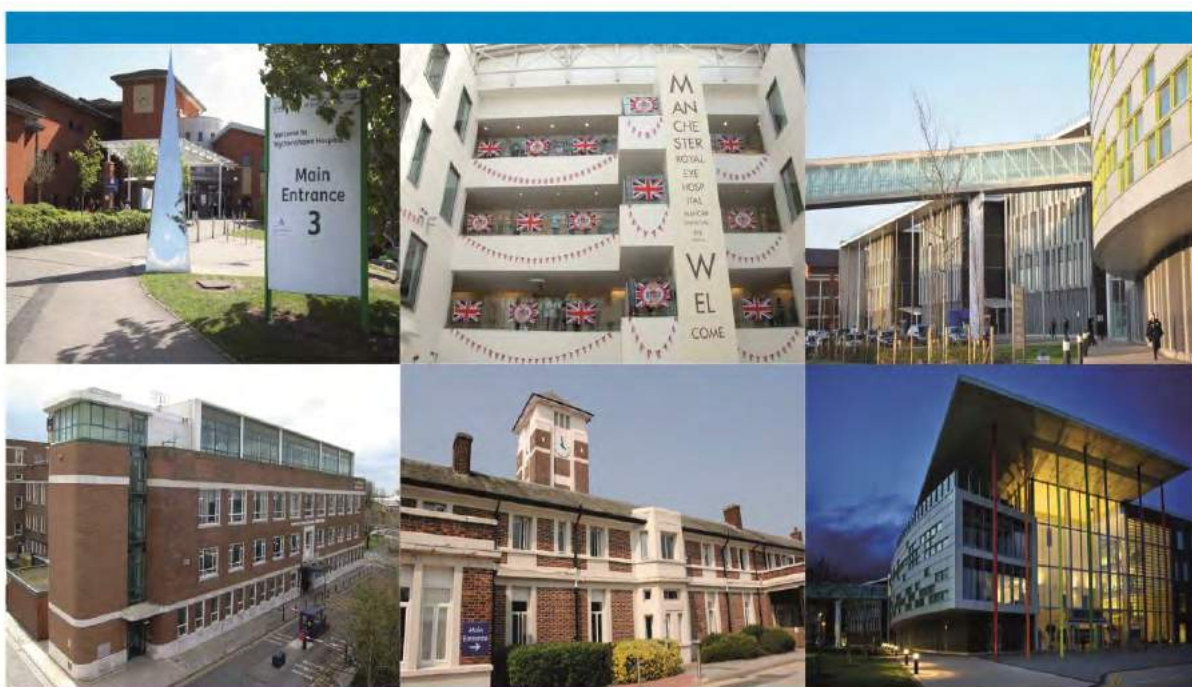


**Information Pack for Members expressing an interest in standing for
election as a Public or Staff Governor
(2017)**



Manchester University NHS Foundation Trust (MFT) was formed on 1st October 2017 following the merger of Central Manchester University Hospitals NHS Foundation Trust (CMFT) and University Hospital of South Manchester NHS Foundation Trust (UHSM).

Thank you for registering your interest in standing for election as a Governor of Manchester University NHS Foundation Trust

If successfully elected as a Governor, you will play a very important role as you will be the link between Members of our NHS Foundation Trust and our Board of Directors. In addition, you will represent our Members including patients, carers, the public, stakeholders and staff. You will also act as an ambassador when promoting Membership and the role of Governor.

As a Governor you will be responsible for engaging with our Members and the public and will be encouraged to develop your own networks so to canvass the views of Members and the public and forward these to our Board of Directors.

As a Governor you will have a number of key responsibilities, such as:

- Helping us plan for the future
- Ensure that we are accountable to our Members and the communities that we serve
- Communicating effectively with our Members and the public and developing your own networks for engaging with the wider community including minority groups
- Canvassing the views and opinions of our Members and the public in relation to our forward plans and forwarding these views onto our Board of Directors
- Helping to recruit new Members
- Safeguarding probity and good quality healthcare.

Governors of our NHS Foundation Trust also have advisory, guardianship and strategic roles with an effective Council of Governors being crucial to our future success.

We continually provide support to our Governors in order to develop their skills/carry out their role, and as a new Governor you would be invited to participate in our New Governor Induction Training Programme.

In order to stand for election as a Governor, you will need to request and complete a nomination form provided by the Returning Officer at Electoral Reform Services:

- **Ciara Norris**
Returning Officer
Electoral Reform Services Limited
The Election Centre
33 Clarendon Road
London, N8 0NW

Tel: 020 8889 9203

E-mail: Ciara.Norris@electoralreform.co.uk

Online: www.ersvotes.com/mft2017

Failure to fully complete and provide all required supporting documentation (outlined in the form) will result in your form being deemed invalid and will not be included in the Governor election process.

Completed Nomination Forms must be received by:

- **Noon on Wednesday, 18th October 2017**

Unfortunately, forms received after this date will be deemed void and will not be included in the Governor election process.

We do hope that this pack provides the information that you need to consider standing for election as one of our Governors, with a list of Frequently Asked Questions being available from page 33. Should you require any additional information or have any queries regarding the role of Governor, please contact our Foundation Trust Membership Office:

E-mail: ft.enquiries@mft.nhs.uk
Tel: 0161 276 8661
Freepost: Freepost Plus RRBR-AXBU-XTZT
MFT NHS Trust
Oxford Road
Manchester
M13 9WL

Once again, thank you for your interest and we wish you every success in the election process.

Yours faithfully



Kathy Cowell OBE DL
Trust Chairman

Our Trust

Manchester University NHS Foundation Trust (MFT) was formed on 1st October 2017 following the merger of Central Manchester University Hospitals NHS Foundation Trust (CMFT) and University Hospital of South Manchester NHS Foundation Trust (UHSM).

MFT is one of the largest Foundation Trusts in the UK, employing over 20,000 staff.

We are responsible for running a group of nine hospitals across six separate sites, providing a wide range of services from comprehensive local general hospital care through to highly specialised regional and national services.

We are the main provider of hospital care to approximately 750,000 people in Manchester and Trafford and the single biggest provider of specialised services in the North West of England. We are also the lead provider for a significant number of specialised services including Breast Care, Vascular, Cardiac, Respiratory, Urology Cancer, Paediatrics, Women's Services, Ophthalmology and Genomic Medicine.

Our vision is to improve the health and quality of life of the people we serve by building an organisation that:

- Excels in quality, safety and patient experience
- Is recognised internally as a leading healthcare provider
- Attracts, develops and retains great people
- Plays its full part in meeting the health and social care objectives set for Greater Manchester
- Undertakes large scale research, innovation and education for the benefit of the whole health and social care system.

MFT is a key partner in the proposed Local Care Organisation that will provide integrated out-of-hospital care in Manchester, including community nursing, community therapy services, intermediate care and reablement, and some community-facing general hospital services.

Beyond Greater Manchester, we also have significant responsibilities for providing specialist services commissioned by the NHS England Specialised Commissioning Team.

We are committed to equality, diversity and inclusion of staff, patients, carers, families, members and the communities that we serve. We believe that having an inclusive culture: by listening to all our people and respecting each other, we will deliver our commitment to equality, diversity and inclusion.

As part of this commitment we aim to have a Board and Council of Governors whose membership reflects the diverse communities that we serve. We support our Governors in becoming more representative of our members and communities whether in respect of race, disability, gender, gender reassignment, age, sexual orientation, religion or belief, marriage and civil partnership, caring responsibility, social class and pregnancy and maternity.

Council of Governors

The majority of Governors are elected directly from and by our members and are the link between our Members (determining their need/views on the delivery of services) and our Directors who make the decisions about services (hold responsibility for delivery).

Governors canvass the views and opinions of our Members and the public in relation to our forward plans and forward their views to our Board of Directors. Governors also convey information from the Board of Directors to Members about affordability, service plans and health improvement initiatives and seek views on material issues or changes being discussed.

One of the important stakeholder groups represented by our Council of Governors are the communities that we serve. Our Governors are therefore the key link between the communities and the Trust, ensuring that our Trust is rooted in its communities, owned by the communities and responds to community needs. We believe that the Trust is afforded huge opportunities and benefits as a result of embracing the new way of operating and engaging with our Members and the public.

Standing for Election as a Governor of our NHS Foundation Trust

Over the years, many of our members have been interested in standing for election as a Governor with some of their key motivations being outlined below:

- *Passionate commitment to the NHS and to the Trust's hospitals and the desire to make a difference.*
- *To make a positive contribution to ensure patients and carers get the highest quality of care at the Trust.*
- *To bring an appropriate level of challenge to the Board of Directors and hold to account for the Trust's performance.*
- *To use their personal experience as a patient/carer to help improve standards of care quality and safety, and the care environment.*
- *To help the Trust respond to any challenges it faces e.g. finance, restructuring, increasing demand etc.*
- *To be a voice/advocate for what matters the most to patients and their families, and to the wider community.*
- *To be a voice/advocate for staff and share their perspective with the Board of Directors.*
- *To give a voice to particular communities/groups e.g. minority groups, people with learning disabilities etc.*
- *To use their skills (communication, finance, management etc.) in the service of others.*
- *To support the Trust in putting patients at its core and foster a culture of valuing and engaging staff.*

Statutory Duties of Governors

Under the Health & Social Care Act (2012), the statutory duties of Governors are clearly defined:-

- To hold the Non-Executive Directors individually and collectively to account for the performance of the Board of Directors, and
- To represent the interests of the members of the Foundation Trust as a whole and the interests of the public.

The 2012 Act also states that “The Foundation Trust must take steps to secure that the Governors are equipped with the skills and knowledge they require in the capacity as such”.

Chain of Accountability in NHS Foundation Trusts



Source: Monitor – Your Statutory Duties: A reference guide for NHS Foundation Trust Governors (August 2013)

Monitor now part of NHS Improvement (Independent Regulator of Foundation Trusts) describes “holding the Non-Executive Directors to account” by Governors scrutinising how well the Board is working, challenging the Board in respect of its effectiveness, and asking the Board to demonstrate that it has sufficient quality assurance in respect of the overall performance of the Trust. Monitor states that this is likely to involve questioning Non-Executive Directors about the performance of the Board and of the Trust and making sure to represent the interests of the Trust’s Members and of the public in doing so. In performing this duty, Monitor asks Governors to keep in mind that the Board of Directors continues to bear ultimate responsibility for the Trust’s strategic planning and performance.

In addition to the statutory Governor duties set out in the Health & Social Care Act (2012), the key functions of the Council of Governors (set out in legislation and in our Constitution) are as follows:

- To appoint or remove the Chair and the other Non-Executive Directors (including appointing a Deputy Chair from the Non-Executive Directors)
- To approve the appointment (by the Non-Executive Directors) of the Chief Executive.
- To decide the remuneration and allowances, and other terms and conditions of office, of the Chair and other Non-Executive Directors.
- To appoint or remove the Foundation Trust’s Auditor.
- To receive the Trust’s annual accounts and any report of the Auditor on them and the annual report (including the Quality Report) at a Council of Governors’ Meeting with Governors being encouraged to help to identify and prioritise quality priorities and a quality indicator for the Trust.

- To provide views to the Board of Directors (BoD) when the BoD is preparing the document containing information about the Trust's plans, with Governors being required to:
 - Canvass the opinion of the Trust's Members and the public, and for appointed Governors the body they represent, on the NHS Foundation Trust's forward plan, including its objectives, priorities and strategy, and their views should be communicated to the BoD.
- Approving significant transactions.
- Approving applications by the Trust to enter into a merger, acquisition, separation or dissolution.
- Decide whether non-NHS work would significantly interfere with the Trust's principal purpose, which is to provide goods and services for the health service in England, or performing its other functions.
- Approving amendments to the Trust's Constitution.
- As outlined in the Governors' Code of Conduct, Governors must treat any information which they receive as confidential, and must not disclose it to any third party without the express permission of an authorised representative of the Foundation Trust. Authorised information should be utilised by Governors to seek the views of members and the public on material issues or changes being discussed by the Trust and providing information and feedback regarding the Trust, its vision, performance and material strategic proposals made by the Trust Board.
- Require one or more directors to attend a Governors' meeting to obtain information about performance of the Trust's functions or directors' performance of their duties and help the Council of Governors decide whether to propose a vote on the Trust's or Directors' Performance.
- To prepare and from time to time review the Trust's Membership Strategy and its policy for the composition of the Council of Governors and of the Non-Executive Directors and when appropriate to make recommendations for the revision of our Constitution.
- Monitor has appointed a Panel for Advising Governors and Governors may refer a question to the Panel if more than half of the members of the Council of Governors voting approve the referral (question whether the Trust's has failed or is failing).
- To undertake such functions as the BoD shall from time to time request.

In keeping with the latter statutory duty, the BoD asks Governors during meeting attendance and when being presented with information, to also advise on issues, assist in the development of ideas and act as a sounding board.

Other Governor Responsibilities:

The majority (24 out of 32) of our Governors are elected to carry out their role on behalf of our Members (Public and Staff) with Governors also being responsible for:

- Affairs of the Foundation Trust are to be conducted by the Council of Governors in accordance with the Trust's Constitution and the Foundation Trust's licence (includes ensuring the Board of Directors acts so that the Foundation Trust does not breach the conditions of its licence).

- Led by the Chairman, Governors are to regularly communicate to members and the public details on how Governors have discharged their responsibilities, including their impact and effectiveness on:
 - Holding the Non-Executive Directors to account for the performance of the Board of Directors.
 - Communicating with members and the public and transmitting their views to the Board of Directors; and
 - Contributing to the development of forward plans of NHS Foundation Trusts.
- To respond as appropriate when consulted by the BoD in accordance with the Trust's Constitution.
- To complete an annual Governors' Declaration of Interest (details recorded in the Annual Governors' Declaration of Interest Register and formally recorded at a Council of Governors' Meeting). Governors who fail to disclose any interest or material interest required to be disclosed under the Trust's Constitution provisions must permanently vacate their office if required to do so by a majority of the remaining Governors.
- To meet the "fit and proper person" test as defined by regulation 5 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 and/or condition G4 of the Trust's Licence (criteria outlined on pages 20, 21 & 22).
- To adhere to the Trust's Code of Conduct including Nolan Principles (code outlined on pages 22, 23 & 24).
To complete and clear a Disclosure & Barring Service (D&BS) check.
- To adhere to the Governors' Media Policy and Social Media Policy. In serious cases, when the use of social networking is considered to be inappropriate, this could be considered as a serious breach of the Governors' Code of Conduct therefore acting in a manner which is detrimental to the interests of the organisation and in keeping with the Trust's Constitution, this may ultimately result in an individual's term of office as a Governor being revoked.
- To elect a Lead Governor.
- To present to Members at the Trust's Annual Members' Meeting any proposed changes to the Trust's Constitution (where an amendment is made in relation to the powers or duties of the Council of Governors) and to approve the minutes of Members' Meetings.
- To remove Governors from the Council of Governors in the event that a Governor has committed a serious breach of the Code of Conduct; or they acted in a manner detrimental to the interests of the Foundation Trust; and the Council of Governors consider that it is not in the best interests of the Foundation for them to continue as a Governor; or if a Governor fails to disclose any interest or material interest required to be disclosed under the Trust's Constitutional provisions
- To expel a Member from the Trust if a complaint about a Member is made to the Trust Secretary that they have acted in way detrimental to the interests of the Foundation Trust.
- To attend Governor meetings and training (unless absences are due to reasonable causes and the individual is able to start attending again within such a period as the other Governors consider reasonable).

- To forward views in relation to the Chairman's and Non-Executive Director (NED) performance (documented via Governor Questionnaire and/or Lead Governor contact) and participate as and when required during the performance review process (telephone interviews). A Governor Appraisal Panel (Governors' Remuneration and Nominations Committee) is established each year with Governor panel members being rotated to review/consider the Chairman /NED performance review findings and makes recommendations to the full Council of Governors for approval.
- To participate, as and when required, in the Trust's Remunerations and Nominations Committee (Appointment Committee) during the appointment process of the Chair and Non-Executive Directors and make recommendations to the full Council of Governors for approval.
- To participate, as and when required, in the Trust's External Auditor Appointment Panel during the selection process and make recommendations to the full Council of Governors for approval.
- To participate, as and when required, in Governor Groups.

Governors may also become involved in many areas not covered by legislation however, as outlined in Monitor's publication – *Your statutory duties: A reference guide for NHS foundation trust governors* (August 2013), emphasis is made that:

“Governors do not play an operational role within the Trust. Although NHS Foundation Trusts may choose to involve Governors in hospital visits or volunteering, Governors neither have a right to inspect NHS Foundation Trust property or services nor a duty to meet patients and conduct quality reviews.”

Governor Aim & Objectives:

In keeping with the aforementioned duties and requirements, the Trust has developed the following Governor aim and objectives:

Aim:

- Governors proactively representing the interests of members as a whole and the interests of the public via active engagement and effectively holding the Non-Executive Directors, individually and collectively to account for the performance of the Board of Directors.

Objectives:

- **Governor Engagement** – Governors to be proactive in developing and implementing best practice membership and public engagement methods.
- **Governor Assurance** – Governors to act as the conduit between the Foundation Trust's Board of Directors and Members/the public by conveying membership/public interests and providing Board performance assurance.
- **Governor Development** – the Foundation Trust to support the developing and evolving role of Governor by equipping Governors with the skills and knowledge in order to fulfil their role.

Who's Who – Governors and their Constituencies & Categories

Our Council of Governors has 32 Elected and Nominated Governors. 17 of these Governors being elected by the public, 7 by our staff and 8 being nominated from partner organisations (including a Youth Governor). The Chair of our Board of Directors also chairs the Council of Governors. The Council of Governors meet at least four times a year (meetings are open to the public).

The majority of our Governors (24 out of 32) have been elected to carry out their role on behalf of our Members (staff and public). Governors are therefore accountable to Members.

Membership

The Trust has a membership community of around 42,000 members which is made up of both Public and Staff Members:

- Circa. 21,000 Public Members
- Circa. 21,000 Staff Members

Public Member Constituency

Public Members elect a total of 17 Public Governors from the following constituencies:

- Manchester
- Trafford
- Eastern Cheshire
- Rest of Greater Manchester
- Rest of England and Wales.

Eligible Public Members are entitled to stand for election as a Public Governor (if aged 16 years or over) with Public Governors being elected directly from and by Public Members (single transferrable voting method).

Election Table 1 – 2017 Public Governor seats open for election

The table below outlines the number of Public Governor seats that are open for election:

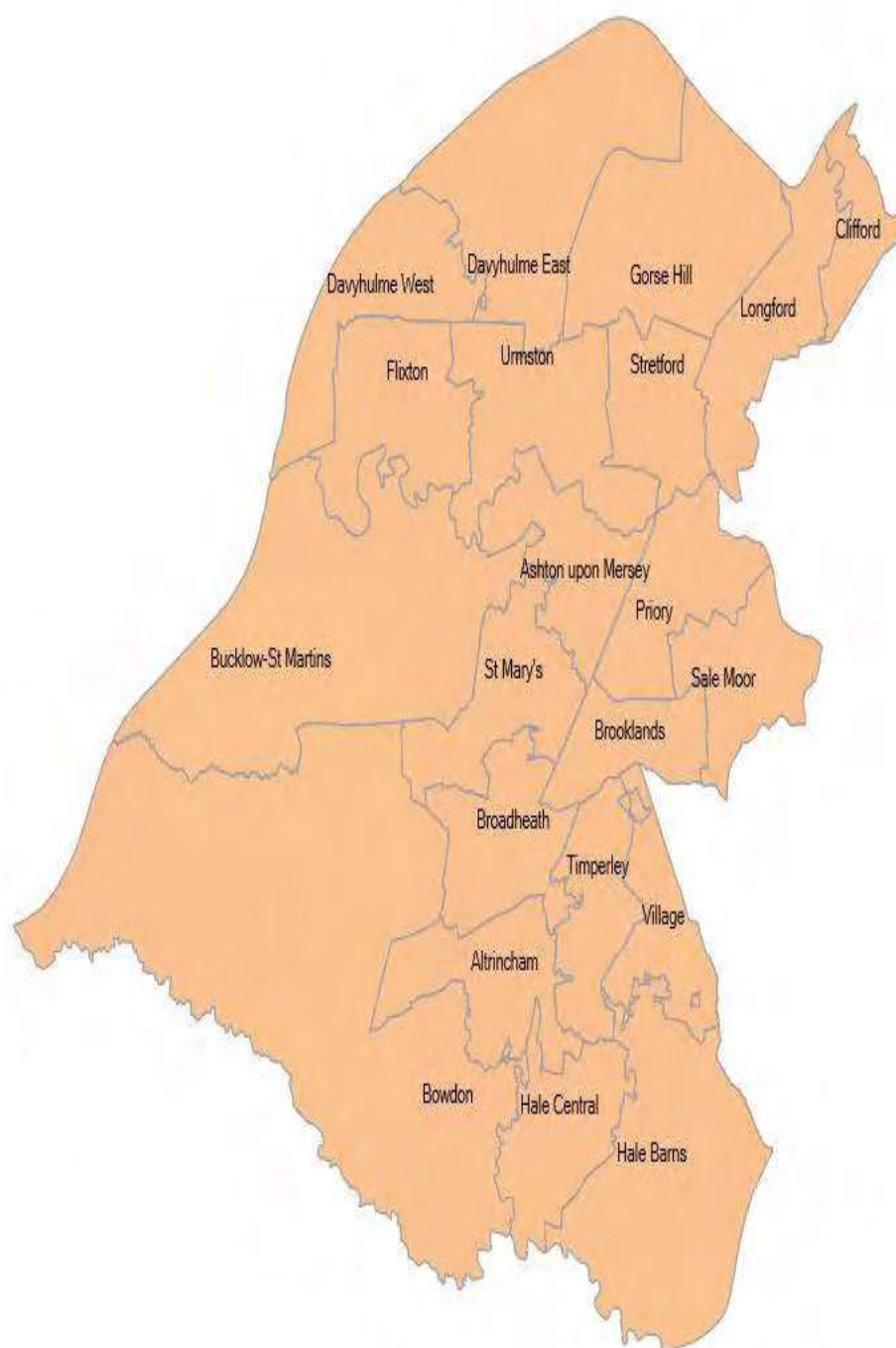
Public Constituency	Number of Governors seats to be elected
Manchester	7
Trafford	2
Eastern Cheshire	1
Rest of Greater Manchester	5
Rest of England & Wales	2

The maps on pages 11, 12, 13 & 14 illustrate the Public Member Constituencies for the Manchester, Trafford, Eastern Cheshire and Rest of Greater Manchester areas (areas that fall outside of these wards are captured in the Rest of England & Wales Constituency).

MANCHESTER – PUBLIC CONSTITUENCY



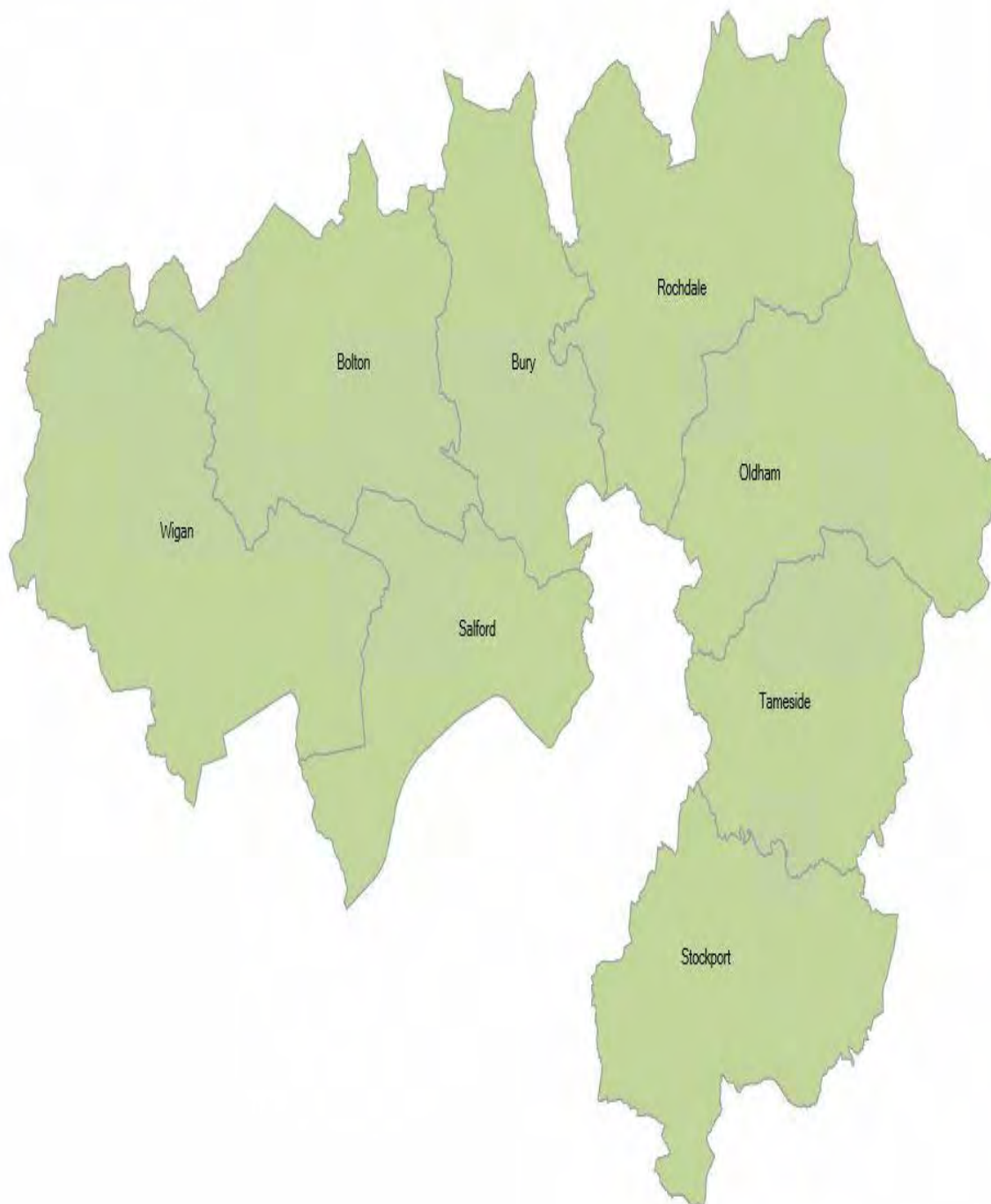
TRAFFORD – PUBLIC CONSTITUENCY



EASTERN CHESHIRE – PUBLIC CONSTITUENCY



REST OF GREATER MANCHESTER CONSTITUENCY



Areas that fall outside of these wards are captured in the Rest of England & Wales Public Constituency.

Staff Member Constituency

Staff Members elect a total of 7 Staff Governors in the following 4 staff classes:

- Medical and Dental
- Nursing and Midwifery
- Other Clinical
- Non-Clinical and Support.

Eligible Staff Members are entitled to stand for election as a Staff Governor with Staff Governors being elected directly from and by Staff Members (single transferrable voting method).

Election Table 2 – 2017 Staff Governor seats open for election

The table below outlines the number of Staff Governor seats that are open for election:

Staff Constituency	Number of Governors seats to be elected
Medical & Dental	1
Nursing & Midwifery	2
Other Clinical	2
Non-Clinical & Support	2

Nominated Partner Organisations

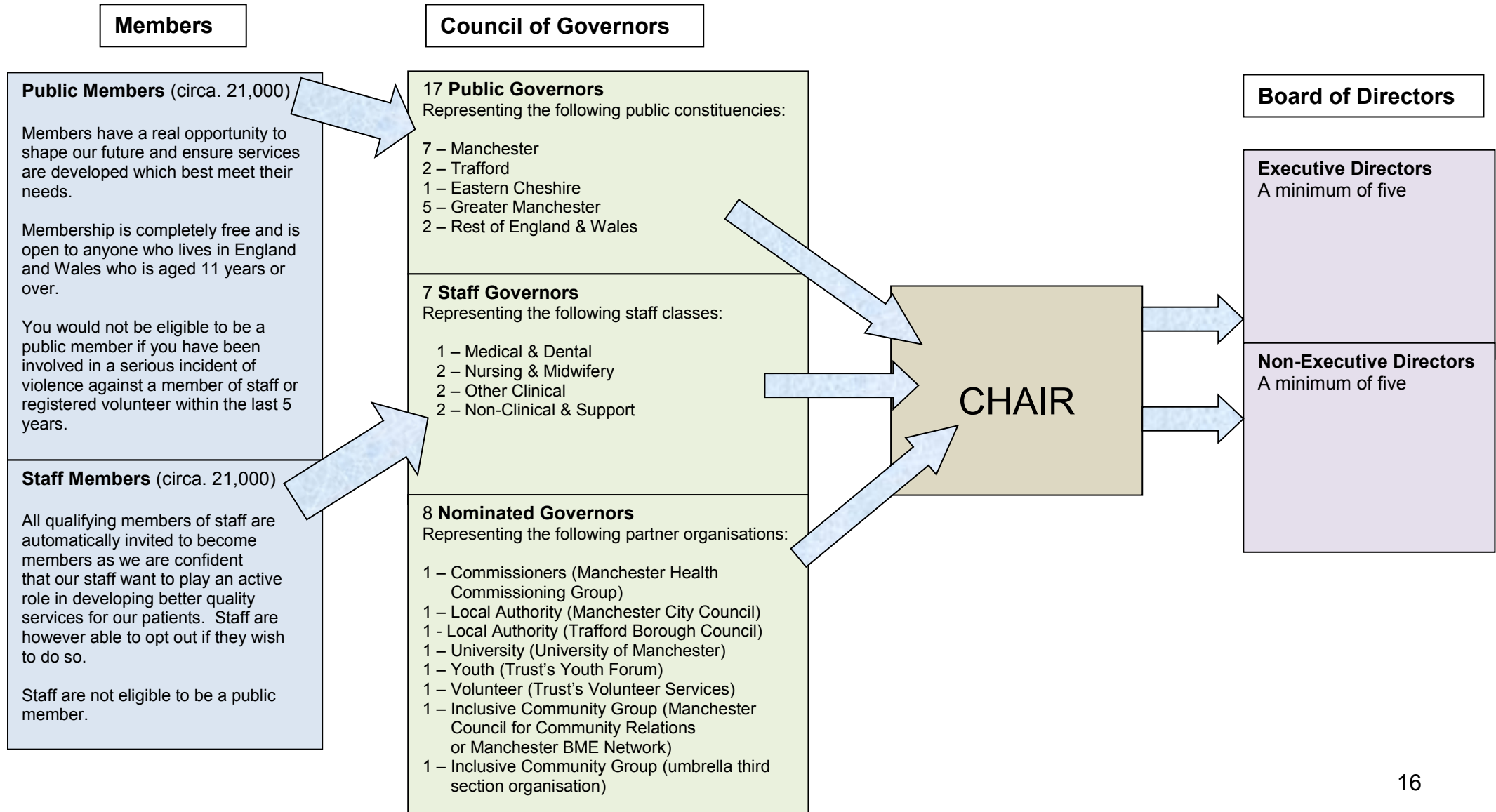
We also have Nominated (Appointed) Governors on our Council of Governors with a total of 8 Governors being nominated from the following organisations:

- Academic Institutions (University of Manchester)
- Commissioners (Manchester Health Commissioning Group)
- Local Authority Councils (Manchester City Council and Trafford Borough Council).
- The Trust's Youth Forum (16 – 21 year olds)
- The Trust's Volunteer Services
- Inclusive Community Groups (Manchester Council for Community Relations or Manchester BME Network and an umbrella third sector organisation)

As a Trust with a large Children's Hospital, we are conscious that young people need a way to articulate their views. Therefore, we have developed our relationship with the Trust's Youth Forum to ensure that young people's views are represented on our Council of Governors.

Governance Arrangements

The diagram below outlines the Trust's Governance Arrangements and the relationship between Members, Governors and Board of Directors.



Governor Election Process

Our Governor elections are independently run by an external company i.e. Electoral Reform Services. The election process commenced on Tuesday, 3rd October 2017 following the formal publication of the Notice of Election - available via our "Governor Election" webpage <http://www.mft.nhs.uk/the-trust/governors-and-members/elections> (found under 'the Trust' section of our new website – www.mft.nhs.uk).

The Election Timetable below outlines the 2017 key Governor Election dates:

GOVERNOR ELECTION TIMETABLE - 2017	
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, 3rd October 2017
Deadline for receipt of nominations	Noon on Wednesday, 18 th October 2017
Summary of valid nominated candidates published	Thursday, 19 th October 2017
Final date for candidate withdrawal	Monday, 23 rd October 2017
Notice of Poll published	Monday, 6 th November 2017
Voting packs despatched to Trust Members (where Governor seats are contested)	Tuesday, 7 th November 2017
Closing date for election	5pm on Monday, 27 th November 2017
Declaration of results	Tuesday, 28th November 2017
Successfully elected candidates formally start in office following closure of our Special Members' Meeting	Wednesday, 6th December 2017

As outlined above, once that the **nomination process closes at noon on Wednesday, 18th October 2017**, members will subsequently be provided with an opportunity to vote (where Governor seats are contested) together with details of the candidates that are standing for election. Members, in return, directly vote for the candidate(s) that they wish to represent them (single transferrable voting method).

The **result of the elections will be declared on Tuesday, 28th November 2017**, with newly elected Governors formally taking up their role following closure of our Special Members' Meeting scheduled for:

- **Wednesday 6th December 2017 at 1.00pm to 4.00pm (venue to be confirmed).**

All candidates standing for election are invited to attend this meeting (please make a note of this date in your diary).

Nomination Form

In order to stand for election, members must complete and sign a nomination form. Forms are to be directly requested from Electoral Reform Services (contact details on page 2).

As part of this form completing process, candidates are asked to produce a candidate's statement (no more than 250 words). Your statement is important as it provides you with an opportunity to tell members why they should vote for you.

Electoral Reform Services (ERS) e-learner Programme – Preparing For An Election

For more information on how to nominate yourself, how to write an effective election statement and how the election process works, you can take the ERS e-learner programme which is available at their election site www.ersvotes.com/mft2017.

The full course takes approximately 20 minutes to complete. The election site also hosts a short video explainer.

In addition, sample candidate statements can also be requested directly from Electoral Reform Services who will also be able to provide further assistance to complete your nomination form.

As outlined in the election timetable, the nomination process is now open and all **forms must be completed and returned directly to Electoral Reform Services by:**

- **Noon on Wednesday, 18th October 2017**
(address details outlined on the nomination form).

Please do not return completed nomination forms to the Trust

Further Election Information

Please see the Frequently Asked Questions (page 33) for more detailed information about the Governor Election process or contact the Foundation Trust Membership Office (contact details on page 3).

Eligibility to be a Governor:

- Governors must be Members.
- Governors must be at least 16 year old.
- Public Governors must live in the area (constituency) that they represent.
- Staff Governors must have a job role in the staff class (constituency) they represent.
- Nominated (Appointed) Governors must be supported in office by the partner organisation that they represent.

You do not need specific qualifications to be a Governor, other than an interest in healthcare and a commitment to representing members and the public to the best of your ability. There are however, certain statutory requirements that prevent an individual from becoming a Governor, such as criminal convictions within the preceding five years, bankruptcy, dismissal from an NHS job within the preceding two years or disqualification from an NHS body.

You cannot become (or continue as) a Governor if:

- You are a person under 16 years of age.
- You are an un-discharged bankrupt or estate has been sequestrated (un-discharged).
- You have made a composition or arrangements with, or granted a trust deed for your creditors and have not been discharged yet.
- You have in the last five years been convicted in the British Isles of any offence and a sentence of imprisonment for a period of three months without the option of a fine was imposed.
- You are a Director of the Foundation Trust or a Governor or Director of an NHS body (unless appointed by an appointing organisation which is an NHS body).
- You are a spouse, partner, parent or child of a member of the Board of Directors of the Foundation Trust.
- You are a member of a local authority's Scrutiny Committee covering health matters.
- You are subject to a Sex Offender Order.
- You have been dismissed from paid employment with an NHS body in the last two years for reasons other than redundancy.
- Your position as Chair, member or Director of an NHS body has been terminated on the grounds that the appointment is not in the interest of the health service, for non-attendance at meetings or for non-disclosure of a pecuniary interest.
- You failed to sign and deliver to the Secretary a statement (in the form required by the Secretary) confirming acceptance and adherence of the Trust's Code of Conduct for Governors.
- You have been removed as a Governor or Member due to committing a serious breach of the Code of Conduct or acted in a manner detrimental to the interests of a Foundation Trust or that the Council of Governors considered that it was in the best interests of the Foundation Trust for you to not continue as a Governor or Member or for failing to attend Council of Governors' Meetings or for refusing to undertake any training which the Council of Governors requires all Governors to undertake.

- You refuse to undertake a Disclosure and Barring Service check.
- You are not considered suitable by the Foundation Trust from the disclosures (convictions/cautions) obtained as a result of a Disclosure and Barring Service check.
- You do not meet the “Fit and Proper” Persons Test defined by regulation 5 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 and/or condition on G4 of the Trust’s Licence (details outlined from page 20).
- You fail to attend three consecutive meetings of the Council of Governors, unless the other Governors are satisfied that the absences were due to reasonable causes and you will be able to start attending meetings of the Council of Governors again within such a period as the other Governors consider reasonable.
- You have refused without reasonable cause to undertake any training which the Council of Governors requires all Governors to undertake.
- You fail to disclose any declaration of interest on an annual basis or at any-time that your circumstances change.
- You have refused to sign a declaration of your qualification to vote as a member of the Foundation Trust.
- You are prevented from being a member of the Council of Governors.

Additional Mandatory Requirements

Declaration of Interests

Members of the Council of Governors are expected on an annual basis, or at any-time should their circumstances change, to disclose to the Council any material interests held by themselves, their spouse or partner, which are then recorded in the Register of Interest of Governors. The register is available to the public on request and via the Trust’s website, with interests being formally documented (via completion of a Governor Declaration of Interest Form) and reported to the Council of Governors, on an annual basis (at a Council of Governors’ Meeting). Governors who fail to disclose any interest or material interest required to be disclosed under the Trust’s Constitution provisions must permanently vacate their office if required to do so by a majority of the remaining Governors.

Fit and Proper Person Declaration

As defined by regulation 5 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 and/or condition on G4 of the Trust’s Licence, Governors are required to meet the “fit and proper” person test.

In the event of a Governor being or becoming an “unfit person” under the Foundation Trust’s Constitution, they must permanently vacate their office.

Governors, as part of the Fit and Proper Person's declaration process, are asked to state their compliance with the information below:

1. Fitness to carry out the role of Governor in the Manchester University NHS Foundation Trust ('the Trust') is determined by the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 ("**the Regulated Activities Regulations**") and/or condition on G4 of the Trust's Licence.
2. By signing the declaration, you are confirming that you do not fall within the definition of an "unfit person" or any other criteria set out, and that you are not aware of any pending proceedings or matters which may call such a declaration into question.
3. It is a condition of appointment that those holding a Governor post in the Trust provide confirmation in writing, on appointment and thereafter on demand, of their fitness to hold such a position.
4. Chairs and Non-Executive Directors are also required to meet the "fit and proper persons" test for Directors.
5. The Trust shall not appoint, or permit to continue as a Director or Governor, any person who is an unfit person.
6. The Trust's Constitution permits the summary termination in the event of a Governor being, or becoming, an unfit person. The Trust will enforce that provision promptly upon discovering any Governor to be an unfit person.

Regulated Activities Regulations

7. The definitions of being fit under the requirements of paragraph 3 of Regulation 5 of the Regulated Activities Regulations are that:
 - (a) the individual is of good character;
 - (b) the individual has the qualifications, competence, skills and experience which are necessary for the relevant office or position or the work for which they are employed;
 - (c) the individual is able by reason of their health, after reasonable adjustments are made, of properly performing tasks which are intrinsic to the office or position for which they are appointed or to the work for which they are employed;
 - (d) the individual has not been responsible for, privy to, contributed to or facilitated any serious misconduct or mismanagement (whether unlawful or not) in the course of carrying on a regulated activity or providing a service elsewhere which, if provided in England, would be a regulated activity; and
 - (e) none of the grounds of unfitness specified in Part 1 of Schedule 4 apply to the individual.

8. The grounds of unfitness specified in Part 1 of Schedule 4 to the Regulated Activities Regulations are:
- (a) the person is an undischarged bankrupt or a person whose estate has had sequestration awarded in respect of it and who has not been discharged;
 - (b) the person is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order or an order to like effect made in Scotland or Northern Ireland;
 - (c) the person is a person to whom a moratorium period under a debt relief order applies under Part VIIA (debt relief orders) of the Insolvency Act 1986;
 - (d) the person has made a composition or arrangement with, or granted a trust deed for, creditors and not been discharged in respect of it;
 - (e) the person is included in the children's barred list or the adults' barred list maintained under section 2 of the Safeguarding Vulnerable Groups Act 2006, or in any corresponding list maintained under an equivalent enactment in force in Scotland or Northern Ireland;
 - (f) the person is prohibited from holding the relevant office or position, or in the case of an individual for carrying on the regulated activity, by or under any enactment.
9. In assessing good character, the matters to be considered must include those listed in Part 2 of Schedule 4 which are:
- (a) Whether the person has been convicted in the United Kingdom of any offence or been convicted elsewhere of any offence which, if committed in any part of the United Kingdom, would constitute an offence.
 - (b) Whether the person has been erased, removed or struck-off a register of professionals maintained by a regulator of health care or social work professionals.

Code of Conduct

Our Governors are required to sign a declaration saying that they will comply with our Code of Conduct. You cannot become (or continue as) a Governor if you failed to sign and deliver to the Secretary a statement (in the form required by the Secretary) confirming acceptance of the Code of Conduct for Governors.

If a Governor commits a serious breach of the Code of Conduct; or they have acted in a manner detrimental to the interests of the Foundation Trust; and the Council of Governors consider that it is not in the best interests of the Foundation Trust for them to continue as a Governor, under the Trust's Constitution provisions they must permanently vacate their office if required to do so by a majority of the remaining Governors.

Key elements of the Governors' Code of Conduct are outlined below:

As an NHS Foundation Trust Governor:

- I will commit to actively support the Trust's Vision and Values.
- I will seek at all time to support the Trust in its aims and priorities and ensure that its needs and interests are foremost in decision-making.
- I will act with discretion and care in respect of difficult and confidential issues.
- I will maintain confidentiality with regard to information gained.
- I will uphold the seven principles of public life as outlined by the Nolan Committee (outlined from page 23).
- I will acknowledge that the Trust is an apolitical organisation.
- If I am a member of a trade union, political party or other organisation, I recognise that I will not be representing those organisations, but will be representing the public and staff that elected me or the organisation that nominated me.
- I will be honest and act with integrity and probity at all times.
- I will seek to ensure that my Governor colleagues are valued and that judgements about them are consistent, fair and unbiased and are properly founded.
- I will show my commitment to working as a team member by working with my colleagues in the NHS and wider community.
- I will seek to ensure that the membership of the constituency, area or category that I represent is properly informed and able to influence services.
- I will 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 economical status or national origin.
- I will at all times comply with the Constitution, Standing Orders and Standing Financial Instructions of the Trust.
- I will seek to ensure that the best interests of the public, patients, carers and staff are upheld in decision-making and that decisions are not improperly influenced by gifts or inducements.
- I will support and assist the Chief Executive of the Trust in his responsibility to answer to the Independent Regulator, 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.

Nolan Principles

The Nolan Committee sets out 'Seven Principles of Public Life' which apply to all who serve the public in any way and which include NHS Foundation Trust Governors. These are:

Selflessness - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability - Holders of public office are accountable for their decisions and actions to the Public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership - Holders of public office should promote and support these principles by leadership and example.

Disclosure and Barring Service Check

In keeping with the Trust's Constitution, all Governors are required to consent to and clear a Disclosure and Barring Service check. This check is designed to confirm whether you have a criminal record. This is important for an organisation which has responsibility for young and vulnerable members of the public. Clearance from the Disclosure and Barring Service allows the organisation to confidently allow you to carry out your role.

A Governor will be disqualified if on the basis of disclosures (convictions/cautions) obtained through a Disclosure and Barring Service check, he/she is not considered suitable by the Foundation Trust or that such a person are such that it would be inappropriate for him/her to become or continue as a Governor or it would adversely affect public confidence in the Trust or otherwise bring the Trust into disrepute.

Other Policies and Guidelines

In addition to the above, Governors are also required to comply with the following Policies/Guidelines:

- Trust Internet and E-mail Use Policy
- Trust Media Policy
- Social Media – A Guide for Governors.

Governance Arrangements

In order to progress a Governor's start in office, individuals are requested to review/complete the following:

- Security/Identification Badge application form
- Contact Information Form
- Governor Skill Mix Matrix
- Governor Photograph Consent Form.

All new Governor Forms, Policies and Guidelines will be issued to individuals following their formal announcement at our Special Members' Meeting and we invite all candidates to attend as it provides an opportunity to meet and interact with fellow Members/Governors in addition to meeting our Board of Directors (meeting details on page 17).

We also ask new Governors to provide a digital photograph and pen portrait information (max. 250 words) as this information is displayed on our website for members of the public to view. Support is provided by the Trust's Communication Team to produce this pen portrait information with key information being taken directly from a candidate's election statement.

Please note that the Trust will not issue Security ID Badges or E-mail accounts until all Governance arrangements have been fully completed and processed.

Governor Meetings

A full list of Governor meeting dates is included in our Chairman's Briefing which is circulated to all Governors on a bi-monthly basis with Governor Meetings being predominantly held during the day (anytime between 9.00 am – 5.00 pm).

Ground Rules for Meetings

- Governors are expected to attend meetings whenever possible – if unable to attend a meeting, apologies should be forwarded to the Trust Secretary and/or meeting organiser as soon as possible.
- Governors are expected to attend meetings on time - if anticipated will be late, the Trust Secretary and/or meeting organiser should be informed as soon as possible.
- Governors are expected to stay for the duration of the meeting (starting and ending meetings on time).
- All mobile phones are expected to be switched off for the duration of the meeting.
- Respect and value that everyone is different and will think differently, with Governors being expected to embrace people's differing views.
- Governors are expected to actively listen and be receptive.
- When seeking clarification and/or raising a question, Governors are asked to raise their hand and wait until the Chair invites the question (refraining from interrupting the speaker until the appropriate time).
- One person should speak at a time and, when available, use a microphone.
- When speaking, Governors are expected to use polite, plain and simple language, taking care not to talk for too long or too hastily.

- In the event that a speaker is not understood, politely request them to repeat or provide a further explanation of what they are saying. It is likely that other attendees will also benefit from this request.
- Governors are encouraged to actively participate in meetings. Even if not a confident speaker, other attendees often feel assured that attendees are engaged and are actively following the meeting discussion by positive behaviours e.g. nodding head gestures etc.
- Governors should not use abbreviations with words being spoken in full, e.g. Accident and Emergency rather than A&E.
- Governors must treat any information which they receive as confidential, and must not disclose it to any third party without the express permission of an authorised representative of the Trust.
- Governors are expected to be polite and respectful at all time. If you disagree with a point/issue that is made, ensure that your disagreement is in relation to this point/issue only and not with any individual involved.

Governor Term of Office

As outlined in the Trust's Constitution, initial elected Governors (Public and Staff) shall serve a term of office as set out in the table below commencing immediately after the Special Members' Meeting at which the election results are announced. Any initial Governor who is elected to serve a further term of office thereafter will serve a term of three years:

Public Constituency	Number of Public Governors	Term of Office
Manchester	4	4 Governors that poll the highest number of votes will serve a term of office one term (three years) following their announcement at a Special Members' Meeting ending at the conclusion of the Annual Members' Meeting in 2020
	3	3 Governors that poll the next highest number of votes will serve a term of office of one term (two years) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2019
		Any Public Governor who is elected unopposed, shall be deemed to have received no votes and will serve term of office of one term (1 year) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2018.

Public Constituency	Number of Public Governors	Term of Office
Trafford	1	One Governor that polls the highest number of votes will serve a term of one term (three years) following their announcement at a Special Members' Meeting ending at the conclusion of the Annual Members' Meeting in 2020
	1	One Governor that polls the next highest number of votes will serve a term of office of one term (two years) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2019
		Any Public Governor who is elected unopposed, shall be deemed to have received no votes and will serve term of office of one term (1 year) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2018
Eastern Cheshire	1	One Governor that polls the highest number of votes will serve a term of office-one term (three years) following their announcement at a Special Members' Meeting ending at the conclusion of the Annual Members' Meeting in 2020
		Any Public Governor who is elected unopposed, shall be deemed to have received no votes and will serve term of office of one term (1 year) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2018.
Greater Manchester	3	3 Governors that poll the highest number of votes will serve a term of office of one term (three years) following their announcement at a Special Members' Meeting ending at the conclusion of the Annual Members' Meeting in 2020
	2	2 Governors that poll the next highest number of votes will serve a term of office of one term (two years) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2019
		Any Public Governor who is elected unopposed, shall be deemed to have received no votes and will serve term of office of one term (1 year) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2018

Public Constituency	Number of Public Governors	Term of Office
Rest of England and Wales	1	One Governor that polls the highest number of votes will serve a term of one term (three years) following their announcement at a Special Members' Meeting ending at the conclusion of the Annual Members' Meeting in 2020
	1	One Governor that polls the next highest number of votes will serve a term of office of one term (two years) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2019
		Any Public Governor who is elected unopposed, shall be deemed to have received no votes and will serve term of office of one term (1 year) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2018.

Staff Constituency/ Classes	Number of Staff Governors	Term of Office
Medical & Dental	1	One Governor that polls the highest number of votes will serve a term of office of one term (three years) following their announcement at a Special Members' Meeting ending at the conclusion of the Annual Members' Meeting in 2020
		Any Staff Governor who is elected unopposed, shall be deemed to have received no votes and will serve term of office of one term (1 year) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2018
Nursing & Midwifery	1	One Governor that polls the highest number of votes will serve a term of office of one term (three years) following their announcement at a Special Members' Meeting ending at the conclusion of the Annual Members' Meeting in 2020
	1	One Governor that polls next the highest number of votes will serve a term of office of one term (two years) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2019

Staff Constituency/ Classes	Number of Staff Governors	Term of Office
		Any Staff Governor who is elected unopposed, shall be deemed to have received no votes and will serve term of office of one term (1 year) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2018
Other Clinical	1	One Governor that polls the highest number of votes will serve a term of office of one term (three years) following their announcement at a Special Members' Meeting ending at the conclusion of the Annual Members' Meeting in 2020
	1	One Governor that polls next the highest number of votes will serve a term of office of one term (two years) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2019
		Any Staff Governor who is elected unopposed, shall be deemed to have received no votes and will serve term of office of one term (1 year) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2018
Non-Clinical & Support	1	One Governor that polls the highest number of votes will serve a term of office of one term (three years) following their announcement at a Special Members' Meeting ending at the conclusion of the Annual Members' Meeting in 2020
	1	One Governor that polls next the highest number of votes will serve a term of office of one term (two years) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2019
		Any Staff Governor who is elected unopposed, shall be deemed to have received no votes and will serve term of office of one term (1 year) following their announcement at a Special Members' Meeting, ending at the conclusion of the Annual Members' Meeting in 2018

An Elected or Nominated (Appointed) Governor may not hold office for more than three terms or a maximum of nine consecutive years, whichever is the shorter in duration, and shall not be eligible for re-election or re-nomination if he has already held office for more than six consecutive years.

Of note, an Elected or Nominated (Appointed) Governor may not stand again for re-election or re-appointment as a Governor until three years has elapsed since their resignation or their completion of the maximum three terms or nine consecutive years as a Governor.

Governors will cease to hold office if they no longer live in the area of their constituency (Public Governors), no longer work for our Trust or hold a position in the staff class that they represent (Staff Governors) or are no longer supported in office by the partner organisation that they represent (Appointed Governors).

Termination of Office

You will cease to be a Governor if:

- You resign in writing to the Trust's Secretary.
- You do not attend three consecutive Council of Governors' Meetings unless you could give a reasonable reason or you start attending meetings again.
- You do not take part in the training programmes which are considered essential for all Governors unless you had a reasonable reason.
- You are no longer a member of the constituency, area or staff class that you were elected to represent (this applies to elected Governors – Public and Staff).
- The organisation you represent, in the case of Nominated (Appointed) Governors, terminates your appointment.
- A change in your circumstances means that you no longer meet the criteria for being a Governor.
- You fail to comply with the Trust's mandatory requirements (Declaration of Interests, Fit and Proper Persons Test, Code of Conduct and Disclosure and Barring Service check).

A more detailed list of specifications can be found in the Trust's Constitution (copy available via the Foundation Trust Membership Office – contact details on page 3).

All Governors positions (Public, Staff and Appointed) are subject to the fulfilment of the aforementioned eligibility criteria with Governors ceasing to hold office should this criteria be/become unfulfilled.

Additional Governor Information

Support for Governors

If successfully elected as a new Governor, you will be invited to participate in an Induction Programme which is aimed to ensure that you fully understand the role and responsibilities of a Governor.

You will also be invited to attend an introduction meeting with our Chairman at which you will be provided with a Governor Resource Pack which provides more detailed information about the role of Governor in addition to information about our NHS Foundation Trust and the services that we provide.

We also invite new Governors to participate in a site tour so to familiarise themselves with the hospital areas at Central Site.

Ongoing support for the Council of Governors is provided by the Director of Corporate Services/Trust Secretary and Foundation Trust Membership Manager.

Additional Support

As an NHS Foundation Trust, we are committed to establishing a truly representative membership and welcome Members and Governors from all backgrounds and protected characteristics. We do not tolerate any form of discrimination, harassment or victimisation.

We are committed to supporting Governors so that they are able to undertake their role to the best of their ability and we recognise that you may need additional support in order for you to do this. We appreciate that additional support may be required for a variety of reasons including: -

- Physical accessibility (e.g. disability, older or frail people)
- Language
- Culture and traditions
- Social expectations (young people)
- Lifestyles.

In relation to disabilities we appreciate that these are of a diverse nature and if a Governor considers him or herself to have a disability and/or requires additional support in relation to their Governor role, or for any other reason, support arrangements will be made via the Director of Corporate Services/Trust Secretary and/or Foundation Trust Membership Manager.

As part of the membership application process, we ask applicants to disclose information in relation to their ethnicity, language and disability status with all information collected being confidential, in keeping with Data Protection rules and not released to third parties. If the information that you supplied as part of your initial membership application process has changed or changes in the future, please contact the Foundation Trust Membership Manager (contact details on page 3).

Communication Arrangements

In the main, communication with Governors is undertaken via e-mail with all Governors being issued with a Trust e-mail account (which is promoted via the Trust's website), with encouragement being given to members and the public to directly engage with Governors via this method.

It is therefore important for Governors to be able to regularly access their Trust e-mail account via their home/work computer systems with support being provided by the Trust's Informatics Team in the event of any problems.

Expenses

Although Governors are not paid, they can claim expenses (such as travel) which have been incurred whilst carrying out their duties. However, if travelling by car, Governors are responsible for ensuring that they have appropriate car insurance cover i.e. for business purposes and must provide proof i.e. valid insurance certificate in order to subsequently claim back their expenses.

Where can I get more information from?

If you have a question in relation to our Governor elections, please see the list of 'Frequently Asked Questions' (from page 33). If you require any further help/support or information please contact the Returning Officer:

Ciara Norris
Returning Officer
Electoral Reform Services Limited
The Election Centre
33 Clarendon Road
London, N8 0NW

Tel: 020 8889 9203

E-mail: Ciara.Norris@electoralreform.co.uk

Online: www.ersvotes.com/mft2017

If you require any further information regarding the role of Governor, please contact the Foundation Trust Membership Office: -

E-mail: ft.enquiries@mft.nhs.uk
Tel: 0161 276 8661
Freepost: Freepost Plus RRBR-AXBU-XTZT
MFT NHS Trust
Oxford Road
Manchester
M13 9WL

Once again thank you for your interest and we wish you every success in the election process. We truly appreciate your support in our NHS Foundation Trust.

Frequently Asked Questions - Governor Elections

1. Why is the Trust having an election?

MFT was formed on 1st October 2017 by the merger of two existing Trusts (CMFT and UHSM), and therefore is holding Governor Elections to elect a new Council of Governors for this new NHS organisation.

2. Who runs the election?

The election is run by an independent, external company namely Electoral Reform Services.

3. What is the Council of Governors?

The Council of Governors is made up of 32 Governors namely:

- 17 Public Governors (elected from and by our Public Members)
- 7 Staff Governors (elected from and by our Staff Members)
- 8 Nominated (Appointed) Governors (nominated from and by our partner organisations)

4. Why are some people nominated rather than elected?

In order to ensure local accountability, there are both elected and nominated Governors. Elected Governors represent members in our public and staff constituencies. Nominated Governors represent the partner organisations that we work with such as councils, academic institutes (Universities), commissioner groups in addition to the Trust's Youth Forum and Volunteer Services. We also have Nominated Governors to represent the views of inclusive community groups. However, the majority of our Council of Governors (24 out of 32) is elected by our members.

5. What is the difference between a Member and a Governor?

Our membership community is made up of patients, carers, local residents, staff and the public with members voting to elect representatives (Governors) onto our Council of Governors. Governors are responsible for representing members and the public and engaging with them so to forward their views and opinions to the Trust's Board of Directors.

6. Am I eligible to vote in the elections?

You are eligible to vote if you are registered as a Member of our Foundation Trust in the member constituency for which the election is being held. However, in keeping with our Constitution, only individuals that become members on or before the closing date of the receipt of nominations (from election candidates) can vote during the election namely:

- Noon on Wednesday, 18th October 2017

Therefore all new member applications are temporarily put on hold from noon on Wednesday, 18th October 2017 until the election closure date i.e. 5pm on Monday, 27th November 2017, with all pending applications being duly processed following this date.

7. How will I know the election process has started and when do I vote?

At the start of the Governor Election process, an independent, external election company will issue a 'Notice of Election' which includes an Election Timetable (specifies the key dates including voting deadlines).

A copy of our 2017 Election Timetable is outlined on page 17) with the election process formally starting on Tuesday, 3rd October 2017 and the voting packs being despatched to eligible Members on Tuesday, 7th November 2017.

All election documents are published on our website 'Governor Elections' webpage (<http://www.mft.nhs.uk/the-trust/governors-and-members/elections> - found under 'the Trust' section of our new website – www.mft.nhs.uk) at the start of the election process.

Election notification and papers are sent directly from the election company to all relevant members (constituencies where Governor seats are open for election). Voting packs are also sent directly to members as part of this process with the deadline date that votes are to be returned directly to the election company being 5pm on Monday, 27th November 2017.

8. I don't know if I am a member, how can I find out?

If you provide your name and contact details to the Foundation Trust Membership Office (contact details on page 3) they will be able to let you know if you are registered as a member and, if you are, which membership constituency you are in.

Membership is completely free with public membership being open to anyone aged 11 years or over who lives in England and Wales. The Public Member constituency is subdivided into the following areas:

- Manchester
- Trafford
- Eastern Cheshire
- Rest of Greater Manchester
- Rest of England & Wales

Staff are automatically invited to become staff members however are able to opt out. The Staff Member constituency is subdivided into the following staff groups:

- Medical & Dental
- Nursing & Midwifery
- Other Clinical
- Non-Clinical & Support

If you are not currently a member and are interested in becoming one, contact the Foundation Trust Membership Office for a paper form (contact details below) or alternatively, complete an on-line form available via our website www.mft.nhs.uk

Foundation Trust Membership Office – Contact Details:

By Post: Freepost Plus RRBR-AXBU-XTZT
MFT NHS Trust
Oxford Road
Manchester
M13 9WL

By Phone: 0161 276 8661 (office hours 9.00 am to 5.00 pm, Monday to Friday; answering machine outside these hours)

E-mail: ft.enquiries@mft.nhs.uk

9. Can I switch from the public to staff constituency and vice-versa?

No, in order to be eligible as a staff member you must be employed by (under a contract of employment of at least 12 months) and/or exercise functions for the purposes of the Trust, otherwise than under a contract of employment with the Trust, provided such individuals have exercised these functions continuously for a period of at least 12 months (please note, for the avoidance of doubt this does not include individuals who assist or provide services to the Trust on a voluntary basis).

All our qualifying members of staff are automatically invited to become members upon their appointment (do have the opportunity to opt out). If a member of staff is eligible to become a staff member they cannot become a member of any other constituency even if they opt out. Staff that do not wish to be a member are not eligible to vote.

10. Is the Council of Governors the same as the Board?

No, the Board of Directors is made up of Executive and Non-Executive board members who are collectively responsible for the performance of the Trust and which exercises power on behalf of the Trust.

11. What is the difference between the Board of Directors and Council of Governors?

The overriding duty of the Board of Directors is to be collectively and individually responsible for promoting the success of the NHS Foundation Trust so as to maximise the benefits for the members of the NHS Foundation Trust as a whole and for the public. This means the Board is focused on providing high-quality health care to the NHS Foundation Trust's members and the communities it serves.

By way of contrast, the overriding role of the Council of Governors is to hold the Non-Executive Directors, individually and collectively, to account for the performance of the Board of Directors and to represent the interests of Foundation Trust members and of the public.

The Board is therefore responsible for the direction and performance of the Trust, while the Council of Governors is responsible primarily for assuring the performance of the Board.

12. What are the duties of Governors?

Under the Health & Social Care Act (2012), the statutory duties of Governors are clearly defined (a more detailed list of Governor duties and requirements can be found from page 6):

- To hold the Non-Executive Directors individually and collectively to account for the performance of the Board of Directors, and
- To represent the interests of the members of the Foundation Trust as a whole and the interests of the public.

13. I am a member and interested in standing for election as a Governor, what is the process?

All qualifying/eligible members that are aged 16 years or over are able to nominate themselves to stand for election as a Governor. At the start of the Governor election process an invitation letter, from our Chair, is sent out to the relevant member constituencies, informing members that the election process is starting and includes the contact details of the external company who facilitates our election process (to request a nomination form if interested in standing for election). Ballot papers are then sent to members who in turn vote for the candidate(s) that they wish to be elected to our Council of Governors (single transferrable voting method).

14. I am NOT a member and interested in standing for election as a Governor, what do I need to do?

In order to stand for election as a Governor, you do need to be registered as a member and aged 16 years or over. Membership application forms are available via the Foundation Trust Membership Office (contact details on page 3) or alternatively, an on-line form is available via our website www.mft.nhs.uk. Once your membership application form has been received and processed, you will receive a Membership Welcome Pack which provides more information about being a Member and the role of Governor.

15. Does someone have to nominate me to stand for election as a Governor?

No, you can nominate yourself.

16. How can I get a Nomination Form?

Requests for nomination forms are to be made directly with the election company i.e. Electoral Reform Services by contacting their Customer Services Team (contact details on page 2).

17. What's the deadline for Nominations?

The deadline for receipt of nominations is noon on Wednesday, 18th October 2017.

Election notification and papers are sent directly from the election company to all relevant members (constituencies where Governor seats are open for election) with nomination forms being requested from and, upon completion, are to be sent directly back to the election company i.e. Electoral Reform Services.

Once received, please make sure that you follow the checklist on the nomination form and provide all of the details requested so to ensure validity of your nomination.

18. Do I need any qualifications to be a Governor?

No, you do not need specific qualifications to be a Governor, other than an interest in healthcare and a commitment to representing members and the public to the best of your ability.

19. How will I know who I am running against?

The election company will issue a “Notice of Poll” which outlines the candidates that are standing for election and is published on our website ‘Governor Elections’ webpage

(<http://www.mft.nhs.uk/the-trust/governors-and-members/elections> - found under ‘the Trust’ section of our new website – www.mft.nhs.uk) on Monday, 6th November 2017. In addition, candidates’ election statements are sent to relevant members (where Governor seats are open for election and seats are contested) and are also made available on our Governor Election webpage (candidates’ election statements listed per membership constituency).

20. What information do I need to provide as part of the nomination process?

Candidates are asked to provide:

- Name, home address and contact details
- Any membership of political parties
- Any financial or other interest in the Trust
- A photograph
- A personal statement of no more than 250 words.

21. Do I need to agree and sign any declarations as part of the nomination process?

Yes, candidates are required to sign a declaration that:

- They are not a person who has been adjudged bankrupt or whose estate has been sequestrated and (in either case) has not been discharged
- They are not a person who has made a composition or arrangement with, or granted a trust deed for, his creditors and has not been discharged in respect of it
- They are not a person who within the preceding 5 years has been convicted in the British Islands of any offence if a sentence of imprisonment (whether suspended or not) for a period of not less than 3 months (without the option of a fine) was imposed on them.
- They are not a person who is under sixteen (16) years of age
- They are not a person who is subject to a sex offender order
- They are not a person who has not, within the preceding two (2) years, been dismissed by any other reason than redundancy, from any paid employment with an NHS body
- They are not a person who has not had a tenure as the Chairman or as a member or Director of an NHS body terminated because their appointment was not in the interests of the health service, for non-attendance at meetings, or for nondisclosure of a pecuniary interest
- They accept and abide by the Foundation’s Trust values and will agree to confirm acceptance of and adhere to the Trust’s Code of Conduct for Governors (details outlined from page 22).

- They are not a Director of the Foundation Trust or a governor or director of an NHS body (unless appointed by an appointing organisation which is an NHS body)
- They are not the spouse, partner, parent or child of a member of the board of directors of the Foundation Trust
- They are not a member of a local authority's Scrutiny Committee covering health matters
- They are not a person who has previously been removed as a Governor or Member due to committing a serious breach of the Code of Conduct or that acted in a manner detrimental to the interests of the Foundation Trust or that the Council of Governors considered that it was in the best interests of the Foundation Trust for them not to continue as a Governor or Member or for failing to attend Council of Governors' Meetings or for refusing to undertake any training which the Council of Governors requires all Governors to undertake.
- They are aware that they will be required to consent to and clear a Disclosure and Barring Service (DBS) check and are also aware that they will be disqualified if considered to be unsuitable by the Trust on the basis of any disclosures obtained
- They are aware that they will be required to disclose any declaration of interest on an annual basis or at any-time should their circumstances change
- They are aware that they will be required to attend regular meetings and training sessions (meetings predominately held Monday to Friday, anytime between 9.00 am - 5.00 pm)
- They are not a person who is unfit and improper as defined by regulation 5 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 and/or condition on G4 of the Trust's Licence (details outlined from page 20)
- They are not person who has refused to sign a declaration of their qualification to vote as a member of the Trust and that they are not prevented from being a member of the Council of Governors

A full list of the Governor criteria is available in the Trust's Constitution (copy available via the FT Membership Office).

22. I'm not a very good writer, can the Trust help me to put together my statement or edit it?

Unfortunately, we are not permitted to edit your statement as we have to be fair to all the candidates. However, if you are having difficulties, the election company i.e. Electoral Reform Services will be able to provide examples of previous candidate statements (contact details on page 2) and will also be able to provide further assistance to complete your nomination form.

In addition, information on how to write an effective election statement and how the election process works, is also provided by the election company i.e. ERS e-learner programme which is available via their election site www.ersvotes.com/mft2017. The full course takes approximately 20 minutes to complete.

23. What happens if I change my mind?

You can change your mind and withdraw from the Governor Election process, but you must let the election company i.e. Electoral Reform Services know. The date for final candidate withdrawal is Monday, 23rd October 2017.

24. Does the Trust give me any publicity to promote my campaign?

The Trust gives objective, balanced and fair coverage equivalent in size and contact to all candidates on its website by making available each candidate's election statement only.

Upon request, the Trust will provide a limited number of membership application forms for those candidates who wish to recruit members as part of their campaign promotion. Only individuals that become members on or before the closing date of the receipt of nominations (from election candidates) can vote during the election namely:

- Noon on Wednesday, 18th October 2017

Therefore all new member applications are temporarily put on hold from noon on Wednesday, 18th October 2017 until the election closure date i.e. 5pm on Monday, 27th November 2017, with all pending applications being duly processed following this date.

25. What about funding to promote my campaign?

There is no funding provided to promote campaigns whether incurred by candidates or another person.

26. How/who decides who has won (elected as a Governor)?

Members decide who is successfully elected as a Governor with votes being counted by the Returning Officer at Electoral Reform Services using the single transferrable voting system.

27. When will I know if I have won (been successfully elected as a Governor)?

Written confirmation of the results is sent to every candidate via the election company i.e. Electoral Reform Services in keeping with the election timetable i.e. Tuesday, 28th November 2017. Once that all candidates being notified, the results are then formally published on our website 'Governor Elections' webpage – <http://www.mft.nhs.uk/the-trust/governors-and-members/elections> found under 'the Trust' section of our new website – www.mft.nhs.uk

28. If I am elected as a Governor, how do I discharge my duties?

As a Governor, you discharge your duties by attending regular meetings of the Council of Governors, attending Trust Open Days/Events and Annual Members' Meetings in addition to attending ongoing development and training sessions. Please note that Governor meetings are predominantly held during the day (anytime between 9.00am – 5.00pm).

You will also be invited to attend Governor Groups and other Governor/Trust meetings and are expected to participate in member and public meetings/events and in order to make direct contact with members and the public.

Public Governors will also be asked to identify a local patient/public group with Staff Governors being asked to identify local staff groups that you intend to regularly engage with so to canvass both members' and public views/opinions in addition to promoting the Trust, Membership and the role of Governor.

29. Will I need any training to take on this role?

The Trust arranges a New Governor Induction Programme which all newly elected/nominated Governors being invited to attend (includes an Introduction Meeting with our Chair). The Trust also schedules ongoing Governor Development and Training Sessions for all Governors (new and existing) throughout the course of each year.

Additional Governor training needs (individual and as a Council of Governors) are also identified on a yearly basis as part of our Governor Questionnaire process.

30. Will I need to comply with a Code of Conduct?

All new Governors are sent a “Governors’ Code of Conduct” which you will be asked to review and agree compliance with whilst carrying out the Trust’s Governor role (conduct outlined from page 22). In addition, new Governors are also required to meet the “Fit and Proper Persons” Test (details outlined from page 20). Eligibility to be a Governor including mandatory requirements are outlined from page 18 and are applicable to all Governors positions (Public, Staff and Nominated). In order for you to become or continue as a Governor is subject to the fulfilment of the aforementioned eligibility criteria with Governors ceasing to hold office should this criterion be/become unfulfilled.

31. Will I have to disclose information about my income, assets or finance?

You are required to declare on an annual basis any material interests as prescribed in the Trust’s Constitution (copy available via the Foundation Trust Membership Office).

Declarations include any directorships, interests in firms likely to be considered as trading partners or providing services to the NHS, positions of authority in charities and voluntary organisations in the field of health and social care; and connections with firms entering into financial arrangements with the Trust.

32. Will I be paid for this role?

No, Governors do not receive payment but the Trust does reimburse Governors for any authorised travelling costs and expenses incurred in carrying out their duties. However, if travelling by car, Governors are responsible for ensuring that they have appropriate car insurance cover i.e. for business purposes and must provide proof i.e. valid insurance certificate in order to subsequently claim back their expenses.

33. Will I have to meet any personal civil liability for my actions out of my personal resources?

Only if you have acted recklessly. If you have acted honestly and in good faith, you will not meet any personal civil liability incurred in the execution of your functions out of your personal resources with any cost arising in this way being met by the Trust.

34. How long is the term of office of a Governor?

Initial elected Governors (public and staff) have staggered terms of office (details outlined from page 26) with Governors being eligible to stand for re-election and re-nomination up to a maximum of three terms or nine consecutive years (whichever is shorter in duration), however are not eligible to stand for re-election or re-nomination if they have held office for more than six consecutive years. Any initial Governor who is elected to serve a further term of office thereafter will serve a term of three years.

Of note, an elected or nominated (appointed) Governor may not stand again for re-election or re-appointment as a Governor until three years has elapsed since their resignation or their completion of the maximum three terms or nine consecutive years as a Governor.

35. Can I have access to the public membership database?

No, in keeping with the Data Protection Act, membership data/details are not disclosed.

If you any other questions or queries about the Governor Election Process, Membership or the role of Governor, please contact the Foundation Trust Membership Office (contact details on page 3).

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