

Minutes

MEETING: Agency Board
DATE: Thursday 25 April 2013
TIME: 2.00 pm
VENUE: Boardroom, Beechill House, NIMDTA

Present

Members

Mr A Joynes (Chair)
Mr D Morrice
Mr D Maguire
Mr L Wilson
Mr G Smyth
Dr JG Jenkins

Officers

Professor K Gardiner (Chief Executive/Postgraduate Medical Dean)
Professor D Hussey (Postgraduate Dental Dean)
Ms M Roberts (Administrative Director)
Mr T Hutchinson (Finance Manager)
Ms R Campbell (Human Resources Manager)
Mr M McCarey (Corporate Governance Manager)

1 APOLOGIES

Dr C Loughrey (Director of Postgraduate GP Education)

2 DECLARATION OF MEMBERS INTERESTS

None declared.

3 ANNOUNCEMENTS

The Chair welcomed Derek Maguire to his first Board Meeting. Mr Maguire has been appointed for a period of two years as the non-executive Dental Board Member.

The Chair informed the Board that Dr John Jenkins has been appointed as a Non-Executive member of the Board of RQIA

(Regulation, Quality and Improvement Agency). Unfortunately Dr Jenkins cannot hold both roles at the same time and as a result Dr Jenkins has submitted his resignation from his position as the Non-Executive Medical Board Member effective from 30 April 2013. The Chair thanked Dr Jenkins for his contribution to the Board.

The Chair congratulated Professor Gardiner on his appointment as an Honorary Professor from Queens University Belfast.

The Chair wished to record the condolences of the Board to Mrs Pauline Dardis on the recent loss of her mother.

4 MINUTES OF PREVIOUS MEETING (Paper B13/19)

Minutes of the meeting held on 28 February 2013, copies of which had been circulated prior to the meeting, were approved.

5 MATTERS ARISING

Dealt with under the Agenda

6 REPORT FROM GOVERNANCE & RISK SUB-COMMITTEE

Meetings of Governance & Risk Committee held on 11 February 2013 (Paper B13/20) and 26 March 2013

Members received and noted the minute of the meeting of 11 February 2013. Minor amendments to these minutes were noted.

The Chair informed the Board that the focus of the meeting of 26 March had been on the GP and Corporate Risk Registers. The GP risk register is being reviewed in order to develop a model for departmental risk registers. Professor Gardiner informed the Board that he, Ms Roberts, and Mr McCarey had met subsequently, and had decided to carry out a full review of the Corporate Risk Register and align it against the new Business Plan for 2013/14. The Chair agreed that this sounded prudent and that it would be beneficial for this work to be done in the manner that Professor Gardiner outlined. Professor Gardiner further added that thought would be given to the way that risks are escalated into the Corporate Risk Register from the departmental registers and a uniform process would be put in place. It was agreed that this work would be presented to the Governance and Risk Committee in the first instance.

Governance Self-Assessment

The Chair informed the Board that he had attended a brief and

informal meeting with five fellow non-executives Chairs from across the HSC. The meeting had primarily been about implications of the Francis Report; however discussions also covered the Board Governance Self –Assessment tool. The Chair stated that one of the outcomes of this meeting was that some clarity had to be sought in relation to the proportionality of some of the criteria contained within the tool, such as the need for an external assessment of Governance and how this would be appropriately funded.

At the previous Board workshop the Non-Executive Board members had met Mr McCarey in order to complete the tool, and a complete version of this work was tabled for approval. The Governance Self-Assessment Tool was approved subject to any further comments that could be emailed to Mr McCarey prior to submission of the deadline of the 30th June.

7 FINANCIAL UPDATE (Paper B13/21)

Mr Hutchinson advised the Board that the Department had made a decision in relation to GP Trainer Superannuable Pay Accrual. The Department advised that the Agency should not be accruing in relation to this matter and that a sum of £190k will be returned to the Agency. Mr Hutchinson advised that this will create a surplus, and that an end of year adjustment will be required. Mr Hutchinson added that this has the potential to impact performance in relation to the break even target.

The Chair asked for clarification of what a 0.25% of the Agency's budget equated to and Mr Hutchinson advised that it would be equivalent to a surplus of approximately £140K. Mr Morrice added that if breakeven performance was affected, the fact that this was out of the Agency's control would need to be noted in the Accounts.

GP Training Posts

Mr Hutchinson demonstrated a model projection of the costs associated with GP Specialty trainees. He informed the Board that this could be modified to show the financial implication if extensions to training are granted or less than full time training arrangements are put in place. Professor Gardiner enquired if training grants were included in the model's projections and Mr Hutchinson confirmed that they were and that Superannuation costs had been stripped out.

Professor Gardiner enquired if Mr Hutchinson had looked at the figures retrospectively over the last 3 years. Mr Hutchinson

confirmed that he had, and that this had highlighted that last year's budget at the outset had appeared adequate, but that increases in less than full time training posts had driven up costs within the year. He added that the model as shown was flexible to deal with permutations and it would allow management to look at many different variables.

Ms Roberts stated that a budget limit would need to be set in relation to less than full time training requests. Mr Hutchinson stated that the Budget was based on 118 trainees participating in the scheme as opposed to 114 in last year's budget.

Dr Jenkins stated that this appeared to be an excellent tool that could be used to robustly inform discussions with the Department in relation to intake to the GP Scheme.

The Chair agreed that the model was an excellent tool and echoed the sentiments of Dr Jenkins. He stated that he believed that this was an issue for the Senior Management Team to focus on and to provide regular updates to the Board.

Finance report

Mr Wilson asked in relation to the notes on prompt payment compliance if it would be necessary to go back and reinstate the figures for 2012/13 as these were not solely focused on commercial suppliers. Mr Hutchinson confirmed that these would be reinstated and included within the 2012/13 Accounts.

Study Leave

Mr Wilson enquired as to the reason why there appeared to be a shortfall in spend within the Study Leave Budget. Mr Hutchinson explained that the Budget Holders fund activity at a percentage of costs and then review these at year end. He added that a cautious approach appeared to be adopted by the budget holders and that some anticipated costs did not materialise. Ms Roberts added that a review of Study Leave was currently on-going and that this could potentially impact future Study Leave Budgets.

Professor Gardiner advised that the review should be completed by August. The Chair enquired if the Agency can be criticised for under spending in this area. Mr Hutchinson confirmed that a surplus does not exist as monies are moved to the GP Vocational Training Budget to provide training. Mr Hutchinson further added that the training allocation was not ring-fenced to the level that it must be spent against. Professor Gardiner added that a key outcome of the review will be that the Agency can demonstrate

that Study Leave spend would reflect value to all trainees. Mr Smyth asked for clarification on what the Study Leave Budget was spent on. Ms Roberts advised that it was applicable to additional parts of training that were not delivered within the Specialty Curriculum. She added there had been a cautious management of this budget as budget holders had been careful not to overspend or commit early in the year. She added that there were inconsistencies in application of the budget in different specialities and that this would be looked at as part of the review.

The Chair enquired from the other non-executive members as to the benefit of receiving the Management Report. The members indicated that they found that it was a helpful paper. Mr Smyth enquired as to why the projected surplus/(deficit) was depicted at different levels within the document. Mr Hutchinson explained that this was due to timing and notional differences in the requirements of the reports.

8 REPORT FROM THE CHIEF EXECUTIVE/POSTGRADUATE MEDICAL DEAN (Paper B13/22)

The Board received and discussed the report from the Chief Executive/Postgraduate Medical Dean. Attention was drawn to the following ;

The National Training Survey was on-going at the moment and would continue for a period of six weeks.

Professor Gardiner informed the Board that the publication of the Francis Report has heightened Patient Safety Issues and the GMC has altered its approach with some stratification of immediate and non-immediate concerns. Professor Gardiner clarified that the Agency has ten immediate concerns and twenty eight non-immediate concerns to date. Professor Gardiner stated that 4% of trainees are raising concerns and that this is in line with national average.

Visits

Professor Gardiner provided an overview of Visits carried out within the period. He advised that where issues had been raised, action plans had been developed with the relevant Trust and that these were being progressed.

Professor Gardiner informed the Board that a Service Review of the Belfast Trust's Emergency Medicine Departments, involving the President of College of Emergency Medicine had taken place on 28 March 2013. The Deputy Head of the School of Emergency

Medicine represented NIMDTA on the Review.

Service Pressures and Trainee Numbers

The Belfast Trust's Medical Director has asked for the current allocation of specialty trainees to be increased from seven to eleven in view of service pressures. He explained that this could only be facilitated by moving trainees from other Trusts which would destabilise the service on other sites. Dr Jenkins asked if any discussions have taken place with the Health and Social Care Board or the Department. Professor Gardiner informed him that he had spoken with Carolyn Harper from the Public Health Agency. Dr Jenkins added that it was good to have the support of the PHA but it would also be important to have the Department involved in taking this forward.

Hospital Specialty Team Meetings

Professor Gardiner informed the Board that at the Core Surgery Recruitment Meeting held on the 6th March 2013 discussion had focused on the fact that applications to Core Surgical Training had fallen substantially. Forty positions had been advertised this year with only 16 filled in the first round and 19 offers had been made to further candidates. Professor Gardiner confirmed that he is anticipating 10-15 gaps in this training scheme.

Faculty Development

Professor Gardiner drew the Board's attention to events that had taken place within the period and where work had been done in order to plan future events.

Trainee Support Group

Professor Gardiner informed the Board that he had a telephone conference with Mr Paul Philip, Deputy Chief Executive, GMC, regarding remediation of post CCT Doctors. There was discussion in relation to requests for remediation of post CCT doctors. Dr Jenkins said that the current lack of clarity in this regard created a high risk situation and that the department and the Agency's roles in such work should be clarified as a matter of urgency.

The Role of the Agency

The Chair asked if the role of the Department should be further expounded within this narrative. Professor Gardiner said that he would review this. The narrative was approved subject to the Chair reviewing Professor Gardiner's amendments.

9 REPORT FROM HUMAN RESOURCES MANAGER (Paper B13/23)

Resourcing

Ms Campbell advised the Board that there are currently five vacant administrative posts within the Agency. The Senior Management Team, at its meeting in May, will discuss if these could now be permanently appointed.

The Chair enquired as to what posts were currently being held for redeployment purposes. Ms Campbell advised that two band 4 positions and three band 3 positions were being held.

Dr Monica Hughes had been appointed as a Lead appraiser within the GP Department.

Ms Campbell informed the Board that a Specialty Recruitment appeal panel had been set up to facilitate an appeal from an applicant. The panel met on 23rd April 2013 but had deferred the review until June as the applicant was on sick leave.

UK Offers

Ms Campbell informed that work in relation to the Medical Dental Recruitment system remains on-going.

HRPTS

Ms Campbell advised that further delays to this project may move the proposed implementation date to 2014.

Absences

Ms Campbell informed the Board that the organisational absence rate for the year of 2012/13 was 2%. This is considerably lower than the absence rate in the HSC which is currently 5.5%. Mr Smyth congratulated the Agency on maintaining such a low absence rate.

Mr Wilson enquired if the Trusts provided reports on trainee absence. Ms Roberts stated that such reporting was a requirement of the Learning and Development Agreement but that the information was not always communicated. Mr Morrice asked if the implementation of HRPTS would help with this. Ms Campbell said if the system is used in practice as proposed, that it would.

The Absence Policy was discussed and a number of suggested amendments were raised. The policy was ratified subject to these changes which the Chair will review.

10 REPORT FROM THE ADMINISTRATIVE DIRECTOR (Paper B13/24)

Members received and discussed the report from the Administrative Director. Attention was drawn to the following and the accompanying documents received:

- Report on Complaints/Incidents/Accidents (February/March 2013) *inc AQ for March*
- Lay Representative summary
- Management of Educator Staff 2012/13 Audit
- Policy for Management of Sessional Educator Staff
- Senior Educators Staff Handbook
- Appraisal Plan for Senior Educators
- AFT – Staff Handbook
- Fill Rates for Specialty Recruitment for 2013
- Business Continuity Plan
- Corporate Risk Register
- Business Plan 2013/14

Senior Management Team

Ms Roberts informed the Board that the Senior Management Team had met on two occasions since the last meeting of the Board and that copies of the minutes had been forwarded to the Chair.

Business Services Transformation Project

Ms Roberts informed the Board that the implementation dates seem to be slipping and that implementation dates are currently unconfirmed.

Review of NIMDTA

Ms Roberts advised that the consultation document was still with the Deputy Permanent Secretary who will decide how this will be taken forward.

Beechill House Lease

Ms Roberts informed the Board that a meeting will be held on the 3rd June 2013 in order to progress matters.

Complaints/ Incidents/ Information requests

Ms Roberts informed the Board that from this meeting forward Assembly Questions received would be included in this report. Seven such requests were received in March; full details of these were included in the report. Ms Roberts updated the Board in relation to the collation of a data protection request from a trainee.

Ms Roberts advised that within April the Minister had received a letter from Jim Wells, MLA and that this had been forwarded to the Agency in order for a response to be prepared. Ms Roberts indicated that this communication would be included within the April report.

Appointment of Lay Representatives

Ms Roberts confirmed that following discussion at the previous meeting of the Board the continued recovery of the Lay representative overpayment has ceased.

Ms Roberts referred to the lay representative activity report which had been circulated with the papers. This was noted and discussed.

Audit of the Management of Educator Staff

Ms Roberts provided an overview of the recommendations contained within the internal audit final report into the Management of Educator Staff. Ms Roberts highlighted that all the recommendations had been accepted and management responses had been provided.

Ms Roberts informed the Board that new policy documents entitled "Policy for Management of Sessional Educator Staff" and an "Employer's Senior Educators Staff Handbook" had been developed and submitted for the Board's approval. The Chair enquired if references to conflicts of interest, fraud and acceptance of hospitality should be included in the Staff Handbook. It was agreed that these would be included. The Chair added that he believed that this is a great body of work that clearly demonstrates the processes that have been put in place.

The policies were accepted subject to the slight amendments

noted.

AFC Staff Handbook

Ms Roberts highlighted, that Senior Managers are entitled to time off in lieu for work performed outside of core hours.

Ms Campbell made reference to the section in the AFC handbook 'as there is a contractual right to the payment of overtime for staff up to band seven if they are required to work outside of the hours of 8 am and 6 pm' this has been amended in the 2013 handbook.

Mr Morrice added that it may be worthwhile adding a comment on the impact of career breaks on superannuation as he is aware that this has caused issues in relation to death in service benefits.

This was approved subject to Mr Morrice's comments

Recruitment and Junior Doctor Vacancies

Ms Roberts advised that the situation in relation to recruitment was constantly changing and that currently 19 out of 80 fixed term posts were filled.

Business Continuity Plan

This was noted, discussed and approved.

Corporate Risk Register

It was noted that this had been discussed earlier within the Chair's Report on the Governance and Risk Committee. The Corporate Risk Register that had been circulated in the papers has been updated to reflect discussion at the Governance and Risk Committee. However it was noted that this will be substantially reviewed and brought back to the September Board Meeting.

Business Plan

This had been revised in order to take into account comments that had been made by the Department's Governance Unit and these were highlighted in yellow. Mr Morrice requested the inclusion of the word "commercial" within the prompt payment objective contained within the finance section. The plan was agreed and will be sent to the department for approval by the 30th April 2013.

Outstanding Audit Recommendation – Off-site storage and disposal of records

Ms Roberts informed the Board that work continues to satisfy this recommendation.

11 REPORT FROM THE DIRECTOR FOR POSTGRADUATE GENERAL PRACTICE EDUCATION (Paper B13/25)

Members received and discussed the report from the Director for Postgraduate General Practice Education and accompanying papers:

- Organisational Culture: A Review of the Literature – DHSSPS Correspondence & Review (26.3.13)
- Correspondence from Deputy CMO re. GMC Undertakings (22.2.13)

It was further noted that the remediation issues in relation to post CCT trainees had been previously discussed in relation to the Chief Executives report.

Mr Morrice wished to express congratulations to Dr Loughrey on the publication of the literature review of organisational culture which had been included within the papers

12 REPORT FROM THE POSTGRADUATE DENTAL DEAN (Paper B13/26)

Members received and discussed the report from the Postgraduate Dental Dean. Attention was drawn to the following:

Professor Hussey informed the Board that all foundation trainees were progressing well.

Trainer recruitment has been completed for 2013/14. There were 35 successful trainers recruited and 2 applicants were considered to be unappointable and that they have received feedback.

There are currently a total of 31 trainees in the three schemes but clearing will fill the unfilled trainee positions in July.

Professor Hussey confirmed that COPDEND has agreed to change

the start dates for Dental Foundation Training to September 2014 from August 2014.

Professor Hussey stated that 155 Dentists and Dental Care Practitioners have registered for the Annual Conference which will take place on the 26th April 2013.

13 CORRESPONDENCE/REPORTS/PAPERS (Paper B13/27)

The Board received and noted the following:

- Prompt Payment of Invoices – HSC(F)19/2013 – (Correspondence from DHSSPS – 3.4.13)

14 ANY OTHER BUSINESS

The Chair requested that in line with the Board Self- Assessment checklist that future papers be submitted to the Board and marked whether they are for noting, approving, decision and/or discussion.

The Chair also mentioned that in light of the arranged Senior Management Team away day that it may be beneficial to arrange a Board away day for both Non-Executive and Executive Members of the Board. He asked consideration be given to this to enable further discussion at the next meeting.

15 CONFIRMED DATES FOR AUDIT SUB COMMITTEE

16 DATE OF NEXT MEETING

- Thursday 20 June 2013 – Boardroom

Confirmed Dates for 2013

- Thursday 4 July 2013 - Boardroom
- Thursday 26 September 2013 - Boardroom
- Thursday 28 November 2013 - Boardroom

All formal meetings unless otherwise advised will commence at 2.00 pm with a Pre-Lunch Meeting of Non-Executive Board Members at 1.00 pm.

Non-Executive Members Workshops

- Thursday 30 May 2013 – Boardroom
- Thursday 29 August 2013 - Boardroom

- Thursday 24 October 2013 - Boardroom

The above issue led Workshops will commence at 1.30 pm with a Pre-Lunch Meeting. Workshop business to commence at 2.30 pm