

**Minutes of the Meeting of the Board of Directors of The
Skipton Fund Limited Held on 5th October 2006 at Novartis
Foundation 41, Portland Place, London, W1**

Present:	Mr P Stevens	Chairman
	Mrs E Boyd	Director
	Mr M Harvey	Director
	Mr G Clarke	Finance Director
In attendance:	Mr N Fish	Acting Scheme Administrator
	Ms L Haigh	Finance Manager MFT
By invitation	Mr O Glynn-Jones	Solicitor at BLP

58. **Apologies for Absence**

There were no apologies for absence.

59. **Minutes of the Previous Meeting.**

The minutes of the meeting held on 8th May 2006 were signed as a correct record.

60. **Matters Arising**

There were no matters arising not covered by the agenda.

61. **Administrator's Statistics**

Gordon Clarke (GC) asked if there was any way of knowing the proportions of haemophiliacs paid from each of the four areas of the UK to highlight any areas where the existence of the Skipton Fund needs promoting. It was noted that there was no way for this to be done and that there is no media budget in place for the Skipton Fund to promote itself in any case.

The board were satisfied with the overall statistics and comments provided by the Administrator.

62. **Agreement of Final Accounts**

The previous Email agreement of the final accounts was ratified by the Board.

63. **Update on Keith Foster (KF) situation by Oliver Glynn-Jones**

Oliver Glynn-Jones (OG) from Berwin Leighton Paisner Solicitors provided a summary of what work the firm have done to date in order to recoup as much of the money misappropriated by KF as possible.

The Board agreed with OG that we should accept a 50-50 split with the British Association of Hand Therapists (BAHT) of the £70,000 on offer from Mrs Foster to release any interest we have in the Foster property. The reasons for this are that BAHT have been very

understanding and helpful towards the Skipton Fund when repaying the misappropriated Skipton Fund money they received and that although we did the legwork in reaching the settlement figure of £70k they are owed more money than us. OGJ stated that it was highly unlikely that the Skipton Fund would obtain any further funds following the reporting of HSBC to the Financial Services Authority.

It was agreed by the Board that hiring a private investigator to determine any possible involvement by Mrs Foster in the fraud is still an option but not one that would be utilised for at least six months.

Martin Harvey (MH) mentioned that he would like to be present at Foster's court case. GC also expressed an interest.

64. **Meeting with Counter Fraud and Security Management Services (CFSMS)**

The Directors were notified of the alterations made to Skipton Fund procedures following the fraud committed by Foster and the suggestions made by CFSMS following their review of the scheme. They were informed that most of the measures were in place except for the signing of declarations and the requesting of medical records. Nicholas Fish (NF) stated that it would be necessary to redesign the application form and that this would be done once other Skipton Fund work was cleared.

As Finance Director GC was happy that the Skipton Fund has taken sufficient procedural measures to combat potential future fraud. He did however express concerns over IT security. MH replied that time and money has already been invested to upgrade the server and maximise IT security but agreed that he will draw up a risk management schedule with NF and Linda Haigh (LH).

65. **Appeal Panel**

The Board were informed that the first meeting of the Independent Appeal Panel took place on Tuesday 3rd October. It was noted that 28 cases were reviewed, 7 of which were approved, 10 of which were upheld and 11 of which required more information to be sought. Peter Stevens (PS) reviewed the Panel's decisions on Wednesday 4th October and asked NF to seek clarification of how the panel reached their decision on two particular cases. Overall he was satisfied that the Appeal Panel were reaching decisions by exercising judgment where the Skipton Fund could not. The Board as a whole were not satisfied that the Panel met without a Hepatologist present. NF would relay the Board's concerns to the Chair of the Panel when they met on Wednesday 11th October.

66. **Agency Agreement**

A summary of the situation was provided by PS: a final draft of the agency agreement was sent by Hugh Nicholas a few weeks ago. Jonathan Kropman made a few minor points which were accepted by MH and PS. It was felt that these points were sufficiently minor for them not to cause any problems with the DoH. It was therefore

expected that a final version of the agency agreement could be ready for signing within the next two weeks.

Clause 9 of the agency agreement is to do with confidentiality of Skipton Fund information. It was agreed that from now on the Skipton Fund will not be providing statistics for the Macfarlane Trust Board papers.

67. **Directors Insurance**

The Board noted Stuart Alexander's binding authority limiting Trustees' liability cover to £500,000. They would still like cover in place for £5m and NF will therefore complete the necessary proposal form and submit it to Stuart Alexander in order to receive a premium quote. It will also be requested that the current cover is held in place until the new policy is finalised.

68. **GRO-A (6675)**

MH declared an interest in his capacity as Chief Executive of the Macfarlane Trust and withdrew from the debate.

The Board agreed, with regret, that the Mrs **GRO-A** the wife of a Macfarlane Trust registrant, is not eligible for a payment under the scheme that the Skipton Fund is administering on behalf of the DoH. It was agreed that this application may go through the appeal process.

69. **Any Other Business**

Skipton Fund Director Charges – The Directors were reminded that they are able to invoice the Skipton Fund for the time they spend viewing and dealing with application forms.

It was also noted that in the first year of Skipton Fund operations 35-40% of MH's Macfarlane Trust salary was recharged to the Skipton Fund due to the amount of time he spent dealing with Skipton Fund matters. Due to the length of time he has spent dealing with the Foster situation consideration will be taken for a similar recharge to occur this year.

GRO-A – Elizabeth Boyd (EB) has referred this application to the Royal Free Hospital, the haemophilia centre where Mr **GRO-A** says that he received infected blood products. EB explained that tests are being carried out on stored blood and that once these results have been received an official decision can be reached. EB also stated that all forms for haemophiliacs should come from the applicant's haemophilia centre rather than from their GP. This was accepted by the Directors and noted by the Scheme Administrator.

The meeting closed at 15.15pm

GRO-C