

Public Board

30 January 2025

Governance Review

Presented for:	Assurance and Decision
Presented by:	Prof Phil Wood, Chief Executive & Jo Bray, Company Secretary
Author:	Jo Bray, Company Secretary
Previous Committees:	None

Our Annual Commitments for 2024/25 are:	
Reduce wait for patients	✓
Reduce Healthcare Acquired Infections by 15%	✓
Reduce our carbon footprint through greener care	✓
Use our existing digital systems to their full potential	✓
Strengthen participation and growth in research and innovation	✓
Deliver the financial plan	✓
Be in the top 25% performing Trusts for staff retention	✓

Risk Appetite Framework				
Level 1 Risk	(✓)	Level 2 Risks	(Risk Appetite Scale)	Impact
Workforce Risk				
Operational Risk				
Clinical Risk				
Financial Risk				
External Risk		Legal & Governance Risk - We will operate the Trust in compliance with the Law and UK Corporate Governance Code, where applicable.	Averse	Moving Towards (maintaining)
External Risk		Regulatory Risk – We will comply with or exceed all regulations, retain its CQC	Averse	Moving Towards (maintaining)

		registration and always operate within the law.		
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Key points	
The Board are asked to support the proposed review, and deferral of the Q4 Well-Led external review.	Assurance & Decision

1. Summary

The governance of the Board at Leeds Teaching Hospitals is essential to the services that are provided to our patients, by our staff. Governance and regulation are complex, with many aspects based on formal external regulation, through to the daily working lives based on culture and behaviours across our organisation.

2. Background

NHS England (NHSE), one regulator of acute providers, continues to drive standards for the quality and focus of the governance of Boards across the NHS. Last year saw the publication of the Code of Governance and the Boards' requirement to self-assessment with a series of comply or explain statements to each of the defined criteria, with the requirement of an annual statement by the Board. This sits alongside the annual Provider Licence statement by the Board and the summary of the in-year performance set out within the Annual Governance Statement within the yearend reporting process.

During November 2024, NHSE published the Insightful Provider Board [NHS England » The insightful provider board](#). This is a guide for Boards to help to consider their approach to handling and acting on the information they receive. It considers the leadership behaviours and culture of the Board and how these can affect the information it receives and the actions it takes, as well as metrics that can support the Board to better understand the organisation's performance.

In year there have been two publications from the Leadership Academy, NHS Leadership Competency Framework for Board Members and Leadership Framework.

- The Competency Framework defines the skills and standards required for Board members and the self-assessment/ appraisal tools along with performance objectives.
- The Leadership Framework is for all staff but obviously development of future leaders is critical to the Board and the role model it sets for aspiring leaders at this level.

In April 2024 the CQC re-issued guidance for NHS Trust and Foundation Trust; assessing the Well-Led key questions, which sits alongside the Single Assessment Framework. The aim is to help Trusts understand what good leadership looks like. The CQC will formally inspect against this criteria and Boards are encouraged to carry out independent external assessments every three years.

3. Proposal

In May the Board received a report that updated the CQC criteria for external review against the Well-led guidance published in April. Within this report a self-assessment of the actions from the previous external review by AQUA was set out for assurance of closure of these actions. This report also updated on the planned process (which was agreed by the Board) for an external review to be commissioned during Q4. However, in

light of the change in leadership to the CQC, their pause in routine Well-led reviews, which may result in amendments to this criteria, we have deferred the external assessment against the current Well-Led review. In addition, the Insightful Board publication shifts the timeline of this to broaden from three, to three to five years and states;

It is good practice for Boards to conduct in-depth, independently facilitated developmental reviews every three to five years to assess how well-led the trust is across all areas, and to identify areas where their leadership and governance can improve.

The publication of the Insightful Board sets out clear expectations of best practice for Boards, with the following themes;

- **governance and culture:** the factors that make it challenging for the right information to flow to the Board and the role of effective governance in tackling this; how Boards should handle and act on information; and the importance of a curious, problem sensing and open culture
- **meaningful information:** the principles that govern the flow of information to the Board, and tools to report that information; and a strong focus on outcomes rather than actions and processes
- **Six domains for consideration:** these areas and illustrative metrics can be used by Boards to understand if their organisation has a sufficiently comprehensive framework for reviewing trust performance, making decisions and developing strategy. Six domains are; strategy, quality, people, access & targets, productivity and finance

Within this publication there are self-assessment statements for the Board to consider. One statement of good practice is for the Committees of the Board to carry out an annual self-assessment. This is current practice at the Trust and is included in each of the Committees Annual Reports, which are reported to the May Audit Committee, and flow to the May Board for assurance (noting those that contain commercial or sensitive information are not received in the public domain).

The Company Secretary will use some of the best practice statements within the Insightful Board publication as the basis of the annual Committee Effectiveness process during Q4 which will feed into the full self-assessment by the Board against the Insightful Board publication.

The Company Secretary proposes to carry out a detailed self-assessment of the Insightful Board best practice statements with evidence supported from the feedback of the Committee Effectiveness reviews and align to the current guidance by the CQC for the Well-Led key questions (and can be updated against any amendments). This will then underpin the comply or explain statements for the annual declaration by the Board to the NHSE Code of Governance. This will be reported to the March Board meeting.

Following the report to the March Board, an action plan will be developed to strengthen areas identified and align these to any new information emerging from the CQC, the NHS 10-year plan and the transition arrangements to the new Chair for LTHT.

The Insightful Board publication includes a statement;

Is most of the discussion at the Public Board, and with clear justification for any items discussed in private.

The supporting Appendix item 14.3(i) set out as a reminder from the report brought to Board back in March 2020, as the principles remain the same.

4. Financial Implications

The budget allocation for the external assessment of the CQC Well-Led criteria will be carried forward, to ensure this is used as efficiently as possible into future years.

5. Risk

The Trust was inspected by the CQC in August 2018 for a Well-Led review, with an external review carried out in the summer of 2021 by AQUA (reporting to Public Board January 2022). Reports to the Board during this year have set out the plans for the proposed external assessment, however in light of possible amendments to the criteria by the CQC it is recommended that this be deferred, until this becomes clearer. There is currently a requirement for an external review every three years defined by the CQC with the Insightful Board recommending three to five years.

The Trust continues to operate within the averse risk appetite with regard to Legal & Governance risk and Regulatory risk set by the Board.

6. Communication and Involvement

Outcome of the review will be reported to March Public Board meetings and to those involved in reporting to Board and its Committees based on the outcome of findings and learning.

7. Equality Analysis

The Trust strives to adhere to equality and diversity practices set out within our people priorities.

8. Publication Under Freedom of Information Act

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

9. Recommendation

The Board are asked to support the proposed review, and deferral of the Q4 Well-Led external review.

10. Supporting Information

Appendix 14.3(i) Guidance on Matters Reserved for Workshop

[NHS England » Code of governance for NHS provider trusts](#)

[NHS England » The insightful provider board.](#)

[Guidance for NHS trusts and foundation trusts: assessing the well-led key question - Care Quality Commission \(cqc.org.uk\)](#)

[65589 Leadership Framework Layout 1 \(leadershipacademy.nhs.uk\)](#)

[NHS England » NHS leadership competency framework for board members](#)

Jo Bray
Company Secretary
7 January 2025