

Minutes of the Board Open Session meeting held on 11 December 2024 via VC

5. Chair's Introduction and Welcome

- 5.1 The Chair welcomed members and attendees to the meeting.

6. Declarations of Interest

- 6.1 John Ainsworth declared that Independent Assessment Services referenced at 7.2 of the Ombudsman's Report is a subsidiary of his employer Atos UK. He has no personal involvement in their Personal Independence Payments work however.

7. Minutes and Matters Arising from the meeting on 25 September 2024

- 7.1 The Senior Independent member highlighted that the minutes for this meeting were particularly good, and it was helpful to have more detail in certain areas as applied.
- 7.2 Scott Stevenson updated that the Stakeholder map referenced at action 10.2 from the previous meeting is in hand and will be shared in correspondence.
- 7.3 Members agreed the minutes as a true and accurate record.

Strategy & Progress - Senior Independent Member in the Chair

8. Chief Executive's Report to the Board

- 8.1 The Ombudsman relayed apologies from the Chief Executive who was unwell, offering to answer any queries *in absentia* and brief her to follow with a written response if necessary.
- 8.2 Members noted that the Chief Executive also provided a brief update about Ombudsman recruitment in the prior Confidential session.
- 8.3 The Ombudsman highlighted work preparing the Corporate Services Away Day and the All Staff Event, including a refresh of values and behaviours.
- 8.4 Members noted the report.

9. Ombudsman's Report to the Board

- 9.1 Members noted a verbal overview of the report from the Ombudsman and updates on key activity since it was compiled including a meeting with the new Parliamentary and Constitutional Affairs Committee (PACAC) Chair, who has offered a letter of support to the Health Secretary advocating for a statutory status for Complaints Standards, built into the CQC inspection framework.

9.2 Members discussed the report, including the below key points:

- Exploring possibility of engaging a more expansive systemic investigatory process for the Department for Work and Pensions Personal Independence Payments case;
- Similarities and differences to the Women's State Pension Age case;
- Historic discussions with the National Audit Office about value for money, potential preventative value and the need to measure this in a meaningful way;
- A more systemic role for PHSO in the future, even without own initiative powers (commissioning legal exploration of options).

9.3 Members noted the report.

Strategy and Progress - Ombudsman in the Chair

10. Strategy Development

10.1 Members noted a verbal overview of the report from the Director of Strategy, including engagement since the September meeting.

10.2 Members discussed the report and provided the below feedback for consideration:

- Strategic objectives listed are actually more akin to the standards we would measure them by i.e. organisations work *to* objectives and *from* standards. Minimises risk of unguided compliance culture;
- Excellent engagement yielding important insights supporting strong confidence at this stage of development;
- The difficult nature of evidencing impartiality and how this is supported by transparency;
- Notable feedback to caseworkers about cases which were not upheld in favour of the complainant but still received good feedback about process and support.

10.3 Members noted the report.

11. Delivering Transformation: Casework Programme

11.1 Members noted an introduction from the Ombudsman and verbal overview of the report from the Assistant Director of Transformation.

11.2 A draft costed out Digital Business Case is due to the Executive Team next week and will include engagement with non-executive members ahead of formal presentation to the January Board meeting as part of the wider 2025-26 business planning process.

11.3 Members discussed the report and provided the below feedback for consideration:

- 11.4 The importance of Board assurance from now until January on how the overall £4.8m capital envelope will be costed out, with projected outcomes mapped against clear objectives;
- Clarity around delivery on slide 5 is helpful but answers the ‘what’ and not the ‘how’;
 - How do we interrogate data to drive learning and continuous for all in the system?
- 11.5 Slides quite hard to follow until supplemented by knowledgeable and thoughtful discussion in the meeting: how do we bring this together so that someone without the technical background ‘gets it’?;
- Hard to discern in slide 6 how the operating model and outcomes are linked’
 - Strategic Delivery Committee input will be key in this space.
- 11.6 John Ainsworth expressed particular interest in engaging on this work, given his knowledge and experience in digital transformation.
- Action:** AD Transformation and CDIO to engage with Non-Executive members and in particular John Ainsworth about the Digital Business Case ahead of the January Board meeting.

Quarterly Reporting

12. Risk

12.1 Strategic Risk Report and Register

12.2 Members noted a verbal overview of the report from the Assistant Director of Transformation, noting that the quality risk has now been closed in line with the wind-down of Quality Committee, and a broader Service Quality risk may be added in 2025-26.

12.3 Members discussed the report as below:

- Risks captured are of strategic priority (1-5) plus any tracking above a risk rating of 15 at a directorate level (6 - 7) which can be elevated for oversight and action where necessary;
- Individual reputational risks are reflected, but this is not tracked as a standalone theme;
- Potential methods to track epidemics and potential implications for short term sickness and workforce capacity;
- The importance of communicating to work from home if unwell with a contagious illness, particularly during a ‘quad-demic’ per at present.

13. Performance**13.1 Business Plan & Strategy Delivery**

13.2 The Senior Independent Member highlighted that the annex to this paper was very helpful in separating elements and issues out.

13.3 Members noted the report.

13.4 Operational and Corporate Performance

13.5 Members noted a verbal overview of the report from the Director of Operations, Legal and Clinical, including the below key points:

- Operational productivity remains excellent;
- A queue reduction is forecast for Q4;
- 5 teams so far have been mentored by the Early Consideration team;

13.6 Members discussed the evidence that satisfaction ratings are down for complainants but up for organisations we investigate. It is difficult to discern what the reasons may be for this without analysing the individual cases.

13.7 Members noted the report

13.8 Financial Management Report

13.9 Members noted a verbal overview of the report from the Assistant Director of Finance, including the below key points:

- Now the Comprehensive Spending Review (CSR) bid has been approved, we have been able to take forward spending to further reduce the forecast resource underspend;
- The Millbank Tower landlord has agreed to extend the lease;
- The new finance system goes live tomorrow. There has been iterative problem solving prior to this;

13.10 The Senior Independent Member noted - as someone with experience working closely with the Treasury - how impressive this year's CSR submission was.

13.11 Members noted the report.

Governance**14. Strategic Delivery Committee Terms of Reference**

14.1 Members noted a verbal overview of the proposed terms from the Chief of Staff.

14.2 Members **approved** the terms of reference as drafted, noting that these would replace those for Quality Committee and the Inclusion and Wellbeing Committee in the next draft of the Governance Framework.

15. Committee Strategic Updates**15.1 Audit & Risk Assurance Committee**

15.2 Members noted a verbal overview of the previous meeting from the Chair.

15.3 Members noted the committee summary sheet.

15.4 Quality Committee

15.5 Members noted a verbal overview of the final meeting from the Chair, who shared thanks to all who had contributed to the success of this forum.

15.6 Members noted the committee summary sheet.

15.7 Inclusion & Wellbeing Committee

15.8 Members noted a verbal overview of the final meeting from Dean Fathers, who reported in the Chair's absence and shared thanks to all who had contributed to the success of this forum.

15.9 Members noted the committee summary sheet.

16. Annual Report: Lessons Learned and Timeline

16.1 Members noted the report and the draft timeline of activity for the production of the 2024-25 Annual Report.

17. Forward Plan and Date of Next Meeting

17.1 Members noted that the next meeting would take place remotely via MS Teams on 22 January 2025 and would be a shorter meeting to review and approve the draft Budget and Business Plan for 2025-26.

18. Board Performance; Review of the meeting

18.1 The Senior Independent Member reflected on how much of Board reporting falls to the Assistant Director of Transformation, and the good quality of papers and slides despite these pressures.

18.2 Dean Fathers shared reflections on his time on the Board since January 2018 and its transformation since then, particularly in organisational resilience.

18.3 The Director of Operations, Legal and Clinical thanked members for today's strong and important challenge which was helpfully framed and broached.

Action: Governance to revisit the timings of the agenda to reflect that the first part of the session usually over-runs and the later under.

19. Any Other Business

19.1 The Senior Independent Member shared his reflections on the Clinical Advice Review and emphasised the importance of the continued focus on its recommendations as the organisation continues to transform.

20. Leaving Presentations

- 20.1 The Ombudsman shared reflections on the contributions made by outgoing members Dean Fathers and Sir Alex Allan to the PHSO Board since January 2018 and presented them each with a gift from the members to mark the end of their tenure.

The meeting ended at 16:45