

## Minutes of the Board Meeting

Location: Online meeting via Microsoft Teams

**Chair: Andrew Vallance-Owen**

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### PHIN PB 2029 Board Meeting held on 1<sup>st</sup> September 2020

#### Board Attendees\*

Andrew Vallance-Owen (Chair) [AVO]  
Professor Sir Cyril Chantler [CC]  
Don Grocott [DG]  
Michael Hutchings (MH)  
Matt James (CEO) [MJ]  
Gerard Panting [GP]  
Jayne Scott [JS]  
Professor Sir Norman Williams [NW]  
David Hare [DH]

#### Apologies

Jonathan Finney, Member Services Director [JF]

#### Other Attendees

Jon Fistein, Chief Medical Officer [JLF]  
Jack Griffin, Finance and Commercial Director [JG]  
David Minton, Chief Technology Officer [DMI]  
Mona Shah, Director of People & Process (Company Secretary) [MS] (Minutes)

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

#### Welcome and introductions (Chair)

AVO welcomed Attendees to the virtual meeting.

##### 1. Review & Consideration of the Directors' Register of Interests

Attendees noted that all declarations of interests as recorded to date in the register still applied. There were no new declarations.

##### 2. Approval of Minutes and Actions

- a. The minutes of the virtual Board Meeting held on 30<sup>th</sup> July 2020 were approved, subject to minor corrections.

### 3. Matters Arising

#### a. *NED Appointments update*

AVO advised that he had been speaking to Fiona Harris (Chair of the Association of British Insurers Health Committee) and both parties had put forward names of possible representatives for the PHIN Board. Attendees noted that a final decision had not been reached to date. AVO added that he would keep the Board updated.

### 4. PHIN Executive Report

AVO invited MJ to present updates as it had been agreed that a formal Executive report would not be submitted for this meeting. MJ advised the Board that a number of people had been on leave for the summer break and although a summary strategy consultation paper had been prepared, it had not been widely shared. MJ continued that by the end of September, the “Consolidate & Fix” (C&F) programme would probably have come to an end and PHIN would be moving into a continuous improvement stage, following publication of new measures this week.

MJ invited each Member of the Executive team to provide updates verbally.

JLF informed the Board that “Never Events” would be published tomorrow, a set of data sheets and a new measure will appear in the ribbon on the website, at site level. It was hoped that a set of datasheets would also be available for “volumes” and “Length of Stay”, at site level, in addition to the details on the website. This would expose a number of different ways to interpret “volumes” and “Length of Stay” data. MJ asked whether NHS volumes would be added in due course and JLF confirmed that the first release will only be for private practice and we will be working to publish whole practice data in the near future. JLF continued that by December 2020, as an example, the HES data would be published alongside privately funded activity for “Activity” and the different aspects would be kept separate and not accumulated. In response to a question, JLF confirmed that data would be published by consultant and not just site level. Attendees **agreed** with this approach and discussed further.

JLF Added that work on collection of PROMs data will start in October, a project with London School of Economics (LSE), as previously discussed. Finally, useful conversations relating to alignment had also taken place since the last Board meeting with GIRFT, NCIP and ADAPT.

JS commented that the Audit & Risk Committee (ARC) had reviewed in detail the risk of published information being incorrect and, as the C&F programme was coming to an end, asked JLF to explain how he felt the overall risk profile had changed. Attendees noted that enormous steps had been taken to not be opaque or wrong and the team was confident that through communal work within the organisation, there was a greater understanding of what level of detail was needed and the steps required from the point that data comes into PHIN, to publishing it on the website. JS added this was a really positive progress update.

DM informed the Board that all had been quiet on the Technology front. On the infrastructure side, PHIN was possibly pursuing a new firewall provider, following issues experienced with the current provider, as reported earlier in the year. Two candidates were being considered, one being the current provider; a decision will be made by the end of September. Software development would be moving from the  $\beta$ -Data Acquisition feature data set to full production (Version 1) in September. This would allow Providers to submit all their data set, apart from PROMS, to PHIN by a much improved alternative method. PROMS will follow at some point by the end of the year. The Technology team had also been focused on supporting the “volumes” and “Length of Stay” measure work to enable publication and the related datasheets, including “Never Events”. Attendees noted that PHIN had experienced a couple of outages but they were minor and lasted less than a couple of minutes. MJ added that the Data Acquisition work was a very important step for PHIN.



In JF's absence MJ asked MS to update the Board on the Engagement team activity as provided the JF. The team had been focused on publication of Never Events, including maximising data collection, ensuring information was in the portal to review, preparing for the measure on the website and communications relating to the launch. The website refresh project was progressing with the new UX and designs almost completed. The consultant team was preparing to recommence engagement comms in September, starting with a joint letter agreed with the CMA to prompt measures verification and fees submission. A number of papers were being worked on, relating to specific issues around consultants, including package price submission, opt-out instead of opt-in, insured pricing and options for a consultant advisory forum. The team continued to provide support for the strategy engagement work and meetings with stakeholders. Finally, the next meeting with the CMA was scheduled for 7<sup>th</sup> September and the first virtual members Implementation Forum (IF) was scheduled for the 8<sup>th</sup> September.

MS continued to provide an update for HR and Governance and advised the Board that a number of the team had been on leave since the last meeting. Contact was being maintained on a one on one basis as Aleksandra Gould, Office Manager, had kept in regular contact with the team. The new starters who joined at the end of July and early August had all settled into their roles and were working well in their teams. In terms of returning to the office, there may be a need to consider next steps if any of the team members needed to work from the office, however, the main concern amongst the team remained the use of public transport. Attendees noted that the King's Fund had set up their building to comply with government guidelines and MS advised that strict rules around "Track & Trace", for anyone visiting the building, remained in place and PHIN was complying with these requirements.

MS updated the Board on governance matters and Attendees noted that the ISO 27001 Surveillance visit on 10<sup>th</sup> August had gone well, with no non-conformities identified and only a couple of opportunities for improvement had been raised. The Auditor was very positive about PHIN's active approach to business change and how it had adapted to virtual working, ensuring that information security and data protection remained a priority by providing continuous training via Ben Seretny (DPO) and Dharshika Ariyadasa (Information Security & Services Manager). Attendees also noted that the DSPT Toolkit submission was undergoing final checks and would be submitted in the next few days, although the submission deadline had been extended to the end of September.

The Board noted that currently PHIN's offices would remain closed and that decisions would need to be made by the Exec team, as to when the offices could be safely opened for *ad hoc* use by the team from October, should they wish to do so. In response to a query about holding future meetings in the office and when this could restart, Attendees noted that currently this would not be possible for various reasons including the current office configuration, problems with internet access, etc. Board commented that other organisations were able to do this and asked what were the barriers for PHIN? MS added that consideration as to how the team could return to work were under constant review and being considered in three parts; the time to the end of September, from September to the New Year and finally longer term. MS advised that she had spoken to each member of the Exec about they would like their teams to work in the future and PHIN's position regarding its lease with the King's Fund. The underlying questions about how PHIN would maintain its culture, welcome and train new people to the team, the importance to shadow people and learn from others, ensure ongoing personal interaction between team members all needed to be thought through. Attendees further discussed the need for face to face Board meetings and commented that a proposal for re-emergence to some level of normality would be useful. The Board discussed the option of holding a meeting outside of London, but within travelling distance, and **agreed** that this option would not work for all.

JS suggested that PHIN did not need to be in the vanguard to find solutions and as the business had been working well so far, PHIN had the luxury of seeing how other organisations found better IT solutions to support a mixed economy of remote and in person meetings. PHIN could wait and see what worked effectively elsewhere before making a decision. The Board needed to prioritise the staff's wellbeing and safety in terms of working from the office and then organisation of meetings could be reviewed. MJ added that the team was fine working from home and there will be a point when everyone will go back to the office, at which point a decision will be made to migrate everyone to the



office. It did not feel that that this time had arrived as yet; PHIN was not set up for 'mixed economy' meetings and could not make the investment into every team member's home infrastructure.

The Chair added that taking into consideration the main concern about the resurgence of Covid-19 and given that the flu season was starting, the risk of increased infections needed to be kept under review. The Chair suggested that planning for a possible face to face meeting for the November Board should be considered and Attendees **agreed**. Noted that the Attendees may need to dedicate a whole day to this meeting, and the start time may need to be reviewed.

**ACTION MS to research the possible option to hold a face to face Board meeting in November.**

## 5. Finance

### a. *Finance Report, Management Accounts and Reserves – Sept YTD*

JG updated the Board that the Year-End Audit was due to start on the 14<sup>th</sup> September and the ledgers remained open to close the current financial year. The report was taken as read and Board noted that both the cash and debt positions remained stable.

### b. *PHIN Sector Activity Overview*

JG presented the key points from the report, following questions presented by Attendees relating to recovery from the impact of Covid-19 on the sector. JG thanked the Informatics and Engagement teams for providing the information on which the report was based. Attendees noted that the recovery to date had been used to extrapolate the scenarios presented and the impact on PHIN's subscription fees for the 2021/22. JG continued that a more detailed discussion will take place at the next Audit & Risk Committee and engagement with the members will need to commence to ensure that an equitable approach is taken in the next financial year.

Board further discussed the NHS contracts with the private Providers and noted that the contracts must end at the end of December 2020, apart from the named London-centric Providers whose contracts would be ending in September. Attendees questioned the impact on PHIN's income, should the private patient activity be reduced due to Covid-19? It was noted that the CMA guarantees the funding of our reasonable costs, so that our cost base is divided over the volume of admitted private patient records submitted to PHIN for the preceding calendar year. Whilst there would undoubtedly be a drop in the 2020 activity numbers, the formula prescribed by the CMA Order does not change, therefore PHIN's cost base will just be divided over a smaller activity number to create an increased subscription fee per record.

## 6. Conflicts of Interest Policy

The Chair introduced the policy and advised that it was a formality to approve the policy and invited Attendees to put forward any revisions.

- JS commented that there were no other revisions but suggested that in Para 4, to list all the "Seven Nolan Principles" as only four had been listed.
- DG suggested that under Para 8.1 the person should be "required to step down" and not "asked to step down". **ACTION MS to check the Articles of Association to check and confirm**
- MH suggested (Para 6.1.4,) that conflicts should not be restricted to other commercial organisations but should also include Government bodies and NGOs.

**ACTION MS to revise the policy and submit to October Board for approval**

**7. AOB**

None raised

**PHIN Board meeting dates for 2020**

Monday 12<sup>th</sup> October 10.30am to 1pm, Virtual meeting

Thursday 12<sup>th</sup> November 10:30am to 1pm, Virtual meeting

Wednesday 10<sup>th</sup> December 2020: AGM and Lunch 12pm to 3pm

Signature ..... Date .....

Name .....

