

Council of Governors

SUMMARY REPORT

Meeting Date: 18 August 2021

Agenda Item: 11

Report Title:	Trust Chair Appraisal		
Author(s):	Sandie Keene, CBE, Senior Independent Director		
Accountable Director:	Sandie Keene, CBE, Senior Independent Director		
Other Meetings presented to or previously agreed at:	Committee/Group:	Nominations and Remuneration Committee	
	Date:	2 August 2021	
Key Points recommendations to or previously agreed at:			

Summary of key points in report

Recommendation for the Board/Committee to consider:

Consider for Action		Approval		Assurance	✓	Information	
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To assure the Council of Governors that the Chair's appraisal has been completed according to National Guidance and informed by stakeholder and Governor contribution.

Please identify which strategic priorities will be impacted by this report:

Covid-19 Getting through safely	Yes	✓	No	
CQC Getting Back to Good	Yes	✓	No	
Transformation – Changing things that will make a difference	Yes	✓	No	
Partnerships – working together to make a bigger impact	Yes	✓	No	

Is this report relevant to compliance with any key standards ? State specific standard

Care Quality Commission	Yes	✓	No		Good Governance
IG Governance Toolkit	Yes		No		

Have these areas been considered ? YES/NO					If Yes, what are the implications or the impact? If no, please explain why
Patient Safety and Experience	Yes		No	✓	Not required for this purpose.
Financial (revenue & capital)	Yes		No	✓	
OD/Workforce	Yes		No	✓	
Equality, Diversity & Inclusion	Yes		No	✓	
Legal	Yes		No	✓	

Section 1: Analysis and supporting detail

Background

- 1.1 NHS England and NHS Improvement established formal guidance concerning the process of Appraising Chairs of NHS Trusts in September 2019. The guidance identifies key competencies for Chairs and a process for inclusion of stakeholders in contributing to the process and discussion.
- 1.2 The guidance identifies that the appraisal is conducted by an 'appraisal facilitator' which is a role included in the Non-Executive 'Senior Independent Director' responsibilities. Sheffield Health and Social Care Trust has historically included the Lead Governor as part of the appraisal discussion and last year added a further Governor, fulfilled this year by the Deputy Lead Governor.
- 1.3 NHS England requires involvement from the Regional Director who has responsibility to determine whether any areas of competency should receive particular attention and to whom a copy of the appraisal documentation is sent. This year the Regional Director identified the need to explore leadership in the context of the Covid 19 pandemic and performance in relation to Freedom to Speak Up responsibilities in the Trust.
- 1.4 Mike Potts joined the Trust as Interim Chair in August 2020 for one year. He was appointed by NHS England (in consultation with the Trust) following the outcome of 'Inadequate' following a CQC Inspection. This resulted in the Trust being placed in Special Measures under the oversight regime of NHS England.

The Appraisal

- 1.5 In April 2021, Consultation took place with stakeholders using the documentation in the National Guidance. Requests for contribution were sent to Governors, Board Members and a range of External partners. 58 requests for contribution were sent out and 18 responses were received. The Chief Executive forwarded a bespoke submission.
- 1.6 The responses provided a good platform for the appraisal discussion which took place on 10 May 2021.
- 1.7 The process followed was consistent with national guidance and good practice, and a summary of the discussions was presented in the report to the Nominations and Remuneration Committee on 2 August 2021.

Section 2: Risks

- 2.1 The organisation has made considerable progress since the start of 2020/21. Stable and experienced leadership is key to sustaining this, so there would be risks associated with not undertaking an appropriate appraisal process.

Section 3: Assurance

Benchmarking

- 3.1 Supporting principles within the [NHS Foundation Trust Code of Governance](#), requirements of the [provider licence](#), and the [Health and Social Care Act 2008 \(Regulated Activities\) Regulations 2014 \(regulation 5\)](#) require that individual evaluation of directors needs to take place to demonstrate that they are 'fit and proper', continue to contribute effectively, continue to demonstrate commitment and have the relevant skills for the role.
- 3.2 In addition, the Trust received and followed the annual appraisal guidance issued to all Provider Trusts for 2020/2021.
- 3.3 Two key references were used: Framework for conducting annual appraisals of NHS provider chairs, April 2021: <https://www.england.nhs.uk/non-executive-opportunities/wp-content/uploads/sites/54/2021/03/Chair-Appraisal-Framework-April-2021-1.pdf> and The Role of the NHS Provider Chair: a framework for development, November 2019: <https://www.england.nhs.uk>

Section 4: Next Steps

- 4.1 In line with the new national framework for Chair appraisals, the complete appraisal documentation will be sent to Richard Barker, the Regional Director for NHS Improvement and NHS England.