

Approved Minutes of the Board Open Session meeting held on 29 September 2021 at Citygate, Manchester

Chair:

Elisabeth Davies
(senior non-executive member)

Non-Executive members:

Sir Alex Allan KCB
Linda Farrant
Dean Fathers
Balram Gidoomal CBE
Mick King
Anu Singh
Amerdeep Somal

Executive Members:

Amanda Amroliwala CBE, Chief Executive

In attendance:

Karl Banister, Director of Legal, Quality
and Clinical (by VC)
Rebecca Hilsenrath, Director of Strategy
and Communications
Maria Mansfeld, Chief of Staff
Andrew Dawson, Governance Officer
(minutes)
Paula Waite, Equality & Diversity
Specialist (Item 13)
James Hand, Assistant Director Business
Management

Apologies

Rob Behrens CBE, the Ombudsman
Carolyn Hirst
Gill Kilpatrick, Chief Operating Officer
Bipon Bhakri, Director of Resources
Abigail Howarth, Director of Operations

6. Chair's Introduction and Welcome

- 6.1 Elisabeth Davies chaired the meeting in the absence of Rob Behrens, who was unwell. She introduced the meeting and welcomed members and others attending, noting that this was the first in-person meeting since February 2020. In particular she welcomed Amerdeep Somal to her first meeting of the Board.

7. Declarations of Interest

- 7.1 There were no declarations of interest relevant to items on the agenda.
- 7.2 Dean Fathers informed the Board that he had recently joined the board of a company called Progress Care Solutions as a non-executive director.
- 7.3 Ram Gidoomal informed the Board that he had been made a trustee of the Leprosy Mission UK.

8. Minutes and Matters Arising

- 8.1 The minutes of the Board meeting on 25 June 2021 and 7 July 2021 were **accepted** as true records, subject to one minor amendment (7 July 2021)
- 8.2 The Board **noted** the updated table of actions and matters arising from previous meetings.

9. Chief Executive's report to the Board

- 9.1 The Board received a report from Amanda Amroliwala.
- 9.2 The Board discussed the sustained increase in casework demand. Points raised included:
- The increase in demand across the complaints handling sector.
 - The increasing complexity of complaints and the impact this was having on caseworkers.
 - The high level of attrition amongst caseworkers.
 - Difficulties we are experiencing in recruiting staff, the need for a robust recruitment and retention strategy, and the actions being taken to attract and retain staff.
 - Whether any analysis of the socio-economic background of complainants was available. This will form part of the next PHSO strategy.
 - The need to develop future strategies for demand management.
- 9.3 The Board discussed the positive response to the Women's State Pension Age report.
- 9.4 The Board **noted** the report.

10. Ombudsman's report

- 10.1 The Board received a report from Rob Behrens.
- 10.2 The Board discussed reported improvements in HS2's complaints processes following the publication of our investigation report in May 2021¹.
- 10.3 The Board **noted** the report.

11. PHSO Corporate Strategy 2022-2025

- 11.1 The Board received a paper from Rebecca Hilsenrath.
- 11.2 The Board discussed and noted the outcome of the internal consultation process.
- 11.3 The Board discussed the revised draft strategy and made the following points in discussion:
 - It was essential that awareness of PHSO's function was increased within the NHS and Parliamentary bodies.
 - Members agreed with the comments about clarity of language and the need to avoid jargon.
 - Consideration should be given to reflecting the impact of the pandemic, both on PHSO and on the organisations we investigate.
- 11.4 Members discussed options in the event that the Comprehensive Spending Review (CSR) settlement was insufficient to fund the proposed strategy.
- 11.5 The Board
 - **approved** the proposed approach to external consultation.
 - **approved** the draft strategy for external consultation.

12. Board Effectiveness Review Action Plan

- 12.1 The Board received a paper from Maria Mansfeld.
- 12.2 The Board **agreed** the Board Effectiveness Review Action Plan.

13. Bimonthly Manager Circles

- 13.1 The Board received a presentation from Paula Waite (Equality and Diversity Specialist).
- 13.2 Board members welcomed the initiative, which provided a useful source of support for managers.
- 13.3 The Board **noted** the presentation.

¹ An investigation into HS2 Ltd's failure to communicate with a family about acquiring their home

14. Diversity Steering Group Update

14.1 Anu Singh provided a verbal update on the activities of the Steering Group, including:

- Consideration of the way equality and diversity issues were presented on the PHSO website.
- Examination of the sources of diversity data within the organisation, including how it is used and what it tells us.
- The organisation had agreed that group members would be given dedicated time for group activities.

14.2 The Board **noted** the update.

15. Quality Committee - Strategic Update

15.1 The Board received a summary report from the Quality Committee meeting on 9 September 2021.

15.2 The Board discussed proposals for the Committee to engage with service users and how this might link to the strategic objective to develop a user panel.

15.3 The Board **noted** the update.

16. Audit and Risk Assurance Committee - Strategic Update

16.1 The Board received a summary report from the Audit and Risk Assurance Committee (ARAC) on 15 September 2021.

16.2 Members discussed the recent decline in performance on Information Assurance due to the impact of COVID-19 and the actions being taken to recover from this position.

16.3 Linda Farrant informed the Board that the November meeting of the Committee would have a particular focus on Cyber Security. HM Treasury had recently issued updated guidance on this topic as an annex to their Audit committee Handbook which would be considered as part of the focus on Cyber Security.

16.4 The Board **noted** the update.

17. Strategic Risk Report

17.1 The Board received a report from Rebecca Hilsenrath. The report included the Strategic Risk Register in a revised format that had recently been approved by ARAC and had been amended further in line with suggestions made by the Committee.

17.2 Board members welcomed the revised format of the Strategic Risk register, which represented a significant improvement in the presentation of risk.

17.3 Members discussed how risks were identified, captured and evaluated within the organisation.

17.4 The Board **noted** the report and the current evaluation of strategic risks.

18. Operations and Corporate Performance Report, July (P4) 2021/22

18.1 The Board received a report from Abi Howarth and Gill Kilpatrick.

18.2 Abi Howarth outlined the current casework position. Whilst case numbers had been stable during Q1, there had been a sustained increase both in demand and in the complexity of cases during August and into September. The organisation was also facing significant challenges in recruiting staff. In consequence, there were now 2,800 cases awaiting allocation, and it was now unlikely that this number would reduce to 1,500 by the end of March 2022 as projected.

18.3 Board members noted that the current position was unsatisfactory and recorded their concern. The Board discussed proposed measures to mitigate the increase in demand. Further actions would be considered once the CSR settlement was known.

18.4 The Board asked for an update at the December meeting including details of measures that had been agreed or considered to address the current difficult situation. This should also include details of more radical options that had been considered but not taken forward.

Action: December Operations and Corporate Health Performance Report to include a detailed account of actions to mitigate against the impact of increased demand and difficulties in recruitment.

18.5 The Board discussed the temporary difficulties that had led to a short-term decline in performance on the Information Rights team.

18.6 The Board **noted** the report.

19. Business and Equality Action Plan Update - March 2021(end of year)

19.1 The Board received a report from Rebecca Hilsenrath.

19.2 Dean Fathers suggested that it would be possible to assess the impact of the Complaints Standards Framework (CSF) by working with an academic partner to carry out a comparative evaluation of the effectiveness of CSF in pilot Trusts against complaint handling in Trusts not involved in the pilot.

Action: Rebecca Hilsenrath to discuss with Dean Fathers the possibility of an academic evaluation of the effectiveness of CSF.

19.3 The Board **noted** the report.

20. Financial Management Report, March 2021 (end of year)

20.1 The Board received a report from Bipun Bhakri.

20.2 Amanda Amroliwala provided an update on the current position in respect of the CSR bid.

20.3 The Board **noted** the report.

21. Other Business

21.1 The Board noted their appreciation for the work of Sue Davis on the Demand Management Project

The meeting ended at 15:45