

Action against Medical Accidents

Minutes of the board meeting

held on **Tuesday 19 March 2024** at 13:00

at Outer Temple Chambers, 222 Strand, London WC2R 1BA

Present Mike Andersson (MA), Caroline Browne (CB) (Senior Independent Director), Janine Collier (JCo), Jocelyn Cornwell (JC) (Chair), Carol Jones (CJ) (via Teams), Amrat Khorana (AK) (via Teams), Bill Kilvington (BK), Farrah Pradhan (FP) (associate trustee), Michele Salter (MS) (Treasurer)

In attendance Nathan Bacon (NB) (Internal Operations Manager), Lisa O'Dwyer (LOD) (Director Medico-legal Services), Nicky Rushden (NR) (Finance Manager), Paul Whiteing (PWh) (CEO), Rachel Wright (minutes)

1. Apologies of absence

The chair welcomed everyone to the meeting and thanked Outer Temple Chambers for its generous hospitality. There were no apologies of absence.

2. Declarations of interest

There were no declarations of interest.

The chair announced the resignation of Jane Hawdon; the board was sorry to lose her. Trustees had met to consider Dr Hawdon's letter of resignation and concluded there were no issues to address. Trustees and staff would discuss the timings of future board meetings. It was also agreed that recruitment of new trustees would begin in Autumn 2024 preceded by a board skills audit.

3. Minutes of previous board meeting, 5 December 2023

The chair presented the minutes of the previous board meeting for approval whereupon they were unanimously approved as a true and accurate record of the meeting.

Matters arising: On a trustee's recommendation, the CEO would approach overarching bodies, such as the Academy of Medical Royal Colleges, regarding consulting on AvMA's strategy. MA would make further suggestions to the CEO. The remit of the chairs-of-committees' working group remained under review, reported the CEO.

Most actions on the schedule of board meeting actions had been closed or updated.

C0145: MA to suggest to PWh overarching bodies to approach regarding consulting on AvMA's strategy. This is in addition to those organisations suggested by BK.

4. CEO report

The CEO's report to trustees had been circulated with the meeting's papers. Regarding PHSO, he thought AvMA should put some money behind this work – it tied in with the charity's strategic priority 2, he said.

Reporting back on his recent conversation with the chair of Action Planning, he said the advice was to rethink how AvMA saw itself: it was not a small charity; it needed to think bigger. Action Planning's final report will recommend investing in marketing then fundraising, in that order, as a priority. In response to trustee questions, the CEO said Action Planning were confident AvMA could get close to generating enough income to meet its budget deficit.

The CEO was congratulated on managing a hefty workload over the last quarter.

5. Strategy 2024/29

Version nine of AvMA's five-year strategy 2024/29 had been circulated with the meeting's papers.

The CEO summarised the background to the strategy and invited feedback excluding minor editorial points, which trustees would email him separately. Page-by-page recommendations, to be actioned by PWh, were as follows:

Foreward: Paragraph 2 to be more concise; the phrase "patient safety incidents stubbornly high" (paragraph 3) to be rephrased to make it broader; paragraph 6 to include how AvMA would handle any subsequent litigation that might follow.

Page 5: "Oldest" to read "only" (paragraph 1); "many" to be replaced with a ballpark figure, from the last 5-10 years if that was the data most readily available (paragraph 2).

Page 11: "Overhauled" (deemed too unrealistic a word) to be replaced with "improved" or "reviewed" or "reformed". The blog accompanying the publication of the strategy would equate AvMA's success factors with its ambitions.

Pages 10 & 11: The statements "Recommendations from healthcare investigations and inquiries will be actioned to provide for greater understanding of how things go wrong and improve patient safety" (page 10) and "Healthcare providers investigation processes are designed to provide learning, answers and accountability for actions taken by the provider and their staff" (page 11) would be recast to emphasise that success would be measured by action being taken following recommendations and by health organisations reporting that action, e.g., "Action will be taken following recommendations from healthcare investigations and inquiries to provide for greater understanding of how things go wrong and improve patient safety."

Page 12: The brackets in bullet point 2 to be removed; bullet point 3 to be reframed more positively, highlighting the benefit for health organisations' reputations as well as the benefit for patients. The enhancement of organisational reputation by transparency and taking ownership of mistakes could be a separate bullet point, one trustee said. A more positive rephrasing of "to eliminate compound harm" was also recommended.

The board approved the five-year strategy subject to the changes discussed.

The final strategy document would be designed in-house and published at the same time as the Annual Review Impact statement, reported the CEO before thanking trustees for their much-valued input into the strategy. He flagged the strategy's implementation would result in a collection of projects that might require upskilling of some staff in project management or bringing in staff with project-management experience. The CEO would seek funding from relevant organisations to build capability in this area. He had already approached another organisation with a project management department

to see what resources they might be able to offer. The learning from the Implicit project would also be useful, a trustee said.

A manifesto setting out what AvMA would want the incoming Government to do following the upcoming general election was under consideration, reported the CEO.

C0146: Trustees to email strategy-document editorial changes to PWh.

C0147: PWh to make changes to the strategy document as discussed.

C0148: PWh to consider funding for bringing in project-management expertise.

6. Budget 2024/25

The proposed budget for 2024/25 had been circulated with the meeting's papers.

The baseline position was income did not cover expenditure with a shortfall of £286,000; however, this was well under the original projected deficit of £500,000, reported the treasurer. Reserves were healthy, but she cautioned against exceeding the controlled deficit of £286,000, adding that reserves should not be allocated for day-to-day running costs but rather for pump priming activities to deliver on strategic priorities.

NR explained why AvMA would not have expected to have seen a balanced budget at this juncture. She ran through the budget's headlines and key changes since the previous year. Operating deficit, £245,000; capital expenditure, £87,000; investment income, £46,000. An overall call on reserves of £286,000.

In response to a question about how much non-budgeted-for spend would be needed for extending the CRM for financial purposes, the chair of the IT and digital working group said a separate business case would need to be put forward, possibly to be paid from reserves.

In response to a trustee question, the CEO would talk to Ed Maycock to see what could be done to increase conference profits.

The board approved the budget as presented.

The chair emphasised the importance of moving towards balanced budgets. NR and the trustees said the rigour and challenge MS had brought to her new role as treasurer had been very helpful.

C0149: PWh to discuss with E. Maycock how to possibly increase conference event profits.

7. Staff cost-of-living increase 2024/25

The CEO summarised his proposal to award staff a 4% cost-of-living pay increase. His proposal had been circulated with the meeting's papers.

After a discussion that considered the pros and cons of raising the uplift further, the board approved an annual living cost increase of 4%, which reflected CPI as of December 2023, to take effect from 1st April 2024.

Staff pensions/benefits in the round would be reviewed later in the year.

C0150: PWh to review staff pensions/benefits in the round in late 2024.

7a. HR consultancy review

There was a discussion that was deemed confidential.

8. Revised delegation framework

A copy of the revised delegation framework had been circulated with the meeting's papers.

Committee terms of reference (TORs) It was agreed that: i) the income generation working group would review its TORs at its next meeting; ii) all committee TORs would be reviewed annually; iii) the quality and outcomes committee's (QOC) TORs would record its commitment to meet at least quarterly; iii) consideration would be given to how committees fed into each other and whether this might be incorporated into TORs for the chairs-of-committees' working group; iv) the finance and investment committee would only budget for IT expenditure if this had been discussed by the IT and digital working group first; and v) consistent terminology would be used in TORs.

Board terms of reference Point 7.1 of "Matters reserved for the board" would refer to quality assurance. It was noted that the board, not QOC, was responsible for oversight of conferences, events, etc.

The revised delegation framework was approved by the board. The committees' terms of reference were approved subject to the changes discussed.

CO151: PWh to: i) correct QOC's TORs to read "The committee will meet at least quarterly"; ii) make reference to quality assurance in point 7.1 of "Matters reserved for the board"; iii) consider how committees feed into each other and whether to incorporate this into TORs for the chairs-of-committees' working group; iv) revise FIC's TORs to make clear that IT expenditure had to have been discussed with the IT and digital working group before being budgeted for; and v) check consistency of terminology in QOC's TORs.

9. Policies

The revised conflict of interest policy was approved by the board as was the gifts, hospitality and entertainment policy. The revised safeguarding policy was also approved subject to: i) Croydon's Children Safeguarding Board being listed as a safeguarding organisation with which AvMA worked (page 5, point 9); ii) acknowledgement that abuse took place online (page 3); and iii) the policy making clear it applied to vulnerable members of staff as well as clients.

The CEO thanked BK, AK and FP for their help with reviewing these policies. BK was approved as lead trustee for safeguarding. All board members would undertake an online safeguarding course for trustees. Trustees flagged confidential records in relation to the safeguarding policy had to be stored in a DPA compliant way; a retention policy was needed, they said. Changes to QOC's TORs relating to safeguarding concerns were approved.

The chair congratulated and thanked the CEO and the trustees who had worked on these policies.

CO152: Trustees to undertake trustee safeguarding course (online).

CO153: PWh to establish a retention policy/ensure DPA compliance in relation confidential safeguarding records.

CO154: PWh to revise the safeguarding policy by referencing Croydon's Children Safeguarding Board on page 5 (point 9), adding online abuse to the list on page 3; and making clear that the policy applied to vulnerable members of staff as well as clients.

10. Risk register review

The board approved the updated risk register.

Trustees noted that item 7 in the Implicit report, i.e., all projects must be included on the risk register, had not been actioned. It was agreed that a full list of projects should be kept alongside the register.

11. Finance and investment committee report

Draft minutes of the meeting on 20th February 2024, the Management Account report and the latest management accounts had been circulated with the meeting's papers for information. There were no questions.

12. Quality and outcome committee report

Draft minutes of the meeting on 22nd February 2024 had been circulated with the meeting's papers for information. The CEO reported having had a helpful discussion with the harmed patient care pathway group about the lack of project discipline and the associated issues/risks; he would take a project timeline to the next QOC meeting.

C0155: PWh to take a timeline for the harmed patient care pathway project to the next QOC meeting.

13. IT and digital strategy working group (IT&DWG) report

Draft notes of a meeting on 21st February 2024 had been circulated with the meeting's papers for information. There were no questions.

14. Managers' departmental reports

In response to a trustee question about the seemingly high level of staff sickness, NB said the 16.5 days reported were largely due to seasonal illness and similar to the previous year's figure: there were no real trends.

Trustees were pleased with the highly positive tone of the staff survey results. No clear pattern to the (few) negative comments had been identified; they were isolated. Furthermore, there were no examples on which to act. The CEO would explain to staff how safety concerns could be raised when he emailed them the safeguarding policy. The chair suggested sending staff a "You Said; We Did" style response to the survey results.

15. Other papers for reference

There were no questions.

16. AOB

At the chair's invitation, trustees shared their reflections on the meeting, commenting that the agenda had been balanced and sufficient time had been given to each item.

One trustee reported positively on a recently attended webinar about trustee responsibilities.

There being no other business to discuss, the meeting ended at 17:00.

17. Date of next board meeting

Tuesday 25th June 2024.