

Minutes of the meeting of the National Support Services Committee held at Alliance House, Caxton Street, London SW1H 0QS on the 3 September 2008.

Present: Mrs Elizabeth Boyd (Chairman)
Mr Philip Dolan
Mr Roger Evans
Mr Patrick Spellman

Apologies: Mr GRO-A

In attendance Mr C FitzGerald (up to 275.08)
The Support Services Manager
The Chief Executive (up to part of 275.08)

271.08 Apologies for Absence
These were noted.

272.08 Minutes of the Previous Meeting
The minutes of the meeting held on the 6 August 2008 were approved as correct records.

273.08 Matters Arising
267.08 The Chief Executive tabled a copy of the Welfare Policy proposal that would be presented at the forthcoming Strategy & Development Day on 26 October. Mr FitzGerald sought leave to inform the Committee of a meeting he and the Chief Executive had recently held with the Trust's Investment Managers. It was connected to the Welfare Policy proposals being put forward by the Committee. The meeting with the Investment Managers had been called to enable them to understand why the Trust was taking the approach to the management of the reserves which had been agreed at the July meeting of the Board of Trustees and to enable them to adapt their investment guidelines recommendations accordingly. He advised the Committee that the value of the retained reserves had held up well and was still near to the £4m balance total last reported even after drawing down £100,000 of income earned on the reserves to date. He went on to note that, if the Welfare Policy as presently formulated was adopted, this would mean the Trust entering into a deficit position on the revenue account thus requiring an injection from the retained capital. This was to be welcomed as being in accordance with the policy recently adopted by the Board to reduce the capital of the reserve fund over

time but he also noted that if it proved to be administratively impossible to implement any adjustments to the regular payments until the start of the 09/10 financial year, the Committee's Welfare Policy proposals would have no impact on the reserves in the current financial year. The Committee might well therefore want to recommend making a third "one off" payment to meet higher than expected utility costs, whether as an interim or an additional measure of support to relevant beneficiaries. It was agreed that the Committee should receive a paper from the Chief Executive with proposals and likely costs at its October meeting in relation to a "one off" winter payment and to whom it should be directed and when it should be disbursed (most likely in the New Year).

268.08 The Chairman invited Mr FitzGerald to address the Committee in relation to this minute. Mr FitzGerald was of the opinion that as a matter of good and transparent governance it should be in order for any Trustee to ask to review documentation as a matter of course, subject to the essential caveat that any information which was personal to and capable of identifying any individual beneficiary should not be made available to anyone other than on a need to know basis. He felt that the papers prepared for the NSSC, salient to the minute under discussion, should be sufficiently anonymous to enable such inspection to take place. He further opined that, if any papers were to be made available, the first approach should be by application to the Chief Executive. He was in agreement with the views of the Committee that the papers prepared for any of its meetings should not be made available to any other Trustee before the meeting was held and applicable decisions had been made; further to that he agreed that individual files should never be made available. He added that he was fully aware of the risks that might be associated with dissemination of information but was of the view that all Trustees, whatever their appointing body, must be trusted to respect and abide by their primary duty to the Trust and the absolute confidentiality of its papers and its decisions. Mr Evans expressed reservations about the suggestion made by Mr FitzGerald stating, in particular, that case papers presented to the Committee contained a great deal of personal information that related to health and financial circumstances which, despite every possible effort to render them anonymous, could nevertheless make the identity of the applicants clear enough to enable anyone with relevant background information to identify them. Mr Evans was also concerned about the difficulties that might arise in respect of any appeal to the Board about a decision of the Committee in these circumstances. Mr FitzGerald said that, as far as he was aware, once the Committee had made any decision all other Trustees would be in the same position when any appeal was heard as they

would all by then have received the relevant case papers. The Chief Executive confirmed that in the event of an appeal to the Board of Trustees, all relevant case papers would be made available. In response to questions raised by members of the Committee, Mr FitzGerald said that he believed the reason why this request to be able to review Committee papers had been made was to enable the Trustee concerned to obtain a better understanding of, and to exercise a more informed oversight of, the Committee's activities for which the Committee was, of course, accountable to the Board of Trustees. The Chief Executive suggested that an acceptable solution might be that any Trustee could have sight of the case paper cover memoranda that gave information about applications for consideration but did not contain any information about any individual of a health or financial nature. Mr FitzGerald said this was ultimately a matter for the Board to decide and that, while he had concerns about denying any Trustee access to information about decisions made or actions taken once they had become part of the Trust's records, he was content to recommend the Chief Executive's suggestion to the Board at its October meeting as a proposal from the Committee.

274.08

Policy Issues

- 1) The Committee noted that the Chief Executive, with others, will be meeting Dr Moira Henderson, Senior Medical Officer at the DWP in respect of the new Employment Support Allowance benefit.
- 2) The Committee noted the exchange of correspondence between 1692 and the Chief Executive and the suggestion that the Trust review its welfare and disbursement policies in respect of the older primary beneficiary community. The Chairman of the Committee suggested that with those primary beneficiaries who reached retirement age, some form of regular payment premium might be paid to reflect any additional health needs. It was agreed that there should be a review of the older primary beneficiary community in terms of current and future age profiles and the likely cost impacts arising from such a proposal.
- 3) The Committee noted the proposal from the THT and Rich Picture Ltd as contractors. The Chief Executive gave a background report as to why the proposal was now being put forward under the aegis of the THT and that he was keen that the Board of Trustees should have the opportunity to listen to a presentation about the proposal at the October Strategy & Development Day. He advised the Committee that the proposal for self-empowerment, notwithstanding the provider, should be trialled with a number of beneficiaries so that a firm evaluation could be undertaken. It was agreed that Rich Picture Ltd be invited to the Strategy &

Development Day to present their proposal but in the meantime the THT should be asked to scrutinise the proposal as to value for money and programme content and to confirm it would make appropriate comparisons with other possible providers before making a definitive proposal.

Two further policy matters, not on the agenda, were addressed as follows:

Mr Dolan reported on developments in respect of the forthcoming judicial inquiry in Scotland. It was agreed that to assist Mr Dolan, a copy of the evidence submitted to the Archer Inquiry by the Trust should be made available. It was further agreed that a copy of the briefing notes prepared by the Chief Executive setting out the various stances the Trust might take when the Archer Inquiry reported should be circulated to the Board of Trustees for comment.

275.08

Applications for Support including any circulated by “round robin”, cases, reviews and first appeals.

Review of Loans (*Chief Executive’s Note: Due to the sensitive nature of the information with each case, only the decision of the Committee is minuted*)

Case 1 – The Chief Executive to write a formal letter to the beneficiary seeking repayment. In the event of no response, the Chief Executive should instruct the Trust’s solicitors to write one letter seeking repayment. The Chief Executive was asked to report back on developments, if any, at the October meeting of the Committee.

Case 2 – The Support Services Manager, possibly in conjunction with the THT, to visit the beneficiary with the aim of getting the outstanding loan secured on beneficiary’s property.

Case 3 – To be treated in the same way as Case 1.

Case 2 (The Appeal) – The Chairman of the Committee declared an interest and offered to provide factual information to enable the appeal to be considered. It was resolved that the Chief Executive advise the primary beneficiary that the loan of £5,000.00 could be converted to a grant and the grant in the sum of £1,500.00, agreed at the previous meeting, would still be paid.

The Chief Executive reported briefly to the Committee on a current loan arrangement that could well be found to be ultra vires and that he would circulate a detailed briefing note on the background to this situation in due course.

Further declarations of interest: There were none. The schedule of remaining applications and other matters were considered by the committee and a record of those decisions appears on the attached schedule.

276.08

Any Other Business

The Support Services manager gave an oral report on a recent visit to a beneficiary. For reference purposes, this was to do with property decoration.

The next meeting of the Committee will be held on the 1 October 2008.

The meeting terminated at 2.15pm.

Martin Harvey

From: GRO-A
Sent: 09 September 2008 17:16
To: Martin Harvey
Subject: RE: PDP - October 26th & Other Matters Agenda Items Refer: 278.08 (274.08(2) and 279.08(5))

Hi Martin, apologies for delay in getting back to you. As discussed:-

there is no research as to the added financial cost of living with HIV and it would depend on peoples individual circumstances. However, based on the range of health issues this would result in, up to an additional 20% would seem reasonable and in some more extreme cases it could be more. This would be based on extra cost of heating and other utility bills particularly as most people are at home all day, more expensive travel and other insurances, cost of taxis when not well enough to drive, extra food costs based on needing to eat a healthier diet etc.

I am unable to attend the meeting on 26th October as I have to be at a THT event in Scotland that weekend - if you need a THT rep I can arrange for someone else to go.

I am happy to confirm that if the self development proposal goes ahead THT as the contractor will evaluate and compare/contrast the likely costs and level of service offered with other similar providers to ensure that value for money is achieved.

hope thats all ok - speak soon

GRO-A

Director of Clinical Care and Service Development

Terrence Higgins Trust
314 Grays Inn Road
London
WC1X 8DP

Tel:- GRO-C

e mail GRO-C

HIV - Still no cure. Still no vaccine. Still ignoring it? World AIDS Day 1st December

Campaign with us at www.tht.org.uk

Donate online: <http://www.tht.org.uk/donations/donations02.htm>

Privileged/Confidential Information may be contained in this message. If you are not the intended recipient of this email (or responsible for delivery of the message to such person), you may not copy or deliver this message to anyone. In such case, you should destroy this message and notify the sender by reply email. Opinions, conclusions and other information in this message that do not relate to the official business of the Terrence Higgins Trust shall be understood as neither given nor endorsed by it.

Although every effort is made to ensure information is accurate and up to date, THT cannot be held liable for any inaccuracies and their consequences.

10/09/2008

MACF0000127_059_0006