

MINUTES OF THE MEETING OF ACTION AGAINST MEDICAL ACCIDENTS Held on 19th September 2017 at Freedman House

Present: Suzanne Shale (SS) Chair, Angela Brown (AB) Treasurer, Barbara Ross (BR), Nigel Holland (NH), Philip Dolan (PD), Hilary Scott (HS), Rachael Vasmer (RV).
From item 2 onwards: Jonathan Hazan (JH), Ava Easton (AE), Caroline Browne (CB), Mike Andersson (MA), Linda Kenward (LK)

Apologies: Ceri Edwards (CE), Jim Petter (JP),

In attendance: Peter Walsh (PW) Chief Executive & Company Secretary
Hugh Williams (HW) Deputy Chief Executive
Nicky Rushden (NR) Finance Manager (part)
Jane Smythson (JS) Marketing & Communications Officer (part)

1. Appointment of Trustees:

Following the period of consultation SS proposed that the appointment of the proposed new trustees be formally ratified. It was unanimously AGREED to appoint JH, AE, CB, MA and LK as trustees. (The newly appointed trustees were then invited to join the meeting).

2. Chair's introduction and welcome to new trustees:

SS invited existing trustees to comment on AvMA's most significant achievements since they joined AvMA. These included AvMA's role in the Mid-Staffs Inquiry; our Inquest service; leadership role with other organisation over patient safety and justice; development of our 10 year finance strategy & reserves policy; getting the statutory Duty of Candour; agreeing to improve accessibility of Freedman House with a platform lift.

SS invited new trustees to comment on the most surprising and striking thing they had learnt about AvMA. These included:

The "staggering" amount of expertise within the organisation; the Helpline and 35th Anniversary selling points; consistently high calibre throughout the organisation; weight of the Board papers!; origins in a BBC play; role in bringing about CQC and NPSA.

3. Minutes of Council Meeting held 20th June 2017:

The minutes were AGREED as an accurate record.

4. Executive Committee:

The minutes of the Executive Committee meeting were noted. On the disabled lift AE offered to advise on potential grant applications. It was AGREED PW and AE liaise about this.

Action: PW/AE

It was AGREED to adopt the terms of reference for the Executive Committee as presented with the following amendments:

- Delete 'Monitor significant risks and advise on managing them' from paragraph 2 (Purpose)
- Add 'monitor implementation of Council decisions' and 'maintain oversight of the work of the Finance and Quality committees and ensure appropriate linkages'.

It was noted that HS had been elected as Vice-Chair by email.

5. Finance:

a) AB presented the minutes of the last Finance & Investment Committee meeting, which were noted. AB reported that she had asked the auditors to look at Conferences & Events and to consider reducing the auditors' fee. PD questioned why the return on his personal investments was much higher than AvMA's investments. It was suggested that this was most likely because his investments were in a significantly higher risk portfolio than it was AvMA's policy to adopt.

b) NR presented the Finance Manager's report which was noted.

c) It was noted that following FIC there had been further discussion between the Chair, FIC members, Finance Manager and CEO regarding the revised 10 year financial plan, specifically in relation to the sum identified as the target level of reserves. It had been agreed between these trustees and officers that this sum and how to address any balance between this and current projections would be further reviewed by FIC at its next meeting.

Council AGREED in principle to adopt the revised 10 year financial plan as presented, subject to it being further reviewed with regard to the final reserves amount to aim to arrive at; how the difference between the current projected reserves and the new target might be used; and whether there should be any change to the timescale/length of the strategy period for achieving a balanced budget.

d) It was noted that the Draft Reserves Strategy presented to Council had been revised by the Chair following its presentation at FIC, in order to align with the minutes of the special Council meetings where the reserves strategy had been developed. The printed version of the Strategy presented to Council was unfortunately difficult to read, and Trustees requested a clean copy in order to be able to comment.

Action: NR to circulate clean copy (done)

e) The terms of reference of the Finance and Investment Committee were AGREED as presented. It was noted that policies/terms of reference are due for renewal at latest 3 years from adoption. PW said that current policies were being reviewed and a list of them and a link to them would be provided.

f) It was AGREED that the Chief Executive (PW) be made a signatory on the to the bank account for inquest clients' money.

It was noted that NR was doing a skydive on 1st October for AvMA and that it was still possible to sponsor her.

6. Healthcare Safety Investigation Branch and 'Safe Space':

PW updated trustees on the publication of the Healthcare Service Safety Investigations Bill and the context. The proposals around "safe space" / prohibition on disclosing information even to patients/families whose treatment was the subject of investigation were discussed. It was noted that the proposals were contrary to the recommendations of the Expert Advisory Group which advised the Department of Health about how the HSIB should work. The stated policy intention was to protect staff from 'unfair' consequences as a result of taking part in investigations and make them more comfortable about providing evidence to them. However, trustees could not see how prohibiting disclosure of such information from patients / families could achieve that intention. It was felt that denying patients/families access to evidence about their treatment went against the spirit of the duty of candour; would make it impossible for them to be fully involved in investigations; and would harm their trust in investigations. Particular concern was expressed with regard to the proposal that local investigations carried out by trusts accredited by the HSIB (HSSIB) would be conducted with the same prohibition on disclosure. It was AGREED that the imposition of 'Safe Space'/prohibition on disclosing information or evidence from patients/families concerned was unacceptable either for HSSIB or local investigations, and that influencing the final Bill should be a priority for AvMA. It was noted that PW and HS were due to meet Jeremy Hunt about this on 26th September.

7. Departmental Objectives & Reports:

The reports were noted. It was queried whether Council needed to see these detailed reports, and that some form of appropriate summary report would be more in keeping with Trustees' role. It was recognised that this had been an issue Council had identified but not yet resolved, and that the key question was how Council could be assured of the quality of service provided. It was AGREED that the Quality & Outcomes Committee should work with the CEO to consider what form of reports should come to the Council in the future.

AB was going to check if she was receiving the AvMA e-newsletter or not and let the office know.
Action: AB

It was AGREED that SS and PW discuss arrangements for trustees and partners if appropriate attending the Gala Dinner on 1st December and advise trustees accordingly.
Action: SS/PW

BR suggested that more information on numbers of attendees at specific events and the difference/impact being made be included in the conference and events report.

BR expressed concern about accessibility of the Helpline and suggested that the Quality & Outcomes Committee look at this.

CB queried whether appropriate risks were being considered at Council (e.g. Health and Safety) and expressed the view that the Risk Register should be presented at each Council meeting.

RV reported that her offers to help with panel and legal matters had not been followed up. PW to speak to Lisa O'Dwyer and Liz Thomas.

Action: PW to raise with relevant managers and ask them to contact RV.

8. Quality & Outcomes Committee:

The terms of reference were AGREED as presented subject to the following changes:

- The title and subsequent references to be 'Quality & Outcomes committee'
- Replace 'quality control' with 'quality assurance'
- The Committee to meet 4 times a year.

The following trustees volunteered to join the new committee: RV, LK, AE & CB. It was AGREED that SS give the membership of the committee further thought before it was convened.

Action: SS

9. Chief Executive/Deputy Chief-Executive report:

The report was noted.

10. Date of Next Meetings:

The next meeting was noted as being on the 14th December 2017.

With regard to meeting dates for 2018 AE reported that she could not attend if held on Fridays, It was AGREED that a schedule with Thursdays being the meeting day to be circulated.

It was AGREED that moving to electronic meeting papers be tested out, with trustees having the option of asking for hard copies.

Action: PW/VN

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Chair