

Minutes of the meeting of Action against Medical Accidents Held on 3rd July 2019 at Freedman House

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

Apologies: Rachael Vasmer (RV), Jonathan Hazan (JH), Linda Kenward (LK), Jane Reid (JR)

In attendance: Peter Walsh (PW) Chief Executive & Company Secretary
Hugh Williams (HW) Deputy Chief Executive
Nicky Rushden (NR) Finance Manager
Lisa O'Dwyer (LOD) and Jane Smythson (item 7)

1. Chair's introduction and staff observations:

All present fed back on elements of AvMA's work which they took satisfaction in. These included: the previous week's Annual Clinical Negligence Conference which was very well attended, impressive and had excellent speakers; care/hospitality shown to trustees attending Council meetings; the presentation by our new IFA from Castlefield at the last FIC meeting; Medico-Legal Department continuing to serve clients well whilst short-staffed, and success with recruitment; linking up of software for finance purposes; the recent Beneficiary Engagement meeting; Nathan's paper on IT for IT Taskforce; enlisting our first 'Partners for Patient Safety' corporate sponsor; the 'just culture' workshop which included input from a patient safety survivor with a non-fatal case.

2. Minutes of the Council Meeting held 28th March 2019:

It was noted under item 6 (Finance) MA's suggestion was for a strategy wider than Freedman House alone, encompassing accommodation more generally and remote working. PW was working on such a strategy. MA also suggested that AvMA should have an HR strategy. Otherwise, the minutes were AGREED as an accurate record.

Matters arising:

- PW explained that it had not been possible to update the full Operational Plan for this meeting as had been intended. This would be done in time for the September meeting.

Action: PW

3. Minutes of the Executive Committee held 30th April 2019:

The minutes were noted. It was noted that the minute about the September Council meeting and JR's request for meeting dates to be set a year in advance which appeared under item 3 'Financial decision' was a separate discussion in its own right.

Matters arising:

- Schedule of meetings for 2020: It was AGREED that Tuesday was the preferred day for meetings. A proposed schedule of Council and committee meetings for 2020 was tabled (to

be sent to all trustees by email). Trustees were asked to let VN know if there were any problems with the proposed dates.

- Risk Register: There was a discussion about the current process for managing risk. It was requested that the Risk Register is kept better up to date and suggested that the entries be dated to facilitate this. Use of the 'Risk Control Schedule' tool used by the Finance Committee is being considered by other committees. SS is attending training on Risk Management shortly. She will discuss ideas for possible improvement with PW and any proposed changes will be discussed with the Executive Committee and at the AGM. Currently the Risk Register is reviewed by management and by the sub-committees at each of the meetings. The updated register is on Sharefile for all trustees to access and is discussed by full Council at the AGM.

Action: PW to circulate FIC risk schedule to Executive Committee

Action: SS to discuss risk management with PW and Executive Committee

4. Chief Executive / Deputy Chief Executive Report:

The report was noted. It was noted that MA had attended a GMC liaison meeting with patients' groups on AvMA's behalf which had not yet been included in the list.

It was noted that one of the HR issues referred to had been both serious and time-consuming, having invoked the appeals procedure involving the Chair. PW reported that there was no unrest amongst other staff as a result and that the HR consultancy service had proved invaluable.

It was noted that HR policies were being reviewed by Croner and incorporated in a new staff handbook, the first draft of which is being reviewed by HW.

Regarding IT, it was clarified that the next step would be to appoint a consultant to help with the decision over whether to retain Seneca or commission a new CRM system.

It was agreed the consultant would be appointed by September with an IT strategy and business case for use of reserves [REDACTED] to come to the December Council meeting. A business case for use of reserves for the consultancy costs would be considered by email by EC in between Council meetings if necessary, if the cost exceeds PW's authority to spend.

Action PW, NB, IT Taskforce

It was noted that the need to attend to the pressing HR issues had been a cause of delay on developing the IT strategy.

5. Operational Plan and Departmental Reports

The new format for the reports was welcomed and considered much more helpful for trustees than previous versions. It was noted that some authors had got the hang of it better than others, that some had a little more detail than necessary, and that the summary section could concentrate on whether things are 'on track' or whether there were concerns/other things needed to be done. In some reports the descriptors of content for each section had been left in. Trustees found this useful and requested the descriptors be retained and not deleted by the authors.

Regarding the reports themselves, it was noted that feedback continued to indicate that some beneficiaries had found it difficult to access the helpline. It was questioned whether the shortage of volunteers for the Helpline and implications for the service should feature on the Risk Register, and whether more use could be made of volunteers who are not solicitors.

Action: HW/PW to discuss with LOD and report to Quality Committee

It was noted that there had been problems with the old Works database but that this had been largely resolved thanks to there having been a backup.

The Conference & Events team were congratulated on the highly successful annual conference. SS asked if there were any concerns raised for trustees by the reports. The following issues were raised:

- Slow progress with resolving IT issues (albeit understandable due to capacity and unforeseen calls on managers' time).
- The fact that so much relied on a small number of key staff. It was felt that this might be worthy of recording on the Risk Register and mitigation actions agreed there or in an HR strategy which could also look at succession planning.

It was AGREED this would be discussed at the next Executive Committee.

Action: SS/Executive Committee

6. Financial Strategy

AB tabled a background paper "Long-range financial plan". This was accompanied by a verbal presentation on this and other papers setting out our financial/reserves strategy.

SS noted that AB had been invited to present to Trustees because responsibility for finances was a duty of care to the charity on the part of all Trustees, albeit that FIC had an additional scrutiny role and gave advice to Council. AB stated that any Trustee who wished to attend FIC to observe its activity was welcome to do so.

It was AGREED to circulate the tabled paper to Trustees.

PW's paper on treatment of 'surplus' reserves was noted and agreed. In particular it was noted that there will almost certainly be a call on using some of the 'surplus' in developing our IT infrastructure.

It was noted that AvMA's capital expenditure was relatively low. It was AGREED that the plan be reviewed to ensure that all foreseeable buildings and IT costs were included.

Action: NR/PW/HW to review and report to Finance Committee.

7. Quality & Outcomes Committee

The minutes of the last Quality Committee meeting were noted.

PW tabled and spoke to a presentation on the collection of quality and impact feedback from clients. LOD and JS attended for this item.

Although it was early days, staff were finding that data collection and analysis had been helpful in identifying areas for continuous improvement, and that much of the data presented an encouraging picture.

It was noted that improvements to reporting and presenting data were in progress and that IPSOS MORI volunteers are also going to assist with reviewing our process/ the questions being asked.

It was felt that we may be asking the questions re impact too early for clients to be able to report progress. It was also noted that unrealistic client expectations or the performance of NHS or legal processes beyond AvMA's control may account for some of the less positive feedback. However, the Quality & Outcomes Committee will be considering this in more detail.

It was noted that access to the Helpline continued to be the most common problem reported by clients.

8. Finance

The management accounts and Finance Manager's report were noted, everyone involved in helping reduce the budgeted operational deficit so significantly was congratulated.

It was AGREED to chase up valuations of Freedman House for the annual accounts.

Action: PW

9. Approval of Policies

Updated policies following the Sharefile consultation were tabled. It was noted that not having updated policies in the papers circulated for the meeting had made it difficult for trustees to consider them in advance. It was AGREED in future exercises of this nature more time to be allowed to make this possible and that track changes be used.

Action: PW

It was AGREED that as a standard format every policy should say clearly at the start who the policy applies to.

Action: PW

The following policies were AGREED subject to the above and any typos:

- Conflict of Interest
- Offers/Receipt of Gifts, Hospitality etc
- Corporate Sponsorship and Support
- Quality & Outcomes Committee Terms of Reference

The Anti-Fraud Policy was AGREED in principle subject to it being consistent with recently published guidance from the Charity Commission.

Action: NR to review

10. Appraisal

Trustees discussed the approach to Chief Executive's appraisal and appraisal of trustees. The Chair invited trustees to contribute their views on Chief Executive's performance under specific headings and the Chair would be emailing trustees to gather information in confidence.

Action: SS

11. Date of next meeting

Trustees were reminded that the meeting on September 26th 2019 would be held from 11am to 5pm.

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Chair