

**MINUTES OF MEETING OF THE DIRECTORS OF YOAKLEY CARE TRUSTEE LTD AND  
YOAKLEY CARE SHARE LTD  
AS TRUSTEES OF MICHAEL YOAKLEY'S CHARITY**

**Thursday 21<sup>st</sup> September 2023 at 7pm At Yoakley House**

**Present:** Peter Hermitage (Chairman); Beverley Aitken; David Astley  
Gill Durrant; David Meakin; Julie Miller

**Apologies:** Michael Baker; Blair Gulland

**In Attendance:** Julie Wickenden (Executive Manager); Tracy Huntley (Care Manager);  
Tamara McGregor (Deputy Charity Manager)

**34/23 STATEMENT OF CONFLICT OF INTEREST**

The following statement was read by the Chairman:

*Before the meeting begins, directors of the two companies that act as trustees of the Charity are asked whether there is any item on the agenda in which they have either a personal or pecuniary interest.*

*If it appears during the course of the meeting that there is any conflict of interest, then the member is asked to then and there declare that interest.*

*The Chairperson of the meeting will invite consideration of whether any conflict of interest is so great as to preclude the director from further involvement in debate and/ or decision making on the matter where interests conflict.*

David Astley is Chair of the South East Coast Ambulance Trust and a Trustee Director of NHS Providers, the body representing NHS Trusts to Government.

**35/23 THE MINUTES** of the Board meeting held on 22<sup>nd</sup> June 2023 were agreed and signed by the Chairman.

**36/23 MATTERS ARISING (not covered in subsequent minutes)**

1. **Intensive Housing Management Scheme.** Julie Wickenden had reviewed the possibility of applying for increased benefits for almshouse residents under Supported Housing arrangements. To qualify, the Charity would need to employ staff to provide increased support to residents e.g. managing medical appointments, applying for benefits. Whilst the warden and management get involved with this on an ad hoc basis for a couple of residents who have no local family to support them, it is not the type of service we would want to advertise nor would it be needed by residents who have local Next of Kin. Any increase in benefits paid to residents would be charged by the Charity as an addition to the Maintenance Charge but with the freeze on housing related benefits it is unlikely that this would be enough to cover the cost of delivering the service. It was agreed not to pursue this at this time.
2. **Invitation to Colin Carmichael (Acting Chief Executive of Thanet District Council) to visit Yoakley.** Peter is coordinating a visit date with Mr Carmichael. Blair would like to attend to talk about potential for development of the various parcels of land the Charity owns. PH  
BG
3. **Increased Digital Care Planning.** Tracy has identified a digital medication distribution system known as Drug Round which is free (NHS funded) to be introduced in November. Julie Wickenden is still looking for a staff rota/ payroll management system which will be cost effective. JW
4. **Invite Helen Whately MP, Minister of State for Social Care, to Yoakley.** David Astley had met Helen Whately at another event and had had the opportunity to talk about the Charity and ask certain questions about the funding of social care (as outline by Julie). She had been attentive but had given no definitive answers. She had subsequently been invited by Julie to visit the Charity but a polite email had been received declining the invitation as she is too busy. BG  
PH
5. **Collective Bid for Funding from the Decarbonisation Fund.** The East Kent Almshouse Consortium had not met recently but Peter will address the issue when they do.
6. **Water Contract Renewal.** The Charity is now under contract with a company called Wave. There should be some savings on the water bills.

## 37/23 FINANCE

### 1. Charles Stanley Investments

Katie Presland had sent a report of issues affecting financial markets (Appendix 1) and portfolio updates to 12<sup>th</sup> September 2023 (Appendix 2). The 1 year summary shows that (excluding income drawn and management fees) the Main Fund appears to have lost over £100K in value and the Emergency Repair Fund over £24K. Whilst this does track the market trends which have been turbulent due to the residual effects of the Covid 19 pandemic, war in Ukraine and instability in UK government it is concerning.

In reading Katie's report, the following was considered. The Charity's current mandate is to manage the portfolios on medium to low risk but so that they generate an annual income of £72K to support day to day running costs. The Charity is in contract with Kent County Council for care home fees. They currently fund around 8 residents but at rates significantly below the private fees charged to others. KCC is in dire financial straits and there is no guarantee of increases to combat current high rates of inflation nor additional funding to bridge the shortfall. Whilst the fees of private residents can be increased to keep up with inflation, they may then more quickly become wealth depleters as they run out of capital at which point KCC take over funding them generally at a much lower fee rate.

Therefore, even if we were only to admit private funders (with the almshouse residents being the only beneficiaries of the Charity) it remains a risk that KCC funding would be required at some point.

It was agreed that Katie Presland be invited to the next Board meeting and that members prepare questions in advance to put to her to see if anything needs to be done to protect the charity's assets. A suitable date will be found as Katie cannot make the meeting planned for 23<sup>rd</sup> November.

JW

### 2. Budget Update 2023.

Julie Wickenden had circulated a budget update to 31<sup>st</sup> August 2023 (Appendix 3a) showing an annual loss of £26K. Pressure on the maintenance budget in the past week had made it necessary to increase this by £25K resulting in a predicted loss for the year of £51K (Appendix 3b). This is a result of needing to repair a collapsed flint wall, carry out emergency roof repairs on the almshouses before winter, and decorate another cottage which will become vacant in September (6 have changed hands this year).

The overspend for the year on maintenance is £60K and on professional fees £34K.

There has been extraordinary expenditure this year which might be capitalised as follows:

New guttering	£16.5K
Rebuild collapsed flint wall	£ 8K
Costs & fees associated with purchase of 3 Drapers Close	£ 5K
Green Agenda Audit Report	£16K

This would result in a breakeven budget. Julie will speak to the auditor about these items.

Any loss of value on investments is recorded on the balance sheet.

JW

### 3. Draft Budget 2024.

Julie Wickenden had prepared a draft budget for 2024 (Appendix 4) showing a surplus of £82K excluding any increase in KCC fee funding which is indeterminable. This is calculated by determining essential expenditure then aiming to generate the income to cover this with a surplus by fee increases.

**Wages:** The National Minimum Wage is predicted to rise to £11.16 ph in April 2024, a rise of 75p. As our lowest paid staff earn just above this, they must have a 75ph rise which equates to 7.18%. Other staff will be awarded the same pence per hour increase with Senior Carers receiving a little more to reflect the responsibilities of their role. Senior management pay increase would be limited to 4%. The wages bill based on current staffing will cost around £1.23 million. Other expenditure had been increased at 8% in line with the recent average inflation rate.

**Almshouse WMC:** The increase in almshouse fees is proposed at £9 per week from April 2024, an increase of 8.3% which means fees will sit above the current LHA rates but slightly below 2022 Fair Rent figures. Residents who may struggle with this increase are invited to apply for a discount assessed on an individual basis.

**Yoakley Fees:** Fees paid by privately funded care home residents range from £798 pw for 3 who have been here several years to £966 pw for those most recently appointed. An increase of £70 pw is proposed (max 8.7%).

Julie plans to do some more work on these figures with Beverley as inflation rates and interest rates may vary so it was agreed that the proposed increases in fees and wages be

JW

agreed at the next meeting. She has also recently signed up to participate in a pilot fee and wages benchmarking service facilitated by Laing and Buisson via the National Care Association.

Peter stated that in all financial decision making for the Charity it is important that:

- All residents are treated the same whatever fee rate they can afford.
- We budget not to make a loss.
- Quality care is able to be delivered.
- Care is shown to almshouse residents as required.
- Staffing is stable and consistent with staff being properly rewarded.

The use of 4 out of 5 respite rooms as permanent rooms should create some stability of income.

### 38/23 QUINQUENNIAL REPORT

Julie Wickenden had summarised the works required from the Quinquennial report prepared by G O Associates (Appendix 5). Some of the urgent works are already in hand – guttering, flat roofs, replacing missing tiles – which have impacted this year's overall budget. A schedule to complete the remainder of the works over the next 5 years with an estimate of costs will be drawn up by the Senior Maintenance Man Dino Amato and Julie Wickenden, to be overseen by Michael Baker.

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### 39/23 GOVERNANCE REVIEW

On 29<sup>th</sup> August Nick Hobden and Rachel MacMillan from Thomas Snell Passmore Solicitors (TSP) visited Yoakley to carry out a governance audit following the 2020 Charity Governance Code.

Peter, Blair and Beverley represented the Charity with Julie Wickenden.

The overall result of the report from TSP (Appendix 6) showed that the Board does very well overall in its governance of the Charity in line with the Code.

Peter had produced a summary of the findings of TSP (Appendix 7) which the Board reviewed item by item. The following matters (numbered to follow the full TSP report) require action:

<b>1. Organisational Purpose</b>	
<u>Comments and recommendations</u>	<u>Action to be decided</u>
1.1 We should annually review our charitable purpose and external environment.	To be embraced in an annual review of the strategic plan.
1.5 Review the development of land purchased from East Kent Hospitals.	Included in the strategic plan. Blair and Peter to ask advice in relation to this and all the Charity's land of Mr Colin Carmichael when he visits Yoakley. The aim is to ensure the Charity's use of its assets is maximised.
1.7 Undertake a mock CQC inspection.	Tracy would appreciate this. Julie W will source an organisation to do it. There will be a cost.

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<b>2. Leadership</b>	
<u>Comments and recommendations</u>	<u>Action to be decided</u>
2.1 (and 4.1) Put in place a scheme of delegations.	The way that responsibilities are delegated between the Board and management happens but is not specifically recorded. Peter will work with Julie W on drawing up a scheme of delegation.
2.2 Regularly review the Board's skills sets and consider board member appraisals.	It was agreed that an annual conversation should take place between Board members and the Chair as to their role and intended ongoing service. Skill sets are reviewed regularly and Board members appointed to fill any gaps.

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<b>3. Integrity</b>	
<u>Comments and recommendations</u>	<u>Action to be decided</u>
3.4 Should the Charity be more proactive in raising its profile?	Collaboration and communication are covered in the strategic plan.
3.7 and 3.8 Make the Board more aware of its safeguarding responsibilities.	Safeguarding training for trustees to be introduced. This might be incorporated into an awayday.
3.11 and 7.10 Put in place a register of interests, hospitality, and gifts.	A register of interest is in place and is reviewed regularly. Current policy is that ALL gifts to staff however small are reported to management so that a decision can be made over whether or not they can be accepted. It is rare that such gifts are permitted in view of previous incidents of staff being accused of theft. Management would like this blanket policy to remain. Gifts to individual Board members do not really occur but the same principle would apply.

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<b>4. Decision making, risk and control</b>	
<u>Comments and recommendations</u>	<u>Action to be decided</u>
4.1 (and 2.1) Put in place a scheme if delegations.	To be done – see 2.1 above.
4.1 Classify the purpose of board agenda items.	Peter and Julie W will do this when compiling the agenda to help the clarity and flow of meetings.
4.7 Put in place a strategic review of how the land owned by the Charity both in Thanet and Aylesford could be developed for the benefit of the Charity and meeting the Charity's aims.	To be discussed in the meeting with Colin Carmichael – see 1.5 above.
4.9 Consider asking our auditors to produce sector specific reports.	Our auditors would not have the information to do this but Julie W is accessing this support via the National Care Association.
4.17 Examine complaints records to see whether they should be investigated independently.	This is done on a needs basis with all complaints however small being reported on management monthly reports.
4.19 Stress test the whistle-blowing policy.	From ongoing experience we know that staff are quick to report behaviour by colleagues which is perceived to be outside of policy and protocol. Peter (and others) will attend staff meetings from time to time so that staff have more connection with them.

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<b>5. Board Effectiveness</b>	
<u>Comments and recommendations</u>	<u>Action to be decided</u>
5.5 Conduct awaydays at which board effectiveness can be discussed.	The first awayday is to be arranged for early 2024.
5.12 <b>HIGH RISK</b> Record the rationale for retaining board members for extended periods of time.	A subcommittee will be formed to look at this and succession issues in general.

JW

PH

<b>6. Equality, diversity and inclusion</b>	
<p><i>All aspects of this part of the audit are seen as medium risk. The audit suggests a lot of "work in progress."</i></p> <p><i>There is a public sector equality duty placed on public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act. Private organisations and individuals do not have to comply with the duty, but if an organisation carries out one of these activities on behalf of the state they may be a public authority. It is a debateable point whether when we receive public funding, we fall within the coverage of the Act. We cannot ignore this area of responsibility.</i></p>	
<u>Comments and recommendations</u>	<u>Action to be decided</u>
6.1, 6.3 Have training for board members.	All that follows is dependent on having knowledgeable and skilled board members. It was agreed that Peter would approach Maxine Blades from the local CIPD to see if she can suggest appropriate training.
6.2 Conduct an impact assessment by reference to the Equality Act which can formalise a raft of other policy areas.	Should we have a champion in this area? When should such an assessment take place? To be determined after the training.
6.4 Develop a clear policy in this area.	Should we have a champion in this area? To be determined after the training.
6.11 Publish information on EDI.	A thorough understanding needs to be developed first. To be determined after the training.

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<b>7. Openness and accountability</b>	
7.1 Hold an AGM	It was agreed that a short AGM be advertised once a year.
7.3 Have more Board members attend residents' meetings.	Board members generally attend the biannual almshouse resident meetings. Julie Miller volunteered to attend future Yoakley residents' meetings.
7.10 and 3.11 Keep a register of interests.	In place but to be regularly reviewed.

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#### 40/23 STRATEGIC PLAN 2023-26

Amendments to the Strategic Plan had been made in line with the discussion held at the last meeting. These were highlighted in red on the updated plan (Appendix 8). All amendments were agreed and the plan was accepted as complete. The risk register will be reviewed at the next meeting.

JW

#### 41/23 CARE MANAGER'S REPORTS

Tracy added the following updates to her recent reports:

1. **Covid 19.** Booster vaccinations against Covid 19 and Flu will be delivered to all care home residents on 27<sup>th</sup> September at Yoakley. Staff have also been offered a Covid vaccination on this day and around half have taken it up. Some staff have been off work with Covid recently but so far no residents have had it. Other local care homes have had outbreaks and been forced to limit their visiting.
2. **Multiple Falls.** One resident is 103 and has had multiple falls. She has dementia and is on end of life care. Yoakley is caring for her using multiple crash mats to keep her as safe as possible.
3. **Weighing Bed Bound Residents.** Tracy is looking for equipment to weigh residents who are unable to sit on the hoist scales. So far the options are coming in at £3K-£4K. She was advised to contact Pilgrims Hospices to see if they are getting rid of any such equipment or if they would be prepared to offer funding. (Pilgrims are reducing their numbers of residential beds in preference for nursing people at home.)

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#### 42/23 EXECUTIVE MANAGER'S REPORTS

1. **MNE Energy Audit Report on the Green Agenda.**  
This report had been circulated to the Board (Appendix 9). Its content and conclusion is complex so the authors had been invited to visit Yoakley on 11<sup>th</sup> October at 11am to present their findings and answer questions. The report cost £16K.
2. **Collapsed Wall.** A 4 metre stretch of the flint boundary wall between the almshouses and QEQM Hospital had partially collapsed. It is listed and therefore needs to be rebuilt as much as possible as it was. The cost £8K with specialist flint workers will be £8K. The Charity's insurance has stated that without a definitive cause of collapse other than general wear and tear, they will not fund it. Julie had been in contact with the Hospital Trust Estates Department and subsequently Kent County Council Highways Department asking for the overgrowth of brambles and bushes along the length of the wall to be removed so that the integrity of the rest of the wall can be checked. KCC have agreed to do this within the next few weeks.

All  
Board

#### 43/23 DATES OF FUTURE MEETINGS:

##### Board Meetings for 2023:

Thursday 30<sup>th</sup> November 7pm

##### Suggested Board Meetings for 2024:

15<sup>th</sup> February

25<sup>th</sup> April

4<sup>th</sup> July

19<sup>th</sup> September

21<sup>st</sup> November

##### Meeting with MNE regarding the Green Agenda Report

Wednesday 11<sup>th</sup> October 11am

##### Quiz Night with Ploughman's Supper

(Ticketed event hosted by League of Friends for LoF benefit)

Friday 27<sup>th</sup> October 7pm at Yoakley

##### Christmas Fair

(Fundraiser hosted by League of Friends)

Saturday 2<sup>nd</sup> December 2.30 pm – 4pm

Signed .....

Dated .....