



# Minutes of Board Meeting

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## PHIN 1619 Board Meeting held on 24<sup>th</sup> May 2016

### Board Attendees

Andrew Vallance-Owen (Chair) [AVO]  
Fiona Booth [FB]  
Professor Nancy Devlin [ND] (via conference call)  
Don Grocott [DG]  
Michael Hutchings (MH)  
Matt James (CEO) [MJ]  
Natalie-Jane Macdonald [NM]  
Gerard Panting [GP]  
Jayne Scott (JS) (via conference call)  
Professor Sir Cyril Chantler [CC]  
Professor Sir Norman Williams [NW]

### Apologies

None Received

### Other attendees

John Rudkin, Finance Director & Company Secretary [JR]  
Jonathan Finney, Member Services Director [JF]  
Dr VJ Joshi, Clinical Informatics Director [VJ]  
Mona Shah, Office Manager [MS]

#### 1. Declaration of Conflicts

There were no declarations of conflicts reported.

#### 2. Minutes from previous board meeting

The Minutes of the previous Board meeting were approved, as submitted.

#### 3. CEO update

MJ presented the CEO report and advised that work was progressing well. The first fifty consultants should have received emails outlining PHIN's requirements and processes. Meeting noted that 14,000 consultants had not yet been emailed, as it came to light that the terms of the Information Sharing agreement with GMC, would not allow for this to happen. Discussions with the GMC were ongoing to resolve this issue. MJ reported that relations with FIPO continued to remain positive.

MJ reported that signed Subscription Agreements were being returned and the first Private Patient Unit (PPU), The Royal National Orthopaedic Hospital (RNOH), had signed up this week.

MJ reported that the first stage assessment for the ISO 27001 Information Governance Audit had taken place and JR had worked hard to take us through the audit. Following a second stage assessment, the outcome was expected to be positive with PHIN receiving accreditation.

MJ advised that the team had recently performed exceptionally in the absence of their managers, who were on annual leave, and taken ownership of their functions; highlighting the evolution of the team over the past twelve months.

*Jayne Scott joined the meeting (by conference call) at this point*

VJ reported to the meeting that external security experts IRM had been appointed to undertake a complete Penetration “PEN” test of PHIN’s infrastructure (both internal & external). Recommendations made by IRM had been implemented for all internal systems. The meeting noted that all high risk and critical recommendations had been implemented and completed; the remaining low level issues were being addressed.

MJ reported to the Board that JF had recently been promoted to Member Services Director and the Board members congratulated JF on his appointment.

MJ advised the Board that the team had been focused on refining the portal and some hospitals had been accessing information via the portal. In response to a question regarding users being able to amend information on the portal, members noted that the live database retained a historical record of any amendments made by users (i.e. consultants).

DG and GP reported on discussions that had taken place at the FIPO/COAG meeting and provided feedback. Consultants involved in the pilot programme had attended and advised of issues with data; noting especially that the presentation of the data was vitally important. It was reported that some hospitals advised that they needed help, as the volume of work required was substantial and they needed assistance to make this a feasible project. CC add that there was a lot of good will to support the work undertaken by PHIN.

**ACTION – To arrange a seminar session with the Board to understand exactly what data PHIN will be publishing and when.**

AVO advised that the comments on the quality of data had been picked up by the team and all feedback received from consultants would ensure that the quality of published data is good. NJM commented and members **agreed**, that it was the hospital’s responsibility to collect data from the consultants and submit it to PHIN. The hospitals needed to ensure that the quality of data was good and it was not PHIN’s responsibility to resource hospitals, to enable them to improve the data.

MJ reported that consultants were currently only checking volumes and activity, and no performance data was being published. Seminar sessions for consultants have currently been scheduled for November 2016 and January 2017. MJ advised that the data (especially NHS data) was not fit to produce the information that the CMA required and there needed to be a clear conversation about the expectation and delivery of the CMA order requirements.

Members **agreed** that there was a need to keep reinforcing the message that it was the hospitals' responsibility to ensure that they submit quality data and not PHIN's. Members also acknowledged that allowing consultants to check their data was a courtesy extended by PHIN and did not form part of the CMA order.

In response to a question regarding sanctions for hospitals who do not submit data to PHIN by 01 September 2016, MJ advised that the CMA has a three-part action; 1. Directive to comply, 2. force compliance and 3. prosecute for non-compliance. Meeting discussed whether the requirements of the Data Protection Act (DPA) would impact on consultant data being published.

AVO reminded members to refer to the PHIN Executive team for a briefing, prior to attending events and meetings, to ensure that members are giving informed and up to date responses.

MJ reported that website development was continuing, however, new website developers had been appointed and in-house skills and capability will continue to be developed. Members noted that an option to bring the development in-house, by employing a part time website designer, was being considered.

MJ reported that following a cordial meeting with the British Medical Association (BMA), the BMA had been invited to become members of PHIN (but not on the PHIN BOARD); a response from the BMA was awaited.

MJ also reported that letters had been sent to the HFEA following an initial meeting; the HFEA was totally supportive of the suggestions agreed with Board and will follow through with the CMA.

**ACTION - ND requested that the Board review the consultation already in place.**

MJ advised the meeting that the General Members meeting was scheduled for July 2016, where budget and finance/strategic issue would be addressed with members. The AGM was scheduled for November 2016.

#### **4. Finances**

MJ and JR presented the Finance update and responded to queries raised by members

- FB asked whether there a contingency plan if any legal challenges were to be brought against PHIN and MJ advised of possible solutions and reserves. Members noted that there is legal cover under the insurance policy.
- Members noted in advance that the Board will be asked to sign off the budget for the next financial year at the July meeting; the draft version was circulated with the papers for consideration by the Board members and to raise any questions. Members were requested to send any queries to JR.

## 5. Matters arising for discussion

- Readiness reporting

*Romy St Clair (RSC) was invited to join the meeting at this point.*

MJ introduced the Readiness Report, advising that it represented a measureable progress towards compliance, based on responses received to a short questionnaire.

JF summarised the position of readiness, for Founder members, in time for 01 September 2016. Meeting noted that from a cohort of 200 organisations, of which 143 have positively engaged with PHIN (talking about their set up and how they will deliver the data), seven organisations have sent back subscription agreements and technical process guidance to enable data submission was being given. In response to a question from NMJ, it was confirmed that the smaller organisations were the ones who had not engaged with PHIN.

RSC presented the paper and advised the Board of the actions completed to date. RSC had met with nine of the twelve organisations and summarised the data and engagement information for the Board.

Members were invited to ask questions and comment on the report. Board commented on the disappointing level of readiness across the founder members and further discussed how this information can be used to accelerate progress towards compliance and any possible commercial sensitivities. Meeting noted that the information could be shared in the form of bench marking and RSC agreed to continue to further develop the information in the report.

*RSC left the meeting at this point.*

- **Potential for strategic co-operation with NHS Digital (HSCIC)**

MJ suggested that a conversation to align PHIN with HSCIC (now known as NHS Digital), in the future, could be initiated and asked the Board whether to proceed, respecting the sensitivities of Private Healthcare market. Board members **agreed** for discussions to commence with NHS Digital.

**ACTION – MJ to update at next Board meeting and continue to discuss development.**

## 6. Board sub-committees

- **Audit and Risk Committee Terms of Reference**

JS advised that the document had been amended following recommendations at the March 2016 meeting and members **approved** the document for adoption.

## 7. AOB

- Appointment of Deputy Chair

Jayne Scott was proposed as Deputy Chair of the PHIN Board and unanimously appointed.

- NW and NJM advised that they would be on leave in July and gave apologies for the Board meeting.
- No other AOB's items raised.

*The Executive team left the meeting to enable discussion of RemCom feedback.*

- **Update from the Remuneration Committee (RemCom)**
  - The chair of RemCom gave a verbal summary of their meeting and the matters discussed:
    - The committee recommended to the Board a modest increase in the Chief Executive's remuneration, noting that no changes had been applied since 2013.
    - RemCom noted that the Chief Executive had invited RemCom's comments on proposals for staffing, and remuneration of senior executives. RemCom had discussed and supported the Chief Executive's proposals.
  - The Board discussed and approved the recommendations from RemCom.

## **8. Dates for Future Meetings**

Thursday 28 July 10.30am-1pm

Thursday 29 September 10.30am-1pm

Thursday 24 November 10.30am-1pm; 1pm-4pm (AGM/Members' Meeting)