



**Mid and  
South Essex**  
NHS Foundation Trust

**ARE YOU THINKING OF BECOMING A  
HOSPITAL GOVERNOR?**

**A QUICK GUIDE TO HELP  
YOU UNDERSTAND THE  
ROLE AND  
RESPONSIBILITIES  
(Updated June 2020)**

**If you have special communications needs or would like this document in large print or a different format, please contact us and we will make the necessary arrangements.**

## **INTRODUCTION**

Thank you for expressing an interest in joining the Council of Governors of the Mid and South Essex NHS Foundation Trust. This booklet provides information about being a Governor, with the aim of helping you to decide if you would like to put yourself forward as a candidate for election.

Mid and South Essex NHS Foundation Trust is the ninth largest hospital trust in the country; we serve a catchment area including Basildon, Thurrock, Brentwood, Chelmsford, Maldon, Rochford, Southend and Castle Point. However, anyone who lives in England is invited to become members. The Trust is committed to establishing a representative Council of Governors and welcomes nominations from all backgrounds, genders and ages (must be over 16 years).

Your involvement as a Governor is important to us. However we recognise that being a Governor will require commitment and time so we ask that you consider this carefully. We hope that you will choose to help us to care for the future by putting yourself forward to be elected.

Anyone wishing to become a Governor should read this booklet carefully. We are happy to answer any queries and can be contacted by phone on **01268 598975** or by email at **mse.membership@btuh.nhs.uk**

## **BEING A FOUNDATION TRUST**

As a Foundation Trust we remain part of the NHS, providing NHS services based on need and not on ability to pay.

The difference is that we are more independent and accountable to the communities we serve. This means that instead of being run directly by the Government, we are accountable to local people, through the membership arrangement.

Being a Member gives people a voice in the decision process of the Trust.

Our independence allows us to make changes to the Trust's services in a more responsive and less bureaucratic way.

## **BRIEFING SESSION FOR POTENTIAL GOVERNORS**

Due to the COVID-19 outbreak, we will be holding virtual briefing sessions for Members interested in standing for election to the Council of Governors. This will provide an opportunity for anyone interested in becoming a Governor to learn a little more and to speak to our Chairman.

The dates of the virtual meetings are as follows;

**Tuesday, 14 July 4-5pm**

**Tuesday, 14 July 5-6pm**

**Thursday, 16 July 6-7pm**

The meetings will be held using StarLeaf. If you are interested in joining any of these briefing sessions, please contact the Membership Office so that details of how to join can be sent to you.

If you cannot attend the briefings, but would like to talk to someone by telephone, please contact us and we will do our best to arrange a convenient time.

Note: If you are not able to attend the Briefing Session you can still complete and return a Nomination Form.

## A NEW WAY OF WORKING

Foundation Trusts have a new system of management which will consist of:

### Members

There are two categories – public and staff

### Council of Governors

The Council of Governors is responsible for representing the interests of members, key appointments and influencing the Trust plans.

### Board of Directors

The Board of Directors is responsible for all aspects of the operation and performance of the Trust. There are Executive Directors and non-Executive Directors, including a non-Executive Chairman. Together they work closely as a team although with different responsibilities.

## THE COUNCIL OF GOVERNORS – COMPOSITION

The Council of Governors of the Foundation Trust comprises of 14 elected Public Governors, 4 elected Staff Governors and 5 appointed Governors, as follows:

Group		Number of Governors
Partnership Organisations	Anglia Ruskin University	1
	South Essex College	1
	1 representative from Thurrock CVS, Basildon CVS & Brentwood CVS	1
Local Authority	Thurrock Borough Council	1
	Southend Borough Council	1
	Chelmsford City Council	1
	Essex County Council	1
Staff	Staff employed by Mid and South Essex NHS FT	6
<b>Total Representative Governors</b>		<b>13</b>
Public/Patients	Basildon	5
	Thurrock	5
	Brentwood	2
	Chelmsford	5
	Braintree	4
	Maldon	2
	Southend	5
Castle Point	3	

	Rochford	2
	The Rest of England	2
	<b>Total Public/Patient Governors</b>	<b>35</b>
	<b>COUNCIL OF GOVERNORS TOTAL</b>	<b>48</b>

## MEMBERSHIP

**Public members** are the public who have registered to become members and live in England. Members must be aged 12 and above.

**Public members** are divided into ten constituencies – a person living in Basildon, Thurrock, Brentwood, Chelmsford, Braintree, Maldon, Southend, Castle Point, Rochford or the Rest of England

**Staff members** are staff employed by the Trust under a permanent contract of employment or on a contract of at least 12 months or more.

**Appointed Governors** are representatives of local organisations the Foundation Trust have a strong relationship with eg local authorities.

## BEING A GOVERNOR

### What do governors do?

There are a number of specific duties that the governors must do, but in summary governors must:

- Hold the non-executive directors to account for the performance of the Board
- Appoint the Trust Chair and the Non-executive Directors
- Represent the views of members and the public
- Tell members what the Trust is doing

Governors must make sure the Board of Directors and the non-executive directors are doing their job properly by:

- Looking at reports on the Trust's finances and how they are performing against healthcare targets and standards.

Governors need to meet and communicate with members and the public and regularly feedback information about the Trust.

Governors also help promote membership and encourage local people to join as members.

Governors act as ambassadors and promote the work of the Trust.

### Do governors need special skills or qualities?

Governors will have a strong commitment to the role and be willing to undertake training relevant to it. No special qualifications are required but you must:

- Be over the age of 16
- Have an interest in healthcare in hospitals
- Be willing to act in the best interests of the Trust, abide by the values of the Trust and the Nolan principles of public life (*see pages 9 – 11*)

- Have good interpersonal skills as you will need to talk to others.

All types of people can become governors, with the exception of anyone disqualified for a number of reasons including bankruptcy or recent criminal convictions (See below – Disqualification).

Enthusiasm, commitment and a general interest in health and team work are important qualities.

Governors have to be able to challenge the non-executive directors and some of the executive directors to ensure they are doing their job properly so it could be useful to have some skills you may have developed at work, as a volunteer or in your personal life, such as reading reports and working with others.

Governors are elected by the members, so it is up to them who is ultimately chosen as their governor representative.

**Disqualification:**

A person may not become or continue as a member of the Council of Governors or the Board of Directors if the individual:

- a) has been adjudged bankrupt or whose estate has been sequestrated and (in either case) has not been discharged;
- b) has made a composition or arrangement with, or granted a trust deed for, his/her creditors and has not been discharged in respect of it;
- c) has within the preceding five years has been convicted anywhere in the world of any offence if a sentence of imprisonment (whether suspended or not) for a period of not less than three months (without the option of a fine) was imposed on him/her;
- d) has, within the preceding two years, been dismissed (otherwise than by reason of redundancy or ill health) from any paid employment within a Health Service Body, unless the dismissal was found to be unfair on appeal;
- e) tenure of office as the chairman or director of a Health Service Body has been terminated on grounds that his/her appointment is not in the interest of the health service, for non-attendance at meetings or for non-disclosure of a relevant and material interest;
- f) is a member of a Local Authority Health Overview and Scrutiny Committee;
- g) is a member of HealthWatch (nationally or locally);
- h) is the subject of a Sex Offenders' Order and/or his/her name is included in the Sex Offenders' Register;
- i) is a person who is included in any barred list established under the Safeguarding Vulnerable Groups Act 2006;
- j) is a Close Family Member of a Governor or Director of the Trust;
- k) he has failed to repay (without good cause) monies properly owed to the Trust;
- l) has been the subject of action under the Trust's policy for dealing with patients or relatives

who are violent and abusive or that of another NHS body;

m) a person who is the subject of a disqualification order made under the Company Directors' Disqualification Act 1986.

o) an individual has been expelled from the post of governor from another NHS foundation trust.

#### **Governors DON'T:**

- have an operational role i.e. setting budgets, staff pay or other operational matters;
- take responsibility or accountability for Trust business;
- deal with complaints;
- have a right to inspect the Trust property or services, meet patients or conduct quality reviews;
- undertake non-executive director duties or are expected to be ultimately responsible for the performance of the Trust. The Board of Directors remains ultimately responsible for the operations and performance of the Trust.

#### **ELECTION PROCESS**

Civica has been appointed to run the election process for the Trust. The election system to be used is based on the 'single transferable vote' and voting will be either by postal return of the ballot paper, telephone voting or by voting on-line. The election timetable for 2020 will be as follows:-

Nominations forms will be available from	Wednesday 1 July 2020
Receipt of Nominations forms from interested Members will close	Wednesday 29 July 2020
Final date for candidate to withdraw	Monday 3 August 2020
Voting papers will be sent out to all registered members	Thursday 20 August 2020
Closing date for the election poll	Tuesday 15 September 2020
Election results will be announced	Wednesday 16 September 2020

A candidate may not incur any expenses or make a payment (of whatever nature) for the purpose of the election, other than expenses or payments related to reasonable travel expenses.

#### **How much time will it take being a governor?**

Many of our governors will tell you how much they enjoy the role and that the time commitment can be as much as you like! There is a minimum commitment, including the attendance of three formal Council of Governor meetings each year (approximately two hours each time).

There are other things that you can get involved in such as Council working group meetings, interviews for non-executive directors, giving your views in consultation meetings, and taking part in visits to wards and other areas in the hospitals under our 'ward to board' approach.

We will provide you with training to help you carry out your role, some of this will be compulsory. All Governors **will be** required to attend an Induction session and any relevant training sessions, such as a Governors Development Day, to ensure that they can be effective in their role.

Governors are also expected and encouraged to reach out into the local communities to encourage wide and representative membership, this may involve using your own networks or attending Trust organised membership and engagement events. We will support you in doing this.

## **EXPENSES**

This is a voluntary role and Governors are **not** paid a salary, but may be entitled to claim limited expenses incurred in connection with their duties as decided by the Trust.

## **DISCLOSURE AND BARRING SERVICE CHECK**

Once elected or appointed (in the case of Appointed Partner Governors), all Governors will be required to consent to a Disclosure and Barring Service check (DBS). The DBS check is designed to confirm whether or not you have a criminal record.

This is important for an organisation which has responsibility for young or vulnerable members of the public. Clearance from the DBS allows the organisation to confidently allow you to carry out your role.

A Governor will be disqualified if on the basis of disclosures obtained through a DBS check, he or she is considered to be inappropriate on the grounds his/her appointment might adversely affect public confidence or otherwise bring the Trust into disrepute.

## **CODE OF CONDUCT FOR GOVERNORS**

Our Governors are required to sign a declaration saying they will comply with the Mid and South Essex NHS Foundation Trust Responsibilities and Code of Conduct for Governors

In summary, a Governor should adhere to the following commitments:

- 1** I acknowledge that the Trust is an apolitical organisation;
- 2** If I am a member of any trade union, political party or other organisation, I recognise that, should I be elected or appointed, I shall not be representing those organisations (or the views of those organisations) but shall be representing the constituency (public or staff) that elected me, or the organisation that appointed me;
- 3** I am not an active member of any body or organisation with policies or objectives such that my membership would be likely to cause the Trust to be in breach of its statutory obligations or bring it into disrepute;
- 4** I understand that my role as a Governor is to represent the interests and needs of the Trust and the community which it serves. I shall not be influenced by my membership of other bodies or areas of personal interest and I shall not act as a representative for any such body or interest in my work with the Trust;

- 5 I shall be honest and act with integrity and probity at all times;
- 6 I shall respect and treat with dignity and fairness, the public, patients, relatives, carers, NHS staff and partners in other agencies;
- 7 I shall seek to ensure that my fellow Governors and Directors of the Trust are valued as colleagues and that judgements about colleagues are consistent, fair and unbiased and are properly founded;
- 8 I shall accept responsibility for my actions;
- 9 I shall show my commitment to working as a team member by working with my colleagues in the NHS and wider community;
- 10 I shall seek to ensure that no one is discriminated against because of their religion, belief, race, colour, gender, marital status, disability, sexual orientation, age, social or economic status or national origin;
- 11 I shall, at all times, comply with the Constitution, Combined Standing Orders of the Board of Directors and Council of Governors and the Standing Financial Instructions of the Trust;
- 12 I shall respect the confidentiality of the individual staff and patients and comply with the Trust's Information Governance procedures;
- 13 I shall not make, permit or knowingly allow to be made any untrue or misleading statement relating to my own duties or the functions of the Trust;
- 14 I shall seek to ensure that the best interests of the public, patients, carers and staff are upheld in decision making and the decisions are not improperly influenced by gifts or inducements;
- 15 I shall support and assist the Chief Executive of the Trust in her responsibility to answer to NHS Improvement, commissioners and the public in terms of fully and faithfully declaring and explaining the use of resources and the performance of the total NHS in putting national policy into practice and delivering targets;
- 16 I shall at all times uphold the principles of the NHS and the values of the Trust; and

**and finally .....** the next steps if you do decide to stand for election as a Public or Staff Governor:

1. **Make sure you are registered as a Member of the Trust.**

To become a **public member** in one of the ten constituencies you will need to fill in a membership form or apply online at our website:

[www.basildonandthurrock.nhs.uk](http://www.basildonandthurrock.nhs.uk)

[www.southend.nhs.uk](http://www.southend.nhs.uk)

[www.meht.nhs.uk](http://www.meht.nhs.uk)

All Trust staff are automatically members so completion of a Membership form is **not** necessary. If you are unsure of your membership status, contact the Membership Office on **01268 598975** or email us at **mse.membership@btuh.nhs.uk**.

2. Read this booklet carefully and if you have any queries please contact the Membership Office.
3. Join one of the **briefing session** for Members interested in standing for election to the Council of Governors;

**Tuesday, 14 July 4-5pm**

**Tuesday, 14 July 5-6pm**

**Thursday, 16 July 6-7pm**

4. Be sure that you can commit the time necessary to be an effective Governor including attendance at induction and any training sessions and to attend the majority of the Council of Governors formal meetings.
5. Request a Nomination form from **1 July 2020** onwards from the Membership Office – details above. Nomination forms will also be available direct from Civica.
6. Post your completed Nomination Form **direct to** the **Returning Officer, Civica, The Election Centre, 33 Clarendon Road, London N8 0NW** (*not to the Trust*) (Full details on Nomination Form)
7. Ask family and friends to sign up to Membership, if a Ballot is held in your constituency they can then vote for you. See contact details below

**For any further information please contact the Foundation Trust  
Membership Office: 01268 598975 or by email at:  
mse.membership@btuh.nhs.uk**