The Queen Elizabeth Hospital King's Lynn
NHS Foundation Trust

Meeting:	Governors' Council (in public)		
Meeting Date:	21 February 2023	**Agenda item:**	6
Report Title:	Lead and Deputy Lead Governor Elections 2023		
Author:	Sarah Renwick, Governor & Membership Officer Andrea Prime, Trust Secretary		
Executive Sponsor:	Chris Lawrence, Trust Chair		

Implications					
Link to key strategic objectives *[highlight which KSO(s) this recommendation aims to support]*					
KSO1	**KSO2**	**KSO3**	**KSO4**	**KSO5**	**KSO6**
Safe and compassionate care	Modernise hospital and estate	Staff engagement	Partnership working, clinical and financial sustainability	Healthy lives staff and patients	Investing in our staff

Board assurance framework	N/A	
Significant risk register	N/A	
	Y/N	If Yes state impact/ implications and mitigation
Quality		
Legal and regulatory		
Financial		

Assurance route					
Previously considered by:	N/A				
Executive summary					
Action required: *[highlight **one in bold**]*	**Approval**	Information	Discussion	Assurance	Review
Purpose of the report:	To approve the process for election to the posts of the Lead Governor and Deputy Lead Governor.				
Summary of Key issues:	The term of the current Lead Governor expired on 31 January 2023 which triggers an election to the role of Lead Governor. This paper sets out proposals for the nomination, selection and appointment process for the Lead and Deputy Lead Governor roles for approval by the Governors' Council.				
Recommendation:	The Governors' Council is asked: • To note that the term of the current postholder ended on 31 January 2023				

	• To agree that the current Lead Governor will be asked to continue in the role until such time as the appointment process is complete, to prevent a temporary vacancy in the role • To agree that the Lead Governor and Deputy Lead Governor must be a Public Governor • To agree the process and timeline for election to the roles of Lead Governor and Deputy Lead Governor.
Acronyms	ICS – Integrated Care System

LEAD AND DEPUTY LEAD GOVERNOR ELECTION 2023

1 Criteria

1.1 The Governors' Council will select a Governor to undertake the role of Lead Governor.

The Trust's Constitution states:

11. Lead Governor

*11.1 The Governors' Council shall elect one of their number to be the Trust's Lead Governor, having the role described in Monitor's NHS Foundation Trust Code of Governance March 2010, (***updated July 2014. Now Appendix B to the 'Code of Governance for NHS Provider Trusts' 1 April 2023.)**

11.2 The Governors' Council shall elect one of their number to be the Trust's Deputy Lead Governor

1.2 Governors wishing to undertake the role of Lead Governor must be:

- Able to commit time to this role
- Prepared to acquire a detailed knowledge and understanding of current issues within the Trust and ensure the Governors' Council fulfils its duty to hold the Non-Executive Directors individually and collectively to account for the performance of the Board of Directors
- Prepared to acquire detailed knowledge and understanding of the role and responsibility of the Governors' Council within the Trust's governance arrangements, and within the context of the ICS, including provider collaborative arrangements.

1.3 Desirable personal qualities for a Lead Governor include:

- Excellent interpersonal and communication skills and the ability to deal with potential conflicts
- The ability to command the respect, confidence and support of Governor colleagues
- The ability to represent the views of Governor colleagues individually and through the Governors' Council.

2. The process for nomination, selection and appointment of the Lead and Deputy Lead Governor:

2.1 Election to the role of Lead Governor has been triggered by the expiry of the term of the current postholder on 31 January 2023. It is proposed the current Lead Governor is asked to continue in the role until such time as the appointment process is complete, to prevent a temporary vacancy in the role.

2.2 It is proposed the Governors' Council elects a Lead Governor and a Deputy Lead Governor at the next formal meeting of the Governors' Council on Thursday 27 April 2023.

2.3 To minimise the potential for conflicts of interest, the Lead and Deputy Lead Governors must be Public Elected Governors.

2.4 All Public Governors are invited to submit a self-nomination for both or either of the roles of Lead Governor and Deputy Lead Governor and are requested to provide a supporting statement of 250 words, maximum, to the Trust Secretary by midnight on Friday 17 March 2023. The supporting statements of nomination will be circulated to all Governors to inform the election.

2.5 Where more than one nomination is received, all the names and supporting statements will be distributed and a secret ballot will be conducted at the start of the next formal meeting on 27 April 2023.

2.6 Where there is only one nominee, the Governors' Council will be invited to ratify the appointment at the meeting on 27 April 2023.

2.7 To enable full Governor participation in the selection, if a Governor is unable to attend the Council meeting in person on 27 April 2023, they can contact the Trust Secretary to request an electronic vote via email:

- The Trust Secretary to be informed by the Governor of their apologies for the 27 April 2023 Council meeting by 4 pm on Wednesday 26 April 2023, in order to facilitate a vote via email.
- Email votes must be submitted, at the latest, 30 minutes before the start of the meeting on 27 April 2023.
- Whilst a vote by email will not be anonymous, the Trust Secretary will not disclose details of the vote.

2.8 The Trust Secretary will act as Returning Officer and the Trust Chair will announce the results of the election before the close of the Governors' Council meeting on 27 April 2023.

2.9 The Trust Chair (or Vice Chair if presiding as Chair of the Governors' Council) will not participate in the ballot but will have a casting vote in the event of a tie.

The election timetable:

Action	Date
Governors approval of election process	21 February 2023
Notice of Election	28 February 2023
Receipt of nominations and supporting statements (to Trust Secretary)	By midnight 17 March 2023
Candidate withdrawals (to Trust Secretary)	By midnight Mon 20 March 2023
Circulation of supporting statements of Nominations	Tues 21 March 2023
Notification of any apologies for the Governors' Council meeting and request for email vote (to Trust Secretary)	By 4 pm Wednesday 26 April 2023
Close of email poll for non-attendees	2pm Thursday 27 April 2023
Issue of ballot papers and secret ballot	2.30pm Thursday 27 April 2023
Count and Declaration of Result	At the close of the Governors' Council meeting 27 April 2023

2.10 The appointment as Lead Governor will be effective for the duration of the Governor's term of appointment as a public Governor, or until that person resigns from the position of Lead Governor by giving notice to the Trust Chair in writing.

2.11 The Trust Secretary will inform NHS England and the ICS of the contact details of the Lead Governor.

3. The Lead Governor Role

3.1 An indicative outline of the responsibilities of the Lead Governor is provided below. The Trust and the Lead Governor shall have regard to Appendix B of NHS England's 'Code of Governance for NHS Provider Trusts 27 October 2022' (which applies from 1 April 2023. (Link: B2076-code-of-governance-for-nhs-provider-trusts-october-22-1.pdf (england.nhs.uk)

The Lead Governor

3.2 Should it be necessary, the Lead Governor has a role in facilitating direct communication between NHS England and the Governors' Council. This will be in a limited number of circumstances, for example if it has not been possible to resolve an issue between the Governors' Council and the Board, and in particular, where it may not be appropriate to communicate through the normal channels, which in most cases will be via the Trust Chair or the Trust Secretary, if one is appointed. It is not

anticipated that there will be regular direct contact between NHS England and the Governors' Council in the ordinary course of business.

3.3 On behalf of the Governors' Council, attend regular meetings with the Trust Chair.

3.4 Assist the Trust Chair in facilitating the flow of information between the Board of Directors and the Governors' Council.

3.5 On behalf of the Governors' Council, engage with the Senior Independent Director to input to the appraisal process of the Trust Chair.

4. Deputy Lead Governor Role

4.1 The Governors' Council shall elect a Governor to undertake the role of Deputy Lead Governor (as approved at the August 2019 Extraordinary Governors' Council meeting). Selection shall not preclude the Governor from standing for the position of Lead Governor should an election take place during their tenure as Deputy Lead Governor, nor shall selection as Deputy Lead Governor determine that the Governor shall progress to appointment as Lead Governor in place of the process described in section 2.

4.2 If the Lead Governor is unable to attend a meeting which requires the attendance of the Lead Governor, the Deputy Lead Governor will act as Lead Governor for the duration of that meeting.

4.3 If the Lead Governor is unable to discharge his/her duties (eg. for reasons of ill health, is otherwise incapacitated or is out of the country) then the Deputy Lead Governor will be acting Lead Governor.

4.4 The process for the appointment and selection of the Deputy Lead Governor will be as described for the Lead Governor in section 2 above.

4.5 The Trust Secretary will inform NHS England and the ICS of the contact details of the Deputy Lead Governor.

5. Voting returns - for information only:

5.1 Lead Governor

Lead Governor

EXAMPLE

NHS
The Queen Elizabeth Hospital King's Lynn
NHS Foundation Trust

Election Nominees 2023

Please make your selection by placing a tick or cross **in one box only**

Name ..... ☐

Name ..... ☐

Name ..... ☐

5.2 Deputy Lead Governor

Deputy Lead Governor

NHS
The Queen Elizabeth Hospital King's Lynn
NHS Foundation Trust

Election Nominees 2023

EXAMPLE

Please make your selection by placing a tick or cross **in one box only**

Name ..... ☐

Name ..... ☐

Name ..... ☐