickness absence. It was confirmed that the 'Looking after our people' sub-group would consider the impact of local demographics and inequalities on sickness rates.
8. It had been agreed that a more meaningful and rounded dashboard was required, to reflect the key areas in the NHS People Plan, and to ensure that qualitative metrics were also included. A sub-set of Academy members had agreed to be involved in the development of a new set of metrics, including Jon Prashar, Non Executive Director. It is hoped that the revised dashboard will be presented to the Academy in April.
9. The three key people risks were highlighted and it was noted that there had been no change to the risk profile since the previous meeting. There was a focus on the 'growing for the future' element of the People Plan at this meeting and the Assistant Chief Nurse provided a presentation on nursing and HCA recruitment. There were 196 registered nursing vacancies in total. The Trust was part of the overseas nursing programme and had agreed to recruit around 50 nurses via this route, who were due to be in post from June/July. A query was raised in relation to the ethics of this programme, particularly during a pandemic. It was confirmed that this was part of an ethically based programme through Global Learners, arranged nationally via NHS England. The majority of recruits would be from countries outside of Europe. This would be explored further at the next People Academy. 47 student nurses are also due to join the Trust in September, and 15 members of staff have joined first cohort of the nursing degree apprenticeship programme.
10. In relation to Healthcare Assistants, there is a plan to reduce vacancies to zero by the end of March. 32 posts have been offered so far and the Trust is on track to achieve the plan. All of the appointees are from Bradford which supports the Trust's aim to recruit local people.
11. Jon Prashar, Non Executive had provided an update from a national event regarding the role of the Wellbeing Guardian. An update was also provided in relation to the 'Looking after our people' sub-group, which has now held its first meeting. The Chief Medical Officer presented a quarterly Guardian of Safe Working report - there had been an increase in exception reporting which was due to trainees moving back to their original posts and rotas, as well as the encouragement of trainees to report if they were not receiving enough self development time. No safety concerns were raised, but there were some areas to keep under review in relation to working hours. The 2019/20 Annual Organisational Audit was also presented. An appraisal rate of 89% had been achieved before this process was halted due to Covid.
12. The Trust's Equality, Diversity and Inclusion Lead provided an update and advised the Academy that

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an equality census was being rolled out, to improve the level of equality information held by the Trust in relation to its staff. A pilot external mentoring scheme had been implemented for BAME staff, with 5 members of staff taking part. A further update on EDI will be provided at the Academy meeting in April.

13. A query was raised regarding redeployment of staff and when they were likely to return to their substantive role. It was confirmed that the position is evolving as wards change, there were also complexities relating to where some staff could work in line with their risk assessment.
14. A further query was raised in relation to staff refusing the Covid vaccines. Every member of staff recorded as not having the vaccine received a communication from Occupational Health encouraging them to have the vaccine, and signposting to resources to provide further information. The letter also asked staff to confirm if they have had the vaccine elsewhere so their record could be updated, or if they have declined the vaccine, their reason for doing so.
15. Following the easing of lockdown restrictions, a process will be considered for future meetings and the best way to manage these, given that all meetings have been held virtually during the pandemic and taking account of the larger number of attendees at academy meetings.

#### Staff Wellbeing and Resilience

16. Wellbeing and resilience will be a focus of the 'looking after our people' workstream. The recovery of people will be included in the Trust's recovery and reset plans. Staff have been reminded that the decision whether to undertake additional work/hours is voluntary and they are encouraged to take rest breaks and annual leave.
17. The national wellbeing strategy will inform the Trust's approach. The Trust has a comprehensive wellbeing offer for staff but take up has been low. A suggestion was made to have an Ideas Forum to seek staff views. It was confirmed that interviews would take place for the Head of OD position on the 11<sup>th</sup> March.

#### Nurse Staffing Report – December 2020 – February 2021

18. The Chief Nurse presented an update on the mandatory nurse staffing data for December 2020 to February 2021. The data has been difficult to report on due to the number of ward changes during Covid, so it has been difficult to make comparisons and draw conclusions.
19. 47 incidents were reported, the majority of which resulted in no harm. Most occurred when there was minimum staffing levels. Staffing is planned using a risk based approach to ensure that there are no fewer than two Registered Nurses on acute wards.
20. The dynamic quality safety tool was presented. Results on the whole were positive and as expected. Most of the IPC related metrics are hugely positive and this is driving the relatively low rates of outbreaks and hospital acquired infections compared to peer trusts.
21. The next report will be presented in July, this will look different due to changes to ward configurations and pathways. Ward 31 will have been a Covid ward for 1 year as of 11 March, therefore further consideration will be given to changes required over the coming months.

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22. The Committee was assured that two matrons are focused on staffing every day, there are daily staffing huddles and it is constantly reviewed and worked through.
23. It was acknowledged that this is a difficult issue but appropriate actions are being taken. It was not currently possible to benchmark against other trusts due to the number of ward moves and changes.

### Quality

#### Quality Academy Chair's Report

24. The Quality Academy met on 24 February. The Terms of Reference and work plan were agreed, but as with the other academies, the work plan will evolve as the academy progresses. External and patient representatives will be invited to attend academy meetings, including representation from research institutions.
25. The quality dashboard will be reviewed to ensure that relevant metrics are included. It was noted that the maternity risk has been reduced. This was due to the excellent work of the team despite ongoing pressures. An update was provided in relation to infection prevention and control (IPC) and it was noted that the Trust compares favourably to its peers. The work of the IPC team and the operational teams was commended.

#### Maternity Services Update – February 2021

26. The Director of Midwifery provided an update in relation to maternity services. During February there had been one stillbirth and one HIE baby. 72 hour reviews were undertaken in both cases, which highlighted some issues with antenatal clinic processes, particularly in relation to women whose condition deteriorates following a routine appointment. A plan was already in place to implement the Birmingham Symptom Specific Obstetric Triage System (BSOTS), which has now been expedited in order to ensure a more robust approach to the ability to triage and identify issues. In relation to the stillbirth, the circumstances meant that quicker treatment would not have changed the outcome. The HIE baby went on to make a good recovery and this case didn't meet the HSIB criteria.
27. There were no new SIs in February. Quality improvement work is planned in order to understand and improve diverts. The numbers reported over the last two months however are low at one in January and none in February. One to one care was 98%, which is the highest level reported, and the breast feeding rate has started to improve thanks to focused work from the Infant Feeding Co-ordinator.
28. In relation to the Maternity Cerner programme, engagement has been undertaken with stakeholders and the inaugural programme board meeting has been held. Updates will be provided to the Committee as this progresses.
29. Fiona Bryant, Maternity Improvement Adviser for NHSE and Assistant Chief Nurse at Wrightington, Wigan and Leigh NHS Foundation Trust has provided support to the Trust. She has commented on the openness of maternity staff and recognises the hard work that has gone into improving the service.

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### COVID-19 Vaccination Programme Update

30. The Chief Nurse provided an update on the latest position relating to the Covid-19 vaccination programme. A six month secondment had been advertised for a senior nurse, to focus on inequalities and encourage more take up from underrepresented groups. Invite letters were due to be sent to cohort 8 imminently (age 55 and over), and this cohort can already book a vaccine via the national system. The JCVI guidance on cohorts is being followed which is based on age. Bradford has a younger population compared to other areas in West Yorkshire, therefore the overall vaccination rate is 19%, despite the population making up 23% of the region. An executive steering group had been established from 1 March to provide strategic oversight, and the equalities steering group is being chaired by Kez Hayat, the Trust's Head of EDI. There is also a Clinical Reference Group led by John Bolton, Operations Medical Director.
31. Vaccinations will start to be provided at Bradford College from 15 March, and some additional pharmacy sites will open in north Bradford. The data shows that take up levels are lower in inner city areas and parts of Keighley. It was confirmed that vaccinations are added to GP records, however if a member of staff is vaccinated elsewhere, they would have to notify the Trust in order for this to be recorded.
32. A comprehensive Equality Impact Assessment (EIA) had been completed, which would support the Trust in targeting under represented communities. This should also be used as a baseline for future EIAs.

### Partnerships

#### Partnerships Dashboard – January 2021 & Partnerships Strategic Risks

33. The dashboard will be re-shaped, and aligned with the expected national metrics relating to collaboration and integration. The assurance level relating to this strategic objective is green. Key partnership work was highlighted, including the Act as One programme, the Health and Care Partnership Board and work across the ICS. The main area of focus is the Integration and Innovation White Paper and the potential impacts. This will be discussed further at the Board meeting on 18 March. A Bradford District & Craven ICP engagement event is being held on 19 March, to which Board members have been invited.
34. Strategic risk 3603 (EU exit) was highlighted - no impact had been seen yet in relation to medicines supply which was being managed nationally, however some ongoing estates projects were seeing delays in supplies. The risk will continue to be monitored.

### Governance

#### Board Assurance Framework (BAF) Q4 and Strategic Risk Register Movement Log

35. The Committee was asked to consider the BAF, including the recommended assurance ratings for Q4. The assurance rating relating to outstanding care, being in the top 20% of employers and being a continually learning organisation had reduced from green to amber, and the performance assurance rating had reduced from amber to red, all of which were due to the ongoing impact of Covid. The finance assurance rating had improved from amber to green due to the increased confidence of

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delivering this year's financial position, and the partnerships rating remained at green. In light of the information presented to the Committee, it was agreed that the ratings were appropriate.

36. It was noted that the estates infrastructure risk had been reflected within the BAF as part of the outstanding care objective, and the Director of Estates and Facilities will provide a quarterly report to the Quality Academy, starting from May 2021, to provide additional assurance and oversight.
37. In relation to the strategic risks, it was confirmed that all risks had been reviewed and none were past their review date.

#### Governance Review - Update

38. The Associate Director of Corporate Governance/Board Secretary provided an update relating to the transition to an academy governance model. The academy terms of reference were presented for approval and the work plans were also presented for review. The terms of reference for the Regulation & Assurance Committee had been updated and were presented for comments alongside the work plan.
39. Some further issues were addressed in the paper, including mapping of the former Committee terms of reference to the new model, a process for raising urgent issues between academy and R&A Committee meetings, and clarification of the respective roles of executive and non executive directors at academy meetings.
40. A report will be presented to the Audit Committee to provide an overview of the new arrangements, and also to consider any amendments required to the Audit Committee terms of reference to ensure alignment with the changes. The R&A Committee terms of reference and any proposed amendments to the Audit Committee will be considered at the Board meeting on 20 May. It was highlighted that the arrangements will continue to evolve over the coming year and changes will need to be made as required. The Audit Committee Chair also suggested that further consideration be given to consultation with the Trust's internal auditors regarding the arrangements. The appropriate method and timing for this will be considered further by the Audit Committee Chair and Director of Strategy & Integration, and a recommendation will then be made to the Board.
41. The Terms of Reference for the academies and R&A Committee were agreed, subject to allowing members of the Committee more time to consider the content and provide any comments by 17 March.

#### **Items of Positive Assurance, Learning and/or Improvement**

42. The Committee noted positive assurance relating to:
  - Emergency Care Standard and cancer two week wait performance
  - The Trust financial position and expected achievement of plan for 2021/22
  - HCA recruitment and the plan to reduce vacancies to zero by the end of March

#### **Matters escalated to the Board for consideration**

43. There were no matters to escalate to the Board.

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#### **New/emerging risks**

44. A risk relating to the estates infrastructure (current rating of 20) was highlighted at the previous meeting and had now been added to the Strategic Risk Register and reflected within the BAF.

#### **Recommendation**

45. The Board of Directors is requested to note discussions held and outcomes from the Regulation & Assurance Committee meeting held on 10 March 2021.