

Minutes of the meeting of Action against Medical Accidents

Held on 29th September 2020 by Microsoft Teams

Present: Suzanne Shale (SS) Chair, Caroline Browne (CB) Vice-Chair, Angela Brown (AB) Treasurer, Nigel Holland (NH), Mike Andersson (MA), Jonathan Hazan (JH)

In attendance: Peter Walsh (PW), Nicky Rushden (NR) (Finance items only) , Nathan Bacon (NB) & Matt Lowry (ML) (IT items only)

Apologies: Moi Ali (Mali), Linda Kenward (LK), Rachael Vasmer (RV)

1. Introduction and Trustee/Staff observations

The following AvMA activities since the last meeting were felt to be of note: the work of the Finance Committee and IT & Digital Steering Group; progress on IT (even without HW); external work especially the non-Covid petition and Guardian article; Rausing Foundation grant application; work by management on 10-year financial plan options; the Duty of Candour Masterclass run by PW; development of our client feedback system; the audit; [REDACTED] the evident culture of reflecting on client feedback and the esteem with which applicants to the panel hold the AvMA Panel.

2. Minutes of the Council Meeting held 7th July 2020

The minutes were AGREED as an accurate record. It was queried whether there was a problem with retaining trustees which led to the need to plan recruitment. It was noted that charity good governance anticipated that trustees would serve for limited terms, with an advised maximum of 9 years to accommodate a trustee holding a major office. [REDACTED]

With regard to Freedman House it was agreed that a strategy on working from home and office space arrangements was needed before any big decisions were made. It was suggested that renting out all of the building and finding alternative accommodation if required should be added to the list of options. There was agreement that there may be negative as well as positive consequences for individuals and the charity from working at home.

It was noted that the action recorded for LK in the schedule was about work to develop availability of specialist counselling for people affected by medical harm.

Action: PW to amend and update the Action Schedule re counselling

3. Executive Committee

The minutes of the last meeting were noted.

4. Quality and Outcomes Committee

The minutes of the last meeting were not available for this meeting due to the close proximity of the two meetings. CB summarised the Quality Committee's recent work. A Quality Assurance Framework had been produced and was being developed to incorporate other activities starting with Policy & Campaigns. Internal process quality assurance was not considered a core concern of the committee, but PW was due to explain how this is handled at the next meeting.

Progress had been made with agreeing how to collect demographic and equality data, and on developing client feedback collection following the Ipsos MORI work. JS was commended for the quality of her papers on these issues. The Beneficiary Engagement workplan had been updated and recruitment of a 'lead beneficiary' to help take this work forward was about to take place.

Action: PW to circulate lead beneficiary job description etc to committee members

It was noted that work was underway picking up on issues identified through this work. For example on mental health cases; mutual support; online videos; creating opportunities for beneficiaries to contribute, including providing advice/advocacy.

SS thanked committee members and staff for the impressive work being undertaken and expressed appreciation to Caroline for her leadership of the Quality committee.

5. Finance

The minutes of the last Finance & Investment Committee meeting were noted. AB drew attention to the fact that investments had performed relatively well in the circumstances. Consideration was being given to how to maintain an overall low risk approach including what proportion of funds should be held as cash. Castlefield had advised of a fee increase from 0.6 to 0.8%, whilst at the same time being less available for meetings. Consideration was being given as to whether an advisory or discretionary arrangement would be preferable. It was queried whether an alternative to Castlefield should be found, but FIC's preference was to wait to see what Castlefield came up with first.

The committee had been advised of further anticipated drops in lawyer income as part of reviewing/updating the 10-year financial plan.

It was noted that the management accounts anticipated a deficit of £325,000 in 2020-21 (£55,000 better than budget). This may be a further £10,000 better due to a very successful Surgery online event, and it was noted that it was hoped to recoup much of the money lost through cancellation of the Annual Clinical Negligence Conference by running two of these in 2021-22. It was noted that the plan to hold two ACNC's was made during the pandemic first wave, and that an extended second or further wave would have an impact on this aim and make it more difficult to recover our position. Trustees were reminded that we still await a legacy of circa £400,000 which we expect to receive this year but this has not been included in forward calculations.

Trustees were reminded to send in the personal information that was requested by Castlefield.

Action: All trustees to return the requested personal information to NR

6. 10-year Financial Plan

The paper prepared by PW and NR was noted. SS explained that the aim was to bring the Strategic Plan and Financial Plan together with a strategic review in the Spring of 2021. There was no need to agree on options now, but this was a start of this discussion.

SS expressed a view that option 1 (simply stick with the existing plan without review) was not a realistic option. The external environment has changed significantly, and we need to take a view on both how this may affect our financial planning and also how it may affect our service offer. We should also not aim to hold reserves higher than is necessary.

Concern was expressed by some trustees that all the assumptions in the long-term forecasting were high risk, and that a small deviation on way or another would significantly impact on the eventual reserve. Some trustees were wary of extending the period of the existing financial plan, while others did not hold a view at this stage and would await further proposals and the rationale for them.

PW drew trustees' attention to how options putting forward an extended time frame would result anticipated surplus of reserves at the end in addition to the building, which is worth circa £2 million. The building had always been considered the "insurance policy" should assumptions be significantly wrong in practice; he noted that management kept the situation under constant review and trustees formally reviewed the financial plan every year. He queried whether sticking to the original deadline for achieving a balanced budget was advisable if it meant a rapid reduction in capacity to meet the charity's aims, and limit our capacity to exploit opportunities to obtain funding/generate income which may arise.

It was noted that as well as the risk that assumptions on which the plan were based may turn out to be wrong in a negative sense, there was also the possibility that they could be wrong in a positive direction. So far, our projections had been proved to be over-pessimistic, and this was one reason for having scheduled a review before Covid-19 occurred.

There was consensus that a fuller discussion was needed about our approach to the ten year plan in Spring/Summer 2021, when the effects of covid will be better understood, and that this be aligned with the review of our Strategic Plan.

It was AGREED to consider our approach to the 10 year plan and agree the final position as part of the strategic review in Spring/Summer 2021.

It was noted that a decision on the level of any savings required for 2021-22 would need to be made in December 2020.

7. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8. Website

The paper was noted along with appreciation for its clarity.

9. Finance Software

The paper for this item was noted. It was noted that advice on the best timing of new finance software had changed and it was now felt that the choice of software package should be made

10. Decisions on capital expenditure

It was AGREED to scope out any other anticipated IT needs in the interim Digital Strategy and report to the IT&DSG and Council if appropriate.

Action: NB/ML to scope out any other anticipated IT needs in the interim Digital Strategy and report to the IT&DSG and Council if appropriate

It was noted that a full Digital Strategy was needed going forward.

It was AGREED that management continue the procurement process for spending upto £15,000 on new finance software, with the final decision to proceed being subject to a full report and recommendation being approved by the Council of trustees via an email process.

Action: NR continue with procurement of finance software and produce a recommendation and report for approval by Council via email.

11. Operational Plan and Departmental Objectives

The updated Operation Plan was noted.

The following observations were made about the Departmental Reports:

- Overall they demonstrated a remarkable level of activity given the circumstances of a pandemic
- Conferences & Events – The ACNC scheduled for April 2021 was now at high risk due to the ongoing pandemic. Online events were going very well but could not fully replace the ACNC experience and income from sponsorship etc
- Inquests – Trustees wished to be updated on what happens with the Covid-19 case and suggested that opportunities for media coverage be explored

Action: LOD to update trustees and explore media coverage opportunities

- Communications – Trustees were very pleased with the communications work
- Written Advice – it was noticed that supervision and file reviews were being regularised as part of preparation for accreditation. It was suggested that QOC consider how best to gauge the success of triaging cases and getting feedback from clients about this

Action: CB to include triaging in future QOC agenda

- Policy & Campaigns – there was brief discussion of how best to focus this work in light of Covid19 and other external environment changes, and it was AGREED to convene a 'brainstorming' session with relevant staff and trustees who wish to take part to consider various potential policy and campaign issues and which AvMA should prioritise

Action: PW to arrange a brainstorming session on policy & campaign issues with relevant staff/trustees who wish to take part

12. Trustee Recruitment

It was AGREED that PW propose a recruitment plan taking account of forthcoming end of tenures for trustees and existing skill mix and discuss with SS.

Action: PW to discuss recruitment plan for trustees with SS

It was noted that AB's tenure of office ended in 2021 and recruitment of a potential Treasurer or additional FIC member was one priority.

13. Strategic Review Meeting

It was noted that it was intended to hold a meeting to review the Strategic Plan in Spring 2021. Trustees expressed a preference to meet in person for this with appropriate safeguards, social distancing etc. It was suggested that ideally this might be held in the outdoors in the Summer, most likely June.

Action: SS/Exec Cttee to consider options for Review Day

14. Future Meetings

Next meeting: Tuesday 7th December (12pm AGM; 1-5pm Council)

It was AGREED to delay confirmation of dates for 2021 until SS and other trustees knew about other commitments.

Minutes approved by Council – 8.12.20