

LOTHIAN NHS BOARD

Minutes of the meeting of Lothian NHS Board held at 9.30am on Wednesday 08 February 2023 in the Carrington Room, Inverleith Building, Western General Hospital, Edinburgh EH4 2LF.

Present:

Non-Executive Board Members: Mr J. Connaghan (Chair); Mr P. Murray (Vice-Chair); Cllr S. Akhtar; Mr P. Allenby; Prof. S. Chandran; Mr M. Connor; Mr A. Fleming; Ms E. Gordon; Mr G. Gordon; Cllr S. Jenkinson; Ms K. Kasper; Mr P. Knight; Ms T. A. Miller; Mr A. McCann; Mr B. McQueen; Cllr D. Milligan and Ms V. de Souza.

Executive Board Members: Mr C. Campbell (Chief Executive); Miss T. Gillies (Executive Medical Director); Mr C. Marriott (Director of Finance); Ms A. MacDonald (Executive Nurse Director) and Dr D. Milne (Director of Public Health and Health Policy).

In Attendance: Mr J. Crombie (Deputy Chief Executive); Mr C. Briggs (Director of Strategic Planning); Mrs J. Butler (Director of Human Resources and Organisational Development); Ms J. Campbell (Chief Officer, Acute Services); Ms M. Carr (Service Director DATCC, shadowing J. Campbell); Dr F. Ogilvie (Consultant in Public Health, shadowing D. Milne); Dr J. Long (Director of Primary Care); Ms T. McKigen (REAS Services Director); Ms M. Barrow (Chief Officer, Midlothian IJB); Ms F. Wilson (Chief Officer, East Lothian IJB); Ms A. White (Chief Officer, West Lothian IJB); Mr D. Thompson (Board Secretary) and Mr C. Graham (Secretariat Manager, minutes).

Apologies for absence: Ms N. Akta (Non-Executive Board Member); Cllr H. Cartmill (Non-Executive Board Member); Miss F. Ireland (Non-Executive Board Member); Ms J. Proctor (Chief Officer, Edinburgh IJB) and Ms J. Mackay (Director of Communications and Public Engagement).

76. Declaration of Interests

- 76.1 The Chair reminded members that they should declare any financial and non-financial interests they had in the items of business for consideration, identifying the relevant agenda item and the nature of their interest. No interests were declared.

77. Chair's Introductory Comments

- 77.1 The Chair welcomed members, attendees, and observers to the Board meeting.

ITEMS FOR APPROVAL OR NOTING

78. Items proposed for Approval or Noting without further discussion

- 78.1 The Chair reminded those present that the Board agenda was made up of two separate sections. The first was the section for approval commonly referred to as “the consent agenda”. The Chair reminded members that they had the opportunity to advise in advance if they wished any matter to be moved out of this section, for discussion. The Board noted that no such requests had been made.
- 78.2 Minutes of Previous Board Meeting held on 07 December 2022 – Minutes were approved
- 78.3 Healthcare Governance Committee Minutes – 29 November 2022 – Minutes were noted.
- 78.4 Finance and Resources Committee Minutes – 26 October 2022 – Minutes were noted.
- 78.5 Staff Governance Committee Minutes – 12 October 2022 – Minutes were noted.
- 78.6 Midlothian Integration Joint Board Minutes – 13 October 2022 – Minutes were noted.
- 78.7 West Lothian Integration Joint Board Minutes – 08 November 2022 – Minutes were noted.
- 78.8 East Lothian Integration Joint Board Minutes – 27 October 2022 – Minutes were noted.
- 78.9 Edinburgh Integration Joint Board Minutes – 18 October 2022 – Minutes were noted.
- 78.10 Appointments to Members of Committees and Integration Joint Boards – The Board agreed the recommendations in the paper:
- Note the reappointment of Martin Connor as a Non-Executive Member of the Board for a further two-year period, from 1 September 2023 to 31 August 2025.
 - Note the reappointment of Angus McCann as a Non-Executive Member of the Board for a further one-year period, from 1 September 2023 to 31 August 2024.
 - Approve a minor adjustment to the end of Angus McCann’s term as Lead Voting Member of the Edinburgh IJB, from 30 June to 26 June 2023.
 - Appoint Katharina Kasper as the Lead Voting Member of the Edinburgh Integration Joint Board with effect from 27 June 2023.
 - Appoint Andrew Fleming as a Voting Member of the Midlothian Integration Joint Board with immediate effect.
 - Appoint George Gordon as Chair of the Organ Donation Sub-Group with immediate effect.
 - Approve the removal of George Gordon from the Pharmacy Practices Committee with effect from 1 April 2023.

ITEMS FOR DISCUSSION

79. Board Chair's Report – February 2023

- 79.1 The Chair welcomed the re-appointments of Mr McCann and Mr Connor as outlined in the appointments paper.
- 79.2 The Chair again wished to note the significant contribution of all NHS Lothian staff throughout this challenging time, this included not just clinical colleagues but all support staff and volunteers within the healthcare system, without whom the system could not operate. The Employee Director echoed these sentiments.
- 79.3 The Chair confirmed that the final interviews for two new Non-Executive positions had now taken place and the decision from the Cabinet Secretary on the appointments was expected in due course. The continued excellent level of candidates being attracted to apply for board membership was noted.

80. Board Executive Team Report – February 2023

- 80.1 The Board noted the Board Executive Team report for February 2023. In response to questions from Board members, the following points were discussed and noted:
- 80.2 RIE Emergency Department Performance - Noted that the Chief Executive had recently met with the Cabinet Secretary, the focus of the meeting had been the improved performance of the RIE Emergency Department.
- 80.3 Modern Apprenticeships – The Board were encouraged to see recruitment focus on this area and that many apprentices move on to other career pathways and into the nursing pipeline.
- 80.4 Strategic Review of Analytics across NHS Lothian - The importance of the need for a cultural shift from leaders and managers (decision makers) across the system in how intelligence/data is used in strategic and operational processes, was recognised by the Board. The Deputy Chief Executive confirmed that a key element for the external team focus had been on identifying how data was being created and used by NHS Lothian. There would be further discussion by the Executive Leadership Team on the findings and recommendations of the review report.
- 80.5 Allocated Number Nurses Provided by SGHD to Universities for Nursing and Midwifery – The Board noted the small national increase for 2022/23 of 7%. This would leave NHS Lothian with a shortfall in the nursing workforce, at a time when there is a requirement to significantly grow our workforce to meet the current and future needs of the population and at a time when there are growing challenges in securing adequate workforce supply through traditional channels. The Executive Nurse Director and the Director for HR&OD outlined positive work around modern apprenticeships and the successful band 2-4 framework that NHS Lothian was using to help mitigate against the shortfall.

- 80.6 *Maternal and Infant Nutrition: UNICEF Accreditation* - The Board welcomed the anticipated UNICEF Baby Friendly accreditation for Maternity Services, expected by summer 2023. The excellent work over the past six months, led by the pan-Lothian Maternal and Infant Nutrition Service to support the maintenance of UNICEF Baby Friendly accreditation within Maternity Services and supporting the Neonatal Unit to achieve UNICEF Baby Friendly accreditation for the first time was recognised by the Board.
- 80.7 *Regional Planning* - The Board noted that a series of regional planning meetings had taken place in November and December to rethink how regional planning is undertaken in the South-East of Scotland. Work to outline fixed points in relation to principles and assumptions was ongoing, with the Director of Strategic Planning continuing to carry the role of Director of Regional Planning.
- 80.8 *Cost of Living Crisis* – The Board recognised the significant amount of reactive work undertaken in partnership with colleagues in public health, finance, partnership. The Director of HR&OD explained that this included access to income maximisation via welfare officers, financial wellbeing roadshows, curation of extensive information hosted on our external internet site to maximise accessibility and a communication plan. The Employee Director added that UNISON had established food pantries across most sites supported by the NHS Lothian Charity. The Board noted that there was also a positive impact coming through from the pay award and that NHS Lothian will review all activity and benchmark this against recommendations in “Public Health Scotland’s Population health impacts of the rising cost of living in Scotland A rapid health impact assessment.”

81. Opportunity for committee chairs of IJB leads to highlight material items for awareness

Finance and Resources Committee (F&RC)

- 81.1 The Board noted that recent F&RC meetings had involved discussion around the growing impact on NHS Lothian of NRAC Parity not being achieved and also concerns around the financial outlook and overall financial and care gap. The F&RC had also been pleased to receive the HSDU Initial Agreement and looked forward to receiving reports on progress in due course.

82. Director of Public Health Annual Report 2022

- 82.1 The Director of Public Health and Health Policy presented the 2022 Director of Public Health Annual Report for the Board’s approval.
- 82.2 The Board noted that this was the first Annual Report since 2011 and that the Director of Public Health has a responsibility to ensure that the needs of the population are considered regularly as part of local and national policy developments. The annual report informs this work by describing who our population are, what affects their health and what the evidence tells us that we should do to improve health outcomes.
- 82.3 The Report highlighted a decline in overall population health over the last ten years. The Covid-19 pandemic and the cost-of-living crisis having amplified these negative health trends with particularly deleterious impacts for the most vulnerable members of the Lothian population.

- 82.4 There was discussion around cancer presentation in areas of deprivation; delivery of healthcare to reflect population needs; ongoing work between Public Health and Acute around Did-Not-Attend reasons; embedding of local services; addressing perceived stigma around some services; conditions treatment and prevention in older people; early years intervention; employability and education attainment; move to prevent, promote and predict approach to diagnosis and treatment and targeting of specific interventions to justify more funding.
- 82.5 The Board recognised that it had been a long time since the previous Annual Report, and it was important to have good communication and visibility of this Report. There was also the need for effective engagement and involvement of Health and Social Care Partnerships, Community Care Partnerships, and other key stakeholders. There was a role for Integration Joint Boards and Public Health advisers to have greater active involvement.
- 82.6 The Director of Public Health and Health Policy confirmed that the Report would be shared with all partners and would be taken to all Integration Joint Boards, Local Authority Chief Executives, Council Leaders and other voluntary sector partners. Most partners were aware of the data and understood the current challenges but there needed to be conversations on where best to put collective effort whilst also holding each other to account.
- 82.7 The Board accepted significant assurance that the requirement for the Report had been fulfilled and agreed the recommendations within the paper:
- Noted that life expectancy in Lothian, similarly to the rest of Scotland, has stalled since 2013.
 - Noted that health inequalities have widened in recent years driven mostly by declining life expectancy within our most deprived communities.
 - Supported continued engagement across NHS Lothian with mitigation focusing on alleviating the immediate impact of the cost-of-living crisis as well as ongoing focus on anti-poverty work.
 - Supported for early years and child poverty work is particularly important to protect the most vulnerable members of our population.

83. Capital Prioritisation Process

- 83.1 The Director of Strategic Planning presented the report on restarting the capital prioritisation process for the healthcare components of the Lothian Health and Care System. The timescale for starting this process would be by the end of the financial year with the process being re-run at the end of month 6. The Scottish Government had requested a response with a list of priorities by December 2023. Progress reporting would be rehearsed through the Board's Strategy, Planning and Performance Committee initially before moving into the public domain.
- 83.2 The Director of Finance highlighted the synergy between this paper and the Director of Public Health's Annual Report. The Board recognised that there would be difficulties choices to be made ahead due to the reduction of capital availability.
- 83.3 There was discussion on the requirement for contingency planning around projects where capital may not be readily available, and the Director of Strategic Planning would be looking to unpack some of this discussion with Non-Executive Directors over the summer.

- 83.4 The Board accepted the recommendations within the paper:
- Noted the composition of the panel to oversee the prioritisation process.
 - Noted the process for prioritisation, and that this is restarting the prioritisation process used up to 2020.
 - Noted the refreshed criteria for this prioritisation and that this mirrors the Scottish Government's Capital Investment Manual (SCIM).
 - Noted the categorisation of projects process, and that this will be reviewed six-monthly in the first year and annually thereafter.
 - Noted the process for seeking Board agreement.

84. NHS Lothian Board Performance Paper

- 84.1 The Deputy Chief Executive introduced the Board Performance Report, inviting the Board to discuss and review the current performance position and key metrics relevant to the Lothian Performance Recovery Programme, National Standards and Remobilisation Plans.
- 84.2 The Board noted that the report followed the agreed details, indicators and trends and characterised the current system pressures being experienced. The Corporate Management Team systems pressures process remained ongoing with these being reviewed weekly by the Executive Team.
- 84.3 The Report also outlined workforce attendance and the focus on staff wellbeing and supporting staff. It also looked at vacancies and approaches to encourage different cohorts of the population to come in to work with NHS Lothian. It was important to note the different access points referenced in the performance pack and the additional services engagement with community pharmacies.
- 84.4 There was discussion on the continued challenge around flow, with hospital occupancy levels maintaining at well above 95%. There was a high level of delays within different areas of service that was driven by a variety of factors and constraints and the efforts being taken to mitigate some of this were noted.
- 84.5 There was also discussion on the opening of additional beds across system (acute and community); interim care beds; impacts on routine scheduled care; continuation of clinical prioritisation; cancer performance challenges nationally (noting that NHS Lothian was still providing support to NHS Tayside around oncology, breast and urology); delayed discharge figures pre and post Covid-19 and mental health performance (psychological therapies and CAMHS).
- 84.6 The Board noted the continued engagement with Scottish Government and the access team, with a resilient and comprehensive model of communication in place between Scottish Government and the Chief Officer for Acute Services team.
- 84.7 The continued improvement around outpatient performance was also noted by the Board. The current outpatient performance showed that more patients were being seen currently than historically and this was a new highest level for new outpatients as part of the outpatient modernisation programme.

- 84.8 In relation to Mental Health, the REAS Services Director gave an update on the Mental Health LD Programme Board which had been focussed on CAMHS and psychological therapies recovery but were now looking to the future. The Board noted the significant improvement work around mental health and also that decisions around de-escalation of the services would take place at the start of the financial year. The appointment of a Professor of Child and Adolescent Mental Health Psychology was welcomed by the Board.
- 84.9 There was further discussion on the improved use of analytics and evolution of metrics data used over the past year in performance reporting. It was recognised there were still gaps and the ambition was to address these. The use of trajectories was also important to assist Board scrutiny. The use of metrics and ambition had been discussed at the recent Strategy, Planning and Performance Committee (SPPC) meeting with it being part of the 2023/24 LDP construction. Scottish Government guidance was expected in April or May 2023. The Board acknowledged that clear performance reporting to the Board and SPPC was an important piece of the Board's oversight and assurance processes and agreed that metrics would be part of the performance focus for the next meeting.
- 84.10 The Board accepted the recommendations within the Performance Report, noted the metrics reported, recognised that further analysis and mitigation work would continue through governance channels, and that any specific pieces of work would be reported separately from the core performance report.
- 85. December 2022 Financial Position and Year 5 Financial Outlook Update**
- 85.1 The Director of Finance, provided an update to the Board on NHS Lothian's 22/23 financial position, year-end forecast, and the draft Financial Plan for 23/24.
- 85.2 The updated covered the greater clarity around the year end position; new medicines fund monies that had also been reported to the finance and resources committee; the year-end forecast and the aim to break even and the reduction of Covid-19 funding and associated Covid-19 workforce in the system.
- 85.3 The Director of Finance also highlighted the target delivery of efficiency savings at 3% for 2023/24 as part of the efficiency delivery scheme with in the 2023/23 Financial Outlook. There was also ongoing national work with Scottish Government to look at all opportunities for savings but there were no easy options. There was discussion on Covid-19 related additional workforce; medical, dental and nursing variance; drugs expenditure pressures and primary care prescribing.
- 85.4 The Board accepted the recommendations within the paper:
- Noted the current year-end forecast of a projected £14m overspend, with an expectation of additional funding recently confirmed by the Scottish Government to subsequently reduce this to circa £6m;
 - Noted that based on information available at this stage, NHS Lothian remains able to provide limited assurance on its ability to deliver a breakeven position in 2022/23, based on assumptions around additional funding.
 - Acknowledged that, NHS Lothian remains unable to provide assurance on its ability to deliver a balanced financial position over the next 5 years at this stage.

- Accepted that this position had been submitted to the Finance and Resources Committee for consideration.

86. Corporate Risk Register

- 86.1 The Medical Director introduced the report reviewing NHS Lothian's Corporate Risk Register (CRR). The Board noted that discussions had started around the linking of risk levels to performance assurances levels received at the Strategy, Planning and Performance Committee with the intention to build a cycle of risk for further discussion from the start of the next financial year. The Board also noted the improvements with the corporate risk register over the past couple of years which had been welcomed by the Audit and Risk committee.
- 86.2 The Board accepted the recommendations within the paper:
- Reviewed the approved Corporate Management Team (CMT) January 23 updates provided by the leads concerning risk mitigation, as set out in the assurance table in Appendix 1.
 - Noted that the CMT are not making any CRR recommendations to the Board.
 - Noted that the rationale for any materially worsening risks, will be set out in the CRR paper, which will be submitted to the Strategic Planning and Performance Committee (SPPC) prior to submission to the Board.
 - Noted that the revised Risk Management Policy and Procedure is being considered at the February Audit and Risk Committee prior to submission to the April Board for approval.

87. Any Other Business

- 87.1 No other items of competent business were identified.

88. Reflections on the Meeting

- 88.1 Board members were invited to contact the Chair or the relevant Executive Director if they had further questions on any of the areas presented to the Board.

89. 2023 Board Meeting Dates

- 89.1 The remaining Board meeting dates for 2023 were noted:
- 05 April 2023
 - 21 June 2023
 - 23 August 2023
 - 04 October 2023
 - 06 December 2023

Chair's Signature

Date

Prof. John Connaghan CBE
Chair – Lothian NHS Board