

**Chair's Report**  
**Public Board**  
**Thursday 28<sup>th</sup> September 2023**

<b>Presented for:</b>	Discussion and information
<b>Presented by:</b>	Linda Pollard – Trust Chair
<b>Author</b>	Linda Pollard, Chair
<b>Previous Committees</b>	None

<b>Our Annual Commitments for 2023/24 are:</b>	
Effectively develop and deploy new assets (buildings, equipment, IT)	✓
Reduce healthcare associated infections	✓
Improve staff retention	✓
Deliver the financial plan	✓
Reduce average length of stay by 0.5 days per patient	✓
Achieve the Access Targets for Patients	✓
Support a culture of research	✓

<b>Trust Risks (Type &amp; Category)</b>				
<b>Level 1 Risk</b>		<b>Level 2 Risks</b>	<b>(Risk Appetite Scale)</b>	<b>Risk</b>
External Risk	✓	<b>Legal &amp; Governance Risk</b> We will operate the Trust in a compliance with the Law and UK Corporate Governance Code, where applicable	Averse	↔ (same)
External Risk	✓	<b>Partnership Working Risk</b> We will maintain well-established stakeholder partnerships which will mitigate the threats to the achievement of the organisation's strategic goals.	Open	↔ (same)
External Risk	✓	<b>Regulatory Risk</b> We will comply with or exceed all regulations, retain its CQC registration and always operate within the law	Averse	↔ (same)
External Risk	✓	<b>Strategic Planning Risk</b> We will deliver Our Vision 'to be the best for specialist and integrated care' through the delivery of a set of Strategic Goals and operating in line with Our Values	Cautious	↔ (same)

Key points	
1. To provide an update on the actions and activity of the Chair since the last Board meeting	Discussion and information

The Lucy Letby Verdict has shocked the NHS and the wider national and on behalf of the Board we offer our sincere condolences to all those affected. My duty as a Chair is to oversee and ensure that the Board seek assurance or escalation of the care of our patients, families and staff – it is simply our duty. The Board can, and does delegate duties to our Assurance Committees, to focus on aspects of our business with clear duties defined in the Terms of Reference of these Committees. These are Chaired by Non-Executive Directors objectivity seeking to challenge and scrutinise to gain assurance, or escalation when this can not be provided. This guards against group think for the whole Board and being blinded by the same information. The data presented to our Board and Committees has a two fold effect and is underpinned by trends and benchmarking with peers to be able to make comparisons to understand where LTHT may have issues. We also rely on internal and external audit for an objective opinion, and feedback for areas of improvement or will seek an external review ourselves by national specialists for specific issues.

The Board also asks our Committees to carryout deep dives on specific issues, to fully scrutinise and report back. The Committee Chairs written summary reports describe this and are supported by a full set of minutes. The purpose of the minutes are to summarise the content of a report, the challenge and discussion, the assurance or not, and did the Board or a Committee support the recommendations of the report, and if not what was the outcome. All of this is a record of transparency that underpins the information received, and the decisions that the Board will be held to account for.

The culture of any organisation is virtual to ensure that are staff strive to provide the best care and services, but respect and accountability of peers all of which are core values set out in the Leeds Way. However, we also have regulatory processes in place for staff to speak out about concerns with the confidence (by staff or the public) that these will be taken seriously and investigated.

The Board can not isolate itself within Board and Committee meetings, we are outward facing and seek to meet staff informally and formally in unannounced visits to wards and departments to meet staff face to face and test out the content of the information we receive within our reports; to triangulate and seek assurance this a true reflection or take action.

## 1. Visits in the Trust

We were delighted to welcome Lord Markham CBE, Parliamentary Under Secretary of State at DHSC to the Leeds General Infirmary (LGI). The Minster visited the new Hospital development site and heard how our new hospitals we revolutionise the delivery of healthcare in the region. He also heard of our investment in the site for the new Innovation Village, along with the creation of new jobs and homes, for the City.

On the 8<sup>th</sup> August myself and Professor Phil Wood, CEO, visited the National Pathology Imaging Cooperative (NPIC) Centre at St James's to receive an update on the NPIC Programme at Leeds Teaching Hospitals Trust (LTHT). This is a collaboration between the NHS, Academic and Industry Partners. NPIC is deploying digital pathology scanners in 40 hospitals across the country and are developing unique AI systems to aid cancer diagnosis. We also had a briefing on the programme including the work which is being done in partnership with Genomic England. There are over 40 staff members at the NPIC centre, and it was a great pleasure to meet the team and to see the research scanners and labs in person to better understand how the programme is working.

On the 22<sup>nd</sup> August I visited Urgent Care services in St James's as part of the regular Leadership Walkrounds along with Simon Worthington, Director of Finance. We met staff and Patients on wards J27 and J28, Acute Medical Admissions wards and our Emergency Department. It is important that the Board are visible and accessible to staff and patients and these visits are always extremely valuable.

Also, on the 22<sup>nd</sup> August I took the opportunity to visit the Clinical Research Facility (CRF) in Bexley Wing and met with some of our team and patients. The CRF is a vital part of our infrastructure here at the Trust and is a purpose-built space for our patients who are taking part in clinical trials. We have recently received additional funding from National Institute for Health and Care Research (NIHR) which will we invest in further technology to improve capacity on the unit.

Professor Dean Fathers, University of Nottingham and Cliff Kirby CEO of Cal International visited the LGI on the 23<sup>rd</sup> August to see and better understand the work we are doing regarding the Innovation Pop Up and our future plans for the Innovation Village. I met with both Dean and Cliff to give them an overview of our future plans which was followed by a detailed meeting with James Goodyear, Director of Strategy, David Brett, Head of Medical Physics and Engineering and Leeds Cancer Centre which involved colleagues getting to see the Innovation Pop up and the chance to speak to some of our key collaborators.

On the 20<sup>th</sup> September celebrated our Innovation Pop Up second Anniversary and hosted an event in Leeds at the LGI, supported by Fujitsu, Intel and Leeds Hospitals Charity to showcase our future ambitions and plans including our new partnership with Fujitsu and Intel. Guest were be able to meet Pop Up members and participated in demonstrations of some of the exciting innovations from the past two years. The Innovation Pop Up is the first phase in establishing and Innovation Village as part of the Building the Leeds Way Scheme to construct new hospitals on the LGU site be 2030.

## **2. Non-Executive Directors**

The appraisals for all our Non-Executive Directors have been completed and letters sent to all to identify the change to membership and relevant Chairs of Committees. I have completed the required paperwork to report assurance of appraisals to NHS England. Mid-Year updates are planned for October/November.

I would like to take this opportunity to formally record thanks on behalf of the Board for the valuable contribution as a Non-Executive Director from Professor Laura Stroud, as the University of Leeds nominated representative Non-Executive Director. I convey our best wishes in commencing her new role as Dean of Health Sciences and Wellbeing at Sunderland University where she is looking to establish a new Medical School.

I would like to formally welcome Professor Julia Brown, as our new NED replacing Laura. Julia is the Deputy Dean, Faculty of Medicine and Health, Director of the Leeds Institute of Clinical Trials Research and Director of the CRUK Clinical Trials Unit at Leeds. Julian will commence her role on the 1<sup>st</sup> October 2023.

## **3. Local and Regional Network Meetings**

As part of my role as Chair of LTHT, it is important to remain connected to the local and national agenda by meeting key individuals for mutual benefit. I therefore report on the following meetings which do not include my normal meetings with the Non-Executives, Executive and Senior Managers, Committee meetings or site visits, held since the last Board meeting.

### **3.1 Leeds Health and Wellbeing Board to Board**

On the 21<sup>st</sup> September, along with Councillor Fiona Venner, I Chaired the Health and Wellbeing Board to Board meeting. The meeting was held at the Leeds City Museum and the discussions included; an update on recent developments with Synergi-Leeds Partnership, the launch of new Wellbeing pods in eight of the City Libraries and Community Hubs, along with the CQC 'Good' rating of Maternity Services here at Leeds Teaching Hospital Trust. We also discussed Winter Planning, Vaccine Programme and the Financial Challenges we are all facing.

### **3.2 Leeds Hospitals Charity**

I have held my regular meeting with Esther Wakeman, Chief Executive of the Leeds Hospitals Charity and Edward Ziff, Chair of the Trustees, to ensure that the Charity and Trust are aligned with ongoing work and future strategic developments.

I would like to take this opportunity to formally record my thanks to Edward Ziff who is stepping down from his role of Chair of the Trustees to the Charity. Edward has been the Chair since 2014 and has achieved so much for the Charity during this time, thank you so much from all of us.

I would like to formally congratulate Dr Yvette Oade on her appointment to Chair of the Trustees to the Charity, she will now formally take up this role from the 21<sup>st</sup> September 2023.

## **4. Other NHS Trusts and Organisations**

I have held meetings with:

- Cathy Elliott – Chair, West Yorkshire Integrated Care System (ICS)
- Em Wilkinson-Brice - National Director for People, NHSE
- Sir Julian Hartley – CEO NHS Providers
- Brodie Clark – Chair – Leeds Community Health Care
- Professor Dean Fathers – University of Nottingham
- Cliff Kirby – CEO – Cal International
- Geoff Hall – Senior Lecturer in Medical Oncology and Cancer Informatics
- Craig Lawrence CBE – Founder and Managing Director, Craig Lawrence Consulting
- Michelle Litten – Head of Organisational Development & Culture
- Professor Peter Giannoudis – Consultant Orthopaedic Surgeon (Day One Trauma Charity)
- Rabina Tindale – (Newly Appointed) Chief Nurse to LTHT
- Tom Spink – Chair, Norfolk and Norwich University Hospital NHSFT
- Zulfi Karim – Deputy Lieutenant, West Yorkshire and Hight Sheriff West Yorkshire
- Keith Ramsay – Chair, Mid Yorkshire Hospital NHS Trust
- Georgina Mitchel – Associate NED
- Brendan Brown – Chief Executive, Calderdale and Huddersfield NHS Foundation Trust
- Nick Carver – Chair, Nottingham University Hospital NHS Trust
- Clive Spenser – Head of Leadership and Lifelong Learning, North East and Yorkshire Leadership Academy
- Wayne Middleton – Chief Executive, Luto Research
- Hugo Breda – Managing Director, Johnson & Johnson UK and Ireland
- Neil Thwaite – Chief Executive, Greater Manchester Mental Health NHS Trust

- Richard Barker – Regional Director, North East and Yorkshire & North West NHS
- Martin Jenkins – CEO, Zenith Group
- Phil Bell – CEO, The Yorkshire Society
- Ricky Patel – Head of Research and Healthcare, Fujitsu

## 5. National Network Meetings

### NHS Providers/NHSE

On the 31<sup>st</sup> August I joined a high level meeting with key colleagues from NHSE following the verdict from the Lucy Letby trial, with the purpose to reflect on our internal regulations and consider regulatory frameworks to ensure that we identify learning to prevent such horrific failures in care.

## 6. Management And Leadership Advisory Group

On the 19<sup>th</sup> September the Management and Leadership Advisory Group met in London. Headed by myself and Em Wilkinson Brice – National Director for People NHSE. We come together monthly to work on the three-year plan for the implementation of the Messenger Review.

## 7. Chairs Action (Use of Emergency Powers for urgent Decision)

Standing Orders states:

**Emergency Powers and Urgent Decisions** – These powers which the Board has reserved to itself within these Standing Orders (see SO 2.23) may be used in emergencies or for an urgent decision be exercised by the Chief Executive and Chair after having consulted at least two Non-Executive Directors. The exercise of such powers by the Chief Executive and Chair shall be reported to the next formal meeting of the Trust Board in public session for formal ratification. Therefore, I seek formal ratification for the following decisions that have been given Chair's action prior to this Board meeting.

On 17 August 2023, in relation to the Wharfedale Theatres, an Urgent Decision Memorandum was presented for Chairs action. This required the signatures of the Chair and Chief Executive, which was supported by Gillian Taylor, Deputy Chair and Suzanne Clark, Chair of the Audit Committee. As this related to an amendment to Wharfedale Hospital this requires an amendment to the PFI legal documentation. Appendix A sets out the draft of the minute from the Board meeting and this agenda item to fully endorse this action. The draft will be updated with attendees at this meeting and supplied to the legal representatives of the Trust and the PFI funders.

The Trust has submitted an Outline Business Case (OBC) to NHS England (NHSE) for funding to support the development of additional theatres at Chapel Allerton Hospital. Feedback has been provided by NHSE with the request to re-submit the OBC by Monday 18 September 2023 to meet NHSE approval deadlines. Thus, the OBC could not be re-presented to F&P Committee and Board, noting an increase in cost of £2m now taking this to just over £14m. This will be reported for retrospective assurance to F&P Committee meeting on 27 September. However, for governance purposes, Chairs Action was supported by Linda Pollard, Trust Chair, Clare Smith, Deputy Chief Executive (acting as CE), Gillian Taylor, Deputy Chair and Suzanne Clark, Chair of the Audit Committee.

## Kark recommendations

At the start of August NHS England published the recommendations from the Kark Review which relate to the CQC requirements for compliance with their Fit and Proper Persons Test (FPPT). The FPPT is not a new requirement, but this Review sets guidance and clarifies what evidence is required to be held and readily available for inspection, as supporting evidence for FPPT.

By the end of September changes will have been made to the national NHS Electronic Staff Record (ESR) where this data is to be collated and held. There is a new data field required which relates to references, required from the end of September. This will be a standard template and will require the Chair or Chief Executive to complete a reference, as and when a Board member exists the organisation, and this is to be retained until the individual reaches 75 years old. A new additional check is required against the Charity Commissions register of dis-barred trustee.

Leeds Teaching Hospitals NHS Trust (LTHT) has annually reported compliance against the FPPT for the Board (and our own self-imposed standard for authors of Board reports and/or direct reports to Executive Directors) each March with annual checks carried out against the requirements. This has been reported to the public Board meeting each March in order for the Trust Chair to report within her own appraisal report to NHSE that the Board at LTHT are fit and proper.

As required by the Review in keeping with data protection laws I have written to each Board member (and additional staff we hold in our FPPT register) to inform them of the new data to be held.

## 8. Risk

The information received within my report support the Trust remains within its defined risk appetite.

## 9. Publication Under Freedom of Information Act

This paper has been made available under the Freedom of Information Act 2000.

Dame Linda Pollard

Chair

September 2023

## Appendix A

### THE LEEDS TEACHING HOSPITALS NHS TRUST

#### RATIFICATION OF URGENT DECISION MADE UNDER STANDING ORDER 5.3

**EXTRACT MINUTES** of the meeting (“**Meeting**”) of the Members of the Board of Directors (the “**Board**”) of The Leeds Teaching Hospitals NHS Trust (the “**Trust**”) held in public on Thursday 28 September commencing at [•].

**PRESENT:** [•]

**APOLOGIES:** [•]

**IN ATTENDANCE:** 

## **1 BACKGROUND**

1.1 It was reported to the meeting that:

- 1.1.1 the Chair and the Chief Executive had exercised their Urgent Decision powers on 17 August 2023 under Standing Order 5.3 in respect of the Wharfedale Theatres CWVA (and all related agreements) a copy of which Urgent Decision was tabled;
- 1.1.2 the Urgent Decision powers had been exercised as it appeared at that time that the Wharfedale Theatres Works would be capable of commencing before the date of the meeting of the Board of the Trust on Thursday 28 September 2023 (which would have ordinarily have approved the Wharfedale Theatres CWVA (and all related agreements)).
- 1.1.3 negotiations in relation to the Wharfedale Theatres CWVA (and all related agreements) were ongoing;
- 1.1.4 when Urgent Decision Powers are exercised, Standing Order 5.3 requires that they be reported to the next formal meeting of the Trust Board in Public Session for formal ratification; and
- 1.1.5 that the next formal meeting of the Trust Board in Public Session is today's meeting..

## **2 RATIFICATION**

2.1 The Urgent Decision having been considered, it was resolved to ratify the Urgent Decision.

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**Dame Linda Pollard**  
**Chair**

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**Date**