

Minutes of Board Meeting

PHIN PB 2008 Board Meeting held on 6th February 2020

Board Attendees*

Andrew Vallance-Owen (Chair) [AVO]
Professor Sir Cyril Chantler [CC]
David Hare [DH]
Matt James (CEO) [MJ]
Natalie-Jane Macdonald [NJM]
Gerard Panting [GP]
Jayne Scott [JS]
Professor Sir Norman Williams [NW]

Apologies

Don Grocott [DG]
Michael Hutchings (MH)
Jonathan Finney, Member Services Director [JF]
Jon Fistein, Chief Medical Officer [JLF]

Other Attendees

Jack Griffin, Finance and Commercial Director [JG]
David Minton, Chief Technology Officer [DMI]
Mona Shah, Director of People & Process (Company Secretary) [MS]
Nicola Slade, Executive Assistant, (Minutes) [NS]

**Note, for the purpose of these minutes, Board members will be referred to as Attendees.*

AVO welcomed Attendees to the meeting.

Apologies were noted from DG, MH, JF and JLF.

1. Review and consideration of the Directors' Register of Interests

Attendees noted that all declarations of interests as recorded to date in the register, still applied.

DH declared his involvement in the development of CISS.

2. Approval of Minutes and Actions

- a. Minutes of the Board Meeting held on 5 November were approved.**
- b. The Actions List** was reviewed during the meeting and all items updated.
- c. AGM December 2019 Formal Minutes** were noted.
- d. Members' Meeting December 2019** were noted. The Attendees thanked MS for an excellent set of minutes, from what was a fractious meeting.

3. Reports of sub-committee

a. Minutes of the Audit and Risk Committee held on 15 January verbal update.

JS advised on the main items discussed at the ARC meeting, which were the Risk Register and the Income Policy, both on the agenda for today.

4. Matters Arising

a. PHIN Executive Report

The report was taken as read and MJ raised key points from the report for the Board to discuss:

First six months

- Period to consolidate and fix core data, website products and systems.
- To improve the usability and service level of the portal as it migrates onto a new technology platform
- Updating the coding system to OPCS4.9
- Introducing the Friends and Family Test in line with NHS standards, with which most private hospitals align.

There are some big tasks to complete, all staff are on board and getting on with the full programme of works. Then PHIN will look to move ahead with additional projects.

Patient satisfaction

- The current approach had been decided in 2012, when five patient measures were chosen, a sixth was added in 2013 and have not been altered since
- PHIN would like to develop a solution to measure patient satisfaction in the future
- Private hospitals do ask patients for feedback; while all providers ask a similar set of questions, it would be better to make the process more uniformed across providers/suppliers/data gatherers.

Registry data collection

- NHS Digital is working on a new database approach which has been mandated by the Secretary of State. Patients will have the right to opt out from this process.

General points

- GIRFT: continuing discussions about combining processes and working together
- Exploring the options of working with other organisations, to encourage and build different platforms together, which would add value and build key relationships
- PROMS: hugely important for the safety and efficacy across healthcare and to be built into the Strategic Review.

Human Resources and Governance

- The middle manager training and development programme is developing very well, the team are enjoying the modules and are already using the skills learnt in day to day operations
- No issues to report, either on health and wellbeing or mental health.
- The Data Protection Officer (DPO) had left in January and the DPO Centre has been appointed to cover this role. The lead was Ben Seretny, who had hit the ground running

- The DPO Centre's review of PHINs compliance had taken place and a 'Good' recommendation had been awarded. There were 28 recommendations to take forward, with 14 items prioritised
- The ISO reaccreditation is due on 17 February.

b. Paterson Inquiry Report discussion

AVO introduced this item, stating that, while the Paterson report was extremely powerful, he felt that some of the recommendations did not go far enough. The report was over 350 pages, it was very difficult to digest, with huge sympathy for individual patients and their families. Overall a devastating report at every layer of the private healthcare system. Patients had been failed by Trusts, the GMC, the CQC, and PMIs, the report effectively demonstrated a whole system failure. Practical suggestions as to how the private healthcare system is regulated were made and should be instituted to ensure that this never happens again. It is hoped that the Government will take note of the issues raised and implement the recommendations.

There is only one organisation that records private healthcare statistics, which is PHIN. There are currently over 1700 surgeons in the system and whose data is publicly reported, although the engagement of consultants to sign off data needs to be improved.

There is a huge opportunity for both the NHS and the private healthcare sector to respond and improve data collection for patient safety. The Responsible Officer role will become even more vital to the whole process and should look to enforce legislation around whole practice appraisal for revalidation when the situation requires.

Attendees agreed that this was the time to drive forward, either by banding together with other organisations or taking a stand alone, as an agitator for change.

c. December 2019 AGM review discussion – verbal update

AVO summarised the AGM, mentioning the critical points raised by Justin Ash of Spire Healthcare. Attendees complimented MJ on his handling of the situation and making the point that the only agenda PHIN had was to ensure patients received good information to enable them to make informed choices about the care they opt to undertake.

Attendees thought that engagement with providers was key in taking forward the CMA mandate effectively, to confirm the integrity of PHINs processes and to build relationships and to keep moving forward. Better data on quality and outcome would make better media stories and over a period of time would add value to the private healthcare system.

Attendees agreed to think further about the next steps and what PHIN could do to engage providers in taking the current momentum forward.

d. Legal advice – verbal update

MJ informed the Attendees that PHIN had received good helpful legal advice on the FIPO challenges around the publication of data. While there is risk that published data could be challenged, steps can be taken to mitigate the risk and if good practice can be clearly identified in processes and procedures. PHIN would be able to demonstrate good practice, if challenged.

e. PHIN Membership

Attendees **approved** the proposal to invite the Federation of Specialist Surgical Associations (FSSA) to become a Member.

There was a wider discussion to consider whether any other organisations should be invited. Organisations mentioned included:

- Healix, a corporate healthcare trusts provider
- Royal Colleges

There would be further consideration off-line and report back at a future meeting.

5. Finance

a. Management Accounts and Finance overview to December 2019

JG reported that revenue had been billed at £276k against a budget of £284k and expenditure was £15k under budget in December 2019. Year to date revenue is £44k behind budget.

Debtors: the long-term debt positions at the end of December had stabilised and is broadly in line with the levels of the previous few months. Debt greater than 90 days now stands at £159k.

Transform Hospital Group (THFC Limited) went into administration in 2018/19 owing £22k, which we are unlikely to recover.

Reserves: our reserves currently provide a 5.8-month operating expenses cover against a target of 6.0 months.

b. Income Policy

Attendees noted that the ARC had approved the Income Policy at the meeting held on 15 January. JS added that the policy would codify the governance framework of our current system and would continue to be reviewed with more strategic work taking place. The Board confirmed its approval of the policy.

c. Gifts & Hospitality Policy & Register

Attendees noted that the ARC had approved the Gifts & Hospitality Policy & Register at the meeting held on 15 January and confirmed approval.

6. Governance

a. Risk Management Overview

MS provided an update on the Risk Register and advised that a quarterly Strategic Risk meeting was now established to facilitate the identification of strategic level risks, alongside the operational risks. JS added that the Risk Management process was working well, and ARC considered this a sign of the maturity of the system and the hard work that had been completed to establish risk within the organisation. Meeting noted that a quarterly strategic risk meeting had also been established.

DH left the meeting

7. AOB

a. IHPN

JG provided an update on the CISS tender process to date. Monmouth Partners have been engaged to support the bid development and the project has been broken down into two phases: Phase 1, Pre-Qualification Questionnaire; and Phase 2, Full bid response. PHINs response to Phase 1, is nearly complete. Next steps include, finalising and submitting the shortlisting response; review the draft requirements following the Paterson Report; and once the invitation to Tender is issued, decide bid strategy and respond.

The Attendees thanked JG for the update.

b. Strategy Meetings

MJ updated Attendees on the Strategy Review process for the remainder of 2020, in preparation for the Strategy session taking place after the Board meeting. The proposed timeline is:

- March to July: engagement with Members, discuss details and forward plan, in preparation for the July Member meeting
- July: introduce draft Strategy to Members
- July to September: continue to develop draft Strategy
- September Board Away day: confirm Strategy
- December: Present final Strategy at the AGM

As well as the afternoon session planned for today, it was proposed to take part of each Board meeting during 2020, to update attendees and discuss the draft proposals.

8. Dates of next meetings

The final list of Board meeting dates for 2020 would be circulated by email to all.

ACTION: NS/MS to circulate the final meeting dates for 2020.

PHIN Board meeting dates for 2020

Thursday 12th March 10.30am to 1 pm

Thursday 21st May 10:30am to 1pm

Thursday 30th July 10.30am to 1pm, followed by Informal Members meeting to 4pm

Tuesday 1st September 2pm to 5pm, followed by Board dinner at 7pm

Wednesday 2nd September, Board Away Day from 9am to 4pm

Thursday 12th November 10:30am to 1pm

Wednesday 10th December 2020: AGM and Lunch 12pm to 3pm