BALLOT FOR
Member Vote – Constitutional Changes

A number of amendments have been proposed to the Trust’s Constitution and to the Trust’s Standing Orders for the Council of Governors, which forms part of the Trust’s Constitution.

The proposed amendments are as follows:

RESOLUTION 1 – TO UPDATE SECTION 27 IN RELATION TO PROVISION OF AGENDAS AND MINUTES OF BOARD MEETINGS TO GOVERNORS, IN LINE WITH THE NHS FT CODE OF GOVERNANCE

Paragraph 27.2 of the Trust’s Constitution outlines the requirements for providing Governors with agendas and minutes of Trust Board meetings. The paragraph is in line with the requirements outlined in the NHS FT Code of Governance; however it does not include the full detail. The NHS Code of Governance includes further information around the confidentiality of the documents and the potential requirement to redact some information.

It is proposed to amend the wording of Paragraph 27.2 to include the further two sentences in the NHS FT Code of Governance to provide further clarity around confidentiality.

Amendment to paragraph 27.2 of the Constitution to read:

“before holding a meeting, the Board of Directors must send a copy of the agenda of the meeting to the Council of Governors. As soon as practicable after holding a meeting, the Board of Directors must send a copy of the minutes of the meeting to the Council of Governors. It may be necessary to redact some information, for example, for data protection or commercial reasons. Governors should respect the confidentiality of these documents.”

Please note that the change to the wording comprises the addition of the yellow highlighted text only. The rest of the paragraph will remain unchanged.
RESOLUTION 2 - TO AMEND THE STANDING ORDERS OF THE COUNCIL OF GOVERNORS (SUBJECT TO A VOTE AT THE EXTRAORDINARY COUNCIL OF GOVERNORS’ MEETING SCHEDULED IMMEDIATELY BEFORE THE AGM)

Paragraph 3.14 of the Standing Orders for the Council of Governors, which forms part of the Trust’s Constitution, outlines the process and requirements for agreement of minutes of Council meetings. The current requirement is for draft minutes to be signed at the meeting by the person presiding the ensuing meeting.

Following review of the process, an amendment is proposed to improve efficiency and effectiveness.

Paragraph 3.14 of the Standing Orders for the Council of Governors to be amended to read:

“3.14 Minutes of Meetings of the Council of Governors

3.14.1 The minutes of the proceedings of a meeting shall be drawn up and submitted for agreement at the next ensuing meeting.

3.14.2 No discussion shall take place upon the minutes except upon their accuracy or where the Chairman considers discussion appropriate.

3.14.3 Any amendment to the minutes shall be agreed and recorded at the next meeting. Amendments shall be made to the minutes as soon as practicable after the meeting, and a hard copy of the updated minutes signed by the person presiding the meeting. This will then provide the final record of the agreed minutes.

3.14.4 Minutes shall be circulated in accordance with Governors’ wishes. Where providing a record of a public meeting the minutes shall be made available to the public.”

Please note that the change to the wording comprises the addition of the yellow highlighted text and the removal of the sentence in 3.14.1 as described above, only. The rest of the paragraph will remain unchanged.
RESOLUTION 3 - TO AMEND THE STANDING ORDERS OF THE BOARD OF DIRECTORS

Paragraph 3.14 of the Standing Orders for the Board of Directors, which forms part of the Trust’s Constitution, outlines the process and requirements for agreement of minutes of Board meetings. The current requirement is for draft minutes to be signed at the meeting by the person presiding the ensuing meeting.

Following review of the process, an amendment is proposed to improve efficiency and effectiveness.

Paragraph 3.14 of the Standing Orders for the Board of Directors to be amended to read:

“3.14 Minutes of Meetings of the Board of Directors

3.14.1 The minutes of the proceedings of a meeting shall be drawn up and submitted for agreement at the next ensuing meeting.

3.14.2 No discussion shall take place upon the minutes except upon their accuracy or where the Chairman considers discussion appropriate.

3.14.3 Any amendment to the minutes shall be agreed and recorded at the next meeting. Amendments shall be made to the minutes as soon as practicable after the meeting, and a hard copy of the updated minutes signed by the person presiding the meeting. This will then provide the final record of the agreed minutes.

3.14.4 Minutes shall be circulated in accordance with Directors’ wishes. Where providing a record of a public meeting the minutes shall be made available to the public.”

Please note that the change to the wording comprises the addition of the yellow highlighted text and the removal of the sentence in 3.14.1 as described above, only. The rest of the paragraph will remain unchanged.
RESOLUTION 4 - TO UPDATE THE STAFF CONSTITUENCY REQUIREMENTS IN RESPECT OF MEMBERSHIP

Paragraph 8 of the Trust’s Constitution, outlines the requirements in terms of membership of the Staff Constituency. Due to the establishment of Synchronicity Care Ltd, a wholly owned subsidiary of the Trust, it has become necessary to update this section to make clear the arrangements for staff members of any wholly owned subsidiary.

Paragraph 8 of the Trust’s Constitution to be amended to read:

“8.0 Staff Constituency

8.1 An individual who is employed by the Trust and / or a wholly owned subsidiary organisation, under a contract of employment may become or continue as a member of the Trust provided:

8.1.1 he is employed by the Trust and / or a wholly owned subsidiary organisation, under a contract of employment which has no fixed term or has a fixed term of at least 12 months; or

8.1.2 he has been continuously employed by the Trust and / or a wholly owned subsidiary organisation, under a contract of employment for at least 12 months.”

Please note that the change to the wording comprises the addition of the yellow highlighted text only. The rest of the paragraph will remain unchanged.

After completion of the presentation of the above mentioned item at the AGM, members of the Trust are requested to complete the ballot paper provided, clearly marking “Yes” if they agree to the amendments proposed, or “No” if they disagree and wish the Constitution not to be amended.

IF YOU ARE A MEMBER OF THE TRUST AND WISH TO VOTE, PLEASE COLLECT A BALLOT PAPER FROM THE REGISTRATION AND VOTING DESK

Ballot papers will be collected and counted and thereafter the Trust Chairman will announce the result.