

CONFIDENTIAL

Notes of a meeting of Non- Executive directors 14 November 2002

Present: Margaret Scott
Chris Leggett
Graham Lavender
Jackie Oliver
Donald Mulholland
Denise Farmer

Apologies: Jenny Bulled

MS explained that the purpose of the meeting was to update the NEDs on the current situation regarding TH's temporary redeployment and allow the opportunity to discuss any questions/issues they may have.

MS recapped on events to date:

- A meeting took place with the StHA (GC & PB) on 18/9/02 at which suspension of TH in response to issues related to GWMH was discussed.
- MS agreed to the temporary redeployment of TH, this was confirmed in writing to TH in a letter on 24/09/02.
- A subsequent letter was also sent clarifying contractual details on 2/10/02.
- StHA has funded initial legal advice for TH.
- Letter recently received from TH regarding his legal position and challenging the action taken e.g. raising the issue of Breach of Contract and asking that the management enquiry be expedited.
- Margaret confirmed that Michael Taylor has been identified to lead the management enquiry. The Terms of Reference have been agreed. MS shared the Terms of Reference with NEDs in order to assure them that they are sufficiently comprehensive.

MS clarified that there are 3 enquiries underway:

Police investigation
Professor Baker's enquiry
The management enquiry led by Michael Taylor

She explained that is anticipated that there will be a further CHI investigation but that the details of that had not been confirmed, nor has it been publicised.

MS shared the key queries/comments from TH'S recent letter and her responses i.e.

TH issue	Response
That the PCT's action to date could be construed as a Breach of Contract.	We are taking all action we can to ensure this could not be, nor be seen to be, the case.
Seeks a copy of the Terms of Reference and assurance re the timescale for the enquiry	We are unable to meet the timescales suggested but the timescales will be clarified and a copy of the T. of Ref. has been shared.
Continuance of his entitlement to full pay.	Agreed
That the PCT fund his legal costs.	Legal advice to the PCT is that we cannot do this.
That he be allowed further access to people and information at the PCT in order to maintain currency as the PCT's CEO. e.g. regular meetings with Chair, Acting CEO, PEC Chair, StHA CEO.	ACEO – Contact as deemed appropriate by the Acting CEO provided contemporaneous notes are kept. Chair - Regular meetings with Chair are already in place. PEC Chair – relationship must be with Acting CEO CEO StHA – to be discussed directly with him Access to minutes etc. already shared and a networked PC has been made available to allow TH to maintain professional links e.g. with NHS websites etc.
Professional development	Would be clarified/resolved when the issue of short-term employment has been resolved.

The NEDs indicated that they supported the action taken to date whilst acknowledging that we are in a very difficult situation.

MS clarified that a final resolution will be dependant on the outcome of each enquiry but that we will review TH's situation in the light of the outcome of each as it becomes available.

CL suggested that if it may become necessary for another link to be made within the PCT he would be willing to take on this role if felt appropriate.