Minutes of a meeting of the Trust Board held in the Boardroom, Chichester House, North Devon District Hospital on Tuesday 26 March 2013

PRESENT: Mr Roger French Chairman  
(VOTING MEMBERS)  
Mrs Pauline Geen  Non-Executive Director  
Mrs Jac Kelly  Chief Executive  
Mr Nick Lewis  Non-Executive Director  
Ms Kate Lyons  Director of Operations  
Ms Jane Reynolds  Non-Executive Director  
Mr Andy Robinson  Director of Finance and Performance  
Mr Chris Snow  Non-Executive Director  

PRESENT:  
(NON-VOTING MEMBERS)  
Mr Tim Douglas-Riley  Associate Non-Executive Director  
Mr Andy Ibbs  Commercial Director  
Mr Iain Roy  Director of Facilities  

IN ATTENDANCE: Dr Juliet Cross  Head of Corporate Governance  
Geraldine Garnett-Frizelle  PA to Chairman  
Ms Keri Storey  Assistant Director, Health & Social Care

ACTION

The Chairman noted that there were two members of the public in attendance, as well as Trudie Brailey, Staffside Chair.

041/13 APOLOGIES

Apologies were received from Maureen Bignell, Director of Personnel and Development, Alison Diamond, Medical Director and Carolyn Mills, Director of Nursing.

042/13 REGISTER OF INTERESTS

The Chairman advised that the Register of Interests was a public document and was available for anyone to see at any time in the PA to the Chairman’s Office. There were no changes to the Register to be noted.

043/13 MINUTES OF THE MEETING HELD ON 26 FEBRUARY 2013

The minutes of the meeting held on Tuesday, 26 February 2013, numbers 021/13 to 040/13 were considered and one amendment was requested to Item 030/13 Clinical Operations and Key Quality Indicators Performance Report – January 2013. The Board was advised that under Section 2 Further Key Performance Indicators, the third bullet point should be amended to replace “The Trust” with “The Clinical Commissioning Group” to read:

- The Clinical Commissioning Group will be re-launching the Urgent Care Forum and enabling specific workstreams i.e. Resilience. This will involve partners in a more structured and planned way.

Subject to this amendment, the minutes were APPROVED.
044/13  MATTERS ARISING

The Board reviewed the Action Grid attached to the minutes that had been updated with the latest information.

**Action 1 – 058/12 – Chief Executive’s Announcements**
The Board was advised that it had been agreed to defer this action to November 2013 as ComPAS is still not ready to take to the market. However, work is underway on its further development and links have been made with the Academic Health Science Network to explore how the commercial opportunities might be realised.

Action ongoing.

**Action 2 – 123/12 – Business Continuity Strategy**
The Board was advised that the Strategy is ready but unfortunately had not been forwarded for presentation to this meeting. A Board Briefing will be arranged in April. The Strategy will be presented to the next meeting of the Trust Board for sign off.

Action ongoing.

**Action 3 – 207/12 – Winter Resilience**
The Board was advised that a Flash Report had been circulated to Board members on new Strategic Health Authority guidelines regarding “Black” Status and the requirement to report to STEIS.

Action complete.

**Action 4 – 004/13 – Minutes of the Meeting held on 27 November 2012**
The Board was advised that the revised wording for Item 220/12 Patient Story had been received and the minutes amended as requested.

Action complete.

**Action 5 – 024/13 – Minutes of the Meeting held on 22 January 2013**
The Board was advised that no update was available for this action relating to Item 008/13 Patient Story – update on feedback from clinicians, and it was deferred to the next meeting.

Action ongoing.

**Action 6 – 030/13 – Clinical Operations and Key Quality Indicators Report January 2013**
The Board was advised that a Trust Action Plan of mortality rates was on the Agenda for discussion.

Action complete.

The Board was advised that due to an anomaly relating to the budget setting module, it had not been possible to present the Workforce Monitoring Report to this meeting. However, this is being addressed and the report will be circulated to Board members and any comments should be returned to Andy Robinson, Director
of Finance and Performance and Maureen Bignell, Director of Personnel and Development.

Action ongoing.

**Action 8 – 034/13 – Organisational Development Strategy**

The Board was advised that the revised Organisational Development Strategy would be presented to the next meeting.

Action ongoing.

**Action 9 – 035/13 – Equality and Diversity Board Update**

The Board was advised that the revised Action Plan refocusing on the Equality and Diversity arrangements in the Trust would be presented to the next meeting.

Action ongoing.

In addition, the Board noted that a Non-Executive Director had been nominated to champion the Equality and Diversity work on behalf of the Board.

Action complete.

The role of the Strategic Workforce Development Committee has been discussed at the Executive Directors Group and proposals will be presented to the next Board meeting.

Action ongoing.

The Board **NOTED** the Action Grid.

### 045/13 CHAIRMAN'S ANNOUNCEMENTS

The Chairman reported on the following:

**Board Briefing - Tuesday 19 March 2013**

The Chairman advised that a Board Briefing had been held on Tuesday 19 March 2013. The session included:

- A review of the current position and outcomes of the discussions we have been having with the Commissioners around commissioner convergence.
- A review of the Board's meeting dates. It is proposed that the Board meets formally six times a year (May, July, September, November, January and March). This will be when the Board meetings are open to the public. Board Planning and Development Days will be held on the alternative months.

The Board **APPROVED** the move to six formal meetings a year.

**Meeting with Dr Stephen Dunn**

The Chairman further advised that he and the Chief Executive had met with Dr Stephen Dunn, Delivery and Development Director South for the NHS Trust Development Authority to discuss, amongst other issues, the Trust's progress towards Foundation Trust status. This will become a regular meeting in future.
Meeting with James Brent
The Chairman had met with James Brent, Chair of the Royal Devon and Exeter NHS Foundation Trust, as part of an ad-hoc arrangement between the two Chairmen to meet and discuss issues relating to the broader health economy across the peninsula.

046/13 CHIEF EXECUTIVE’S ANNOUNCEMENTS

The Chief Executive reported on the following:

National Institute for Health Research Collaboration for Leadership in Applied Research and Care in the South West Peninsula
National Institute for Health Research Collaboration for Leadership in Applied Research and Care in the South West Peninsula is preparing to submit a bid to secure National Institute for Health Research funding to continue the collaboration for a further five years from January 2014 and the Board has been asked, as a local partner of Collaboration for Leadership in Applied Research and Care in the South West Peninsula, to submit a formal letter of support. The Board AGREED to the submission of a formal letter of support.

Board Decision Following Publication of South West Pay Consortium Papers
As agreed at the last Board meeting, a sub-group of the Board was asked to convene a formal meeting to consider the publication of the reports of the South West Pay, Terms and Conditions Consortium.

The sub-group comprised:

Voting members of the Board – Roger French (Chairman), Pauline Geen (Non-Executive Director), Jac Kelly (Chief Executive) and Andy Robinson (Director of Finance and Performance).

Others – Maureen Bignell (Director of Personnel and Development) and Katherine Allen (Head of Communications).

Terms of Reference
The Terms of Reference of the sub-group were to consider whether continued membership of the Consortium was on balance in the best interest of the Trust, its patients and staff.

The Group debated the challenge of delivering the Trust’s five year Continuous Improvement Programme, authorisation as a Foundation Trust, and the Quality, Innovation, Productivity and Prevention challenge facing the healthcare system in Devon. Board members recognised the significant contribution to the successful delivery of services locally from staff who go the extra mile when needed.

The Group debated and acknowledged the influence the Consortium has made on national negotiations. Members welcomed the agreements reached on changes to national terms and conditions and the ongoing negotiation on potential changes to medical pay. There was recognition that the benefits available locally must be optimised. The Group concluded that continued membership of the Pay Consortium was a distraction at a time when the Trust needs to focus on the transformational change required to deliver the five year integrated business plan. Members concluded that the Trust wished to enter into meaningful discussions with Staffside to explore the existing flexibilities available locally.
Several constructive sessions had been held with the Partnership Forum. Contact has been made with union full time officers to establish their commitment to working with the Trust going forward. A press release was prepared, together with a “Staff Express” and issued on 1 March 2013.

The Chairman invited Trudie Brailey, Staffside Chair, to respond and she congratulated the Board on their decision and reiterated that Staffside were happy to engage with the Trust on exploring existing opportunities.

The Board RATIFIED the decision of the Board sub-group to leave the South West Pay Consortium.

047/13 PATIENT STORY

Kate Lyons, Director of Operations, presented the Patient Story.

The Board was advised that:

- The Board had noted that feedback presented was often negative and had requested a positive experience be shared.
- This patient story took the form of a letter to the Chief Executive from a member of staff who had recently been an inpatient at North Devon District Hospital.
- The feedback was extremely positive about their whole experience.

The Board RECEIVED the patient story.

048/13 QUALITY ASSURANCE COMMITTEE

Chris Snow, Chair of the Quality Assurance Committee and Non-Executive Director, gave a verbal report of the Quality Assurance Committee meeting held on 12 March 2013.

The Board was advised that the key issues discussed were:

- Liverpool Care Pathway – The Committee received a clinical hotspot presentation proposing the conversion of the Trust to Version 12, the most recent national version, of the Liverpool Care Pathway for the Dying Patient.
- Clinical Audit and Effectiveness Group – the Committee had received a presentation on the Clinical Audit and Effectiveness Programme. In addition, the Committee had discussed the structure of the Group which is still in flux and therefore the Committee agreed it only had partial assurance.
- Dr Foster Report – the Committee had received a briefing paper on the content and issues arising from the Dr Foster Hospital Guide 2012.
- Francis Report – the Committee was informed that the Trust had previously undertaken a Trustwide review / risk assessment against the recommendations from the initial Francis Inquiry and has completed any actions required. Following Government consideration of the recommendations, the Trust will undertake a further risk assessment and develop an action plan to address any further areas where action is required.
- Fractured Neck of Femur – the Committee was advised that Joint Registry had contacted the Medical Director regarding a high mortality rate for post-operative deaths. She advised that she was undertaking a similar piece of work looking at patient records as she had done for Chronic Obstructive Pulmonary Disease patients and a report would be presented to the Committee.
The Board **NOTED** the verbal report of the Quality Assurance Committee meeting held on 12 March 2013.

**049/13 CLINICAL OPERATIONS AND KEY QUALITY INDICATORS PERFORMANCE REPORT – FEBRUARY 2013**

Kate Lyons, Director of Operations, presented the Clinical Operations and Key Quality Indicators Performance Report – February 2013.

The Board was advised that:

**Section 1 Monitor Governance Risk Assessment Indicators**
- Third Parties Assessment – Green i.e. Zero.
- Key Performance Indicators = Green i.e. Zero
- The Trust remains RAG rated as Green.

**Section 2 Further Key Performance Indicators**
- There had been no deterioration in the position relating to delayed transfer of care.
- Mixed Sex Accommodation – there were nine breaches on MAU due to admission pressures. A decision was taken that it was safer and in patients’ best interests to move them onto a ward rather than have them remain on a trolley in Accident and Emergency, even though this would mean a breach.
- A&E Type 1 Maximum Waiting Time of 4 Hours – There has been increased pressure from Emergency Admissions during the period in line with general pattern over the last five years – an increase of 21% since 2008. The Board asked for information on what were the drivers for the increase and was advised that a number of factors were relevant:
  - An ageing population with more complex needs;
  - Lack of the appropriate level of investment in community services to avoid admissions; and
  - Elderly patients being seen by GPs on home visits late in the day and then being admitted because it is not possible to put other services in place at that time of day. The situation is exacerbated by the fact that all GPs schedule their home visits for later in the day which can contribute to a flurry of admissions during the late afternoon and early evening.

The Board was advised however that work had been done to look at the patients being admitted and overall patients are not being admitted unnecessarily.

The Chief Executive advised that the Kings Fund had undertaken a review of Urgent and Emergency Care for NHS South of England in which there is an analysis of the increase in emergency admissions which shows all the factors that can impact. The Board **REQUESTED** that this be circulated as a Flash Report.

The Board queried that the benchmarking figures used were set in 2008-09 and were advised that there is some pressure to change the benchmark but the argument against this is that most health economies have benefitted from this benchmarking.

The Board **NOTED** the Clinical Operations and Key Quality Indicators Performance Report – February 2013.
050/13  FINANCE REPORT FEBRUARY 2013


The Board was advised that the key issues were:

- The overall Financial Risk Rating for the Trust remains 3.
- There is a retained deficit of £1,286k with no variance from the financial plan.
- There is an increase in the retained surplus target by £4k, against a total of £2,188k, to ensure the 1% retained surplus is achieved.
- There continues to be improvement in 85+ days aged debtors with a £468k decrease in-month.
- The Better Payment Code >95% target continues to be met.
- Following a tidying up process reconciling the ledger report into the Continuous Improvement Programme, the cumulative positions showed an adverse variance of £200k.

The Board NOTED the current financial position of £1,286k cumulative deficit at the end of February showing no variance from the phased financial plan.

051/13  AUDIT AND ASSURANCE COMMITTEE

Jane Reynolds, Chair of the Audit and Assurance Committee and Non-Executive Director, presented the minutes of the meeting of the Audit and Assurance Committee held on 12 February 2013 and advised that a verbal report of the key issues had been presented at the February Trust Board meeting.

The Board RECEIVED the minutes of the Audit and Assurance Committee meeting held on 12 February 2013.

052/13  QUALITY ASSURANCE COMMITTEE COMPLIANCE REPORT 2012-13

Chris Snow, Non-Executive Director and Chair of the Committee, presented the Quality Assurance Committee Compliance Report for 2012-13.

The Board was advised that the key issues were:

- The process for ensuring assurance from the specialist sub-groups and other specialist groups will be strengthened in 2013-14.
- A development session is planned for later in the year with the specialist advisors.
- The Committee had agreed that the Maternity Services Patient Safety Forum should submit minutes, annual Committee Compliance Report and Terms of Reference on a routine basis to ensure oversight by a sub-committee of the Trust Board.
- The Committee had had an external assessment by KPMG as part of the Board Assurance process.

The Board RECEIVED the Quality Assurance Committee Compliance Report for 2012-13.
053/13 QUALITY ASSURANCE COMMITTEE TERMS OF REFERENCE

Chris Snow, Non-Executive Director and Chair of the Committee, presented the annual review of the Quality Assurance Committee Terms of Reference.

The Board was advised that:

- Membership has been reviewed and:
  - Two Consultant Surgeons are joint members as part of the core membership.
  - The Associate Medical Director is a full member of the core membership.
  - The Assistant Director of Nursing has been added to the Specialist Advisers membership.
  - The Clinical Audit Manager has been added to the Specialist Advisers membership.
- The Maternity Services Patient Safety Forum has been added to the Committee sub-groups.

The Board RATIFIED the Quality Assurance Committee Terms of Reference.

054/13 CHARITABLE FUNDS COMMITTEE COMPLIANCE REPORT 2012-13

Juliet Cross, Head of Corporate Governance, presented the Charitable Funds Committee Compliance Report for 2012-13.

The Board was advised that:

- The Committee had approved:
  - The Charitable Funds Annual Accounts 2011-12
  - The Charitable Funds Annual Report 2011-12
  - The Fundraising Strategy
  - The Fundraising Policy
- The Committee had received:
  - Progress reports on the Chemotherapy Appeal
  - Reports on the transfer of charitable funds from NHS Devon for Eastern Community Hospitals and Services
  - Reports on the transfer of charitable funds to Devon Partnership Trust charitable funds
  - Guidance on the regulation and governance of NHS Charities.

The Board RECEIVED the Charitable Funds Committee Compliance Report 2012-13.

055/13 CHARITABLE FUNDS COMMITTEE TERMS OF REFERENCE

Juliet Cross, Head of Corporate Governance, presented the annual review of the Charitable Funds Committee Terms of Reference.

The Board was advised that:

- There is currently a Non-Executive Director vacancy on the Committee following the resignation of Amelia Tucker-Jones. Roger French is currently covering this vacancy on the Committee.

The Committee RATIFIED the Charitable Funds Committee Terms of Reference.
056/13 SOUTH WEST PAY CONSORTIUM

Jac Kelly, Chief Executive, advised that she had already covered this item under Chief Executive’s Announcements, item 046/13.

057/13 EMERGING ISSUES

The Chairman asked if there were any emerging issues members of the Board wished to raise.

Payroll Transfer
The Director of Finance and Performance advised that the transfer of staff in the eastern area to the northern payroll system had taken place in February and it had been a smooth transition. The transition had brought to light a small number of staff in the eastern area whose inland revenue details were not up to date and this was being rectified.

Charitable Funds – Eastern
Jane Reynolds, Non-Executive Director, advised the Board that the transfer of Charitable Funds held in the eastern area had been scheduled to take place on 8 March. However, following consideration it was agreed to postpone the transfer until the end of the financial year, thereby circumventing the necessity to prepare a set of accounts for year end covering a period of approximately 8 days.

Dispatches – European Working Time Directive
Nick Lewis, Non-Executive Director, informed the Board of a recent Dispatches television programme which had focussed on Junior Doctors working beyond the hours as detailed in the European Working Time Directive and queried whether there were any similar issues facing Junior Doctors working at the Trust. The Board was advised that medical staffing rotas are monitored carefully by the medical staffing team and the Deanery and there are no instances of Junior Doctors working beyond the hours described in the European Working Time Directive.

The Chief Executive advised that she would circulate feedback from the most recent Deanery visit to members of the Board for information.

Healthcare Hero Awards
The Home Nursing Team at Seaton, comprising Helen Wellstead, Caroline Shuttleworth, Eliz Livingstone and Caitlin Bodington, have been announced as the winners of the Trust’s Healthcare Hero Award after receiving the most nominations from members of the public. The Award is an opportunity for the public to vote for any member of the Trust who they felt had gone beyond the call of duty and made an impact on their lives. The Board agreed that the Chairman should write to each of the four members of staff offering the Board’s congratulations.

National Care Integration Awards
The Chief Executive informed the Board that the Stroke Care Team had been shortlisted for the National Care Integration Awards which are run jointly through the Health Service Journal and the Nursing Times. The Stroke Care Team have been nominated for their work in supporting early discharge and the VISTA project.

The Chief Executive provided an update on the plans to enhance the Stroke Service when it is moved to a single site. The acute stroke service will be moved into the Caroline Thorpe Ward at North Devon District Hospital to expand the capacity of the
stroke service. The whole system approach for stroke care is fully supported by clinicians.

**Quality Index Rating**
The Chief Executive reported that the Trust had been rated amongst the best in the country, ranked 11th out of 146, based on what matters most to patients. The report was the first ever overall assessment of NHS hospital quality in England. The Quality Index rates Trusts on ten different indicators based on what patients said was most important to them. The report found that of the ten indicators, patient experience and waiting times mattered most to the public.

**Hydrate for Health**
The Chief Executive reported that the Trust has been selected to take part in a national pilot project, Hydrate for Health, aimed at improving hydration of patients through easy-to-use drinking equipment. Hydrate for Health, a Department of Health supported organisation, plans to run 50 pilot projects over two years and will measure effectiveness via patient feedback and a review of various performance data such as length of stay, numbers of falls and incidence of pressure ulcers. The Trust's project will involve four inpatient wards for a period of three months starting on 1 April 2013.

**Vascular Services**
The Chief Executive informed the Board that she had had a very good meeting with local commissioners to discuss the centralisation of vascular services at Taunton. There will be a review of the impact on the Trust.

**Patient Safety Walkround**
The Chairman advised that he and the Director of Finance and Performance had participated in a Patient Safety Walkround of Alex Ward on Monday 25 March and had been very impressed with the quality of care he had witnessed.

**058/13 QUESTIONS FROM MEMBERS OF THE PUBLIC AND REPRESENTATIVES**
A member of the public advised that he had a number of questions for consideration by the Board and would submit them in a written form for response.

**Healthwatch and Devon Senior Voice**
The Board was advised that Healthwatch who have replaced Devon LINk will be working with Devon Senior Voice and would be very willing to volunteer for PLACE inspections or handing out surveys.

**059/13 DATE OF NEXT MEETING**
The next meeting of the Trust Board will take place at 10:00 am on Tuesday 28 May 2013 in the Chichester Boardroom.

**060/13 EXCLUSION OF PRESS / PUBLIC**
It was formally **MOVED** by Jane Reynolds, **SECONDED** by Nick Lewis and unanimously **RESOLVED** that under the provision of Section 1, sub-section 2, of the Public Bodies (Admission to Meetings) Act 1960, that the public be excluded from the confidential section of the meeting on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.
061/13 CLOSE OF MEETING

There being no further business, the open meeting closed at 11.00 am.
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</table>
| 058/12 – Chief Executive’s Announcements | 1 | ComPAS – The Director of Finance and Performance to bring a formal proposal re: marketing the ComPAS software back to the Board once a marketing partner has been appointed. | AI | Nov 13 | Apr 12 – A proposal for marketing of ComPAS software will be reported to Board once a marketing partner has been appointed.  
July 12 – Ongoing. Contact has been made with NHS South West to look at the best way forward.  
Aug 12 – Andy Ibbs to update the September Board meeting on tendering for a partner for marketing the ComPAS software.  
Sept 12 – Deferred to January 2013.  
Nov 12 – Deferred to January 2013.  
Jan 13 – Deferred to May 2013.  
Feb 13 – Deferred to May 2013.  
Mar 13 – Board advised that this item deferred as still not ready to take to the market, however work underway on its further development and links made with AHSN to explore how the commercial opportunities might be realised. | Ongoing |
<p>| 123/12 – | 2 | Update to be | KL | 27.11.12 | Jul 12 – Update | Ongoing |</p>
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<tbody>
<tr>
<td>Business Continuity Strategy</td>
<td>provided to the Board once the Business Continuity Policy has been finalised.</td>
<td></td>
<td>Mar 13</td>
<td>to be presented to September Board meeting.</td>
<td>Ongoing</td>
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**26 February 2013**

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<tr>
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<tr>
<td>024/13 – Minutes of the meeting held on 22 January 2013</td>
<td>Item 008/13 Patient Story – an update on the feedback from clinicians was requested.</td>
<td>AD</td>
<td>26.03.13</td>
<td>Mar 13 – Update deferred to next meeting.</td>
<td>Ongoing</td>
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<tr>
<td>031/13 – Workforce Monitoring Report – January 2013</td>
<td>Section 7 – Statutory and Mandatory Training Completion - A review of the training notes for Dementia and for the Mental Capacity Act to be undertaken to assess if the decrease in training figures are linked.</td>
<td>MB</td>
<td>26.03.13</td>
<td>Mar 13 – AR advised the Board that due to an anomaly in the budget setting module, it had not been possible to present the Workforce Monitoring Report this month. This will be circulated and comments should be sent to AR/MB.</td>
<td>Ongoing</td>
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<td></td>
<td>The comparison with other providers in terms of benchmarking is missing, and</td>
<td>MB</td>
<td>26.03.13</td>
<td>Mar 13 – As above</td>
<td>Ongoing</td>
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<tr>
<td>034/13</td>
<td>Revise the Organisational Development Strategy.</td>
<td>MB</td>
<td>26.03.13</td>
<td>Mar 13 – Item deferred to next meeting May 13 – On May Board Agenda.</td>
<td>Closed</td>
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<td>035/13</td>
<td>Revise the Action Plan to refocus the Equality and Diversity arrangements in the Trust.</td>
<td>MB</td>
<td>26.03.13</td>
<td>Mar 13 – Item deferred to next meeting Ongoing</td>
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<td></td>
<td>The role of the Strategic Workforce Development Committee to be revised to provide assurance that the Equality and Diversity programme is being delivered.</td>
<td>MB</td>
<td>26.03.13</td>
<td>Mar 13 – Discussion at Executive Directors group. Proposals to be presented on next Board meeting. May 13 – On May Board Agenda.</td>
<td>Closed</td>
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26 March 2013

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<tr>
<td>049/13</td>
<td>Kings Fund Review of Urgent and Emergency Care for NHS South of England to be circulated to the Board as a Flash Report.</td>
<td>JK</td>
<td>23.04.13</td>
<td></td>
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<td>057/13</td>
<td>Dispatches – European Working Time Directive. Feedback from the most recent Deanery visit to be circulated to the Board.</td>
<td>JK</td>
<td>23.04.13</td>
<td></td>
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<td>057/13</td>
<td>Healthcare Hero Awards. Chairman to write to the Seaton Home Nursing Team, winners of the award, offering the Board’s congratulations.</td>
<td>RF</td>
<td>23.04.13</td>
<td>May 13 – Action completed.</td>
<td>Closed</td>
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Chairman: ROGER FRENCH

Signature...........................................................................................................................................

Date..................................................................................................................................................