

Frequently Asked Questions - Governor Elections

1. Why does the Trust hold Governor elections?

The Trust holds Governor Elections each year to fill any vacant seats on our Council of Governors and/or to open up seats in relation to those Governors whose term of office is ending.

2. Who runs the election?

The election is run by an independent, external election company namely Civica Election 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. Of note, 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 the interests of members (public and staff) and the wider-general 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 election?

You are eligible to vote if you are registered as a Member of our Foundation Trust in the member constituency for which an election is being held. However, in keeping with our Constitution, during the election period only individuals that are current members or become members on or before the closing date of the receipt of nominations (from election candidates), can vote during the current 2020 election namely:

- **5pm on Monday, 3rd August 2020.**

Therefore all **new public member applications alongside staff membership enrollments are temporarily put on hold from 5pm on Monday, 3rd August 2020 until the election closure date i.e. 5pm on Friday, 11th September 2020**, with all pending applications/enrollments 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 (usually July each year), the independent, external election company will issue a 'Notice of Election' which includes an Election Timetable (specifies the key nomination and voting dates including deadlines).

During each election period, all key documents are published on our website 'Governor Elections' webpage - <https://mft.nhs.uk/the-trust/governors-and-members/elections/> (found under 'The Trust' section of our website – www.mft.nhs.uk) with regular updates being posted at key stages of the election process including the outcome of any uncontested seats.

In preparation of the election process starting, the Election Timetable will also be available on the 'Governor Elections' webpage - <https://mft.nhs.uk/the-trust/governors-and-members/elections/> with the 2020 election process formally starting on Friday, 17th July 2020 and voting packs being dispatched to eligible Members on Friday, 21st August 2020 (for those Governor seats that are contested only).

Election notification and papers are usually sent via e-mail or post via the election company to relevant/qualifying members (constituencies where Governor seats are open for election). Voting packs are also sent directly to qualifying members via e-mail or post (for those Governor seats that are contested only), with the 2020 deadline date that votes are to be returned directly to the Election Company being 5pm on Friday, 11th September 2020 (via the on-line election website or post or telephone):

Election Company - Civica Election Services Contact Details:

Online Election Website: www.cesvotes.com/mft2020

Post: Civica Election Services, The Election Centre, 33 Clarendon Road, London, N8 0NW

Telephone: 020 8889 9203

During the election process, any queries regarding election documents or voting papers are to be directed to the Returning Officer of the Election Company (see below). Contact details will also be published on our website 'Governor Elections' webpage - <https://mft.nhs.uk/the-trust/governors-and-members/elections/> at the start of the 2020 election process (Friday, 17th July 2020).

Returning Officer: Ciara Hutchinson (Civica – formerly Electoral Reform Services)

Telephone: 020 8889 9203

E-mail: ciara.hutchinson@cesvotes.com

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 below) 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.

Maps of each of the above Public Constituency Areas alongside further information about Public Membership is available via MFT's 'Information for Public Members' webpage: <https://mft.nhs.uk/the-trust/governors-and-members/information-public-members/>

If you are not currently a public member and are interested in becoming one, complete an on-line form available via our website www.mft.nhs.uk and click the 'Become a Member of our Trust – Membership Form' button or via the following direct link <https://secure.membra.co.uk/MFTApplicationForm/>

Alternatively, a [printable copy of the form is available here](#), or contact the Foundation Trust Membership Office for a paper form (contact details below).

Staff are automatically invited to become staff members however are able to opt out (by contacting the Foundation Trust Membership Office – contact details below). The Staff Member constituency is subdivided into the following staff classes/groups:

- **Medical & Dental - Staff Class includes:** Consultants, Specialist Registrars, Dental Practitioners, Clinical Directors, Senior House Officers etc.
- **Nursing & Midwifery - Staff Class includes:** Community Nurses, Modern Matrons, Nurse Consultants, Practice Nurses, Sister/Charge Nurses, Specialist Nurses Practitioners, Staff Nurses, Midwives etc.
- **Other Clinical - Staff Class includes:** Allied Health Professionals, Healthcare Scientists, Technicians, Clinical Laboratory Staff, Chiropodists, Dietitians, Physiotherapists, Radiographers, Speech and Language Therapists, Health Care Support Workers, Medical Photographers, Healthcare Assistants, Trainee Nursing Associates, Pharmacists, Therapists etc.
- **Non-Clinical & Support - Staff Class includes:** Administration and Secretarial Staff, Accountancy staff, Analysts, Managers, Directors, Domestic & Porters and all Sodexo Staff, Medical Secretaries, Receptionists, Surveyors etc.

Staff Members only: For more information about MFT's Staff Membership go to MFT's 'Staff Membership and Governor Information' intranet page: <https://intranet.mft.nhs.uk/content/corporate-services/information-for-staff-members>

In keeping with our Constitution and Election Rules, during the election period all new public membership applications and staff membership enrollments are required to be duly processed before the deadline date of the receipt of nominations (from election candidates) at 5pm on Monday, 3rd August 2020. Any new membership applications/enrollments received following this date will be temporarily put on hold until the election process closes on 5pm on Friday, 11th September 2020 following which pending applications/enrollments will be duly processed.

As part of the NHS membership application process, you will be asked to supply your personal data, with any data that you supply being used only to contact you about the Trust's Membership and/or other related issues and will be processed for these purposes only and will not be shared with third parties and will be stored in accordance with the Data Protection Act. A copy of MFT's privacy notice can be found on the Trust's website <https://mft.nhs.uk/privacy-policy/>

Foundation Trust Membership Office – Contact Details:

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

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

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

If you would like to discuss membership and/or if already a member, the information that you supplied as part of your initial membership application process has changed or changes in the future, or if you wish to cancel your membership, please contact the Foundation Trust Membership Office (contact details above).

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 the Trust (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).

Qualifying members of staff are automatically invited to become members upon their appointment (do have the opportunity to opt out by contacting the Foundation Trust Membership Office). 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 Staff Member are not eligible to vote.

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

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 the wider-general public.

The Board is therefore responsible for the strategic 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:

- 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.

Monitor, now part of NHS Improvement, is the Independent Regulator of Foundation Trusts and as outlined in their publication for Governors ([**Your statutory duties: A reference guide for NHS foundation trust governors - August 2013**](#)) and in keeping with the Trust's Constitution, Governors also have the following key statutory duties and responsibilities:

- To appoint or remove the Chairman and other Non-Executive Directors alongside deciding their remuneration and allowances, and other terms and conditions of office.
- To approve the appointment (by the Non-Executive Directors) of the Chief Executive.
- 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 Trust's forward plan, including its objectives, priorities and strategy, and their views should be communicated to the BoD.
- Approving significant transactions alongside 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 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 BoD.
- Require one or more Directors to attend a Governors' meeting to obtain information about the 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 the Trust's Constitution.
- 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/participation and when being presented with information, to also advise on issues, assist in the development of ideas and act as a sounding board. Governors are also responsible for:

- Affairs of the Trust are to be conducted by the Council of Governors in accordance with its Constitution and Licence (includes ensuring the BoDs acts so that the 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 BoDs.
 - Communicating with members and the public and transmitting their views to the BoDs and;
 - Contributing to the development of forward plans of the Trust.
- 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 Trust's 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, undertaking and clearing the associated checks/reviews as and when required i.e. insolvency, bankruptcy and disqualified directors' registration alongside a health questionnaire
- To adhere to the '*Governors' Code of Conduct*' including Nolan Principles
- To complete and clear a 'Disclosure & Barring Service' (D&BS) check.

- To adhere to the '*Governors' Media Policy*' and '*Governors' 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 adhere to the '*Governors' Communications Arrangements*' and the Trust's '*Code of Practice for the use of IT, Internet and E-mail*'. In serious cases, the misuse of any e-mail (MFT or personal), could be considered as a serious breach of the Governors' Code of Conduct i.e. 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 and in keeping with the Trust's Code of Practice, it is also possible to be subject to civil proceedings or criminal prosecution.
- To adhere to the '*Membership Recruitment & Engagement Guidance for Governors*'. In serious cases, when inappropriate engagement/recruitment practices or behaviours are adopted, 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 Trust; and the Council of Governors consider that it is not in the best interests of the Trust 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 a 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 Directors' (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 (Council of Governors' Nominations Committee) is established each year with Governor panel members being rotated to review/consider the Chairman/NED performance review findings and, as and when required, makes recommendations to the full Council of Governors for approval.
- To participate, as and when required, in the Trusts' 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.
- Led by the Chairman, Governors are encouraged to self-evaluate their collective performance and effectiveness as part of the Annual Council of Governors Review (questionnaire) process.

Further details of the Governor role are outlined in the Trust's Constitution (copy available via 'The Trust' webpage - <https://mft.nhs.uk/the-trust/>)

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. Elections are usually held each year for those Governor posts whose term of office are ending or have resigned with the election process usually starting around July each year.

At the start of the Governor election process an invitation letter, from our Chairman, is usually sent out via e-mail or post to the relevant member constituencies (where Governor seats are open for election), informing members that the election process is starting and includes the on-line election website/contact details of the external company who facilitates our election process. Members then need to fully complete a 'candidate nomination form' if interested in standing for election (available via the on-line website and/or election company). For contested seats, ballot (voting) 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).

An Election Timetable is published on our website 'Governor Elections' webpage at the start of the election process and includes key deadline dates alongside contact information:

<https://mft.nhs.uk/the-trust/governors-and-members/elections/>

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. Public membership application forms are available to complete on-line via our website www.mft.nhs.uk and click the 'Become a Member of our Trust – Membership Form' button or via the following direct link <https://secure.membra.co.uk/MFTApplicationForm/>

Alternatively, a [printable copy of the form is available here](#), or contact the Foundation Trust Membership Office for a paper form (contact details on page 3).

Once your membership application form has been received and processed, you will receive a membership welcome letter which provides more information about being a Member.

In order to qualify as a member during the 2020 Governor election process, both 'membership applications' alongside 'candidate nomination forms' need to be completed and received by the election company before the following closing date of the receipt of nominations:

- **5pm on Monday, 3rd August 2020**

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?

Nomination Forms can be found and completed on-line via the election company's website (i.e. **Civica Election Services**) - www.cesvotes.com/mft2020 with requests for paper copies also being made directly to **Civica Election Services** by contacting their Customer Services Team (contact details on page 2).

Please make sure that you carefully read the 'Candidate Declaration' Section on the candidate nomination form to ensure you meet the mandated Governor Eligibility Criteria, and also follow the checklist on the nomination form providing all of the details requested (to ensure validity of your nomination).

Please be aware that any completed nomination forms that are sent to the Trust will not be counted in the election nomination process.

17. What is the deadline for Nominations?

The deadline for receipt of nominations is **5pm on Monday, 3rd August 2020.**

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' on Thursday, 20th August 2020 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 website – www.mft.nhs.uk). In addition, candidates' election statements are sent to relevant members (where Governor seats are open for election and the 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?

In keeping with 'Model Election Rules' (produced by NHS Providers and form part of the Trust's Constitution), candidates are asked to provide:

- Name, title, home address, date of birth, contact and Membership Constituency 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
- Signed declaration confirming eligibility to stand as a nominee (Governor Candidate) - see question 21 below for more details.

For contested seats, in order to fulfil requirements to provide members with appropriate information to make an informed choice about which candidate(s) they feel would best represent them, and in keeping with the aforementioned 'Model Election Rules', voting papers are sent to eligible members and include all valid candidates' names alongside declarations, photographs and personal statements received. For candidates that are current Governors that are standing for re-election, key meeting attendance/participation (provided by the Trust), is also included.

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

Yes, it is important that candidates read carefully the declaration section of the 'Candidate Nomination Form' in order to ensure their eligibility to stand as a Governor candidate. If later found that any of the declarations below were, or become applicable, this will result in the individual being removed as a Governor (if successfully elected) – 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 non-disclosure 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
- 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 and that, if successfully elected, are aware that any existing and/or future breach may result in being removed as a Governor
- 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 and that failure to disclose any interest may result in being removed as a Governor
- They are aware that they will be required to attend/participate in regular meetings and training sessions and adhere to the Trust's Governor Meeting Ground Rules (with meetings being 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 and are aware that they will be required to consent to and clear associated checks/reviews i.e. insolvency, bankruptcy and disqualified directors' registration alongside a health questionnaire.
- 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.

Further disqualification details are outlined in the Trust's constitution (copy available via 'The Trust' webpage - <https://mft.nhs.uk/the-trust/>)

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

The Trust is not permitted to provide help with or edit candidates' statements as we have to be fair to all the candidates. However, if you are having difficulties, the election company i.e. **Civica Election Services** will usually be able to provide examples of previous candidate statements and provide guidance, learning aids and assistance.

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. Civica E-learner Programme which is available via the election website www.cesvotes.com/mft2020 - 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. **Civica Election Services** know. The date for final candidate withdrawal is:

- **Thursday, 6th August 2020.**

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 public candidates who wish to recruit public members as part of their campaign promotion.

Please note that, 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 2020 Governor Elections namely:

- **5pm on Monday, 3rd August 2020**

Therefore all new public member applications and staff membership enrollments are temporarily put on hold from 5pm on Monday, 3rd August 2020 until the election closure date i.e. 5pm on Friday, 11th September 2020, with all pending applications/enrollments 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 of the external, independent election company i.e. **Civica Election 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 (in keeping with the election timetable i.e. 'declaration of results' date) and once completed are subsequently published on our website 'Governor Elections' webpage –

<http://www.mft.nhs.uk/the-trust/governors-and-members/elections>

28. 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. **Civica Election Services**, in keeping with the election timetable i.e. Monday, 14th September 2020.

Once that all candidates have been 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 website – www.mft.nhs.uk.

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

As a result of the ongoing COVID-19 pandemic and associated 'lockdown' and social distancing measures, NHSI/E released new guidance re; 'COVID-19 Contingency Plans' (March 2020), which necessitates Governors suspending all face-to-face meetings, recruitment and engagement practices for the foreseeable future and/or until it is deemed safe by Government and health officials to resume normal interactions. The Guidance also specifies that the Trust's engagement with members (including the general public) is limited to 'COVID-19 purposes', with key information being posted on the Trust's website <https://mft.nhs.uk/coronavirus-covid-19/>

In order to keep Governors apprised of key developments, daily/regular COVID-19 Briefings are issued to Governors alongside the Group Chairman, regularly holding a number of 'virtual' Governor Meetings/Sessions. These new 'virtual' meeting arrangements have enabled Governors to actively engage, have open and transparent discussions and seek appropriate assurances from the Group Chairman and participating Group NEDs, alongside providing support to each other during these challenging times.

A decision around the format of forthcoming Governor and Membership Meetings will be taken on a month by month basis to determine whether meetings will be held virtually, or, if alternative channels of communication with Governors/Members will need to be introduced to be in keeping with updated Government and NHSI Guidance.

If successfully elected as a Governor, you will discharge your duties by participating in regular meetings of the Council of Governors, Annual Members' Meetings in addition to participating in ongoing development and training sessions. You will also be invited to participate in ad hoc Governor Panels/Groups and other Governor/Trust meetings. Please note that Governor meetings are predominantly held during the day (anytime between 9.00am – 5.00pm).

In order to become more effective in the role of Governor, individuals are expected to participate in member and public meetings/events, which will help you to build relationships and become more confident at making direct contact with participating members (public and staff) and the wider-general public. Governors are also asked to take part in effectiveness and performance self-assessments (via regular Governor questionnaires).

Outside of meetings, communication with Governors is done via e-mail, therefore it is important that you have access to a computer/internet facilities. Virtual meetings are held via teleconferencing facilities and via live streaming (Microsoft Teams videoconferencing), therefore it is also important that you have access to a phone alongside a device e.g. computer, laptop, mobile phone, etc. that you can download apps onto.

Once that normal interactions are resumed, Public Governors will be asked to identify and network with local patient/public groups with Staff Governors being asked to identify and network with 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.

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

The Trust arranges a New Governor Induction Programme which all newly elected/nominated Governors are invited to participate in (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. New Governor Induction and Training sessions are usually held in the immediate weeks after new Governors formally start in office (following the Annual/Special Members' Meeting held at which their election is announced) and it would be prudent to be available during mid-late October with induction meeting/training dates being tentatively scheduled for 14th October 2020 and 30th October 2020 (other key meetings have also been tentatively scheduled for November and December 2020).

Additional Governor training needs (individual and as a Council of Governors) are also identified on a yearly basis as part of our Annual Governor Self-Evaluation (Performance and Effectiveness Review) Questionnaire process.

31. 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 role of Governor. In addition, new Governors are also required to meet the 'Fit and Proper Persons' Test with associated checks being undertaken in relation to insolvency, bankruptcy and disqualified directors' registration alongside a health questionnaire. Eligibility to be a Governor including mandatory requirements are outlined in our 'Governor Criteria' and are applicable to all Governors positions (Public, Staff and Nominated). In order for an individual 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.

Our Governor Criteria is available via our Governor 'Election' webpage: <http://www.mft.nhs.uk/the-trust/governors-and-members/elections>

Alternatively, please contact the Foundation Trust Membership Office (contact details outlined on page 3) to obtain a copy.

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

You are required to declare on an annual basis and/or as and when your circumstances change, any material interests as prescribed in the Trust's Constitution, copy available via 'The Trust' webpage - <https://mft.nhs.uk/the-trust/> or the FT Membership Office (contact details outlined on page 3).

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. More information is available in the 'Governor Criteria' - available via our 'Council of Governors' webpage: <http://www.mft.nhs.uk/the-trust/governors-and-members/elections>

33. Will I be paid for this role?

No, Governors do not receive payment but the Trust does have a limited budget in terms of travel and subsistence and will reimburse Governors for 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.

34. 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.

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

As outlined in the Trust's Constitution, an Elected (Public and Staff) or Nominated Governor shall normally hold office for a period of three years commencing immediately after the Annual Members' Meeting or Special Members' Meeting at which the election/nomination results are announced. The Constitution defines a "year" as the period commencing immediately after the conclusion of the Annual Members' Meeting or Special Members' Meeting and ending at the conclusion of the next Annual Members' Meeting or Special Members' Meeting.

At the end of a Governor's term of office, the individual may offer themselves for re-election or re-nomination, however 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 also cease to hold office if they no longer live in the area of their constituency (Public Governors), no longer work for the 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).

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

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

If you have 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).