

Minutes of the Meeting of the Board of Directors of The Skipton Fund Limited held at 17:00 on 11 March 2013 at Alliance House, 12 Caxton Street, London, SW1H 0QS

Present:	Mr P Stevens Mrs E Boyd Professor H Thomas	Chairman Director Director
Apologies:	Mr P Spellman	Director
In attendance:	Mr N Fish	Scheme Administrator

149. Welcome to Professor H Thomas

The Board welcomed Professor H Thomas as a Director and looked forward to his expert help. His appointment had already been agreed by email and registered with Companies House accordingly.

150. Apologies for absence

Mr P Spellman had provided his apologies for absence via email.

151. Minutes of the previous meeting

The minutes of the meeting held on 26 March 2012 were signed as a correct record.

152. Matters arising

129, 144 – The Scheme Administrator referred to the Fibroscan® reading that was considered to be indicative of cirrhosis. Dr Mutimer had previously advised that a reading of 15kPa provided a 90% indicator of cirrhosis when considered alongside other markers. Dr G Thomson had since submitted a medical bulletin taken from The Hong Kong Medical Diary, Vol. 14 No. 11 November 2009, which suggested that a reading of 12.5kPa or over was an indicator of cirrhosis. Professor Thomas then cited a NICE study into the effects on the liver of hepatitis B which suggested that 10kPa or above was an indicator that cirrhosis might be present. It was agreed that, due to the range of differing opinions, all transient elastography readings (of which Fibroscan® is one brand) would continue to be considered along with other test results and markers to

determine the likelihood of cirrhosis. Borderline applications would be referred to Professor Thomas for his expert opinion.

145 – The Scheme Administrator clarified that, provided the estate of somebody who died before 29 August 2003 had a good reason for not registering until after the original deadline of 31 March 2011, an application could still be considered. Such late registrations were now rare.

153. **Quarterly statistics to 31 December 2012**

The operating statistics to 31 December 2012 were noted. The Chairman informed the Board that operating statistics in this format would be sent quarterly to supplement the monthly financial statistics that the Department of Health requested. The Scheme Administrator confirmed that these figures, which showed the number of people who were still alive, had been rejected, etc., took much longer to produce than the monthly statement of payments made. The Board noted that, after the high level of activity in the previous financial year following the Ministerial changes to the scheme, the present year had seen the expected fall in activity. The regular payments would mean that the Fund's total annual outgoings would remain substantially higher than before the Ministerial changes.

The Chairman thanked the Scheme Administrator for producing the quarterly statistics, noting that they were valuable to the Department and also for estimating the number of possible Caxton beneficiaries.

154. **Appeal Panel**

The Scheme Administrator reported that he remained pleased with the overall performance of the Appeal Panel. The Board noted that Dr Mutimer, the Panel's hepatologist, had retired from the Panel and had been succeeded by Professor P Mills from Glasgow.

155. **Stage 2 applications from the estates of people who were co-infected with hepatitis C and HIV, who died before 29 August 2003 and whose records have been destroyed.**

The Scheme Administrator reported that there had been a number of Stage 2 applications from the estates of people who had died and whose records had now been destroyed. In many cases it was apparent that the family member, most often a widow, distinctly recalled that the deceased had been diagnosed with cirrhosis, but because of the lack of records the application had been declined. Some of these cases were also declined by the Appeal Panel, which had then undertaken extensive

research into the matter. Following the Panel's second meeting at which such cases were discussed, Dr Mutimer suggested that existing medical studies and literature might support the assertion that some of these people were more likely than not to have progressed to cirrhosis, given the length of their co-infection with hepatitis C and HIV.

After further meetings and research, and with the help of Professor Thomas, a model had been created based on average fibrosis progression rates in people who were mono-infected with hepatitis C and co-infected with hepatitis C and HIV. The Scheme Administrator summarised the model, the values and dates that had been used (where no better data was available) and the reasons why these figures had been used. Around 40 declined applications from the estates of co-infected people would need reviewing on the basis of this model. The Scheme Administrator confirmed that the Department, who were satisfied with the model, had asked that the review be deferred until the start of the upcoming financial year.

156. **Unclaimed Stage 2 'top-up' payments**

The Scheme Administrator informed the Board that the Department had authorised the Fund to try again to locate the 200 or so people who had yet to claim their Stage 2 £25,000 'top-up' payments, although many of them would probably have died given their serious health condition and the fact that they could not be found at the first attempt.

This exercise, which would use a combination of last known telephone numbers and email addresses, would start after 1 April 2013 at the request of the Department. Data protection meant that writing to last known addresses was still not acceptable

157. **Financial Instructions**

The Finance Manager had issued a paper for this agenda item concerned with authority for approvals. The paper was accepted subject to changing the term 'Regular spot checks' to 'At least monthly spot checks'. The Directors signed the various documents and bank mandates necessary to put the content of the paper in place with the bank.

The Scheme Administrator undertook to inform the Board by email of Lloyds TSB's monthly banking charges after clarifying them with the Finance Manager.

158. **Draft Directors' Report**

The draft Director's Report was noted. The Scheme Administrator would fill in the missing data as soon after the conclusion of the financial year as possible. The Board accepted the draft Report.

159.

Any other business

The Board expressed their thanks to Mr M Harvey, whose Directorship ceased following his retirement as the Chief Executive of the Macfarlane Trust and Caxton Foundation in August 2012.

There being no further business the meeting closed at 18:00.