

Agenda Item 6

From: Mason Fitzgerald, Director of Corporate Affairs
To: Council of Governors
Date: 20 July 2017
Subject: Revision to Trust Constitution – Governor terms

1.0 Purpose of the Report

1.1 To seek Council of Governors' approval to revision of the Trust Constitution.

2.0 Background

2.1 Following a request by the Governors' Open Forum, the Council discussed at its meeting in May 2017 the extension of governor terms to three three-year terms.

2.2 An extension to governors' maximum term of office requires an amendment to the Trust Constitution. Amendments to the Trust's Constitution can only be made with the approval of the Council of Governors and the approval of the Board of Directors.

3.0 Governor terms of other NHS Foundation Trusts

3.1 The table below presents the governor terms of other NHS Foundation Trusts to support the Council's decision:

Northumberland, Tyne and Wear NHS Foundation Trust	Up to three year terms, eligible for re-election at the end of each term but may not serve more than a period of eight years (i.e. last term will be for two years)
Nottinghamshire Healthcare NHS Foundation Trust	Up to three year terms but may not serve for more than three terms in total.
Oxleas NHS Foundation Trust	Up to three terms of up to three years each but may not hold office for more than three successive terms making nine consecutive years.
South London and Maudsley NHS Foundation Trust	Term of up to three years and eligible for re-election at the end of the term.
Sussex Partnership NHS Foundation Trust	Terms of up to three years but may not hold office for longer than nine years.
Homerton University Hospital NHS Foundation Trust	Up to three terms of up to three years.

4.0 Proposed revised excerpt

4.1 The following amendment (highlighted in yellow) to paragraph 12 Council of Governors – tenure at page 7 of the Trust’s Constitution is proposed:

Constitution excerpt:

12 Council of Governors - tenure

12.1 An elected governor may hold office for a period of up to 3 years.

12.2 An elected governor shall cease to hold office if he ceases to be a member of the constituency or class by which he was elected.

12.3 An elected governor shall be eligible for re-election at the end of his term, for a period of up to three years **but may not hold office for more than three terms or nine years in total.**

5.0 Action being requested

5.1 The Council of Governors is asked to:

- **RECEIVE** the report
- **APPROVE** the revised constitution and recommend it to the Board for their approval on 14 September 2017.