

**Minutes of the Meeting of the Board of Directors of The
Skipton Fund Limited held at 12:00 on 17 February 2011 at
Alliance House, 12 Caxton Street, London, SW1H 0QS**

Present:	Mr P Stevens	Chairman
	Mrs E Boyd	Director
	Mr M Harvey	Director
	Mr G Clarke	Finance Director

In attendance:	Mr N Fish	Scheme Administrator
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126. **Apologies for Absence**

There were no apologies for absence.

127. **Minutes of the Previous Meeting**

The minutes of the meeting held on 9 December 2009 were signed as a correct record.

128. **Matters Arising**

124 – The Scheme Administrator confirmed that the Judicial Review had been dismissed by the courts on 1 December 2010 and that the outcome therefore had no bearing on the scheme guidelines as set out by the Department of Health.

129. **Review of Current Operations**

The Scheme Administrator summarised the numbers of payments currently being processed and provided rough figures to indicate the level of interest following the Ministerial Announcement on 10 January 2011; the latter would be discussed in greater detail as a separate agenda item.

The Board agreed that the Scheme Administrator and the Chairman should raise the issue of borderline stage two applications at their meeting with the Department of Health (DH) on Friday 18 February. It was fully expected that the Ministerial announcement confirming that the stage two payment would be increased to £50,000 and a regular annual payment introduced would result in a surge of applications, many of which would be borderline. It was also agreed that Fibroscan technology should be mentioned on the revised stage two application form as this was becoming more widespread and was useful in assessing stage two applications.

130. **Administrator's Report 2009/2010**

The Chairman commended the Scheme Administrator on producing a good and thorough report.

131. **Appeal Panel**

The statistics for the Appeal Panel were noted and the Scheme Administrator confirmed that he was satisfied with the way the Appeal Panel was operating.

132. **Ministerial Announcement 10 January 2011**

The Board noted the major changes to the Skipton Fund that had been announced by the Minister on 10 January and discussed the concerns they had with a number of issues that might arise during the implementation stage. Most notable was the cut-off date of 31 March 2011 before which the estates of those who died before 29 August 2003 had to register. The Chairman and Scheme Administrator assured the Board that they had expressed their serious concerns regarding this to the DH at every meeting they had attended.

The Scheme Administrator informed the Board that the office had been inundated with requests from the estates of people who died before 29 August 2003 and from those who had received the additional payment and were now entitled to receive "top-up" and regular payments. However, through the use of extensive overtime, everybody who had contacted the Fund had received a response.

Contrary to the advice given by Wilsons, the Board felt that it would not be desirable to write to recipients of the stage two payments at their last known addresses due to the sensitivity of disclosing people's hepatitis C statuses to third parties. Instead the Scheme Administrator would investigate the possibility of arranging for them to be contacted by telephone using the number they provided at the registration stage therein ensuring that nothing would be disclosed to anybody other than the applicant.

The Board were informed that the founding Trustees of the new discretionary trust referred to in the Ministerial Statement had been appointed and that work had begun on establishing the trust. The Trustees would be Mr Peter Stevens, Mr Charles Gore and Mr Roger Evans. No outside body would have a right of appointment but the DH would have the right of refusal on any proposed Trustee. Mr Clarke stated that the creation of a new discretionary trust had not gone down well with the Devolved Administrations and could prove to be a sticking point with them accepting the content of the

Ministerial announcement. He felt that consultation should have taken place before the announcement rather than afterwards

133. **Instructions to Lawyers**

It was noted that the DH had provided Wilsons [the Skipton Fund's lawyers] with instructions on behalf of the Skipton Fund Board. The Scheme Administrator would email a copy of these instructions to the Board for their agreement and would ensure that the DH had formally agreed to cover all legal costs associated with implementing the Ministerial changes.

Mr Clarke expressed his view that the written advice Wilsons had provided regarding the need for further Directors was hearsay and should not to be shared with the DH. The rest of the Board agreed that much of the advice was unhelpful and it was resolved that none of the contents of the letter would be shared with the DH.

134. **Board Appointments**

The Chairman stated that he should have consulted the full Board about the possibility of appointing Messrs Evans and Spellman before approaching them. He explained that it had happened at a time when the Government had indicated that major Ministerial changes to the scheme would be announced imminently and when there were no operational Directors around. With the benefit of hindsight it could be seen that the urgency had not been as great as was initially thought. Mr Clarke felt that the issue should have been raised at a Board meeting, which could have included a conference call. He felt that a company the size of Skipton Fund did not require 6 Directors. A discussion ensued about the possibility of using IT to consider applications and/or visiting Northern Ireland once a month with forms. The relevant skills and merits of potential new Directors were discussed as well as the need to keep in mind the provinces of the United Kingdom. Following a discussion about the present need for further appointments it was resolved that the Board would remain as it was.

Following this resolution Mr Clarke expressed his intention to stand down at the end of March and proposed that Mr P Spellman be formally approached as his replacement. The Chairman thanked Mr Clarke for his valuable contribution to the Board over the years, including at the present meeting, and was glad that he would be leaving on good terms. The Chairman would inform Messrs Evans and Spellman of the Board's decision.

135. **Staffing Matters**

The Board thanked the Scheme Administrator for the staffing proposal paper and were content for Mr Baker to fill the new role as set out in the proposal and agreed that his salary should fall within the specified range. The Scheme Administrator and Mr M Harvey would work out the exact amount as per the local government pay scale used by the Macfarlane Trust. The Scheme Administrator would notify Mr Baker of this decision in writing. Both the Scheme Administrator and Mr Baker's working hours would be split 80:20 in favour of the Skipton Fund.

136. **Any Other Business**

The next meeting of the Board would take place at 11:00 on 17 May at Alliance House.

The meeting closed at 14:15

GRO-C