

Minutes of the Board Open Session meeting held at Citygate on 21 June 2023

Chair:

Rob Behrens CBE, Ombudsman

Non-Executive members:

Sir Alex Allan KCB
(Senior non-executive member)

John Ainsworth

Anne Davies

Dean Fathers

Paul Najsarek

Anu Singh

Amerdeep Somal

Executive Members:

Amanda Amroliwala CBE, Chief Executive

Gill Kilpatrick, Chief Operating Officer

In attendance:

Karl Banister, Director of Operations,
Legal and Clinical

Rebecca Hilsenrath, Director of Strategy

Maria Mansfeld, Chief of Staff

Roz Pedersen, Assistant Director, Finance

Hazel Waddington, Assistant Director,
Transformation

Susan Muckle, Freedom to Speak Up
Guardian (Item 7)

Faridah Newman, Executive & Committee
Officer (minutes)

Apologies:

Polly Curtis, Non-Executive Member

Michael Parsons, Non-Executive Member

Observers:

Liam Fairhurst, Senior Caseworker

John Adeware, Assistant Solicitor (Items 1 to 4)

Guest Speaker (present for Item 2 only):

Commissioner Dmytro Lubinets, Ukrainian Parliamentary Commissioner for Human Rights

Olga Strepochenko, Secretariat, Ukrainian Parliamentary Commissioner for Human Rights

1. Chair's Introduction and Welcome

- 1.1 The Chair welcomed members, attendees and observers to the meeting, inviting each to briefly introduce themselves to the group.
- 1.2 The Chair congratulated Rebecca Hilsenrath on her recent appointment as incoming CEO following Amanda Amroliwala's planned departure later this Summer, highlighting that this was the well-earned result of a fair and open competitive process.
- 1.3 The Chair updated members on the Ombudsman Association Conference which took place on 20 June. As well as various presentations that PHSO colleagues led on at this event, the auction for Ukraine at the evening's dinner doubled our fundraising efforts, thanks in particular to the efforts of Amanda Amroliwala.
- 1.4 The Chair invited members to consider later items in the agenda whilst waiting for the Guest Speaker to join via remote video conferencing:
 - Item 4: Declarations of Interest: None declared. The Board Member Register of Interests is currently being updated to reflect recent recruitment. This will be redistributed in to members via e-mail this week for final confirmation of accuracy.
 - Item 17: Confidential Board session minutes 22 March 2023: Members **agreed** the minutes as an accurate record of discussion.
 - Item 21: Open Board session minutes 22 March 2023: Members **agreed** the minutes as an accurate record of discussion, subject to the below amendment:

Action: Governance to amend the Open Board Session minutes of 22 March 2023 to reflect the Quality Committee Chair's thanks to the outgoing Interim Quality Manager at paragraph 15.3

- Item 22: Board Effectiveness Review 2022/23: Maria Mansfeld thanked all those who took part in this year's review, the results of which were positive overall with some queries raised around the level of challenge provided, the size of the Board, and staff engagement. This information will be used to develop an action plan for the coming year, which will be reported back to the September Board meeting for review and approval.
- 1.5 Members discussed the Board Effectiveness Review 2022/23, including the below key points:
 - The Chair confirmed that there would be no structural changes to the Board before the arrival of a new Ombudsman.
 - The need to strike a balance between increasing visibility and engagement with staff without compromising Non-Executive Members' independence (this can be largely mitigated by members focusing on a defined area of expertise);

- The need to establish appropriate opportunities for Board discussion around transformation.

2. Guest Speaker and Q & A

- 2.1 Members of the PHSO Choir joined the meeting (Morris Bagnall, Tom Barstow, Sarah Bolton, Rosemarie Brook, Sam Conley, Jo Hammersley, Joyce Jones, Mike Jones, Michelle McDonald, Sarah Ord, Rachael Russell)
- 2.2 The Chair welcomed Commissioner Lubinets and Olga Strepochenko to the meeting.
- 2.3 All present stood to observe the PHSO Choir's performance of the National Anthem of Ukraine, '*Shche ne vmerla Ukrainy i slava, i volia*'.
- 2.4 Commissioner Lubinets addressed the Board and took questions from them.
- 2.5 The Chair provided an update on PHSO's recent funding efforts for the Ukrainian Ombudsman, explaining that the target had now been exceeded and funds would be shared in due course.
- 2.6 The Chair shared an intention to sign an institutional agreement with Ukrainian Ombudsman to formalise PHSO's offer of ongoing support, which Commissioner Lubinets welcomed.
- 2.7 The Chair thanked Commissioner Lubinets, Olga Strepochenko and the PHSO Choir, who all then left the meeting.

3. Chair's closing comments

- 3.1 The Chair asked members to join him on Level 2 of Citygate for a question and answer session with staff, as well as various final fundraising activities for the Ukrainian Ombudsman.
- 3.2 The Chair closed the morning session of the Board meeting, asking members to return promptly after lunch at 12:35.

4. Declarations of Interest

- 4.1 See Item 1, paragraph 1.4.

[Morning session close: 11:30]

STRATEGY - Senior Independent Member in the Chair

5. Chief Executive's Report to the Board

- 5.1 The Senior Non-Executive Member opened the afternoon session as Chair for the strategic items (5, 6 and 7).
- 5.2 The Board received a report from the Chief Executive (CEO).
- 5.3 The CEO confirmed PHSO's position with regard to ten expectations of PHSO outlined in a Women Against State Pension Inequality (WASPI) letter-writing

campaign to MPs launched in May 2023: All actions outlined within this template letter are either already complete, already underway, or cannot be achieved with the reasons for this already explained.

- 5.4 The Senior Non-Executive Member recommended that Non-Executive Member Polly Curtis be involved in developing the communications strategy for dissemination of the findings of the State Pension Age for Women final report.
- 5.5 The Board **noted** the CEO's Report.

6. Ombudsman's Report to the Board

- 6.1 The Board received a report from the Ombudsman.
- 6.2 The Senior Non-Executive Member shared congratulations on behalf of all Non-Executive Members to the Ombudsman for his international work with Ukraine.
- 6.3 The Senior Non-Executive Member offered his support to the Ombudsman in following up on communications to the Foreign Secretary and the British Ambassador to Ukraine about the Ombudsman's December 2022 visit to Kyiv.
- 6.4 Members discussed the upcoming launch of the PHSO patient safety insight report on 29 June.
- 6.5 Maria Mansfeld provided a verbal update on the recruitment of a new Ombudsman:
 - Philippa Helme (PH) has been appointed by the House of Commons to lead the recruitment.
 - We are awaiting confirmation of who else will be on the recruitment panel.
 - Maria Mansfeld has met with PH for an initial briefing discussion and shared relevant materials.
 - PH will also be meeting with Rob Behrens, Amanda Amroliwala and Sir Alex Allan.
 - Plan A is to recruit a new PHSO on a permanent basis; Plan B is to recruit on an Interim basis: The viability of each option will be revisited in September.
- 6.6 Paul Najsarek shared reflections on his recent induction as Interim LGSCO and offered his support in the induction of Rob Behren's successor, particularly if this is on an interim basis.
- 6.7 The Board **noted** the Ombudsman's Report.

7. Freedom to Speak Up Guardian Annual Report

- 7.1 Members welcomed Susan Muckle, Freedom to Speak Up Guardian (FTSUG), to the meeting.

- 7.2 The Board received an annual report from the FTSUG, who provided brief details of some of the contacts she had received during 2022-23 and emphasised that all recipients of concerns had met these with an open and non-defensive attitude.
- 7.3 Members discussed possible effects of remote working arrangements on concerns raised with the FTSUG, especially those around manager communication.
- 7.4 Gill Kilpatrick explained that managers workshops on remote inclusion were run post-lockdown and that these were then built into the Authentic Leadership programme.
- 7.5 The Board **noted** the FTSUG's Annual Report 2022-23.

QUARTERLY REPORTS - Ombudsman in the Chair

8. Strategic Risk Report and Register

- 8.1 Rob Behrens resumed his role as Chair of the meeting.
- 8.2 The Board received a report from the Assistant Director of Transformation.
- 8.3 Members discussed Staff Engagement (Strategic Risk 5):
- 8.4 Amanda Amroliwala explained that a certification programme is being developed for Intake Caseworkers and Caseworkers (a similar model to Senior Caseworker accreditation) and will launch at the end of this quarter.
- 8.5 Dean Fathers offered to discuss with relevant colleagues the principles of 'Intrapreneurship' i.e. supporting career progression without a narrow focus on promotions.
- 8.6 The Board agreed the current strategic risks and noted actions being planned or undertaken to mitigate levels of risk.
- 8.7 The Board **noted** the current corporate issues being managed.

9. Corporate Performance Report

- 9.1 The Board received a report from the Chief Operating Officer and Director of Operations, Legal and Clinical.
- 9.2 Members discussed the planned renewed focus on managing short term sickness in 2023-24 using the Civil Service benchmark of 7 days, including the below key points:
- The risk of presenteeism and/or a 'rebound effect' if not appropriately managed and communicated;
 - The importance of involving people with disabilities in this work and ensuring that we are an attractive employer to people with disabilities.
- 9.3 The Board **noted** the Corporate Performance Report.

10. Business Plan, Peer Review Recommendations and Equality Action Plan Update

- 10.1 The Board received an update report from the Assistant Director of Transformation.
- 10.2 Members discussed the importance of the user-led focus of the 2022-23 Business Plan and of continuing this approach for 2023-24.
- 10.3 The Board **noted** the report.

11. Financial Management Report

- 11.1 The Board received a report from the Chief Operating Officer.
- 11.2 The Board noted that a higher level of risk is being managed in the 2023-24 budget, and that mitigations are in place to manage this including a stronger focus on Capital spending decisions and managers being accountable for them.
- 11.3 The Board **noted** the report.

OTHER BUSINESS

12. Forward Plan

- 12.1 Members **agreed** the Board forward plan.

13. Any Other Business

- 13.1 None disclosed.

14. Review of the meeting

- 14.1 Members shared their reflections on the meeting, which included particular appreciation for the morning session's Guest Speaker.
- 14.2 Members thanked Rebecca Hilsenrath, Hazel Waddington, Roz Pedersen and Liam Fairhurst who then left the meeting.

[Afternoon session close: 14:45]

Papers for review in correspondence

21. Minutes and Matters Arising from the previous meeting 22 March 2023

- 21.1 **Approved:** See Item 1, paragraph 1.4.

22. Board Effectiveness Review 2022/23

- 22.1 **Agreed:** See Item 1, paragraph 1.4.

23. Annual Report and Accounts 2022/23

- 23.1 Members **finalised** the Annual Report and Accounts 2022/23 in correspondence.

24. Register of Interests

24.1 Members provided updates to the Register of Interest in correspondence.

25. Review of the Procurement Code

25.1 Members **approved** the Procurement Code in correspondence.

26. Strategic updates (Audit and Risk Assurance Committee; Quality Committee)

26.1 Members **noted** the strategic committee updates in correspondence.