

Dacorum Hospital Action Group

TRUST BOARD TRANSPARENCY AND ACCOUNTABILITY SPRING 2020

Some comparisons

This note compares the current practice of a number of NHS trusts in relation to transparency and accountability.¹ It looks first at the situation in six trusts given the go-ahead in September 2019 to build or refurbish major hospital facilities – the HIP 1 trusts. These bodies, which include West Herts, are currently making important decisions on how to spend very large sums of public money within a few years. The note then goes on to summarise the situation in some other NHS trusts in Hertfordshire and nearby counties.

The meetings of NHS Trusts are governed by the Public Bodies (Admission to Meetings) Act 1960, which gives trusts and other bodies wide discretion. The Act says that *'any meeting of a local authority or other body exercising public functions ... shall be open to the public.'* But the Act also says that a public body can resolve to *'exclude the public from a meeting (whether during the whole or part of the proceedings) whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution and arising from the nature of that business or of the proceedings'.*

There is a wide variety of practice in the current situation, but some trusts, having held meetings in private at the beginning of the COVID crisis, are now opening up. This is the case with [Barts Trust](#) (whose Whipps Cross site was one of the 'September six' projects like West Herts.). The trust cancelled its 6 May board meeting 'following guidance from Public Health England on social distancing'. But its 5 June board meeting is to be held virtually via videoconferencing. Joining instructions are included on the website for the general public.

Other 'September Six' trusts have held virtual meetings or at least provided board papers online in advance to the public. [Leicester](#) trust held a meeting in public on 6 May, [Epsom and St Helier Trust](#) held its virtual 1 May meeting in public, and [Princess Alexandra, Harlow](#) will hold its 4 June board meeting in public via Microsoft Teams. [Leeds'](#) 21 May board meeting was not open to the public, but papers were made available on the website.

So [West Herts](#) is alone among the HIP 1 trusts in holding no board meetings in public since the pandemic began and providing no information to the general public on its website about the current proceedings of its board. On the other hand, one member of the public who recently contacted the trust to ask about topics being discussed at West Herts board meetings was sent the agendas for the meetings held in April, May and June 2020.

¹ The information set out here was provided on trust websites accessed on 31 May 2020.

Accountability and transparency practice also vary in other trusts close to West Herts. For example the following trusts in neighbouring counties are either allowing full or partial public access to virtual meetings or making available recordings of meetings held during the pandemic:

[East London](#)

[Milton Keynes](#)

[Mid and South Essex](#)

[London North West University Hospitals](#)

[East of England Ambulance Service Trust](#)

[Hillingdon Hospitals Trust](#)

[Royal Berkshire, Reading](#)

[Oxford University Hospitals Trust](#)

Luton and Dunstable Hospital ([now Bedfordshire Hospitals Foundation Trust](#)) continues to put full current board papers on its website.

Other trusts in the area are currently less forthcoming with information about their Board's activities, although they do make statements of intent to provide some material. [East and North Herts Trust](#) website says that 'In line with the national guidance, we will not be holding meetings in public during this time [of COVID].' However, the Trust says it 'will endeavour to publish the Integrated Performance Report on our website during this period', although it was not possible to locate the Report on the website on 31 May.

[Buckinghamshire Healthcare NHS Trust](#), have stopped board meetings in public, citing 'current government guidance regarding social distancing'. The trust website says that board papers are being published, but current papers were not available on the site on 31 May 2020.

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