Preparing Governors for the:

Well Led Governance Review

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Objectives of today

To gain a shared understanding of:

• the context for the Well-led Governance Review
• the four domains of the Well-Led Framework
• key principles for the role of Governors within the framework
• how the Well-Led Governance Review will be managed
• the expected timescales
The context for the Well-Led Review

• In line with their Code of Governance and Risk Assessment Framework, Monitor expects NHS foundation trusts to carry out an external governance review every **three** years:
  – good governance is essential to address financial and operational challenges in uncertain future income, resources & new models of care
  – FT Boards are responsible to ensure governance remains fit for purpose
  – 1 in 4 FTs are subject to formal regulatory action - poor governance is a significant contributory factor

• CQC and Monitor regulatory regimes are aligned to make judgements on how ‘Well-Led’ NHS providers are, to support the system response to the Francis report

• **Well Led** – *that the leadership, management and governance of the organisation assures the delivery of high quality care for patients, supports learning and innovation and promotes an open and fair culture*
Diagram 1. How the ‘well-led framework for governance reviews’ fits together and the main areas for review

Key:
Board’s role =
Governance domains =
Key questions =

1. Does the board have a credible strategy to provide high quality, sustainable services to patients and is there a robust plan to deliver?

2. Is the board sufficiently aware of potential risks to the quality, sustainability and delivery of current and future services?

3. Does the board have the skills and capability to lead the organisation?

4. Does the board shape an open, transparent and quality-focused culture?

5. Does the board support continuous learning and development across the organisation?

6. Are there clear roles and accountabilities in relation to board governance (including quality governance)?

7. Are there clearly defined, well understood processes for escalating and resolving issues and managing performance?

8. Does the board actively engage patients, staff, governors and other key stakeholders on quality, operational and financial performance?

9. Is appropriate information on organisational and operational performance being analysed and challenged?

10. Is the board assured of the robustness of information?
Carrying out the review

- use the 10 high level questions across four domains to scope and guide the review
- additional areas in scope may result from internal/external audit findings or independent reviews (e.g. CQC, Report etc.)
- under each question the framework describes a body of outcomes and examples of good practice
- reviewers should be independent of the Trust’s Board
- recommended to carry out a self assessment for the Trust Board to reflect their own performance using the Well-led framework
- use the results of the self assessment to scope the external review
Possible activities undertaken by the independent review team

• desktop document review
• one to one interviews with Board and staff
• Board and stakeholder surveys
• focus groups with internal and external stakeholders including Council of Governors
• Board and Committee observations
• Board skills inventory
Engagement with Council of Governors

• possible Governor survey
• interview with Lead Governor
• focus group to seek your views on:
  – clarity of roles
  – effectiveness of the governance arrangements
  – extent of interaction with the Board
  – oversight of key information
  – extent to which you are able to enact your role
• Independent review team could present their findings to Council of Governors
The role of the Council of Governors - revision

- holding Non-executive Directors to Account
- representing the interests of Members and the public
- contributing to the Trust’s Strategic Plan
- communication with Members
- Discharging statutory powers and duties
- discharging other governance responsibilities
The role of the Council of Governors - revision

Holding the NEDS *individually* to account

- receive performance information for the Chair and NEDs – appraisal process
- observe contributions of the NEDs at Board meetings and meetings with the Council of Governors

Holding the NEDs *collectively* to account

- receive the monthly Board Quality and Performance Report and CQC judgements
- engage with the NEDs to share concerns – joint meetings with NEDs
- receive in-year information on performance against the goals of the Trust's forward plan
Director-governor interaction – areas of best practice to focus on

1. building strong relationships
2. shaping the optimal culture and mind set
3. defining processes and structures
4. supporting the delivery of statutory duties
5. developing as individuals and as a group
6. the future role of Governors

challenges : considerations: good practice
What are we doing?

A direct alignment with prioritising the future work plan for the Constitution Project Focus Group

– appraisal process for the Chair and Non-executive Directors
– principles of how Board and Council of Governors interact
– Governor (and NED) training and development programme – skills audit?
– Forward planner of Governor business cycle
How the Well-Led review will be managed

Similar process as project managing the CQC inspection:

- **October**: internal scoping of the project commenced and identification of project team; procurement of independent reviewers underway
- **Early November**: initial self assessment undertaken at Executive level; Confirmation of appointment of independent reviewer
- **Late November**: action planning to address identified gaps in current practice against the governance framework aligned with CQC report;
- **December**: Board Development Seminar to receive outcome of initial self assessment and evidence to support the executive assessment against the 10 questions
- **January**: Internal self assessment presented to Board for formal approval and also to CoG meeting; Commencement of 8 week independent Well-Led Governance review to review board self-assessment against available evidence
- **January/Early February**: Independent reviewer’s Focus Group session with Governors and 1:1 interview with Lead Governor
- **March**: Independent reviewer issues their report to Board and Monitor;
- **Ongoing**: Governance Improvement Action Plan and Board/Governor Development Plans developed to address any specific shortcomings identified in the recommendations.