

UNIVERSITY HOSPITALS OF LEICESTER NHS TRUST

**MINUTES OF A VIRTUAL MEETING OF THE TRUST BOARD – RECONFIGURATION PROGRAMME
HELD ON THURSDAY 1 APRIL 2021 AT 2.00PM**

Voting Members Present:

Mr K Singh – Trust Chairman
Ms V Bailey – Non-Executive Director and Quality and Outcomes Committee (QOC) Non-Executive Director Chair
Ms R Brown – Acting Chief Executive
Col (Ret'd) I Crowe – Non-Executive Director and People, Process and Performance Committee (PPPC) Non-Executive Director Chair
Mr A Johnson – Non-Executive Director and Finance and Investment Committee (FIC) Non-Executive Director Chair
Mr S Lazarus – Chief Financial Officer
Ms D Mitchell – Acting Chief Operating Officer
Mr B Patel – Non-Executive Director and Charitable Funds Committee (CFC) Non-Executive Director Chair
Mr M Williams – Non-Executive Director and Audit Committee Non-Executive Director Chair

In Attendance:

Ms G Belton – Corporate and Committee Services Officer
Mr A Carruthers – Chief Information Officer
Ms K Gillatt – Associate Non-Executive Director
Ms N Green – Deputy Chief Nurse (deputising for Ms C Fox, Chief Nurse)
Mr J Jameson – Deputy Medical Director (deputising for Mr A Furlong, Medical Director)
Mr D Kerr – Director of Estates and Facilities
Ms H Kotecha – Leicester and Leicestershire Healthwatch Chair (up to and including Minute 137/21)
Mr I Orrell – Associate Non-Executive Director
Ms N Topham – Reconfiguration Programme Director
Ms J Tyler-Fantom – Deputy Chief People Officer (deputising for Ms H Wyton, Chief People Officer)
Mr S Ward – Director of Corporate and Legal Affairs
Mr M Wightman – Director of Strategy and Communications

ACTION

129/21 APOLOGIES

Apologies for absence were received from Professor P Baker, Non-Executive Director, Ms C Fox, Chief Nurse, Mr A Furlong, Medical Director and Ms H Wyton, Chief People Officer. It was noted that Ms N Green, Deputy Chief Nurse, Mr J Jameson, Deputy Medical Director and Ms J Tyler-Fantom, Deputy Chief People Officer were attending on behalf of the Chief Nurse, Medical Director and the Chief People Officer (respectively).

130/21 DECLARATIONS OF INTEREST

Mr A Johnson, Non-Executive Director, the Chief Financial Officer and Ms K Gillatt, Associate Non-Executive Director declared their interests as Non-Executive Chair and Non-Executive Directors of Trust Group Holdings Ltd (respectively). With the agreement of the Trust Board, these individuals remained present.

Resolved – that the above declarations of interest be noted.

131/21 MINUTES

Resolved – that the Minutes of the Trust Board Reconfiguration Programme meetings held on 4 February 2021 (paper A1 refers) and 4 March 2021 (paper A2 refers) be confirmed as correct records and signed by the Chairman accordingly.

CCSO

132/21 MATTERS ARISING

Paper B detailed progress in respect of actions agreed at previous meetings of the Trust Board Reconfiguration Programme, the contents of which were received and noted.

In respect of Minute 215/20/3 (Reconfiguration Programme Governance) from the Reconfiguration Programme Trust Board meeting held on 1 October 2020, the Trust Chairman reported verbally advising of the outcome of a discussion held with his counterpart at another Trust forming part of the New Hospitals Programme; noting that their reconfiguration governance structure differed to UHL's in that they had a dedicated sub-Committee, on which sat three of their Non-Executive Directors, which then reported into their Trust Board. In discussion, it was agreed to discuss issues of governance and governance structures as relating to the Trust's Reconfiguration Programme as part of wider discussions planned for the Board Development Programme session in April 2021. The Trust Chairman noted that the key element was the achievement of effective assurance, acknowledging the need for transparency and providing confidence to the public; it was for this reason that UHL had established a separate Trust Board meeting dedicated to the Reconfiguration Programme. Ms H Kotecha, Leicester and Leicestershire Healthwatch Chair highlighted the interest of Healthwatch in the governance structure, in terms of the role Healthwatch could play in this.

Resolved – that (A) the contents of this report be received and noted, and

(B) issues of governance and governance structures, as relating to the Trust Board's Reconfiguration Programme, be discussed as part of wider discussions planned for the Board Development Programme session in April 2021.

**Trust
Chairman /
DCLA**

133/21 KEY ISSUES FOR DISCUSSION/DECISION

133/21/1 Chairman's Briefing on the Reconfiguration Programme

The Trust Chairman reported verbally, making note of two specific themes for consideration. Firstly, ensuring effective governance and transparency in decision-making from a Board perspective, noting the significant public consultation exercise recently undertaken, the results of which were currently awaited. The Trust Chairman also made specific note of the planned move for UHL to become part of an Integrated Care System (ICS), acknowledging that any changes to service provision and clinical pathways would have potential implications for the Reconfiguration Programme, which was the single largest investment of which the community and Trust had been the recipient in two decades; it was important to deliver to time and on budget.

Resolved – that the contents of this verbal report be received and noted.

133/21/2 Reconfiguration Programme – Update

Paper D, as presented by the Reconfiguration Programme Director, provided the Trust Board with a summary and overview of the current programme status and reflected recent discussions at the Reconfiguration Programme Committee on 19 March 2021 and the Executive IM&T Board on 30 March 2021. Specific updates were provided in respect of the following areas: the Decision Making Business Case (DMBC), Health Planning Update, Progress with approvals of the Submitted Business Cases and Governance and Reporting.

The Commissioning Support Unit (CSU) were progressing well with the report of findings; having processed all of the survey data, they were now compiling the rest of the information from the events and social media activity in order to produce the next version of the draft report.

Following approval through the governance process, the current planning assumptions were based on a three month delay (i.e. Outline Business Case [OBC] start of June 2021). The three month delay would provide the opportunity to review:-

- (a) Programme Governance – the project stock take was being undertaken by PwC and would conclude in the next few weeks. The outcome would be a set of recommendations to strengthen specific areas;
- (b) Programme Resources – confirmation of the capacity and capability to manage the commercial contracts with the private sector;
- (c) Programme Management – allowing the new digital programme management office time to embed;
- (d) Design Readiness – BDP would be developing a site masterplan to inform the designs on two sites and would be reviewing the site infrastructure, and
- (e) Completing the comprehensiveness review of the scope of the programme with full clinical engagement and sign off of any changes.

The healthcare planning process was being concluded and would determine the exact scope and content of the scheme. Final discussions were underway with clinical users to sign off the functional content. Full details of the scheme would be signed off by the April 2021 Operational Management Group, for approval via the Reconfiguration Committee, Executive Strategy Board and latterly the Trust Board in May 2021; ensuring readiness for OBC commencement in June 2021.

With regard to submitted business cases, the Programme Management Office Case would now be re-presented to the National Joint Sub Investment Committee with the additional detail provided following the clarification process; the date of the Committee was awaited. The Planning Committee had approved the Endoscopy Decontamination planning application on 10 March 2021 and the date as to when the case could be presented to the Joint Sub Investment Committee was also now awaited.

Following presentation of the report, the Trust Chairman queried when it was expected that the CCGs would receive the Decision-Making Business Case (DMBC) at their Board. In response, the Reconfiguration Programme Trust Board Director advised that this was expected to be in either May 2021 or June 2021, meaning it would be received at the Trust's Reconfiguration Programme Trust Board meeting the following month (therefore either June or July 2021). The Trust Chairman noted his appreciation of all of the work being undertaken by the Director of Estates and Facilities and the Reconfiguration Programme Director and their teams in respect of the Reconfiguration Programme.

Resolved – that the contents of this report be received and noted.

133/21/3 Children's Hospital Reconfiguration: Phase I Re-Location of EMCHC Services

The Director of Communications and Strategy presented paper E, which provided the monthly update on the re-location of the East Midlands Congenital Heart Service, which was phase 1 of the journey to creating a standalone Children's Hospital.

The new build had commenced at the beginning of 2020 and despite the Covid-19 pandemic, had only suffered a short delay to the original move date, with plans on track for the move of the services in early May 2021. All work streams relating to procurement, recruitment, IT and clinical areas were also on track.

The report specifically noted the complex logistical move involved, with the safety of patients during the move weekend of paramount importance. The Trust was working with its partners at Birmingham Children's Hospital to provide support during the move and particular thanks were expressed to colleagues at Birmingham Children's Hospital for all of the assistance provided to the Trust.

Specific discussion took place regarding the following points:-

- (i) Mr A Johnson, Non-Executive Director, queried the timescale for the repatriation of services from Birmingham's Children's Hospital and sought assurance that the loss of income to UHL during this time had been taken into account – in response, the Acting Chief Operating Officer confirmed that services had been repatriated from Birmingham Children's Hospital at the beginning of the current week, albeit Birmingham Children's Hospital would continue to support UHL over the next two weeks as part of the emergency service. She also confirmed that UHL was on a block contract for the first six months of the year so there had been no impact upon income;
- (ii) the Trust Chairman acknowledged the contribution people had made to this project through the Leicester Hospital Charity's Children's Hospital Appeal;
- (iii) Board members commended the accomplishment of this project and thanked the Director of Strategy and Communications, as SRO, and all of the staff involved – in response, the Director of Strategy and Communications noted the credit due to the team who had driven the project, and
- (iv) the Director of Estates and Facilities noted that this extension had been undertaken whilst keeping all of the services in the Kensington Building active, which was a good example of what was to come as part of the Reconfiguration Programme and was a testament to the work of the Capital Team; this point was supported by the Acting Chief Operating Officer who paid credit to all involved.

Resolved – that the contents of this report be received and noted,

133/21/4 Reconfiguration Programme Expenditure

The Director of Estates and Facilities presented paper F, which updated the Trust Board on the financial position in relation to the Reconfiguration Programme together with an update on 2020/21 Reconfiguration Capital Spend against the Trust's annual Capital Plan.

As previously reported, the programme was currently undertaking an appraisal of clinical and policy requirements taking into account the Trust's strategic objectives, clinical strategy together with the impact of Covid-19 and national policy, e.g. Net Zero Carbon. This would result in a capital envelope that was required in order to support the identified scope and would require sources of funding to be identified including additional PDC, LGH Land Sale and additional charitable donations. The outcome of this appraisal would be presented to the Reconfiguration Committee, Executive Board and Trust Board. Clarification on the funding envelope was critical for the Reconfiguration Programme in order to progress with design, avoid abortive costs and to keep the programme on track.

As at February 2021, year to date spend was £16m, which was £33.2m underspent due to slippage in the Reconfiguration Programme where the plan assumed an August 2020 OBC start together with underspend within the EMCHC and Interim ICU Schemes. The total reconfiguration programme forecast capital expenditure for 2020/21 was £23.3m, which was £31m less than Plan, with £28m driven by the re-phasing of the PDC drawdown to reflect the current Reconfiguration Programme.

In discussion on this item:-

- (i) the Chief Financial Officer noted that, although the timescale had slipped and expenditure had 'shifted to the right', the programme remained on budget. When underspends took place in respect of general capital, there existed a 'use it or lose it' risk, however this did not apply to the Reconfiguration Programme and there was therefore a low risk in terms of the timing, and
- (ii) in reference to the above-point, Mr A Johnson, Non-Executive Director, noted that there was always time-based expenditure, but there was also the functional specification bought and he highlighted the potential danger in declaring to be 'on budget' when delays were being incurred as standing costs would increase over time – the Director of Estates and Facilities acknowledged this valid point and advised that UHL was being particularly cautious in terms of how it was managing the Programme. The PwC review was looking at the governance arrangements, the profiling and cash drawdowns and the report detailing the results of this review was expected shortly.

Resolved – that the contents of this report be received and noted.

133/21/5 Public Risk Update

Paper G, as presented by the Director of Estates and Facilities and the Reconfiguration Programme Director, provided details regarding: all programme level risks report (for the attention of the Reconfiguration Programme, ESB and Trust Board) and those programme level risks, included in the above report, for the specific attention of the Trust Board (i.e. those risks with a risk score over 16 before mitigation). The Risk Log would remain a live document throughout the course of the programme. The Risk Log was formally discussed as part of the standard agenda at the weekly Workstream Leadership Group (WLG) meetings, ensuring that all aspects of risk within the Programme were identified, discussed, monitored and, where possible, managed and mitigated. There had been no new risks to escalate since last month. Appendix 1 of the report highlighted all of the risks that were scored over 16 pre-mitigation.

Experience had identified that it was difficult to share the risk register using the board portal in a way that made the register readable. One of the ways to resolve this was to ensure that the risk register was made available on the new digital PMO system, which would be accessible to Trust Board members from May 2021.

In discussion on this item:-

- (i) the Trust Chairman noted the importance of focusing on the key strategic risks and retaining a 'helicopter vision' – in response, the Director of Estates and Facilities confirmed that the risks were also aligned to the Board Assurance Framework (BAF);
- (ii) Mr M Williams, Non-Executive Director, expressed his wish to more fully understand the risk scoring (e.g. where there was a risk score of '12', was this '4x3' or '3x4') – whilst it was noted that this detail would be evident in the documentation which would be available through the new digital PMO system, the Director of Estates and Facilities and the Reconfiguration Programme Director were requested to determine a way within future Reconfiguration Programme Risk Reports to present details of risks in terms of their 'impact x probability' matrix, and
- (iii) in recognition of the importance of further investigating and questioning the risk register, the Director of Estates and Facilities and the Reconfiguration Programme Director were requested to schedule additional time on the Reconfiguration Programme Trust Board agenda, on a quarterly basis, to consider the risk register in greater depth, commencing from the May 2021 or June 2021 Reconfiguration Programme Trust Board meeting.

DEF/RPD

DEF/RPD

Resolved – that (A) the contents of this report be received and noted,

(B) the Director of Estates and Facilities and the Reconfiguration Programme Director be requested to determine a way, within future Reconfiguration Programme Risk Reports, to present details of risks in terms of their 'impact x probability' matrix, and

DEF/RPD

(C) the Director of Estates and Facilities and the Reconfiguration Programme Director be requested to schedule additional time on the Reconfiguration Programme Trust Board agenda, on a quarterly basis, to consider the risk register in greater depth (commencing from the May 2021 or June 2021 Reconfiguration Programme Trust Board meeting).

DEF/RPD

134/21 QUESTIONS AND COMMENTS FROM THE PRESS AND PUBLIC RELATING TO BUSINESS TRANSACTED AT THIS MEETING

Resolved – that there were no questions from the press and public relating to business transacted at this meeting.

135/21 ANY OTHER BUSINESS

Resolved – that there were no further items of business.

136/21 DATE OF NEXT MEETING

Resolved – that the next public Trust Board Reconfiguration Programme meeting be held virtually on Thursday 6 May 2021 from 2pm.

137/21 EXCLUSION OF THE PRESS AND PUBLIC

Resolved – that, pursuant to the Public Bodies (Admission to Meetings) Act 1960, the press and members of the public be excluded during consideration of the following items of business (Minutes 138/21 – 143/21) having regard to the confidential nature of the business to be transacted, publicity on which would be prejudicial to the public interest.

138/21 DECLARATIONS OF INTEREST IN THE CONFIDENTIAL BUSINESS

Mr A Johnson, Non-Executive Director, the Chief Financial Officer and Ms K Gillatt, Associate Non-Executive Director declared their interests as Non-Executive Chair and Non-Executive Directors of Trust Group Holdings Ltd (respectively). With the agreement of the Trust Board, these individuals remained present.

Resolved – that the above declarations of interest be noted.

139/21 CONFIDENTIAL MINUTES

Resolved – that this Minute be classed as confidential and taken in private accordingly, on the grounds that public consideration at this stage could be prejudicial to the effective conduct of public affairs.

140/21 CONFIDENTIAL MATTERS ARISING REPORT

Resolved – that this Minute be classed as confidential and taken in private accordingly, on the grounds that public consideration at this stage could be prejudicial to the effective conduct of public affairs.

141/21 KEY ISSUES FOR DISCUSSION/DECISION

141/21/1 Confidential Report by the Director of Estates and Facilities and the Reconfiguration Programme Director

Resolved – that this Minute be classed as confidential and taken in private accordingly, on the grounds that public consideration at this stage could be prejudicial to the effective conduct of public affairs.

141/21/2 Confidential Report by the Director of Estates and Facilities and the Reconfiguration Programme Director

Resolved – that this Minute be classed as confidential and taken in private accordingly, on the grounds that public consideration at this stage could be prejudicial to the effective conduct of public affairs.

141/21/3 Confidential Report by the Director of Estates and Facilities and the Reconfiguration Programme Director

Resolved – that this Minute be classed as confidential and taken in private accordingly, on the grounds that public consideration at this stage could be prejudicial to the effective conduct of public affairs.

142/21 ANY OTHER BUSINESS

Resolved – that this Minute be classed as confidential and taken in private accordingly, on the grounds that public consideration at this stage could be prejudicial to the effective conduct of public affairs.

143/21 DATE OF NEXT MEETING

Resolved – that the next private Trust Board Reconfiguration Programme meeting be held on Thursday 6 May 2021 from 2pm.

The meeting closed at 4.34pm.

Gill Belton
Corporate and Committee Services Officer

Cumulative Record of Attendance (2021/22 to date):

Voting Members:

Name	Possible	Actual	% attendance	Name	Possible	Actual	% attendance
K Singh	2	2	100	A Furlong	2	0	0
V Bailey	2	2	100	A Johnson	2	2	100
P Baker	2	1	50	S Lazarus	2	2	100
R Brown	2	2	100	D Mitchell	2	2	100
I Crowe	2	2	100	B Patel	2	2	100
C Fox	2	1	50	M Williams	2	2	100

Non-Voting Members:

Name	Possible	Actual	% attendance	Name	Possible	Actual	% attendance
A Carruthers	2	2	100	I Orrell	2	2	100
K Gillatt	2	2	100	S Ward	2	2	100
D Kerr	2	2	100	M Wightman	2	2	100
H Kotecha	2	2	100	H Wyton	2	0	0