

BOARD MEETING HELD IN PUBLIC

Date/Time Thursday, 25 May 2017 – 11:00 to 12:45
Location Rooms 102A & 124A, Skipton House, London

MINUTES

RECORD OF MEETING

1. Welcome, Introduction & Apologies

- 1.1 The Board and attendees observed a one minute silence for the victims of the recent Manchester bombing.
- 1.2 The Chairman welcomed everyone to the meeting, noting that the Board is committed to openness and transparency. The Board transacted its business in public, though it was not a public meeting.
- 1.3 The Board noted apologies for absence from Joanne Shaw, Non-Executive Member.
- 1.4 There were no declarations of interest over and above those held on record.

2. Minutes of the Previous Meeting

- 2.1 The minutes of the meeting held on 30 March 2017 were approved. There were no matters arising.

3. Chairman's Report

- 3.1 The Chairman observed that the Board meeting was being held under the conditions of pre-election purdah, a cross-government requirement that inevitably cuts in when a General Election is called.
- 3.2 He reported that since the last meeting he had attended meetings with the Department of Health and with other Arm's Length Bodies, many of them with the Chief Executive.
- 3.3 He further reported that he had undertaken a number of visits including to Moorfields (and discussions also with the Royal Free) on their use of AI and other technologies to improve outcomes for patients, and to the Better Altogether Vanguard in Dudley.
- 3.4 The Board received and noted the Chairman's report.

4. Chief Executive's Report

- 4.1 The Chief Executive remarked that the Board had reviewed the NHS Emergency Preparedness, Resilience and Response at their meeting in March and that, since that meeting, there had been two major incidents:
 - The cyber-attack, where NHS England had stood up a national response beginning at 1600 on Friday 12 May for one week; and
 - The bombing in Manchester.
- 4.2 He remarked that the cyber-attack had been handled effectively but a number of lessons for NHS Digital, NHS England, NHS Improvement and the National Cyber Security Centre would be addressed over the course of the next several weeks and months.
- 4.3 He reported that in the response to the Manchester attack the regional emergency coordination had been practically flawless and reported that, as at 0600 that day,

116 people had received in-patient care, and 23 people remained in critical care, and that the NHS had mobilised appropriate support for children and young people, parents and staff to help with the emotional response to the attack.

4.4 He placed on record the enormous debt of gratitude once again to the front line staff of the NHS who had responded to this attack.

4.5 The Board received and noted the Chief Executive's report.

5. Next Steps on the NHS Five Year Forward View

5.1 The Chief Executive reminded the Board that this document, which had been published one day following their previous meeting, constituted the NHS England Business Plan and the Operating Plan for 2017-18 in term of the Mandate under which it works.

5.2 He commented that there is work to do in a number of areas and stated that, notwithstanding the outcome of the General Election, there was nothing within the document that would not be important for the NHS to respond to over the course of the coming twelve and twenty-four months.

5.3 The Chairman noted that the development of the document had engaged every member of the Board.

5.4 The Chairman commended the Executive on the production of the report, stressed the interdependence with other Arms' Length Bodies and other parts of the system for delivery, and committed the Board to monitoring the implementation and delivery of the report very closely over coming months.

6. NHS Performance Report

6.1 Matthew Swindells provided the Board with a factual description of NHS performance over the previous month.

6.2 He reported that March 2017 saw the best A&E performance in six months, and it was also significantly better than the same time last year. Ambulance responsiveness also hit its best performance since last summer, and was also better than the same time last year. Waits for elective care got shorter in March, continuing the improvements seen over the past three months, and the median wait for non-emergency care is now only just over six weeks.

6.3 He further reported the next publication of NHS statistics would be Thursday 9 June, in line with guidance from the national statistician.

6.4 The Board received and noted the report.

7. NHS Finance Report

7.1 Paul Baumann informed the Board that the finance team were progressing well with the year-end accounting process and confirmed that consolidated accounts for both NHS England and CCGs would be produced in June and published in July.

7.2 He reported that, subject to audit, NHS England had achieved all of its financial duties for 2016-17 and confirmed that NHS England has fulfilled its commitment to make an additional contribution to system balance in accordance with its plan.

7.3 He expressed appreciation to teams in CCGs, CSUs and within NHS England for their hard work to produce accounts to the required standards.

7.4 The Board received and noted the report, endorsing the statement of commendation.

8. NHS England Complaints Policy

- 8.1 Karen Wheeler reported that the existing NHS England Complaints Policy had required redrafting to take into account recommendations relating to Safeguarding.
- 8.2 She remarked that the current version of the NHS England Complaints Policy had been revised in July 2016 and that the team had also taken this opportunity to make some minor amendments to the policy document to ensure that it was clear that the NHS England complaints handling procedures were fully compliant with existing Regulations, and to help improve the quality of communication with complainants.
- 8.3 The Board approved the report.

9. Managing Conflicts of Interest: refresh of the statutory guidance for CCGs

- 9.1 Ian Dodge reported that the proposed amendments to the CCG statutory guidance on managing conflicts of interest were intended to bring it fully in line with the new cross-system guidance on managing conflicts of interest in the NHS.
- 9.2 He remarked that the amendments were few in number and minor in nature.
- 9.3 The Board approved the refreshed guidance.

10. NHS England Standards of Business Conduct Policy

- 10.1 Karen Wheeler reported that the internal Standards of Business Conduct Policy had been revised and updated to ensure alignment with the standards set out in the Managing Conflicts of Interest in the NHS guidance endorsed by the Board at its meeting in February 2017.
- 10.2 The Board noted the different use of the term “officers” in local government usage and requested further clarity in the final published document.
- 10.3 On this basis the Board approved the revised policy.

11. Revised External Whistleblowing Policy

- 11.1 Jane Cummings reported that, following an internal audit of whistleblowing, published in November 2016, it had been recommended that the External Whistleblowing Policy be revised before the suggested date of May 2018, and that a number of queries be addressed.
- 11.2 She reminded the Board that there were two policies – one for NHS England staff and this one, which looks at NHS England’s role for external organisations such as CCGs.
- 11.3 The Board approved the revised Policy.

12. Slavery and Human Trafficking Statement 2016-17

- 12.1 Jane Cummings reminded the Board that, following the publication of the Modern Slavery Act 2016, which had introduced significant changes in UK law, large organisations are now required to published statements setting out what they are doing to support those who may be subject to potential modern slavery.
- 12.2 She reported that this statement sets out the current NHS England policies and initiatives regarding this significant issue that is faced by some in this country. In addition, the statement sets out what will be done during 2017-18 to continue to improve effectiveness.
- 12.3 The Board approved the Slavery and Human Trafficking Statement for publication on the NHS England website.

13. Reports from Board Committees

13.1 The Board noted the report from the Commissioning Committee meetings held on 29 March 2017 and 25 April 2017, and approved the Committee's revised Terms of Reference.

13.2 The Board noted the report from the Investment Committee meeting held on 14 March 2017 and the papers reviewed by correspondence during April 2017.

13.3 The Board noted the update from the Specialised Services Commissioning Committee meetings held on 26 April 2017.

14. Report to the Board on the use of the NHS England Seal

14.1 The Board noted the six monthly report on the use of the NHS England Seal.

15. Any other business

15.1 The Chairman expressed the gratitude of the Board to Karen Wheeler for her sustained, consistent and highly professional contribution over her three years with NHS England, and offered best wishes for her next assignment within Government.

15.2 There were no further items of business.

15.3 The Board resolved to exclude representatives of the media and members of the public from the remainder of the meeting (due to the confidential nature of the business to be transacted) and the meeting was closed.

Agreed as an Accurate Record of the Meeting	
Date:	
Signature:	
Name:	Professor Sir Malcolm Grant
Title:	NHS England Chairman

Members:

Professor Sir Malcolm Grant	Chairman
David Roberts	Vice Chairman and Chair of Commissioning Committee
Simon Stevens	Chief Executive Officer (CEO)
Lord Victor Adebowale	Non-Executive Member
Wendy Becker	Non-Executive Member
Professor Sir John Burn	Non-Executive Member
Dame Moira Gibb	Non-Executive Member and Chair of Investment Committee
Noel Gordon	Non-Executive Member and Chair of Specialised Services Commissioning Committee
Michelle Mitchell	Non-Executive Member
Paul Baumann	Chief Financial Officer (CFO)
Professor Jane Cummings	Chief Nursing Officer (CNO)
Sir Bruce Keogh	National Medical Director (NMD)
Ian Dodge	National Director: Commissioning Strategy (ND:CS)
Matthew Swindells	National Director: Operations & Information (ND:O&I)
Karen Wheeler	National Director: Transformation and Corporate Operations (ND:TCO)

Apologies:

Joanne Shaw	Non-Executive Member and Chair of Audit and Risk Assurance Committee
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Secretariat:

Lesley Tillotson	Board Secretary
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