

**MINUTES OF A MEETING OF THE MONITOR BOARD HELD ON WEDNESDAY
17 DECEMBER 2014 AT 10.00 AT WELLINGTON HOUSE, 133-155 WATERLOO
ROAD, LONDON SE1 8UG**

Present:

Joan Hanham, Chairman
David Bennett, Chief Executive
Stephen Hay, Managing Director of Provider Regulation
Heather Lawrence, Non Executive Director
Adrian Masters, Managing Director of Sector Development
Keith Palmer, Deputy Chairman, Non Executive Director
Sigurd Reinton, Non Executive Director

In attendance:

Miranda Carter, Executive Director of Provider Appraisal
Catherine Davies, Executive Director of Co-operation and Competition
Philippa Harding, Board Secretary
Steffan Jones, Project Director (Economics)
Toby Lambert, Director of Strategy and Policy
Ric Marshall, Director of Pricing
Hugo Mascie-Taylor, Medical Director (Executive Director of Patient and Clinical Engagement)
Sue Meeson, Executive Director of Strategic Communications
Kate Moore, Executive Director of Legal Services
Peter Sinden, Chief Information Officer

No members of the public were in attendance for part of the public session of the meeting.

Executive officers attended the meeting as detailed under specific agenda items below.

1. Welcome and apologies

1.1 Apologies for absence had been received from Iain Osborne (Non Executive Director), Helen Buckingham (Chief of Staff), Jason Dorsett (Finance, Reporting and Risk Director) and Fiona Knight (Executive Director of Organisational Transformation).

2. Declarations of interest

2.1 No interests were declared.

3. Minutes and matters arising from the meeting held on Wednesday 26 November 2014 (BM/14/136)

3.1 The minutes of the Board meeting held on 26 November 2014 were approved and the matters arising noted.

4. Provider Appraisal Update (BM/14/137)

4.1 The Board noted the report which provided information about significant developments with regard to the work being undertaken by Monitor's Provider Appraisal directorate since the last meeting of the Board.

4.2 Board members were informed of the deferral of the Provider Appraisal Executive's decision on whether St George's Healthcare NHS Trust should become an NHS foundation trust (NHSFT). The trust was considered to be well-led and the Care Quality Commission (CQC) had rated the quality of its services as good overall in April 2014. However, the decision on the authorisation of the trust had been deferred in order to enable the trust to finalise new borrowing arrangements that would enable it to reach the financial requirements of an NHSFT.

4.3 Consideration was given to possible work to be undertaken by Monitor with regard to proposed private finance initiatives and other transactions at a number of NHSFTs.

5. Pricing Update (BM/14/138)

5.1 The Board discussed the report which provided an update on the key issues being addressed by the Pricing team in the past month.

5.2 Board members considered the information provided with regard to the local modification applications and local variation submissions that had been received by Monitor. It was noted that a Board workshop had been arranged to take place in February 2015 on such issues. Board members requested further information about such cases in future update reports.

ACTION: RM

6. Executive Report (BM/14/139)

6.1 Board members considered the report which summarised key developments at Monitor since the Board meeting held on 26 November 2014.

6.2 It was noted that work was progressing with regard to establishing the governance oversight required across the key health care organisations to ensure that the actions needed to implement the NHS Five Year Forward View were being undertaken.

7. Report of the Audit and Risk Committee meeting on 24 November 2014 (BM/14/140)

7.1 The Board noted the report which provided information about the key issues considered by the Audit and Risk Committee at its meeting on 24 November 2014.

8. Questions and comments from the public (oral item)

8.1 There were no questions or comments.

9. Private session - resolution (oral item)

9.1 The Chair moved a resolution in order to move into private session to consider private items of business.

RESOLVED:

9.2 The Board resolved that representatives of the press and other members of the public should be excluded from the meeting, having regard to the confidential nature of the business to be transacted, publicity on which would be prejudicial to the public interest.

10. Chief Executive's update (oral item)

10.1 David Bennett provided an update on work by Monitor and NHS England on the NHS Five Year Forward View. It was noted that joint planning guidance for 2015/16 was due to be issued soon by Monitor, NHS England and the NHS Trust Development Authority (NHSTDA). This would be taking account of the context set by the NHS Five Year Forward View. Board members welcomed the fact that the planning of both health care providers and commissioners would be considered jointly.

10.2 Consideration was given to the question of whether and how investment in out of hospital care would lead to the possible reduction of accident and emergency (A&E) attendances. The need for operational performance improvement and effective oversight of emergency care was emphasised. Board members welcomed ongoing efforts to develop new models of care to ensure the future sustainability of health care provision.

10.3 David Bennett provided the Board with a briefing on the challenges facing health care providers with regard to A&E performance in particular.

11. Co-operation and Competition Update (BM/14/141(P))

11.1 Board members considered the report which provided information about significant developments with regard to the work of the Co-operation and Competition directorate since the meeting of the Board on 26 November 2014.

11.2 The question of when it was appropriate to take formal or informal action with regard to Monitor's competition function was discussed. It was noted that complainants could also have recourse to legal action under the public contract regulations without action being taken by Monitor.

12. Planning Assumptions (BM/14/142(P))

John Curnow (Project Director (Economics)) and Chris Mullin (Senior Economist) joined the meeting for the consideration of this item.

12.1 The Board considered the report which set out the approach taken to the development of the Planning Assumptions for providers from 2015/16 onwards. The intention was to publish these assumptions early in 2015. This would be separate from the Planning Guidance that was due to be published before the end of 2014 and would require year one plans for 2015/16, based on the figures set out in the s.118 consultation on the 2015/16 National Tariff.

12.2 Board members were content with the direction of travel set out in the report, noting that further work was required to determine appropriate assumptions after 2015/16.

RESOLVED:

12.3 The Board resolved to approve that the authority for determining the final content of the planning assumptions should be delegated to the Chief Executive, subject to comments made by Board members with regard to the impact of inflation and efficiency on the health care sector in future years.

13. Procurement of the new SIP analytical platform (BM/14/143(P))

Simon Martin (IM Programme Director) joined the meeting for the consideration of this item.

13.1 Peter Sinden introduced the report which provided the Board with an update on the delivery of the Strategic Information Programme (SIP) and requested approval for expenditure in relation to the purchase of an analytical platform system and associated licences.

RESOLVED:

13.2 The Board resolved to approve the proposed expenditure of £1.582m over three years with regard to the analytical platform system and associated licences

14. Any other business

14.1 No other business was raised.

Close