

**Minutes of the Public Meeting of the Council of Governors of the  
Royal United Hospitals Bath NHS Foundation Trust  
Thursday 8<sup>th</sup> June 2017  
RUH Boardroom, Oasis Centre, RUH**

**Present:**

Brian Stables, Chairman		
<b>Public Governors</b>	<b>Staff Governors</b>	<b>Stakeholder Governors</b>
Bill Aiken Amanda Buss Chris Callow Nick Houlton Anne Martin Mike Midgley Helen Rogers Jane Shaw Michael Welton	David Chodkiewicz Hassan El-Wakeel Shaun Lomax Julie Scriven	Julian Hughes Ian Orpen Vic Pritchard

**In attendance:**

Xavier Bell, Interim Board of Directors' Secretary  
 Victoria Downing-Burn, Deputy Director of Human Resources (*item 22 only*)  
 Joanna Hole, Senior Independent Director  
 Roxy Poultney, Membership & Governance Manager  
 James Scott, Chief Executive  
 Sarah Truelove, Deputy Chief Executive and Director of Finance (*item 23 only*)  
 Kris Jones, Deloitte (*item 8 only*)  
 Wil Bevan, Deloitte (*item 8 only*)

**CG/17/06/01 Chairman's Welcome and Apologies**

The Chairman welcomed Kris Jones and Wil Bevan from Deloitte to the meeting. He welcomed the Council of Governors new University representative, Professor Julian Hughes, Stakeholder Governor for the University of Bristol to his first meeting of the Council of Governors. Professor Julian Hughes introduced himself.

The Chairman noted that apologies had been received from:

<b>Public Governors</b>	<b>Staff Governors</b>	<b>Stakeholder Governors</b>	<b>Non-Executive Directors</b>
James Colquhoun Jan Taylor	Phill Lunt	Andrew Girdher	Jeremy Boss Moirra Brennan Jane Scadding Nigel Sullivan

**CG/17/06/02 Declarations of Interest in items on the agenda**

There were no declarations of interest noted.

**CG/17/06/03            Minutes of the Council of Governors Meeting held on 6 March 2017**

The minutes were approved and would be signed by the Chair as a true record of the meeting.

**CG/17/06/04            Action List and Matters Arising**

All action updates were agreed as presented, the following items were discussed:

**CG132** – The Membership and Governance Manager explained that although the Council of Governors had confirmed that they would recruit 3 members per month the response had been extremely poor with less than ten forms being received across the quarter. The Chairman requested that this item remain open until September.

**CG135** – this item could be closed as it would be discussed at item 24 with the Council of Governors annual priorities.

**CG/17/06/05            Chief Executive’s Update Report**

The Chief Executive presented the update report and highlighted:

- The Trust was placed in category two against the NHSI Single Oversight Framework (SOF). The Board of Directors were comfortable that the Trust was in the correct category for the overall governance rating.
- 4 hour performance continued to be the highest operational performance risk for the Trust and a detailed improvement plan had been developed, performance against this was reported monthly in a separate 4hour performance report.
- The 4 hour performance target would be changed to a composite indicator in order to monitor performance although this had been held up by purdah.
- The Trust was still experiencing high levels of DTOCs.
- The Trust was unaffected by the cyber security threat in May as a software patch had been applied to all systems a few months ago. Cyber Security was of the highest priority and remained fundamental for every system and service delivered at the Trust.
- A risk remained with some medical devices and workstations running Microsoft Windows XP (low risk). Plans were in place to mitigate the risk using ‘vulnerability protection’ or by replacing the devices with newer equipment running a secure operating system.
- In light of current threats, planning for Mass Casualty incidents was also underway. A Task & Finish group had been established to ensure that the Trust’s response to such an incident was robust. The Trust would be participating in a large, multi-agency Mass Casualty exercise in September 2017.

The Chief Executive asked whether the Council of Governors would like an update on research at the Trust. The Chairman stated that the Council of Governors had received an update recently but agreed to confirm with the Membership and Governance Manager when this update was presented.

**Action: Chairman & Membership & Governance Manager**

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Amanda Buss, Public Governor questioned that if the Trust could clear beds in a major incident scenario, why couldn't consistent FLOW be achieved. The Chief Executive stated that he asked the same question, but FLOW related to care in the community and connections with primary care. He added that he was hoping that the "Home First" initiative would make a difference to ensure patients were discharged safely and appropriately from hospital.

Helen Rogers, Public Governor questioned whether the Trust was working closely with other Trusts in the area regarding emergency incident planning. The Chief Executive confirmed that the Trust had been working with the Major Trauma Centre which was in Bristol.

Chris Callow, Public Governor stated that with regards to the 4 hour performance and ED care, the North Wiltshire Constituency meeting held in April received good feedback on this topic. He added that the Trust should be proud of the positive things we do. The Chief Executive stated that he hoped the new composite indicator reflected quality.

The Council of Governors noted the update.

**CG/17/06/06 Sustainability and Transformation Plan (STP) Update**

The Chief Executive provided a verbal update on the BaNES, Swindon and Wiltshire Sustainability and Transformation Plan and highlighted:

- Progress on the Sustainability and Transformation Plan had been quiet as a result of purdah.
- The future of STPs depended on the election results as the views on STPs were different depending on which party was elected.
- An additional workstream had been established to focus on mental health.
- Developments had been made with the Somerset STP
- The STP collaboration had made progress on the workstreams that had been established.

Amanda Buss, Public Governor questioned whether the STP would help to prevent unnecessary admissions like the one described in May's patient story to the Board of Directors. The Chief Executive stated that the STP was a coalition of the willing. He stated that the Home First Initiative was being piloted in Wiltshire which could help with situations like this but added that the RUH was seen as a place of safety.

Anne Martin, Public Governor stated that when she heard the patient story at the Board meeting she felt as though carers should have contingency plans in place in the case of an emergency. The Chief Executive stated that there was an element of choice which influenced the ability to discharge and highlighted that the place where progress was being made in terms of Accountable Care Organisations was Wiltshire.

Mike Welton, Public Governor stated that he attended a Mental Health Forum yesterday at which one hospital had established a nursing home on site. He questioned whether the Trust had considered this. The Chief Executive stated that the Trust used

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Cheselden Ward for elderly patients who were ready to be discharged to a nursing home and added that the more steps that were put into the discharge process, the more complicated it was to discharge patients.

Cllr Vic Pritchard stated that the Council was looking into this measure within the community but confirmed that it was financially restricted to do more.

The Council of Governors noted the update.

**CG/17/06/07 Annual NHS Improvement Declaration – Annual Governor Training**

The Chairman presented the report and highlighted:

- NHS Improvement required NHS Foundation Trusts to make a number of returns and declarations over the course of the financial year. NHS Improvement required the Board of Directors to confirm the statement within the report by 30 June 2017.
- A summary of the governor training opportunities provided by the Trust in 2016/17 was attached at appendix 1.
- The Board of Directors would consider the above statement at its meeting on 28<sup>th</sup> June 2017. Before confirming the statement, members of the Board of Directors need to have regard to the views of Governors.

The Chairman asked the Governors if there were any additional training requirements for 2017/18. The Council of Governors did not identify any additional training requirements for inclusion in the 2017/18 Governor training programme.

The Council of Governors:

1. Noted the attached summary of Governor Training Opportunities provided by the Trust during 2016/17 (appendix 1)
2. Confirmed that the Trust had fulfilled its duty to provide training for governors to equip them with the skills and knowledge they needed in order to undertake their role.

**CG/17/06/08 Report to Governors on the Quality Report 2016/17**

The Chairman welcomed Kris Jones and Wil Bevan, Deloitte, to the meeting who provided a verbal update to the Council of Governors on the Quality Report 2016/17 and highlighted:

- Deloitte had audited the Trust’s Quality Accounts and indicators for year-end 2017 and confirmed that the testing did not reveal many areas for improvement and they were content with the accuracy. The following areas were highlighted for improvement
  - The Trust reported performance levels on 18 week RTT at 90.4% which fell below the target of 92%. The testing identified 3 findings. These were clock start/stop, validity testing and 18 week incomplete lists.

- The Trust performance for 4 hour wait was reported at 83.3% which was below the target of 95%. The start and stop of the clock could be address with the new ED system being implemented in November.
- The Local Indicator selected by Governors focused on the Trusts performance for two week cancer waits which was 94.1% (above the target of 93%). The were no material issues found.
- The recommendations for each area would be followed up with the relevant managers.
- The overall conclusion was that the Quality Accounts had been prepared in accordance with the requirements and the consistency was in line with the review of documentation from other providers.
- A clean audit opinion had been issued.

The Chairman stated that the Annual Report and Accounts would now be laid before Parliament before being released into the public domain at the AGM. He added that Deloitte would return to CoG in September to present the Annual Audit Letter.

James Scott, Chief Executive questioned how many samples the audit team looked at regarding start/stop times in ED. The Partners, Deloitte confirmed that they analysed 30 records out of 80,000 patients (two of which were outliers). The Chief Executive stated that the two samples were clearly human error and added the Board was not concerned with the findings.

Mike Midgley, Public Governor stated that two errors within a sample of 30 seemed quite high. The Partners, Deloitte, confirmed that they initially profiled the data to see if the sample was balanced, he added that two samples looked inaccurate so were analysed, but the rest of the data was good. The Chief Executive stated that the Trust would be implementing the recommendations, but the Board was not concerned by the isolated incidents.

The Chairman thanked Kris Jones and Wil Bevan, Deloitte for the presentation. The Council of Governors noted the update.

**CG/17/06/09                      Governors Election 2017**

The Chairman presented the report and highlighted:

- The 2017 elections process would begin in July 2017 with a likely nomination and voting period running from early August to mid-October 2017.
- The aim was to elect three Staff Governors and six Public Governors across six constituencies.
- All Governors whose term of office expired on the 31<sup>st</sup> October 2017 would be eligible to stand for re-election if they wished.

The Council of Governors noted the update.

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**CG/17/06/10 Staff Governor Feedback**

Dave Chodkiewicz, Staff Governor presented the report on behalf of all Staff Governors. He highlighted that the concerns raised regarding the RNHRD hydrotherapy pool had now been resolved.

The Council of Governors noted the feedback from the Staff Governors.

**CG/17/06/11 Public Governor Feedback**

The Chairman stated that the report provided the Council of Governors with an overview of the feedback received from public members and the general public during the past 3 months. He apologised for the postponement of the Governor Constituency meetings scheduled for May as a result of purdah.

He asked the Council of Governors if any of the feedback raised concern. There were no concerns raised.

Chris Callow, Lead Governor sought clarity on why a member had to submit an FOI in relation to one question submitted to a Governor. The Chairman stated that an FOI gave the public the right to access recorded information held by public sector. He added that as the member was asking for the number of EU and Non-EU nationals employed by the Trust, this request needed to go through this route.

Jane Shaw, Public Governor questioned whether appendix two was general feedback or a recorded discussion. Chris Callow, Lead Governor confirmed that the feedback arose from a series of roundtable discussions where a number of questions were asked to the group. The Chief Executive stated that the topic was extremely relevant at the time as the feedback was then used in the Urgent Care Centre tender.

The Council of Governors noted the Public Governor feedback.

**CG/17/06/12 Stakeholder Governor Feedback**

The Chairman asked the Stakeholder Governors present to inform the Council of Governors about any issues pertinent to the RUH.

Dr Ian Orpen, Stakeholder Governor, BaNES CCG

- Virgin Care had begun running Community Services on 1<sup>st</sup> April. There had been no major concerns within the first 100 days of taking over the contract and the team were now looking at how services could be transformed.
- Mental health was now a workstream in BSW STP and a request would be put forward to establish a primary care workstream as there were concerns regarding recruitment and retention

Prof Julian Hughes, Stakeholder Governor, University of Bristol

- None

Cllr Vic Pritchard, Stakeholder Governor, BaNES Council

- None

The Council of Governors noted the update.

**CG/17/06/13 Working Group Actions arising out of feedback**

The Chairman asked the Council of Governors if there were any concerns raised by members which should be passed to a working group to look at in more detail.

The Council of Governors identified no additional issues that should be passed to the working groups.

**CG/17/06/14 Strategy & Business Planning Working Group Update Report**

The Chair of the working group presented the report and highlighted:

- The working groups Terms of Reference were included at appendix one for approval.

The Chief Executive stated that the old Pharmacy building would be demolished in the near future ready for the RNHRD and Therapies build to begin. He stated that the front of the hospital could be chaotic for next 18 months.

The Council of Governors approved the Terms of Reference and noted the update report.

**CG/17/06/15 Quality Working Group Update Report**

Jane Shaw, Public Governor, who chaired the last working group meeting presented the report and highlighted:

- They had reviewed a number of items delegated by the Council of Governors and agreed a way forward following the Membership and Governance Manager’s recommendations.
- The working group agreed that the Governor dashboard would be a standing item on the agenda.
- There had been a discussion regarding patient transport which was detailed in paper. In order to gain full assurance on the patient transport contract, the working group requested that the following question was directed to the Non-Executive Directors:
  - Are you satisfied at Board level that the CCG are doing all they can to secure improvement to patient transport?
- The working groups Terms of Reference were included at appendix one for approval.

The Chairman stated that the Council of Governors did discuss patient transport during the private pre-meet during the morning. He stated that there was a level of oversight through the A&E delivery board. The Chairman highlighted that the Council of Governors had raised their concerns to Ian Orpen, Stakeholder Governor and he had clarified a number of aspects during the pre-meet.

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The Council of Governors approved the Terms of Reference and noted the update report.

**CG/17/06/16 Membership & Outreach Working Group Update Report**

Chris Callow, Lead Governor who chaired the last working group meeting presented the report and highlighted:

- He had been interviewed by the Hospital Radio to promote membership.
- Face to face recruitment worked in terms of increasing membership and suggested that Governors could help support the Membership Team when recruiting in the hospital Atrium.
- The working groups Terms of Reference were included at appendix one for approval.

The Council of Governors approved the Terms of Reference and noted the update report.

**CG/17/06/17 Board Monitoring Group Update Reports**

Amanda Buss, Public Governor presented the report and highlighted:

- Only one report included recommendations for CoG which related to the meeting which took place in March.
- Due to the timescale, the report from the last Board meeting had not been issued yet.
- She felt that the NED contribution at the Board meeting in May was good and challenge particularly related to an NHSI report and C diff.
- The QWG or S&BP could look at Management of well patients.
- The S&BP could address the Trusts financial plan and whether it would affect the Trusts ability to deliver the business plan.

Helen Roger, Public Governor (Chair of S&BP) stated that she would be happy to consider this and asked Amanda Buss to email her with the proposal.

**Action: Amanda Buss, Public Governor**

It was agreed that:

1. The QWG would follow up on the Falls Improvement Programme implementation in approximately six months' time.
2. Governors should read the ECIP letter highlighting areas for improvement and areas for good practice in ED.
3. Outpatient Accreditation would come back to CoG as a seminar.

**Action: Membership & Governance Manager**

The Council of Governors noted the update report.

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**CG/17/06/18            Governors as Observers – Assurance Committee Update**

Amanda Buss, Public Governor, presented the update on her attendance at the Non Clinical Governance Committee meetings held on 13 March 2017 and 8<sup>th</sup> May 2017.

She highlighted:

- She continued to find it useful to attend as an observer to see the Executives and NEDs working in a different way.
- With regards to the Trust’s Emergency Preparedness, Resilience and Response (EPRR), she was satisfied that there was a process in place.

Nick Houlton, Public Governor, presented the update on his attendance at the Clinical Governance Committee meeting held on 15<sup>th</sup> May 2017. He highlighted:

- The Governors might pay particular interest to the presentation from Dr Bernie Marden regarding moving patient’s notes to an electronic form. He made his presentation the day after the cyber-attack. Moving forward with IT was the direction of travel for this organisation and whilst it presented great opportunities for efficiencies and time saving costs etc. it carried with it risks which the CoG may wish to consider as a group.
- Generally he was content that the NEDs were doing a good job.

It was agreed that a seminar focusing on IT could be undertaken in September 2017.

**Action: Membership & Governance Manager**

Anne Martin, Public Governor presented the update on her attendance at the Audit Committee on 23<sup>rd</sup> May 2017. She highlighted:

- She was very impressed at the way money was being saved in a manner which did not impact on patient care.
- She felt that the Non-Executive Directors questions came from a real understanding of the Trust processes, and an appreciation of the work of all those involved in the financial governance of the Trust.

The Council of Governors noted the update.

**CG/17/06/19            Working Group Actions Arising Out of Update Reports**

The Chairman asked the Council of Governors whether there were any working group actions arising from the reports presented. It was agreed that there were no further recommendation other than those already agreed.

**CG/17/06/20            Update Following NHS Providers Governors Conference**

Amanda Buss, Public Governor presented the update and highlighted:

- She and Chris Callow had attended the Annual Governor Conference in May which was organised by NHS Providers.
- The conference attracted approximately 190 delegates from Trusts nationwide.
- One area of interest for constituency meetings which could be discussed at the M&OWG was the idea of “targeted engagement”. It was suggested that the Membership and Outreach Group could select one topic to be the focus for public engagement for the year.

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It was agreed that the M&OWG would discuss this proposal.

**Action: Membership & Governance Manager**

The Council of Governors noted the update.

**CG/17/06/21          Lead Governors Update Report**

Chris Callow, Lead Governor provided a verbal update and highlighted:

- The Governors should engage in member recruitment and support the Membership Team.
- He invited Stakeholder Governors to all Governor Constituency meetings.

The Council of Governors noted the update.

**CG/17/06/22          Human Resources Business Plan 2016/17**

The Chairman welcomed Victoria Downing-Burn, Deputy Director of Human Resources. She presented the update and highlighted:

- Staff survey – seen some good improvements, we sit in top quadrant which evidences that we’ve improved on our own results, but also improved against other trusts in the country.
- Improvements slide
- See slides

**Health and Wellbeing**

- The Trust was working towards achieving accreditation under ‘The Workplace Health and Wellbeing Charter’, overseen by the Health and Wellbeing Steering Group
- There were two key work programmes; Implementation of the Health and Wellbeing Strategy and CQUIN.
- A Festival of Health and Wellbeing was taking place at the end of June.

**Staff Survey results**

- The Staff Survey had seen some good improvements, the experience of staff had improved but there was a long way to go.
- Two areas which had deteriorated since 2015 were:
  - The percentage of staff experiencing discrimination at work in the last 12 months
  - The percentage of staff believing that the organisation provided equal opportunities for career progression or promotion (however, for this indicator despite our own worsening position the Trust was ‘better than average’ and featured in the best top 20% of all acute trusts).
- The Trust’s top and worst five areas in 2016

**ThanksBox and living the values**

- An overview of the staff engagement and values journey.
- The improvements proposed for 2017/18.

The Chairman thanked the Deputy Director of Human Resources for a very focused and well delivered presentation.

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Bill Aiken, Public Governor stated that there were lots of positive aspects within the presentation, but raised concern regarding the deterioration of staff experiencing discrimination. He sought clarity on whether discrimination was felt by BME or European staff. The Deputy Director of Human Resources stated that unfortunately the survey results were split by white and BME so it was not possible to find out that detail.

Bill Aiken, Public Governor stated that in the past staff had reported not receiving feedback regarding the duty of candour within Datix. Dave Chodkiewicz, Staff Governor stated that he managed the Trust’s incident reporting system and was in process of implementing a new system which would address these concerns.

Helen Rogers, Public Governor expressed concern that only 51% of staff felt that colleagues demonstrated the values at work. The Deputy Director of Human Resources confirmed that 65% of staff had noted that colleagues demonstrated the values at work “always and often”.

Helen Rogers, Public Governor questioned whether staff were not reporting incidents as a result of potential actions that could be taken. The Deputy Director of Human Resources confirmed that one piece of work the Trust was undertaking focused on myth busting around why people do not report incidents. Helen Rogers, Public Governor requested an update on this piece of work in six months’ time.

**Action: Deputy Director of Human Resources**

Nick Houlton, Public Governor questioned whether the Trust was looking into the staff bullying and harassment figures of 23%. The Deputy Director of Human Resources stated that the formal way was for HR to look into how many cases were reviewed as bullying and harassment was a perception, so may not have reported. She added that at present focus was on the support available to staff.

Nick Houlton, Public Governor sought clarity on why the Trust was not trying to identify staff who had been bullied. The Deputy Director of Human Resources stated that it was not best practice to seek out the staff who had been bullied as discreet and private ways to identify them.

Nick Houlton, Public Governor stated that during his time observing on wards, nursing staff had raised concern that they were not taking their correct breaks , some weren’t eating properly and most worryingly they did not seem to be hydrated. He questioned whether the Trust could consider getting water fountains. The Deputy Director of Human Resources confirmed that she would discuss this at the Health and Wellbeing Committee.

Mike Midgley expressed concern regarding the 23% of staff who felt bullied and harassed. He questioned whether anything could be done in terms of staff training and inductions. The Deputy Director of Human Resources stated that she would rather prevent staff feeling like this. She stated that the Trust needed to work on the emphasis of a zero tolerance organisation.

Mike Welton, Public Governor questioned how turnover and recruitment success would be measured. The Deputy Director of Human Resources stated that targets may be set for divisions to achieve, but retention was really important. She added that sickness figures had reduced significantly over past few months.

The Council of Governors noted the update.

**CG/17/06/23 Financial Awareness Update**

Sarah Truelove, Deputy Chief Executive and Director of Finance presented the update and highlighted:

- 2016/17 had been a financially challenging year
- Trusts were given a “control total” which was a surplus figure to deliver.
- If organisations delivered performance and finance targets then they could receive extra Sustainability and Transformation Funding.
- The Trust exceeded the NHSI control total by £556k at year end.
- The total core STF funding was £8.4m and in addition, the Trust received year end extra STF payments for achieving the control total £1.7m. This was made up of incentive payment of £0.6m and a £1.1m bonus.
- 2016/17 the Trust had a strong financial performance and had delivered savings, but there was still more to do. The Trust was out-performing other Trusts within the provider sector.
- The 2017/18 plan was to deliver a £13.1m surplus which included £7.8m Sustainability & Transformation Funding.
- The 2017/18 QIPP target was £7.8m

Bill Aiken, Public Governor questioned how much variance there had been in previous quarters. The Deputy Chief Executive stated that it was challenging to achieve the year-end surplus. She added that challenge received from all commissioners brought uncertainty to the Trust’s position. She stated that 2017/18 would be a challenging year due to changes in commissioning policies across the different providers.

Jane Shaw, Public Governor questioned what the level of outstanding debt was. The Deputy Chief Executive stated that the Trust looked at the main risks which were reflected in provisions but all figures were available on a monthly basis via the board papers.

The Council of Governors noted the update.

**CG/17/06/24 CoG Annual Priorities**

The Chairman presented the update and highlighted:

- Three Council of Governor Priorities for 2017/18 were agreed during the Governor Away Day on 28<sup>th</sup> February 2017 as follows:
  1. Strengthen our relationships with stakeholders ⇔ STP development
  2. More interaction with Stakeholder Governors → seminar interaction

3. Devise ways to better understand STP and potential effect on patients, staff members and the RUH as a corporate body.

- At its meeting in March, the Council of Governors agreed to discuss the annual priorities to confirm how they would be taken forward.
- It was suggested at the Quarterly Chairs meeting that Stakeholder Governors could present to the Council of Governors during a seminar on their annual plans and how they linked to the Trust.
- Details of the CCG’s AGMs had been distributed to Governors and Governors were encouraged to attend these meetings.
- It was suggested that the objective regarding STP should be discussed at a later meeting when more information regarding STPs was available after purdah.

**Action: Council of Governors**

The Council of Governors agreed:

- A joint BaNES CCG and Council seminar could take place in September.
- A joint Wiltshire CCG and Council seminar could take place in December.
- A University seminar could take place in March.
- Governors would make every effort to attend CCG AGM’s:
  - Jane Shaw planned to attend Wiltshire CCG’s AGM
  - Amanda Buss planned to attend BaNES CCG’s AGM
  - Mike Welton & Anne Martin planned to attend Somerset CCG’s AGM

The Council of Governors noted the update.

**CG/17/06/25            Items for future work plan**

The Council of Governors noted the future work plan.

**CG/17/06/26            Meeting Review**

The Council of Governors felt that the meeting had run well.

**CG/17/06/27            Resolution into private meeting**

The Chairman resolved that the Council of Governors would now meet in private due to the confidential nature of the business to be transacted.

*The meeting closed at 12:25*

The next Council of Governors meeting is due to be held on 5<sup>th</sup> September 2017.

Signed .....Date .....