

**MANCHESTER UNIVERSITY NHS FOUNDATION TRUST**

**BOARD OF DIRECTORS**

<b>Report of:</b>	Deputy Chief Executive – Silas Nicholls
<b>Paper prepared by:</b>	Lynne Burgess (SHS Programme Manager - SHS) Alwyn Hughes (Interim Trust Board Secretary - MFT)
<b>Date of paper:</b>	October 2017
<b>Subject:</b>	<b>Process and timeline for electing a Council of Governors for the new Manchester University NHS Foundation Trust (MFT)</b>
<b>Purpose of Report:</b>	<p>Indicate which by ✓</p> <ul style="list-style-type: none"> <li>• Information to note ✓</li> <li>• Support</li> <li>• Resolution</li> <li>• Ratify</li> </ul>
<b>Consideration of Risk against Key Priorities</b>	Inability to secure a Council of Governors will contravene the MFT Constitution and Statutory requirements of an NHS Foundation Trust
<b>Recommendations</b>	The Board of Directors is asked to note the process and timeline to elect a Council of Governors for MFT.
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# **MANCHESTER UNIVERSITY NHS FOUNDATION TRUST**

## **Process and timeline for electing a new Council of Governors for MFT**

### **Purpose**

1. The purpose of this paper is to inform the Board of Directors about the process and timeline for electing a new Council of Governors for Manchester University NHS Foundation Trust (MFT).

### **Background**

2. On 5<sup>th</sup> September 2017, the Interim Board of Directors (IBoD) approved a Constitution for the newly merged Foundation Trust which will come into force on 1<sup>st</sup> October 2017. A key aspect of the Constitution is the composition of the Council of Governors.
3. Proposals for the composition of the Council of Governors were developed through a Task and Finish Group which included Governors from Central Manchester University Hospitals NHS Foundation trust (CMFT) and University Hospital of South Manchester (UHSM), together with a sub-set of the CMFT and UHSM Boards of Directors, and the Director of the SHS Programme. Proposals made by the Task and Finish Group were accepted by the two Councils of Governors and formally approved by the Interim Board of Directors on 5 September as part of the Constitution.
4. The aim is to have a Council of Governors in place as soon as practicably possible after authorisation on 1 October 2017. This is to ensure that the period of time when the new Foundation Trust operates without this element of governance is minimised. It will also facilitate the speedy appointment of a substantive Board of Directors after authorisation, as permanent appointments cannot be made until such time as the Council of Governors is in place.

### **Composition of the Council of Governors**

5. In line with the new Constitution, the Council of Governors will consist of 32 members comprising:
  - 17 Public Members
  - 8 Appointed (or Nominated) Members
  - 7 Staff Members

Appointed members will be nominated by the following partner organisations:

- 2 X Local Authority (Manchester City Council and Trafford Council)
- 1 X University (Manchester University)
- 1 X Commissioning (Manchester Health and Care Commissioning Group)
- 1 X Trust Volunteer
- 1 X Trust Youth Forum
- 1 X Manchester Council for Community Relations or Manchester BME Network
- 1 X Umbrella third sector organisation.

Staff Governors will be segmented into four staff classes as follows:

- 1x Medical & Dental
- 2x Nursing & Midwifery
- 2x Other Clinical (including AHPs and Clinical Professionals)
- 2x Non-Clinical & Support (including Atkins & Sodexo Staff).

### **Process for securing Nominated Governors**

6. Final decisions about the Community and third sector Partner organisations will be taken shortly and a letter will be sent to Partners asking for nominations as soon as possible.

### **Electing Public Governors**

7. The election of Public Governors must be in line with the latest Model Election Rules as published by the Department of Health and referred to in MFT's constitution.
8. Electoral Reform Services (ERS) have been engaged to run the election process. This approach offers several advantages.
  - ERS are the field experts and have the appropriate experience to ensure that the Model Election Rules are applied robustly to the election process. This will protect the new organisation from any potential challenge about its processes.
  - ERS provide complete objectivity on the election process. They have no prior knowledge of any of the candidates and cannot be construed as having tried to influence the outcomes of the process.
  - ERS provide a dedicated resource to the process which will ensure that the key deadlines are met.

9. Preparations for the elections have included a comprehensive data cleansing exercise on the membership of the new Trust. This has involved working through more than 500 anomalies in relation to the membership to ensure that the data is robust.
10. The new Model Election Rules allow for email notifications to members about elections, however, because of doubts about the validity of members' email addresses the decision has been taken to write out by post to the membership to notify them about the elections. The letters will be tailored to three membership groups: staff; under 16's; and over 16's. A total of 42,207 members will receive election letters.
11. ERS has piloted a series of e-learning packages to support members who are considering standing for election. MFT will be the first Trust to use the packages in a 'live' election. They will be made available through the Trust website once the election has been announced.
12. ERS had a stand at the CMFT Annual Members Meeting on 27<sup>th</sup> September 2017 along with literature available on the election process to hand out to members.
13. As part of the drive to create a Council of Governors which is representative of the population served by the Trust, the decision was taken by the Interim Board to use the 'single transferable vote (STV)' as the method of election. Evidence has shown that the STV is statistically more likely to lead to a representative body than the 'first past the post' method. In addition, the e-learning packages referred to in paragraph 12 include tips that can help all candidates to have more equitable chance of being successfully elected. It is hoped that these measures will support the election of a representative Council of Governors.

### **Timeline for the appointment and election process**

14. In order to ensure that the Council of Governors is in place as soon as possible after authorisation the election process will commence on **3<sup>rd</sup> October 2017**. The aim is for the election process to be completed by **28<sup>th</sup> November** and for successful candidates to begin their formal terms of office on **6<sup>th</sup> December 2017** at the latest.
15. Further details of the process and the timeline for reaching each stage of the election are set out in the table below.

Election stage	Date
Notice of Election issued - Nomination forms made available to Trust Members (aged 16 years or over where Governor seats are open for election)	Tuesday, 3 <sup>rd</sup> October 2017
Deadline for receipt of nominations	Wednesday, 18 <sup>th</sup> October 2017

Election stage	Date
Summary of valid nominated candidates published	Thursday, 19 <sup>th</sup> October 2017
Final date for candidate withdrawal	Monday, 23 <sup>rd</sup> October 2017
Notice of Poll published	Monday, 6 <sup>th</sup> November 2017
Voting packs despatched to Trust Members (where Governor seats are contested.	Tuesday, 7 <sup>th</sup> November 2017
Closing date for election	Monday, 27 <sup>th</sup> November 2017
Declaration of results	Tuesday, 28 <sup>th</sup> November 2017
Successfully elected candidates formally start in office following closure of Special Members' Meeting	Wednesday, 6 <sup>th</sup> December 2017

## Conclusion

15. The processes adopted for determining the composition of the Council of Governors and electing the Council members have been designed to be as open, transparent and equitable as possible. It is hoped that by rigidly adopting the Model Election Rules, and taking every step possible to create a representative Council of Governors, the new Trust will have a high quality Council able to contribute effectively to the development of the new Trust.

## Recommendation

16. The Board of Directors is asked to note the process and timeline for electing a new Council of Governors for MFT.