

Draft Minutes of the Council of Governors' Meeting held in public on Thursday 9 July 2020 from 5pm – 7pm via video conferencing

PRESENT:	Mark Lam	Trust Chair
Governors:	Victoria Aidoo-Annan	Staff Governor
	Zulfiqar Ali	Appointed Governor, Newham
	Dawn Allen	Public Governor, Central Bedfordshire
	Rehana Ameer	Appointed Governor, City of London
	Roshan Ansari	Public Governor, Tower Hamlets
	John Bennett	Public Governor, Tower Hamlets
	Shirley Biro	Public Governor, Newham
	Robin Bonner	Staff Governor
	Steven Codling	Public Governor, Central Bedfordshire
	Laura Jane Connolly	Public Governor, Rest of England
	Katherine Corbett	Staff Governor
	Terry Cowley	Public Governor, Tower Hamlets
	Joseph Croft	Staff Governor
	Caroline Diehl	Public Governor, Hackney
	Tee Fabikun	Public Governor, Newham
	Susan Fajana-Thomas	Appointed Governor, Hackney
	Obayedul (Arif) Hoque	Public Governor, Tower Hamlets
	Zara Hosany	Staff Governor
	Carol Ann Leatherby	Public Governor, Newham
	Khtija Malik	Appointed Governor, Luton
	Beverley Morris	Public Governor, Hackney
	Sheila O'Connell	Staff Governor
	Caroline Ogunsola	Staff Governor
	Jamu Patel	Public Governor, Luton
	Mary Phillips	Staff Governor
	Larry Smith	Public Governor, Central Bedfordshire
	Suzana Stefanic	Public Governor, Central Bedfordshire
	Felicity Stocker	Public Governor, Bedford Borough
	Sebastian Taylor	Public Governor, Hackney
	Mark Underwood	Public Governor, Central Bedfordshire
	Ernell Watson	Public Governor, Newham
	Jim Weir	Appointed Governor, Bedford Borough
	Aidan White	Public Governor, Newham
	Keith Williams	Public Governor, Luton
	Paula Williams	Public Governor, Luton
	Neil Wilson	Appointed Governor, Education
IN ATTENDANCE:		
Staff:	Aamir Ahmad	Non-Executive Director
	Ken Batty	Non-Executive Director
	Tanya Carter	Director of People and Culture
	Anit Chandarana	Non-Executive Director
	Steven Course	Chief Finance Officer
	Mary Elford	Vice-Chair – Bedfordshire & Luton
	Dr Navina Evans	Chief Executive
	Dr Paul Gilluley	Chief Medical Officer
	Philippa Graves	Chief Digital Officer
	Jenny Kay	Senior Independent Director
	Norbert Lieckfeldt	Corporate Governance Manager
	Cathy Lilley	Associate Director of Corporate Governance
	Nicola McCoy	Corporate Secretariat Manager
	Meena Patel	Membership Officer (Minutes)

Stephanie Quitaleg	Senior Executive Assistant
Amar Shah	Chief Quality Officer
Lorraine Sunduza	Chief Nurse
Eileen Taylor	Vice Chair - London

APOLOGIES:	Julian Mockridge	Staff Governor
	Phillip Ross	Public Governor, Tower Hamlets
	Brian Spurr	Appointed Governor, Central Bedfordshire
	Daniel Victorio	Public Governor, Hackney

ABSENT:	Eve McQuillan	Appointed Governor, Tower Hamlets
	Jummy Otaiku	Public Governor, Hackney

Members of the Public /Guests	Janet Evans	Former ELFT Staff Member
	Marie Gabriel	Former ELFT Chair, Chair Norfolk and Suffolk NHS Foundation Trust (NSFT), Chair of North East London ICS
	Howard Tidman	Lead Governor NSFT
	Rebecca Toye	Deputy Lead Governor NSFT
	Nicola Southgate	Corporate Governance Manager NSFT

1. Welcome

1.1. Governors were reminded of ELFT's values: *We Care, We Respect* and *We Are Inclusive* which Governors requested to be done at every meeting. For the purpose of the meeting all were asked to:

- listen with care, interest and curiosity
- be mindful of each other's time
- respect the Chair and the Chair's decision
- challenge and express disagreement constructively

2.2. Mark Lam warmly welcomed all to his first meeting as ELFT Chair and introduced guests joining from Norfolk and Suffolk NHS Foundation Trust (NSFT) as listed below and members of the public.

- Howard Tidman (Lead Governor NSFT)
- Rebecca Toye (Deputy Lead Governor NSFT)
- Nicola Southgate (newly appointed Corporate Governance Manager NSFT)

3.3. Mark expressed that he feels honoured and privileged to serve as Chair of an outstanding organisation. Whilst he acknowledged the challenges of the past few months living with Covid-19, much has been learnt and this learning will continue as ELFT strives to deliver excellent services for all the people served by the Trust.

4.4. Mark reassured the meeting that although there are changes ahead at board level and in the wider health system, he feels confident that the strength of the Board as well as the Council will see ELFT through these changes.

2. Apologies for Absence and Declarations of Interest

1.1. Apologies were noted as above.

2.2. No declarations of interest relating to items on the Agenda were received.

3. Minutes of the Previous Meeting on 14 May 2020

- 3.1 Terry Cowley's apologies for both the private and public minutes on 14 May 2020 to be added.
- 3.2 With the above correction, the Minutes of the meetings held in public and in private were **AGREED** as an accurate record.

4. Action Log and Matters Arising from the Minutes

- 4.1 The Action log was reviewed and updates provided as below. Governors noted that these are subject to developments around Covid-19.

129: The results of the review of Patient Safety – Serious Incidents, will now be considered later in the year.

142: Update on themes from staff experience and staff survey will now be considered at a future meeting.

147: An update on the strategic discussion (January 2020) on discharge to be considered in March 2021

150: Strategic update on health delivery systems to be provided in November 2020.

152: Action closed – regular Governor meetings with borough and service directors have re-started and updates on Covid-19 provided.

- 4.2 To allow sufficient time for discussion agenda item 6: Shaping the Future, has been deferred to the September meeting.

ACTION: Amar Shah and Richard Fradgley to present *Shaping the Future* at the September meeting.

- 4.3 Mark informed everyone that Marie Gabriel, former ELFT Chair is very keen to hear the discussion on item 7 around Race and Privilege and will join as a special guest and also join the private part of the meeting as it relates to the appraisals of the Non-Executives 2019/20 which she carried out while Chair of ELFT.

- 4.4 There were no further matters arising.

5. Covid-19 Update – Trust Response and Management of Covid-19

- 5.1 Paul Gilluley gave an update on the Trust's response to COVID. The Council noted:

- Phase Two brings a change in pace for staff, service users and communities. It is an opportunity to reflect on and learn from Phase One to see how ELFT moves forward to meet the needs of its communities while still maintaining the safety of staff and service users.
- Currently across ELFT, there are five positive cases for Covid-19
- Since the outbreak began in March 2020, ELFT has had 128 deaths of service users due to Covid-19 of which 22 died as inpatients on ELFT wards and 106 patients were accessing community health services. Six ELFT patients who transferred to acute services died from Covid-19.
- There has been a significant reduction in the number of staff absent due to Covid-19 which is now 162 compared with over 1,000 staff absent at the start.
- Phase Two involves five workstreams which are up and running to discuss: Shaping our Services, Leadership, Inequalities, Co-production and Future of Work (i.e. how we need to adapt our estates, working from home, deliver

services and holding meetings). Governors will be kept updated on the progress of the workstreams Action: Paul Gilluley

5.2 In discussion the Council:

- Noted that a Clinical Ethics Committee (which is distinct from the Research Ethics Committee) has been created solely to deal with ethical issues around Covid-19. The future remit of the committee will be agreed by the Trust Board.
- .
- Requested the figures for Covid-19 service users broken down by borough to be reported to Governors via the Governors and Members Office – **Action: Norbert Lieckfelt**
- Noted that antibody testing for staff is taking place in London, Luton and Bedfordshire, however the test does not confirm immunity.
- Noted there have been some delays with getting the results of the antibody tests causing staff anxiety as highlighted by the media. Tanya Carter is following this up with the CCG and an update will be provided to Governors – **Action: Tanya Carter**
- Noted risk assessments of all staff are taking place including BAME staff to identify individual circumstances and to support staff. ELFT is minimising the risk of staff exposure to Covid-19 through using Personal Protective Equipment (PPE), staff working from home, temporary re-deployment to alternative posts where staff are unable to work from home as well as other measures. The importance of staff feeling safe was emphasised. Staff are advised to discuss issues with their line manager.
- Noted that to support the mental health and wellbeing of staff recovering from Covid-19, ELFT set up a staff support system at the start of the outbreak. The Leadership workstream is looking at how best to support staff including those who have experienced loss related to Covid-19.
- Staff coming in to work are advised to speak with their line manager about minimising the risk of Covid-19 if they care for or live with someone who is shielding.

5.3 Mark thanked Paul Gilluley for the update and recognised the hard work of all staff around the management of Covid-19. He also thanked Governors for their continued focus on the welfare of staff which is a priority at ELFT.

6. Shaping the Future

6.1 This item has been deferred to the September meeting.

7. Staff Wellbeing: Race and Privilege

7.1 Mark and Governors warmly welcomed Marie Gabriel, former Trust Chair who joined the meeting.

7.2 Mark introduced the agenda item on Race and Privilege which is a key area of focus at the Trust. He highlighted that although this particular discussion is around race, ELFT celebrates diversity in all its forms and future meetings will look at other issues around diversity and equality.

7.3 Lorraine Sunduza, Executive Lead of the Staff BAME Network gave a brief introduction and highlighted:

- ELFT held an extraordinary BAME staff network meeting when the overrepresentation of BAME staff deaths related to Covid-19 emerged. A large proportion of ELFT staff are from a BAME background.
- Five sessions were held for staff to talk about the impact of Covid-19 and being BAME. Staff were invited to talk about what is working well, what is not working well and where ELFT could improve. It was during these sessions that the topic of race and racism was brought to the forefront when news about George Floyd's death was reported.
- The focus on race and privilege is part of the Trust's work on Dignity and Respect. An Empathy Museum (A Mile in My Shoes) was held where staff talked about their experiences and this approach was replicated in relation to race and privilege.
- Staff volunteered to share their stories about experiencing racism at the Race and Privilege sessions with their colleagues. Some staff have expressed that sharing their stories has been 'life changing'.
- It was made clear that the term 'white privilege' does not mean white people do not experience hardship or difficulties. This is an emotional topic. ELFT is doing work around defining the term 'white privilege' and learning to make sure everyone has a positive experience.
- The learning from this will also be applied to working with service users.
- conversations are continuing including with those in leadership positions responsible for setting the tone of culture within their teams.
- Actions and plans from the discussions have been taken to the BAME Network and will also go to the Senior Leadership group. The outcomes of the conversations will form a Communications Strategy to explain what actions ELFT will be taking is doing. Lorraine welcomed suggestions and ideas from Governors to help ELFT shape this work.

ACTION: Lorraine Sunduza to update on the work around race and privilege at a future meeting

- 7.4 In 3 breakout groups comprising of a mix of Governors and Board Directors, personal experiences of racism were shared by volunteers. Key points from the discussion groups included:
- There was sometimes a lack of support from colleagues against subtle and overt forms of racism
 - There was concern that speaking out against racism might jeopardise one's career progression, even one's employment
 - There was a sense that fighting racism was all too often left to BAME colleagues with little support or awareness
 - Sharing the experience of racism was both highly emotional as well as cathartic
 - Experiencing racism in early childhood left a permanent impact
 - Experiencing racism can be a very lonely experience, especially when facing institutional racism
 - While some progress had been made over the years, there is still a lot of work to be done.
- 7.5 Mark Lam acknowledged this topic is emotionally challenging and thanked Governors for their contributions to the debate and also in particular thanked those who shared their experience of racism.

8. Update: Annual Report and Accounts 2019 – 2021

- 8.1 Steve Course informed Governors that due to Covid-19 the period given to submit the annual report and accounts was extended and confirmed that the Trust submitted the annual report and accounts for 2019/20 on time. Steven highlighted that the auditors provided an unqualified audit opinion and that e no significant risks were identified. A letter from the auditors on their findings will be presented to Governors.
- 8.2 Steven Course advised that as in previous years he and Anit Chandarana as Chair of the Audit Committee will be holding a briefing session with Governors on Accounts and the auditor's letter.
- 8.3 Anit Chandarana, Chair of the Audit Committee acknowledged the fantastic work of the Finance team, in submitting the reports under challenging circumstances of Covid-19, while working remotely but also particularly challenging this year as the reports were submitted after the previous auditors completed their final year with ELFT. Anit commented that the results from the auditors offered assurance that the processes throughout the year and especially the last few months have not been affected by the current situation.
- 8.4 The Governors acknowledged the hard work and success of the finance team and asked that Mark Lam would pass on their appreciation and acknowledgement that the report was submitted on time despite the challenges they faced. **ACTION: Mark Lam/Steven Course**

9. Training and Development Self-Assessment

- 9.1 Mark Lam reminded Governors of the requirement that the Council should certify that the Board has provided Governors with sufficient training and development opportunities to ensure they are equipped with the skills and knowledge they need to carry out their role. The self-certification needs to 'have regard to the views of Governors'.
- 9.2 A summary of the various training and briefing sessions was reviewed by the Council of Governors Nominations and Conduct Committee who felt that in their opinion there had been a variety and breadth of training and development opportunities provided.
- 9.3 A new skills audit will be held after November 2020 to support the Governors in deciding their training and development needs
- 9.4 Based on the recommendation of the Nominations and Conduct Committee the Council AGREED that "the Trust has provided the appropriate training, development and guidance to Governors to ensure they are equipped with the skills and knowledge to carry out their roles in support of the FT4 declaration."

10.0 Council of Governor Elections

- 10.1 The Council **RECEIVED** and **NOTED** the report

11.0 Annual Members Meeting Update

- 11.1 The Council **RECEIVED** and **NOTED** the report

12.0 Any Other Urgent Business/Questions from the Public

- 12.1 Concern was raised about a patient being discharged from the care they had been receiving for many years due to a change in diagnosis. Due to governance and patient confidentiality, it was agreed that this issue would be discussed outside of the meeting.
- 12.2 Governors also noted issues around hidden racism and other discrimination such as anti-semitism and Islamophobia; strong interest from Governors was also expressed to be involved in contributing to the Trust's work on race and privilege.
- 12.3 Mark Lam thanked everyone for attending and closed the public part of the meeting. Governors and relevant staff were asked to join the private part of the meeting using a separate WebEx link.
- 12.4 Members of the public are excluded from Part 2 Council of Governors meeting having regard to commercial sensitivity and/or confidentiality and/or personal information and/or legal professional privilege in relation to the business to be discussed.

The public meeting ended at 6:30pm