



**Ayrshire and Arran NHS Board
Minutes of a meeting by Teleconference
9.15am, Monday 30 March 2020**

Present: Non-Executive Members:
Mrs Lesley Bowie, Board Chair
Mrs Margaret Anderson
Mr Michael Breen
Cllr Laura Brennan-Whitefield
Mr Adrian Carragher
Cllr Joe Cullinane
Dr Sukhomoy Das
Mrs Jean Ford
Mr Ewing Hope
Mr Bob Martin
Mr John Rainey
Cllr Douglas Reid
Ms Linda Semple
Miss Lisa Tennant

Executive Members:
Mr John Burns (Chief Executive)
Prof Hazel Borland (Nurse Director)
Dr Alison Graham (Medical Director)
Mr Derek Lindsay (Director of Finance)

In attendance: Mrs Kirstin Dickson (Director for Transformation and Sustainability)
Mrs Joanne Edwards (Director for Acute Services)
Mr Tim Eltringham (Director of Health and Social Care, South Ayrshire)
Mr Eddie Fraser (Director of Health and Social Care, East Ayrshire)
Mrs Shona McCulloch (Head of Corporate Governance)
Mrs Lynne McNiven (interim Director of Public Health (joint))
Dr Joy Tomlinson (interim Director of Public Health (joint))

Mrs Angela O'Mahony (Committee Secretary) minutes

1. Apologies

Apologies were noted from Mr Stephen Brown, Ms Patricia Leiser, Ms Sarah Leslie, Dr Crawford McGuffie, Mrs Miriam Porte and Mr John Wright.

2. Declaration of interests (027/2020)

There were no declarations noted.

3. Minute of the meeting of the NHS Board held on 3 February 2020 (028/2020)

The minute was approved as an accurate record of discussions.

4. Matters arising (029/2020)

Paper 2 - Action Log

The Board action log was circulated to Board Members in advance of the meeting and all actions were noted. Dr Tomlinson advised that the timescale for item 8.1 (016/20), Preventing drug related deaths, would be October 2020.

5. Chairman and Chief Executive's report

5.1 Chief Executive's report (030/2020)

- The Chief Executive updated on the arrangements for COVID-19.

Mrs McNiven clarified, in response to a question from a Board Member, that staff testing for COVID-19 had already begun. Public Health was working with staff leads to ensure assessment and testing of staff and their family members if appropriate. A community test site was set up several weeks ago. Mrs McNiven reported that from today NHS Ayrshire & Arran would take over processing of local test results which should increase capacity and enable more rapid test result reporting.

The Chief Executive explained, in response to a question from a Board Member, that should NHS Ayrshire & Arran experience bed capacity issues due to COVID-19, work would take place with colleagues across the West of Scotland and at Scottish Government to consider opportunities to utilise different approaches, potentially including the use of a West of Scotland resource. The Chief Executive emphasised that when patients were ready to leave hospital, they should be discharged as quickly as possible.

Board members were assured by Board's arrangements for COVID-19 and thanked the Chief Executive and team for the significant work taking place.

5.2 Chairman's report (031/2020)

- The Board Chair advised that she had recently participated in the National Chairs' meeting through video conference and discussion had focused on COVID-19. In the absence of the Cabinet Secretary, there was a meeting with the Director General for Health and Social Care and Chief Executive of NHS Scotland, Mr Malcolm Wright.
- The Board Chair reminded Board Members that should they be contacted by the press on any Board matter, they should not comment and direct the enquiry to Board's Communications Team.

6. Quality

6.1 Patient experience Quarter 3 (Q3) report (032/2020)

The Nurse Director, Prof Hazel Borland, introduced the Patient experience Q3 report.

Prof Borland outlined arrangements for dealing with stage one and stage two complaints during the current situation. Board was taking a focused approach to resolve as many stage one complaints as possible over the telephone, which was

working well. In addition, stage two complaint response times had been increased from 20 to 40 working days.

Board Members sought further detail on prison complaints relating to medication. Prof Borland explained that prisoner medication had to be carefully managed. Complaints often related to prisoners requesting access to a range of medications, some of which were not appropriate for clinical reasons. The Director of Health and Social Care for East Ayrshire, Mr Eddie Fraser, assured Board Members that the prison team managed medications very well and very few complaints were upheld for clinical reasons.

Outcome: Board Members noted the Patient Experience Q3 report.

6.2 Healthcare Associated Infection (HAI) full report (033/2020)

The Nurse Director, Prof Hazel Borland, presented the HAI report. Appendix 1 of the report focused on Escherichia Coli bacteraemia interventions. The report had been discussed at Healthcare Governance Committee on 9 March 2020.

Prof Borland advised that following recent guidance issued by the Chief Nursing Officer and to help manage current operational pressures, Board would focus on three key HAI areas, continued surveillance of alert organisms, water safety and support and management of incidents and outbreaks. All other routine infection prevention and control activity has been paused following a risk assessment approach. An additional staff member who had recently left the team had been brought back in and additional Infection Control Nurse input was being provided.

Outcome: Board Members considered and noted the HAI report and supported the approach being adopted to manage operational pressures due to COVID-19.

7. Service

7.1 Chemotherapy services (034/2020)

The Nurse Director, Prof Hazel Borland, provided an update on Chemotherapy services.

Prof Borland advised that it had previously been anticipated that a report would be presented to Board Members on the work commissioned by Board in December 2018. However, given the current situation the report had been deferred and would be brought back at a later date to enable appropriate discussion and decision.

Prof Borland gave assurance that the work commissioned by Board had been undertaken, including an eight week public engagement process and an Equality and Impact Assessment of the proposed changes placed on Board's website. Scottish Health Council (SHC) documentation on major service change had been completed and sent to SHC and Scottish Government and once feedback was received, this would be reported to a future Board meeting.

Outcome: Board Members noted the update on Chemotherapy services and looked forward to receiving a report at a future Board meeting.

8. Performance

8.1 Performance Report

(035/2020)

The Director of Transformation and Sustainability, Mrs Kirstin Dickson, presented the Performance Report for Unscheduled and Planned Care for the period December 2019 to January 2020.

Mrs Dickson highlighted that, as previously reported to Board, there remain challenges in regard to Unscheduled Care waiting time targets and delayed discharges, with ongoing improvement actions detailed in the report.

Mrs Dickson highlighted an improved position in some areas of Planned Care, including Child and Adolescent Mental Health Services (CAMHS), Psychological Services, Musculoskeletal services and against the 62 day Cancer target, with further detail and mitigating actions set out in the report.

Mrs Dickson explained, in response to a question from a Board Member, that the report reflected performance from December 2019 to January 2020. However, in taking forward the mobilisation plan, Board was required to change the delivery model, in particular, for Planned Care and delivery against these targets was not currently appropriate. Mrs Dickson advised that Scottish Government had asked Board to continue to report data on changes in service provision due to the current COVID-19 situation.

Board Members highlighted the significant reduction in capacity in CAMHS and Psychological Services expected later in the year and sought details of mitigating actions to minimise the impact. Mrs Dickson gave assurance that this issue had been highlighted at a Board workshop and significant work had been done to review and mitigate workforce challenges.

Outcome: Board Members discussed the current Performance across NHS Ayrshire & Arran and were assured from the improvement action plans that there were systems and procedures in place to monitor, manage and improve overall performance progress. Board Members requested an update at a future meeting on the future workforce position in CAMHS and Psychological Services.

8.2 Financial Management Report for Month 11

(036/2020)

The Director of Finance, Mr Derek Lindsay, presented the Financial Management Report for Month 11, up to 29 February 2020.

Mr Lindsay advised that Board's Annual Operational Plan had agreed a planned outturn of £14.7 million deficit for 2019-20. The deficit for the year to date was £12.6 million. Performance Governance Committee (PGC) had discussed the financial position in detail on 3 March 2020, including underspends and overspends in the Health and Social Care Partnerships (HSCPs).

Mr Lindsay reported that the predicted Primary Care Prescribing overspend was £3.6 million and Board was liable for this area of overspend. Mr Lindsay highlighted potential cost pressures in March 2020 relating to increased Primary Care Prescribing volumes and sickness absence rates, due to the current COVID-19

situation. Board Members discussed the potential cost pressures and it was acknowledged that the impact would not be known for several weeks.

Mr Lindsay advised, in response to a question from a Board Member, that consultant vacancies fluctuated and the position was reviewed on an ongoing basis.

Mr Lindsay clarified that Board was responsible for Primary Care Prescribing overspends and Integration Joint Board (IJB) underspends belonged to the IJB budget. The PGC Chair, Mr Bob Martin, gave assurance that PGC had agreed that from April 2020, the financial statement and reporting would be more in line with the Integration Scheme.

Outcome: Board Members discussed the Financial Management report and were assured by the actions being taken and scrutiny provided by Performance Governance Committee.

9. Decision Approval

9.1 Revenue Plan 2020-21

(037/2020)

The Director of Finance, Mr Derek Lindsay, presented the Revenue Plan 2020-21.

Mr Lindsay reported that Scottish Government had announced the draft Health Budget for 2020-2021 in February 2020. The allocation letter set out the approach that should be taken to uplift IJB baseline funding by 3%.

Mr Lindsay explained that the funding uplift available for NHS Ayrshire & Arran in 2020-21 was £22.2 million.

Board Members were advised that due to the current COVID-19 situation, the Annual Operational Plan (AOP) process had been frozen. Mr Lindsay advised that Scottish Government had agreed to fund the cost of additional capacity to deal with COVID-19 in 2020-21 and there was separate discussion ongoing in this regard. Mr Lindsay had highlighted to Scottish Government potential cost pressures in 2019-20 due to COVID-19 and the impact on delivery of the agreed financial outturn.

The Chief Executive reported that he had discussed the Board's CRES programme and the risk based approach being adopted with Scottish Government and it had been recognised that Board was unlikely to achieve this level of CRES due to the current situation. Board Members welcomed this clarification in relation to achievement of CRES.

The Chief Executive reiterated that Board Members were being asked to approve a Revenue Plan set prior to the AOP process being frozen, to enable the organisation to continue to manage operational budgets. The Chief Executive emphasised that 2020-21 would be a difficult year for NHS Ayrshire & Arran in terms of financial performance given the current COVID-19 situation and gave assurance that areas of risk would be clearly reported to Board Members throughout the year.

Board Members considered the Revenue Plan. The Chief Executive advised, in response to a question from a Board Member, that he envisaged Scottish Government would adopt a pragmatic approach to financial planning beyond the current situation. The Chief Executive emphasised the importance of having a

COVID-19 code to which relevant costs would be allocated to evidence the impact on Board's financial performance.

Outcome: Board Members approved the Board's Revenue Plan 2020-21 and the 3% pass through of funding to IJBs.
Board Members noted that separate funding was expected for COVID-19 costs which should include the impact on delivery of the CRES plan for 2020/21.

9.2 South Ayrshire Health and Social Care Partnership (SAHSCP) - (038/2020) Integration Scheme review

The Director of Health and Social Care for South Ayrshire, Mr Tim Eltringham, presented the SAHSCP Integration Scheme review report. The report had been approved by South Ayrshire Council on 5 March 2020.

Mr Eltringham explained that following agreement by Board and South Ayrshire Council to review the SAHSCP Integration Scheme in June 2019, a Programme Board had been established to oversee the review process. A consultation process had run from January to February 2020, with some comments received from statutory consultees.

Board Members were advised that the review and consultation had confirmed areas for potential consideration relating to Children Social Work and Justice Services and some aspects of financial management in South Ayrshire. Mr Eltringham advised that following the current COVID-19 situation, the Programme Board would be re-convened to consider the findings of the review and consultation and areas requiring further consideration.

Mr Eltringham proposed that Scottish Government be advised that the SAHSCP Integration Scheme had been reviewed in line with the Public Bodies (Joint Working) (Scotland) Act 2014 and there were no changes proposed at this stage.

Outcome: Board Members supported the outcome of the review of SA HSCP Integration Scheme and plans to consider the findings of the review and further areas for consideration relating to Finance and Children Social Work Services.
Board Members approved the proposal to advise Scottish Government that there were no proposed changes to SA HSCP Integration Scheme at this stage.

9.3 South Ayrshire Health and Social Care Partnership Children's Services plan 2020-23 (039/2020)

The Director of Health and Social Care for South Ayrshire, Mr Tim Eltringham, presented the SAHSCP Children's Services plan 2020-23, prepared jointly by the Board and South Ayrshire Council, as required by the Children and Young People (Scotland) Act 2014.

Board Members were advised that there had been considerable engagement in developing the plan, with five strategic priorities identified for the next three years to improve local services for children and young people in South Ayrshire. Actions had

been identified to support the delivery of each strategic priority and a performance framework developed to allow progress to be monitored.

Board Members commended all staff involved for this clearly presented and informative plan. Board Members expressed concern at the level of child poverty in South Ayrshire, particularly given the current COVID-19 challenges. Mr Eltringham gave assurance, in response to a question from a Board Member, that South Ayrshire Council was seeking to continue to provide free school meals to children in particular need and mitigate the effects of poverty as far as possible during the current situation.

Outcome: Board Members approved the South Ayrshire Children's Services Plan 2020/2023.
Board Members sought clarification in regard to priorities for Employability and Skills and whether this was solely for care experienced young people or for all school leavers.

9.4 NHS Ayrshire & Arran Board Standing Orders (040/2020)

The Head of Corporate Governance, Mrs Shona McCulloch, presented the revised Standing Orders for Ayrshire and Arran Health Board which had adopted the model Standing Orders template issued nationally in December 2019. The model Standing Orders template would be used by all Health bodies in Scotland, replacing existing Standing Orders. Audit Committee had supported NHS Ayrshire & Arran's revised Standing Orders on 18 March 2020.

Mrs McCulloch gave assurance that any changes required in the revised Standing Orders were being taken forward and consideration given to Governance Committee Terms of Reference. Mrs McCulloch gave further assurance that in reviewing Board's Code of Corporate Governance, any corporate governance matters not included in the revised Standing Orders would be included as supporting guidance to ensure that Board maintains the highly effective governance arrangements already in place.

Outcome: Board Members approved the revised Standing Orders for Ayrshire and Arran Health Board which will be included in the Code of Corporate Governance.

9.5 Temporary revision to Corporate Governance arrangements (041/2020)

The Head of Corporate Governance, Mrs Shona McCulloch, presented proposals for temporary revision to Corporate Governance arrangements during the initial phase of planning and responding to COVID-19.

Mrs McCulloch advised that it was important for Board as a public body to ensure that it continued to work within the required legal framework. However, in order to free senior management and clinical time to deal with the current COVID-19 challenges, Board required to consider how this should be done during the coming weeks and months, while continuing to meet the requirements of the agreed Standing Orders as much as possible.

Board Members were advised that the NHS Board would continue to meet, however, meetings would not be held in public due to the need for social distancing in line with

government instruction. Meetings would adopt a remote working approach. Board agendas will be shorter, focusing on decisions required, and verbal reports may be provided at future meetings, at the Board Chair's discretion. The proposed arrangements would be communicated through the NHS Board's public website.

Mrs McCulloch proposed that Board Governance and Standing Committees be paused until end June 2020, with the exception of Audit Committee which would continue to meet to progress the Annual Accounts process. Endowment Trustees and Endowment Committee would also be paused with the exception of the Endowment Trustees meeting on 22 June 2020, to approve Endowment Trustee.

Board Members discussed the proposals and whether there was a need to specifically note that the Board Chair and Chief Executive would decide if an additional Board meeting or ad hoc Governance Committee meeting is required and the Chair would consider this with the Head of Corporate Governance. The Chair gave assurance that should a Board decision be required outwith a planned Board meeting, all Board Members would be invited to participate in the meeting, in line with the Board Standing Orders.

Outcome: Board Members approved the proposed temporary revision to Corporate Governance arrangements and noted that this would be published on the NHS Ayrshire & Arran website alongside the Standing Orders.
The Board Chair and Head of Corporate Governance to consider additional wording to reflect that the Chair and Chief Executive would decide if additional/ad hoc meetings are required.

9.6 Membership of Board Committees and Board Vice Chair (042/2020)

The Head of Corporate Governance, Mrs Shona McCulloch, outlined changes to Board Committee responsibilities following the appointment of Mrs Lesley Bowie as Board Chair from 1 March 2020 and Dr Sukhomoy Das as a new Non-Executive Board Member and Whistleblowing Champion in February 2020. Following Mrs Bowie's appointment as Board Chair, it was proposed that Mr Bob Martin take on the Board Vice-Chair role and the Cabinet Secretary had given her support for this appointment.

The Board Chair advised Board Members that due to the current COVID-19 situation, a Public Appointments process for two new Non-Executive Board Members had been put on hold and Board was seeking to extend the term of one Non-Executive due to step down. There was one outstanding Board Member vacancy and the Public Appointments process would re-commence as soon as possible.

Outcome: Board Members approved the Board Committee responsibilities and confirmed the new Board Vice-Chair, Mr Bob Martin. Board Members noted the proposal to extend the membership of one Non-Executive Board Member due to step down in the near future, due to the COVID-19 situation.

9.7 **Guideline for Acceptance and Declaration of Gifts and Hospitality and Declarations of interests** (043/2020)

The Head of Corporate Governance, Mrs Shona McCulloch, presented the guideline for Acceptance and Declaration of Gifts and Hospitality And Declarations of interests. Mrs McCulloch explained that this robust guideline had been developed in response to the actions from an internal audit of Board's processes in regard to the "UK Bribery Act – Gifts Gratuities and Hospitality", published and submitted to Audit Committee on 22 November 2017.

Mrs McCulloch gave assurance that the guideline addressed all recommendations raised in the internal audit report and provided step-by-step guidance for all NHS Ayrshire & Arran staff and Board Members in relation to the Members' Code of Conduct and Standards of Business Conduct for NHS Staff. Mrs McCulloch highlighted that this was not a new procedure and staff had a responsibility to maintain awareness of their responsibilities in relation to these Standards.

Mrs McCulloch advised that engagement had taken place with relevant Directors who had supported the guideline. Regular progress updates had been provided to the integrated Governance Committee, which had requested that guidance on Declarations of Interests be included in the guideline. Integrated Governance Committee and Audit Committee had both approved the updated guideline.

Mrs McCulloch advised that the final guideline will be included in Board's Code of Corporate Governance, currently under review, and disseminated widely across the organisation, with staff training provided. Mrs McCulloch highlighted that the timescale to deliver this work had been delayed due to the current COVID-19 situation and would be completed as soon as possible. Mrs McCulloch advised, in response to a question from a Board Member, that this guidance was not included in the national Blueprint for Good Governance and Boards were responsible for developing their own guideline.

Outcome: Board Members approved the final draft of the guideline for Acceptance and Declaration of Gifts and Hospitality which will be included in the NHS Ayrshire & Arran Code of Corporate Governance.

9.8 **Internal Audit Plan 2020-21** (044/2020)

The Director of Finance, Mr Derek Lindsay, presented the Internal Audit Plan 2020-21.

Mr Lindsay advised that Audit Committee had discussed the plan on 18 March, in particular, the impact of COVID-19. The Committee had agreed that some planned reviews in 2019-20 be deferred and a flexible approach adopted to internal audit in 2020-21, with very few audits scheduled for the period April to September 2020. The Audit Committee Chair, Mr Bob Martin, advised that while a number of reviews had been scheduled for late summer, Board would be able to re-schedule if required.

Outcome: Board Members approved the Internal Audit Plan 2020-21 and supported the flexible approach being adopted due to the current COVID-19 situation.

10. Corporate Governance – For Information

10.1 Medical Education Governance update (045/2020)

The joint Medical Director, Dr Crawford McGuffie, provided an update on medical education in NHS Ayrshire & Arran. Dr McGuffie clarified, in response to a question from a Board Member, that University Hospital Ayr was still under enhanced monitoring.

Board Members commended NHS Ayrshire & Arran's performance against the 95% target for responding to Freedom of Information requests.

Outcome: Board Members noted the update on Medical Education Governance in NHS Ayrshire & Arran.

10.2 Audit Committee (046/2020)

Board Members noted the key issues report from the meeting held on 18 March and the minute of the meeting held on 24 January 2020.

10.3 Healthcare Governance Committee Minutes (047/2020)

Board Members noted the key issues report from the meeting held on 9 March and the minute of the meeting held on 6 January 2020.

10.4 Information Governance Committee (048/2020)

Board Members noted the key issues report from the meeting held on 17 February and the minute of the meeting held on 4 November 2019.

10.5 Performance Governance Committee (049/2020)

Board Members noted the key issues report from the meeting held on 3 March and the minute of the meeting held on 17 January 2020.

10.6 Staff Governance Committee (050/2020)

Board Members noted the key issues report from the meeting held on 11 February 2020 and the minute of the meeting held on 2 October 2019.

11. Others - For information

11.1 Rape and Sexual Assault Standards and West of Scotland forensic model (051/2020)

Board Members noted the update on work being taking forward for the new Rape and Sexual Assault Standards and West of Scotland forensic model.

11.2 Board briefing (052/2020)

Board Members noted the content of the briefing.

11.3 East Ayrshire Integration Joint Board (053/2020)

Board Members noted the minute of the meeting held on 29 January 2020.

11.4 North Ayrshire Integration Joint Board (054/2020)

Board Members noted the minute of the meeting held on 19 December 2019.

11.5 South Ayrshire Integration Joint Board (055/2020)

Board Members noted the minute of the meeting held on 19 February 2020.

12. Any Other Competent Business (056/2020)

The Board Chair advised that this was Dr Alison Graham's last Board meeting as she will be retiring on 31 March after seven years as Medical Director at NHS Ayrshire & Arran. Board colleagues thanked Dr Graham for her contribution to the Board and wished her well for the future.

13. Date of Next Meeting

The next meeting of the NHS Ayrshire & Arran Board will take place at 9.15 am on Monday 25 May 2020, meeting format to be confirmed.