



Join our team

Guidance for prospective Governors

If you are considering standing for our forthcoming governor election please read this information pack for details on what a governor does, what commitment is required and how to stand for election. We have also included some 'frequently asked questions' in an appendix at the end of this document to help you decide. Good luck!

Welcome

We're delighted that you are considering becoming a governor—it's a role that many people find very fulfilling and enjoyable, so much so that they hold office for up to nine years which is the maximum limit under the current rules.

Becoming a member of Chelsea and Westminster Hospital NHS Foundation Trust means you have already shown an interest in being more involved with your local hospitals. While some people see their membership role as simply signing up to receive regular information about the Trust and its services, you may not realise that this also means you can vote in the Council of Governor elections.

Governors play a key role in helping the Board of the Foundation Trust decide the future direction of the hospitals. They act as the eyes and ears of local people, making sure their voice is heard when important decisions about healthcare provision need to be made. They also provide feedback as 'critical friends' to challenge and influence the development of policies and plans.

We have three different types of elected governor—patient, public and staff. Each type provides their own perspective on decisions to do with the services we provide, and these different views and experiences help us make sure that every decision takes into account the diverse opinions of everyone that cares about the Trust. As a member, you should be aware of both the type of membership you have and the geographical area you represent if you are a public member.

The Council of Governors—made up of all of the governors from across the Trust—meets quarterly to provide feedback to the Trust Board and to make sure the views of members are represented to them.

About our Trust

Chelsea and Westminster Hospital NHS Foundation Trust runs two main hospitals—Chelsea and Westminster Hospital and West Middlesex University Hospital—as well as a range of community-based services, including our award winning sexual health and HIV clinics across London.

We have 6,000 staff caring for nearly one million people and provide a range of specialist clinical services and general hospital services including A&E and maternity at both our hospital sites. Our ambition is to lead the NHS with world-class, patient-focused healthcare. We want to go above and beyond for our patients and community in order to deliver this aspiration.



Photo taken pre-COVID-19

As a Foundation Trust we have the opportunity to give staff, patients and members of the local community a greater say in how their hospitals are run. We remain firmly part of the NHS but are free from central government control and can manage our own budgets and shape the services we offer to better reflect the needs and priorities of our local communities.

Through our Council of Governors, we are able to listen to the views of patients, local people, staff and other partners in the local health economy and by doing so can offer service users higher quality, safer and more responsive healthcare, together with excellent patient experience.

How we are governed

We are led by a Trust board made up of executive directors (such as Lesley Watts, our Chief Executive Officer) and non-executive directors (such as Stephen Gill, our Interim Chairman). Governors are the link between our members and the board, and sit on the Council of Governors where key decisions affecting the hospital are reported and discussed. The Council holds the non-executive directors to account, individually and collectively for their performance as a Board.

The role of a governor

A governor is elected for a period of three years starting immediately after the election results are announced. You may not hold office for more than nine years in a row.

Governors attend the Council of Governors meetings of which there are five each year, including an Annual Members' Meeting. All meetings of the Council of Governors are open to the public.

Although governors are not paid, they can claim reasonable expenses (such as travel) that come from carrying out their duties.

The Council of Governors currently has three sub-committees and one committee which meet to discuss specific issues. These are:

- Agenda Sub-Committee
- Membership and Engagement Sub-Committee
- Quality Sub-Committee
- Nominations and Remuneration Committee for appointment of non-executive directors and Chairman

We support the Council of Governors through our Board Governance Manager, Corporate Governance Officer and Company Secretary, so that you can perform your role as a governor as effectively as possible. It is important that you can dedicate your time to this important role.

What the Council of Governors does

The Health and Social Care Act (2012) sets out two general duties for the Council of Governors:

- to hold the non-executive directors individually and collectively to account for the performance of the board of directors
- to represent the interests of the members of the Trust as a whole and the interests of the public



More broadly this means that our Council of Governors:

- give their views to the Trust board about future plans and priorities, reflecting the health needs of the constituencies they serve
- monitor key activities and decisions with a view to making sure they are consistent with its licence and the terms of its constitution
- appoint and remove the chair and non-executive directors
- approve the appointment of the chief executive
- decide the remuneration and other terms of office of the non-executive directors
- support the Trust in recruiting a membership that truly reflects our local populations
- approve any required amendments to the Trust's constitution

We also hold away-days with our governors and Trust board members to ensure that all key views are reflected in any decisions we make.

How do I stand for a governor?

If you would like to put yourself forward as a candidate for the role of governor you will need to:

- be a registered member of the Trust. To do this you will need to fill in a membership form or [apply online \(https://www.chelwest.nhs.uk/about-us/get-involved/apply-now\)](https://www.chelwest.nhs.uk/about-us/get-involved/apply-now) at our website. If you are unsure of your membership status, please contact our Corporate Governance team on 020 3315 6716 or email chelwest.corporategovernance@nhs.net)
- meet the eligibility criteria for being a governor—please see 'Are you eligible?' below
- disclose any material interests held by yourself, your spouse or partner, which are annually recorded in the Register of Interest of Governors and is available to the public on request
- be sure that you can commit the time necessary to be an effective governor, including attendance at induction and training sessions and attending the council meetings
- read carefully information included in Appendix 1: Frequently Asked Questions

Are you eligible?

A person **may not** become a governor of the Trust if:

1. They are under 16 years of age;
2. They are a director of the Foundation Trust, or a governor or director of a health service body (unless they are appointed by an appointing organisation which is a health service body);
3. They are the spouse, partner, parent or child of a member of the Board of Directors of the Foundation Trust;
4. They are a member of a local authority's Overview and Scrutiny Committee covering health matters;
5. (If a member of one of the public constituencies or the patients' constituency) they refuse to sign a declaration in the form specified by the Secretary of particulars of their qualification to vote as a member of the Foundation Trust, and they are prevented from being a member of the Council of Governors;
6. They are subject to a sex offender order;
7. They have been adjudged bankrupt, or has sequestration of their estate has been awarded **and** (in either case) they have been discharged;
8. They are the subject of a bankruptcy restrictions order or an interim order;
9. They are a person in relation to whom a moratorium period under a debt relief order applies (under part 7A of the Insolvency Act 1986);
10. They are disqualified to act as a director under the Company Directors Disqualification Act 1986;
11. They have made a composition or arrangement with, or granted a trust deed for, their creditors **and** have been discharged in respect of it;
12. They are a person who, within the preceding five years, have been convicted in the British Islands of any offence, and a sentence of imprisonment (whether suspended or not) for a period of three months or more (without the option of a fine) was imposed;
13. They are a person who within the preceding two years has been dismissed, otherwise than by reason of redundancy, from any paid employment with a health service body;
14. They are a person who within the preceding two years have been subject to a disciplinary sanction within the Trust;
15. They are a person whose tenure of office as the Chairman or as a member or director of a health service body have been terminated on the grounds that their appointment is not in the interests of the health service, for non-attendance at meetings, or for non-disclosure of a pecuniary interest;
16. They are a person who have been disqualified from being a member of a relevant authority under the provisions of the Local Government Act 2000;
17. They have been a governor who has been removed from office at the Trust;
18. They have been determined a vexatious complainant in accordance with the Trust's complaints procedure;
19. They are otherwise excluded by any other provision detailed within the Trust's constitution. The constitution is available at www.chelwest.nhs.uk/get-involved/key-documents;
20. They will not comply with the Trust Constitution and with the Governor Code of Conduct.

Appendix 1: Frequently asked questions

Why is the Trust having an election?

We hold elections to fill vacant seats on our Council of Governors.

Who runs the election?

The election will be conducted by an independent organisation - Civica Election Services - which specialises in elections. They will act as the returning officer to ensure everything is done correctly.

Is the Council of Governors the same as the Trust board?

No, the board of directors is made up of executive and non-executive board members with collective responsibility for the performance of the Trust and which exercises power on behalf of the Trust.

What's the difference between a member of the Council of Governors and a member?

Members are patients, service users, staff and the general public from the local community - there are about 18,000 of them. Members vote to elect representatives to the Council of Governors. These representatives are called governors - they perform certain statutory duties set out in the constitution and represent their constituents.

Why are some people appointed rather than elected?

The elected governors represent members in the public, patient and staff constituencies. The appointed governors represent stakeholder organisations.

Am I eligible to vote in the elections?

You are eligible to vote if you are registered as a member of the Trust in the constituency or class of the constituency for which the election is being held. If you are not yet a member, you must be on the register by **5pm Wednesday 7 December 2022** in order to vote so it is best to make sure that you register online or send in your application well before this date.

I don't know if I am a member—how can I find out and how can I join?

You can contact our Corporate Governance team on 020 3315 6716 or email chelwest.corporategovernance@nhs.net, who will let you know if you are on the register and in which constituency and class. If you are not registered you can join online at www.chelwest.nhs.uk/get-involved, by phone 0800 731 0319 (national rate), or by filling out a freepost application leaflet available from both hospital sites.

How and when do I vote?

Voting papers will be distributed on **Thursday 5 January 2023** to members in constituencies where an election is taking place. This may not be in every constituency. Voting is by post or online and full information on how to vote will be included with the ballot paper. **Polls close at 5pm on Monday 30 January 2023.**

Can I stand for election?

In order to stand for election, you must be a registered member of the relevant constituency and class. If you are a member of one of the public constituencies and you have moved homes since registering, please confirm that you are still eligible.

Does someone have to nominate me?

No, you nominate yourself.

How can I get a nomination form?

The notice will be issued to members by the returning officer on **Wednesday 9 November 2022**. This notice will tell you how to contact the returning officer to get a nomination form. The form can also be downloaded from the Trust website at www.chelwest.nhs.uk/elections. Please make sure that you join as a member before you submit your form.

What's the deadline for nominations?

All nomination forms must be delivered to the returning officer by **5pm on Wednesday 7 December 2022**. Please make sure that you provide all of the details requested and sign the form so that your nomination is valid.

How will I know who I am running against?

The returning officer will publish a statement showing the candidates who are standing for election on **Thursday 8 December 2022**.

What personal information about myself do I have to share?

Your address, membership of any political parties and financial interests in the Trust (if you have any). You will also need to include an election statement of no more than 250 words.

What happens if I change my mind—can I withdraw?

Yes, you can change your mind but notices of your withdrawal must be delivered to the returning officer by **12 noon on Monday 12 December 2022**.

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

The Trust will give objective, balanced and fair coverage equivalent in size and content to all candidates in a range of communications materials already produced by the organisation.

What about funding to promote my campaign?

Apart from personal expenses, travelling expenses, stationery, postage, phone and internet (all to a limit of £100 in total), this is strictly not permitted by the rules.

How do they decide who has won?

The votes are counted by the returning officer using the first past the post (FPTP) electoral system.

What's a first past the post vote (FPTP) system?

Voters put a cross on a ballot paper next to their favoured candidate and the candidate with the most votes in the constituency wins.

When will I know if I have won?

Results will be announced by **5pm on Tuesday 31 January 2023**.

If I win, what are my expected duties and what is the time commitment?

You discharge your duties by attending regularly scheduled meetings of the Council of Governors, attending our hospital annual open days, annual members' meeting, away days, and other events including training and induction.

Will I need any training to take on this role?

We run an induction programme and all newly elected representatives are required to attend.

Will I need to comply with a code of conduct?

Yes, you are requested to confirm your acceptance of the governors' Code of Conduct.

Will I have to disclose information about my income, assets or finances?

You are required to declare any material interests as prescribed in the constitution—these include 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.

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

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—any costs arising in this way will be met by the Trust.