

Minutes of the 96th Council meeting of the Patient and Client held on 14th February 2023 via Zoom

Closed session 9:45 – 10:05

Open session 10:05 – 13:00

Present:

Ms Stephen Mathews (Chair)

Mr Alan Hanna

Mr Paul Douglas

Mr Patrick Farry

Mr Tom Irvine

In Attendance:

Ms Vivian McConvey, Chief Executive, PCC

Ms Meadhbha Monaghan, Head of Operations PCC

Ms Clare McGlone, PCC, Executive Assistant

Apologies:

Michelle Tennyson, Assistant Director, PHA

Cllr Martin Reilly

Mrs Carol Collins, PCC, Interim Head of Business Support

1. Welcome

Apologies received from Cllr Reilly and Michelle Tennyson. Ms McConvey confirmed a colleague from PHA would join the Council meetings going forward.

2. Minutes of last meeting held on 15th November 2022 and Matters Arising

The Minutes of the previous meeting on 15th November 2022 were circulated for approval. Mr Hanna advised that the Business Committee minutes from 26th July 2022 were approved at this Council meeting. Subject to changes the Council approved these minutes.

Matters arising

There were two items on the matters arising. Item number 7 was complete as the timetable for 2023 -24 was included in the Council papers for approval. Ms McConvey confirmed that Ms Murray would present the Co-production project at the Council meeting on 14th March 2023.

3. Declaration of Interests

None.

4. Chair's Update

The Chair congratulated Mr Douglas, Mr Farry and Mr Hanna on their extensions and noted it was essential to have that continuity at an important time for the PCC.

5. Chief Executive's update

Ms McConvey advised that a discussion was required regarding an extension of the interim Chair's post. The Chair temporarily left the meeting at 10:15am.

Ms McConvey advised Council members that the PCC were looking to extend the interim Chair's post until a permanent Chair was appointed. Ms McConvey was working with the Public Appointments Unit on this. Sponsor Branch suggested that this was discussed during a formal Council meeting and the Chair would step away from the meeting. Ms McConvey proposed that Council members discuss and confirm approval of the extension. Ms McConvey presented the regulation relating to this to Council members. Council members approved the extension of the Interim Chair.

The Chair re-joined the meeting again at 10.22am.

Ms McConvey confirmed she would formally email Sponsor Branch that the PCC Council approved the extension of Mr Mathews as Interim Chair. Sponsor Branch would then present a submission to the Permanent Secretary stating this.

Mr Mathews re-joined the meeting and was advised of the outcome of the Council's discussion. The Chair thanked the Council for their support.

Council Self-assessment

The Chair advised that he and Ms McConvey had discussed the Council Self-Assessment in terms of planning ahead and they would set a timetable for completion in terms of individual appraisals during the summer 2023, aiming to complete these by September 2023.

Ms McConvey presented the Self-Assessment and Ms McGlone would share the action plan with Council members. Ms McConvey highlighted the need to make progress on the 3-year action plan and advised that Council members should familiarise themselves by reading and completing a few actions each month. Ms McConvey highlighted the Board induction and contingency planning was important for Mr Irvine and the Chair. Ms McConvey advised that Ms Collins was working on this along with Ms McGlone. The Chair agreed with this approach and it meant catching up. Mr Irvine agreed and advised the staff in PCC were very helpful, at the moment he was working through the e-learning. Mr Irvine highlighted that in terms of self-assessment, the HM treasury orange book provided a template of what Council should be looking at. Ms McConvey agreed and noted a lot of work was completed through IHRD on Board governance. Ms Mitchell was working on a checklist of items that go to each Council and sub-committee meeting throughout the year.

ACTION: Ms McGlone would send out the list of items to go to each meeting and look through the HM treasury orange book.

The Chair queried if On-board training was available. Ms McConvey confirmed that training could be designed for the Council and suggested bringing Mr David Nicholl to a Council Workshop to deliver training. The Chair agreed this would be useful. Mr Hanna agreed a previous session with Mr Nicholl was extremely useful to discuss issues in healthcare and looking at how to become a more effective Council.

ACTION: Ms McConvey to write to David Nicholl on behalf of the Council to schedule this for after the summer (August/September)

6. Strategic Outline Case

Ms McConvey presented the final version of the Strategic Outline Case which had been circulated to Council members and confirmed once this was approved and signed off, it would be presented to Sponsor Branch.

The Chair congratulated everyone for the amount of work completed through workshops and meetings and highlighted that the Strategic Outline Case gave a map going forward and the action planning around this.

Mr Irvine drew attention to page 15 in relation to funding and queried why the budget was reduced to £1.9 million for 23/24. Ms McConvey clarified that in 2021/22 PCC were asked to host the Mental Health Champion.

Council members approved the Strategic Outline Case.

7. Partnership Agreement

Ms McConvey had been discussing the Partnership Agreement amendments with DOH that morning, the Partnership Agreement was circulated shortly before the meeting. Ms McConvey confirmed the Partnership Agreement went to the DOH, who sent this on the DOH Governance Unit. Ms McConvey had responded to the DOH regarding the progress and the response was shared with Council members.

Ms McConvey advised that PCC had received feedback from the DOH Governance unit and there were two areas of concern; describing constant conversation between DOH and PCC and escalation of issues. Ms McConvey confirmed ultimately it came down to ensuring the PCC had a high degree of independence to carry out its functions which was welcomed. Ms McConvey and Ms Gillen (Sponsor Branch) had come up with a form of words for points 11.3 and 11.4 which was shared with members. Mr Douglas suggested that when reading this, it didn't convey independence. Ms McConvey advised that under point 4.5 there was a section referring to independence of PCC. Mr Douglas wasn't sure as an organisation if everyone was aware what this meant across the department. Ms McConvey commended the Sponsor Branch for their engagement with PCC, and they had been back and forward about this wording.

Ms Monaghan shared the previous version of 11.3 and 11.4. Ms Monaghan highlighted the previous version was very light with regards to independence. Ms McConvey drew attention to the changes in previous version. Mr Douglas suggested it would be useful to take wording from the Nicholl report. Mr Douglas queried if there was a concern regarding what the DOH asked of the PCC, was there a way to raise this issue. Ms Monaghan agreed this was a good point and could work on strengthening the wording around this. Ms McConvey would put some thought into this. The Chair agreed that this was an evolution of the no surprises approach adopted by PCC. Mr Irvine noted there seemed to be a better understanding of the PCC's role which was welcome.

The Chair queried if the next step would be fine tuning the wording of these sections and what would be the best way to get final approval of the re-wording. Ms McConvey confirmed they would circulate a form of words for approval and once approved this would be sent to the Sponsor Branch. Council members agreed that they were content with this approach.

ACTION: wording for the Partnership Agreement would be circulated to Council members for approval.

8. Finance Update

Ms McConvey provided an update in Ms Collins absence.

Ms McConvey advised that the Permanent Secretary requested that PCC consider a 3% and 5% cut to budget in 2023/24. During the bi monthly meeting with Sponsor Branch, there was a focus on this exercise. Ms Collins responded to the DOH with the impact this would have on the PCC and made clear this would come down to workforce.

Financial Report to Council for period ended 31 December 2022 - Paper 681

Ms McConvey drew attention to the easement information in table 1 and advised most of the easement was relating to legal support for the Muckamore inquiry as the legal team had only been appointed in December 2022. There would also be more work with the KC and legal support from mid-march onwards. Under Point 3 Ms McConvey highlighted that PCC were expected to breakeven with the easement being offered however there had been no communication from DOH yet that they would accept this. There would be an easement of £8,000 from the Core budget which was due to delays in recruitment.

Financial plan 2023/24 – Paper 682

Ms McConvey advised that there was money coming in relating to Bamford, Muckamore and Admin and there was potential the Muckamore Inquiry money could increase.

The Chair queried if a request for mitigation on the savings included the details of the impact. Ms McConvey advised there was room in the budget due to delays in recruitment. Ms Monaghan agreed they could make savings through recruitment delays but only if this non-recurrent saving. Ms McConvey reported savings could not be made from MAHI inquiry as this was ring fenced and any savings had to be returned.

9. ARAC

Mr Farry provided a brief update as there hadn't been an ARAC meeting since October 2022, which was before the previous Council meeting. The minutes from the October 2022 meeting had been sent to him ahead of the next ARAC meeting on 28th February 2023.

10. Business Committee

Mr Hanna advised the last Business Committee meeting was on 24th January 2023 and during this the committee dealt with a number of issues for reassurance and updates were provided.

Mr Hanna suggested that given the issues arising, Adult Safeguarding would be useful for Council members. At the last Business Committee, it was suggested that this could be delivered during a Council Workshop.

Mr Hanna advised that a regular item on the Business Committee agenda was major change updates and inquiries were a large part of this. At the previous meeting it was discussed using the same legal team if support was required for the Covid inquiry and

discussions were taking place with Pals. Ms McConvey had sent the first response to the Covid Inquiry and advised PCC could be in a similar situation to the Muckamore Inquiry and had reached out to other ALBs. Ms McConvey has also spoken to Ms Turkington (DLS) and Sponsor Branch at the bi-monthly meeting. Pals suggested that PCC should be able to use the same legal support if needed but were awaiting confirmation.

Ms Monaghan highlighted that it was a recommendation that there was a Safeguarding Champion at council level and Council members may want to consider this. The Chair agreed that this was good practice to have this and something to bear in mind in terms of skills and expertise. Members agreed this should be addressed at future Council meetings.

Minutes of Business Committee on 25th October 2022 – Paper 683

Minutes from the Business Committee Meeting held on 25th October 2022 were reviewed and approved.

Performance report 9 monthly Paper – Paper 684

Ms Monaghan advised this paper had brought to the previous Business Committee.

Ms Monaghan presented the report and confirmed that the PCC were mainly on target and exceeded in some areas. Targets not being met were associated with co-production. Ms Monaghan advised that Ms Murray would attend the March 2023 Council meeting to present on Co-production. Ms Monaghan was hopeful that co-production associates would be in place soon, PCC were working with HR and employment law to ensure that this was completed and were still working through the last details. Going forward, the outputs for this section of the report would be different.

The Agency day on 7th February focused on the Operational plan 23/24 and targets for the forthcoming year. Mr Hanna highlighted that overperformance in areas can take work away from other areas. Mr Hanna queried if pressure from inquiry work and impact of ongoing work was a concern. Ms Monaghan advised that the bulk of the pressure had come from the Muckamore Inquiry to date and going forward pressure may come from the Covid Inquiry. Dual roles had been held by Ms Monaghan and Ms McConvey with support from Mr McCullough, Ms Collins, and Mr Bradley (HSC leadership Associate). Ms Monaghan confirmed an engagement session had been held recently at the request of families and work was ongoing to support people engaging with the Inquiry.

Ms Monaghan confirmed that if PCC were asked to produce the same level of work for the Covid Inquiry, there may be pressure on the team. PCC would have the ability to deal with the pressure if the band 6 for inquiries was in post but would keep an eye on this.

Mr Irvine queried how many media requests had been responded to out of the 14 requests received. Ms Monaghan believed five had been responded to but would confirm this. Mr Irvine suggested this was an area to expand on not just for public but

for DOH to get the role of PCC out there. Ms Monaghan agreed in terms of brand recognition PCC would be more proactive with media work. The PCC connect event in April would stand PCC in good stead for the year ahead and a huge amount of work was going into this.

Mr Irvine highlighted that often on Boards/Councils there would be an individual who would deal with media requests. Ms Monaghan confirmed that all media requests go through a designated email and suggested media training for council members going forward as part of a media/communications strategy for the organisation.

11. Business Support/Governance

Ms McConvey provided an update on complaints in Ms Collins absence.

Complaints

Five complaints were open and PCC brought in an associate from the Leadership Centre. Ms Collins had been looking at how to take learning from these complaints and a quality improvement tracker was being produced. Ms Monaghan added that this was under development and she had spoken to the Leadership team about this. Ms Monaghan was working on populating this with the engagement audit recommendations.

Subject Access requests and Freedom of Information requests

In the current quarter there were 4 FOI requests and 1 SAR to date. All four SAR's received in Quarter two were closed however two had led to complaints. There were six SARs in quarter three which were closed. There had been an increase in SAR and FOI requests on last year. The Chair advised this could be seen as a positive development as it shows more awareness of the PCC.

Ms McConvey confirmed that they were reviewing the complaints process and learning from this was the need to define what the PCC do and who we are.

Corporate Risk Register

Ms McConvey advised that this Risk register had gone to ARAC meeting in October 2022 and Ms Monaghan was working on an updated version which would be brought to the next Council meeting in March and would contain more detail in terms of Muckamore Inquiry.

Mr Farry noted that at the last ARAC meeting a light touch review was completed of the Corporate Risk Register. Mr Irvine noted that out of 11 risks, only one was identified as an extreme risk and this related to the numbers on the PCC Council. Mr Irvine queried if Sponsor Branch were aware of the seriousness of this risk. Mr Farry advised that Sponsor Branch would sometimes attend ARAC meetings.

The Chair agreed that everyone was keen to push forward with recruitment of Council members. The Chair confirmed once the permanent Chair was appointed recruitment of Council members would move forward. Ms McConvey confirmed communications regarding this normally went through the Chief Executive. Mr Irvine queried who would sign off on the post. Ms McConvey confirmed the Permanent secretary would sign this

off. Mr Hanna agreed that himself, Mr Farry and Mr Douglas were appointed by a Permanent Secretary.

The Chair noted that the risk was highlighted and PCC were doing as much as they could with DOH and PAU.

12. Meeting schedule 23/24

Ms McConvey advised that the draft accounts would be signed off at end of June 2023. Mr Farry suggested it would be useful to get a robust timetable from external audit of when everything needs to be signed off and this could be reported at the next Council meeting. Mr Douglas highlighted that he had dates already in his diary for 2023-24 and queried if these dates had changed. Mr Farry also highlighted that originally Council and sub-committee meetings were scheduled for Tuesday and there had been efforts to resume this. Mr Farry also noted that he had no dates in his diary for 2023-24.

Ms McConvey would go back and look at the dates for 2023-24. Mr Farry asked if these dates would be a Tuesday going forward. The dates for 2023-24 could be approved by email.

ACTION: Dates for 2023-24 would be circulated by email.

13. MAHI inquiry

Ms McConvey provided an overview of the inquiry modules and potential for PCC to be called under module 3. Ms McConvey submitted a corporate witness statement and could take the Council through this during a closed session before the next Council meeting.

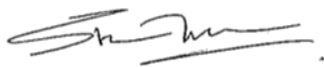
ACTION: Ms McGlone would arrange a time for this on 14th March 2023.

14. AOB

The Council offered condolences to Ms Collins following her recent bereavement

15. Close

The Chair closed the meeting at 12:10.



Signed: _____ Date: 14th March 2023

Mr Stephen Mathews