

# Action against Medical Accidents

## Minutes of the board meeting

held on **Thursday 12 December 2024** at 14:00

at Bolt Burdon Kemp LLP, 26 Newbury St, Barbican, London EC1A 7HU

<b>Present</b>	Mike Andersson (MA), Caroline Browne (CB), Janine Collier (JCo), Jocelyn Cornwell (JC) (Chair), Carol Jones (CJ) <b>left after item 15</b> , Amrat Khorana (AK), Bill Kilvington (BK), Farrah Pradhan (FP), Michele Salter (MS) (Treasurer)
<b>In attendance</b>	Nathan Bacon (NB) (Operations Director), Anna Devine (AD) (Director of Fundraising, Marketing and Comms) <b>left after item 9</b> , Ed Maycock (ED) (Head of Events), Lisa O'Dwyer (LOD) (Director of Medico-legal Services), Nicky Rushden (NR) (Finance Manager) <b>left after item 13</b> , Paul Whiteing (PWh) (CEO), Rachel Wright (minutes)

### 1. Apologies for absence

There were no apologies for absence.

### 2. Declarations of interest

There were no declarations of interest.

### 3. Minutes of board meeting on 26<sup>th</sup> September 2024

The chair presented the minutes of a board meeting on 26th September 2024 for approval whereupon they were unanimously approved as a true and accurate record of the meeting.

Matters arising: In response to a trustee question, the CEO said keeping fraud risks on the Risk Register would keep track of such risks.

### 4. CEO report

The CEO's report to trustees had been circulated with the meeting's papers.

He highlighted the successful launch of the all-party-parliamentary group (APPG) on patient safety, with Jeremy Hunt MP as its chair. He talked about the two pieces of work the group had already done, adding that there had been a lot of interest in what the group would do next. In response to a trustee question, he explained the part being played by the other two charities in the group.

Notice had been served on Freedman House: from 1 January 2025, AvMA would be based in a co-working space in Tanner Street, Bermondsey, London.

A policy and campaigns manager had been appointed, to start in January 2025. The CEO talked about the selection process and the background of the successful candidate.

The CEO reported back on the round table discussion he had attended as part of Dr Penny Dash's review into quality and safety relating to six non-departmental public bodies around NHS England.

Trustees were impressed with the range of meetings attended by the CEO. They liked the new reduced format of his report but asked that he make it clear which meetings were routine and which linked to objectives/strategy/advancing AvMA's cause in future papers.

At a trustee's request, the CEO reported back on his presentation to a forum of NHS England's complaints managers. Everyone agreed it was important for AvMA to nurture its relationship with this group of managers.

BK presented the draft checklist for associate trustees that had been circulated with the meeting's papers (but in future should be in a separate paper with its own number and title). Trustees liked the document and recommended: i) matching up the checklist with the existing induction programme for new trustees; ii) giving the document a title; iii) adding AD's name to the list of key officers; iv) including "Trustee Guidance to Investment" as essential reading; v) uploading the document to SharePoint; and iv) deleting the reference to a deputy chair.

Trustees unable to access SharePoint were advised to contact NB.

Other suggestions included: i) signposting new trustees to videos rather than lots of reading; ii) encouraging them to meet with one reasonably new trustee as well as long-standing members of the board; and iii) referring them to a better, more up-to-date safeguarding training course than that currently recommended.

**C0202: PWh to highlight in his report which of his meetings are linked to which objectives /strategy.**

**C0203: PWh & JC to look at the trustee induction programme, and where it is stored, in January 2025.**

**C0204: BK to match up the associate-trustee checklist with the trustees' induction programme and to give the document a title, add AD's name to "Meet with Key Officers" and include "Trustee Guidance to Investment" as essential reading.**

**C0205: Trustees unable to access SharePoint to contact NB.**

## **5. Fundraising, marketing and comms**

AD talked through the main points of her report, which had been circulated with the meeting's papers. She explained why she felt AvMA was more like a social enterprise than a normal charity and why it was important for AvMA to feel like, and sound like, a normal charity to the external world.

Regarding the proposal to create three new roles as part of a targeted fundraising/marketing team, a trustee asked why so many new people were needed, at what pace AD would want to grow the team, and what capacity she had to do the work without these extra appointments (and the associated ongoing expenditure). In response, AD explained that the roles would possibly be freelance, not full-time and permanent, and she intended to stay within her budget and to seek Trust funding. Trustees asked for a service line report to monitor the cost of these new roles versus funds raised: they needed to keep a close eye on the cost/benefits analysis of developing a new team, they said.

In response to a trustee question about using the online fundraising platform Funraisin, AD explained how the platform would work, adding that it would sit alongside the current website and could be transferred across to the new website at no extra cost.

One trustee flagged the importance of retaining, and building, relationships with existing funders and supporters.

In response to a question from the treasurer about the timeframe for presenting the budgetary asks for developing the fundraising-targeted team, AD and PWh said they would meet in January to finalise the expenditure.

The board was excited by AD's appointment, said the chair, adding that it was big step for the charity to invest in a director of fundraising. She invited AD to contact trustees in between board meetings if needed.

**C0206: AD to provide the board with a service line report to monitor the costs/benefits of creating the three new fundraising/marketing roles.**

**C0207: AD and PWh to meet in January to finalise the expenditure for the development of the targeted fundraising team.**

## 6. Revising the committee structure

A paper proposing an updated committee structure and terms of reference had been circulated with the meeting's papers.

The CEO presented a revised version of his previous proposal to restructure trustee committees to better align them with AvMA's strategy. Following a discussion, the revised committee structure was approved, with a commencement date of 1st April 2025, subject to a review after one year. Also approved were the revised terms of reference for each of the four committees subject to it being made clear that a quorum would consist of two trustee members including the chair.

During the discussion, the following was also agreed: i) inter-committee reporting, and committee reporting to the board, would rest partly with the chairs of the committees but mainly with the leadership team who would sit on multiple committees. The leadership team would also look to pull in external expertise to keep the committees focused; ii) the minutes of committee meetings would be circulated soon after those meetings, and committee meetings would be staggered so that the board had time to consider committee minutes in between board meetings; iii) each committee chair would discuss the timings of meetings, to include early evenings (where necessary), with PWh; iv) the resources committee would have, as a standing member, someone with HR responsibility/experience to stop the focus always being on finance; v) in the first instance, JC would ask trustees to volunteer for a committee; vi) each committee's chair would consider appointing a vice chair; and vii) consideration would be given to the length of a committee-chair's term.

It was also agreed that the Charity Code of Governance (for large charities) would form the basis of the trustees' governance-and-strategy-review awayday in 2025. Trustees asked to be involved in the planning the awayday.

In response to trustees asking whether their level of input was helpful to the organisation, the CEO said it was right for now but as the charity expanded and the team upskilled then trustees might be asked to do delegate more and as such have a lighter hand.

**C0208: PWh to discuss the timings of cmmtt mtgs, to include early evenings, with cmmtt chairs.**

**C0209: PWh to ensure the resources committee has a standing member with HR responsibility/expertise.**

**C0210: JC would ask trustees to volunteer for committees.**

**C0211: Committee chairs to consider: i) appointing a vice chair; and ii) the length of a committee chair's term.**

**C0212: PWh to involve trustees in the planning the trustee awayday.**

## 7. One-year plan update, projects and draft indicators

The CEO presented his one-year plan update that had been circulated with the meeting's papers. He asked trustees to share with him, offline, measures/indicators they had used in a similar setting that they thought could help the board track strategic progress. The chair suggested the following bullet points (taken from paper 6.1 of the meeting's papers) might provide the focus for the indicators AvMA wished to develop:

- Strengthen financial management and compliance
  - Enhance service delivery and extend AvMA's reach to more disadvantaged communities
  - Increase income generation and improve engagement through strategic marketing and communications.

At trustees' request, the CEO would amend, as follows, the table of outstanding matters from the previous year's operational plan: i) delete point 4.2.2; ii) involve more than one committee regarding the identification/collection/use of data (4.5.1), i.e. Resources, Quality and Outcomes, and IT; iii) separate the roll-out of the CRM and the finance system into separate rows (4.6.1); and iv) incorporate 4.5.1 into 4.3.5 as they were closely linked.

Trustees were pleased that diverse work streams/projects were all being pulled together into one table but flagged that everything would need careful monitoring as nothing was ahead of schedule and some deadlines were tight, e.g., the development of the new website and related resources by March 2025 (table 1, point 1.3). Regarding table 4 point 4.1, the year-one action would be changed to "...develop a plan for fundraising priorities over the next 4 years".

The chair flagged that two of the lessons learned from the 2019/24 strategy (concerning the building of project management capability and the implementation of a new performance management framework) had not been reflected in the year-one-plan update presented.

**C0213: Trustees to share with PWh measures/indicators they have used in a similar setting that could help the board track strategic progress.**

**C0214: PWh to amend the table of outstanding matters from the previous year's operational plan as follows: i) delete point 4.2.2; ii) involve more than one committee regarding the identification/collection/use of data (4.5.1), i.e. Resources, Quality and Outcomes, and IT; iii) separate the roll-out of the CRM and the finance system into separate rows (4.6.1); and iv) incorporate 4.5.1 into 4.3.5.**

**C0215: PWh to amend table 4 point 4.1 to "...develop a plan for fundraising priorities over the next 4 years".**

**C0216: PWh to reflect the lessons learned from the 2019/24 strategy concerning the building of project management capability and the implementation of a new performance management framework in the year-one-plan update.**

## **8. Reserves strategy update**

The updated reserves strategy, circulated with the meeting's papers, was approved. Trustees said it was a good piece of work.

## **9. Staff annual cost of living and pension considerations**

The CEO summarised his paper circulated with the meeting's papers and asked trustees for their initial views on AvMA's overall approach to the annual cost-of-living salary increase for staff from 1st April 2025. They were also asked for their views on AvMA's ambition to increase its combined employer/employee pension contribution from 8% to closer to 12% over the lifetime of the strategy, if affordable; and whether to move pension contributions from qualifying earnings only to full salary contributions.

The consensus was to: i) start with the cost-of-living increase determined by the Consumer Price Index (CPI) and see if there was any exception that needed to be taken into account for AvMA's staff; and ii) increase the pension in ways that were affordable. There was general support for changing the qualifying earning limit for lower paid staff.

In response to a trustee question, the CEO said he had not asked staff their views on an increase in pension or other benefits; staff seemed to really value the flexibility, work/life balance offered by working for AvMA, the leadership team said, adding that staff retention was good.

In response to a trustee suggestion about looking into benefit packages for staff, the CEO said this was not a risk a small employer, like AvMA, could afford to buy up. Other suggestions included: increasing the pension sooner rather than later; offering staff a choice of flexible HR benefits from which to choose; and offering to match staff pension contributions up to a certain threshold.

Trustees asked to see the trend in wage growth over the last three years.

**C0217: PWh to show trustees the trend in wage growth over the last three years.**

**AD left the meeting.**

## **10. 2019-24 strategy lessons learned: update**

The CEO summarised the key points of his paper circulated with the meeting's papers. Trustees felt it was an honest, pragmatic review, which showed clearly that progress had been made. The leadership team reported that staff were more invested in the most recent five-year strategy than those of previous years.

## **11. Complaints About AvMA policy review**

The board approved the changes highlighted in the policy subject to the inclusion of wording to the effect that all formal written complaints would get an immediate acknowledgment and would be investigated and replied to in writing as rapidly as possible and certainly within 20 working days.

## **12. Risk register**

The risk register was approved as presented.

Data loss and assurance of the quality of data needed to be considered in relation to the risk register, advised the chair. The CEO was asked to share his guide to the risk register (including the explanation of the arrows) with trustees/put it on SharePoint.

MA suggested adding the word 'information' to the IT committee's title so that information management would become part of its remit. Item CRM-02 on the IT risk register was out-of-date, it was noted.

Using SharePoint helped protect data, everyone was reminded. PWh, NB and trustees would consider giving trustees AvMA email addresses for data protection purposes.

**C0218: PWh to consider adding data loss and assurance of the quality of data to the risk register.**

**C0219: PWh to share the guide to the risk register with trustees/put it on SharePoint.**

**C0220: PWh, NB and trustees to consider giving trustees AvMA email addresses for data protection purposes.**

### 13. Finance and investment committee

Draft minutes of the meeting on 26<sup>th</sup> November 2024, the Management Accounts report and the latest management accounts had been circulated prior to the meeting for information.

In response to a trustee asking whether a decision had been made on when/whether to go ahead with the financial aspects of the CRM, the CEO said the executive was working up a proposal on how to take this forward and would bring it back to the relevant committees.

**NR left the meeting.**

### 14. Quality and outcome committee report

Draft minutes of the meeting on 28<sup>th</sup> November 2024 had been circulated before the meeting for information. The CEO had started talks with AD about funding for external consultancy support to enable a wide-ranging, objective assessment of AvMA's services.

### 15. IT and digital working group report

Draft minutes of the meeting on 25<sup>th</sup> November 2024 had been circulated with the meeting's papers for information. Trustees were pleased to note how much of the CRM work had been completed.

**CJ left the meeting.**

### 16. Managers' departmental reports

The managers' reports had been circulated with the meeting's papers for information.

#### People report

In response to concern about the increase in TOIL since March 2024, NB explained how TOIL was used and recorded: no-one was working excessively over their hours; there was not a problem, he said. There were staff on long-term sick leave/reduced hours, but he did not think there were any adverse trends on this. He suggested a more in-depth analysis could be done in a closed session of the resources/HR committee.

One trustee felt sickness only became a board matter if a staff member's long-time absence affected the charity. Also, TOIL, as currently recorded, told the board nothing useful, trustees said; instead, they needed assurance that TOIL was being taken back within a timely timescale, which NB confirmed was the case, as well as assurances that sickness was being managed.

#### Events report

ED was congratulated on a successful year of events. He was also thanked for organising the board's meeting rooms throughout the year. In response to a trustee question, he explained how the CRM was working for his team.

#### Medico-legal department report

LOD was thanked for her useful and informative report.

The board was concerned that the loss of helpline data in September 2024 had not been reported to a trustee committee. LOD explained that the loss had occurred after the previous board meeting and that was why it appeared in her current report-to-the-board, not earlier. The CEO acknowledged that the way in which he and his team had reported the loss had not been helpful and he took this on board.

LOD explained how and why the helpline data (for the period 22.11.2022 - 04.03.2024) had been permanently lost and the impact of that loss. She also explained how subsequent helpline data had been captured. Trustees were assured that steps had been taken to make it unlikely that a similar data loss could happen again. MA recommended the IT and digital working group meet early in the new year to look at this issue.

Trustees were pleased to learn that a beneficiary-review group had been set up. It was great to see a great example of user involvement.

**C0221: NB to consider doing a more in-depth analysis of sickness leave at a closed session of the resources/HR committee.**

**C0222: PWh and MA to arrange an ITDSG meeting early in 2025.**

## **17. AOB**

There being no other business to discuss, the meeting ended at 17:00.

## **18.Dates of 2025 meetings**

18<sup>th</sup> March, 24<sup>th</sup> June, 23<sup>rd</sup> September, 9th December (includes AGM)