

22<sup>nd</sup> October 2015

## Item 7

### Council of Governors: Summary Sheet

**Title of Paper:** Amendment to the Trust's Constitution

**Presented By:** Professor Alan Walker CBE, Chair

**Action Required:**

<b>For Information</b>	<input type="checkbox"/>	<b>For Ratification</b>	<input type="checkbox"/>	<b>For a decision</b>	<input type="checkbox"/>
<b>For Feedback</b>	<input type="checkbox"/>	<b>Vote required</b>	<input checked="" type="checkbox"/>	<b>For Receipt</b>	<input type="checkbox"/>

To which duty does this refer:

Holding non-executive directors individually and collectively to account for the performance of the Board	
Appointment, removal and deciding the terms of office of the Chair and non-executive directors	
Determining the remuneration of the Chair and non-executive directors	
Appointing or removing the trust's auditor	
Approving or not the appointment of the trust's chief executive	
Receiving the annual report and accounts and auditor's report	
Representing the interests of members and the public	
Approving or not increases to non-NHS income of more than 5% of total income	
Approving or not acquisitions, mergers, separations and dissolutions	
Jointly approving changes to the trust's constitution with the Board	X
Expressing a view on the Trust's forward plans	
Consideration on the use of income from the provision of goods and services from sources other than the NHS in England	
Monitoring the activities of the Trust to ensure that they are being conducted in a manner consistent with its terms of authorisation and the constitution.	
Monitoring the Trust's performance against its targets and strategic aims	

**How does this item support the functioning of the Council of Governors?**

According to paragraph 45 of the constitution, any amendments to the constitution must be agreed by more than half of the members of the Council of Governors voting.

**Author of Report:** Sam Stoddart

**Designation of Author:** Deputy Board Secretary

**Date:** 7<sup>th</sup> October 2015

## SUMMARY REPORT

**Report to:** Council of Governors

**Date:** 22<sup>nd</sup> October 2015

**Subject:** Amendment of the Trust’s Constitution

**From:** Professor Alan Walker, Chair

**Prepared by:** Sam Stoddart, Deputy Board Secretary

### 1. Purpose

<i>For Approval</i>	<i>For a collective decision</i>	<i>To report progress</i>	<i>To seek input from</i>	<i>For information</i>	<i>Other (please state below)</i>
✓ (vote required)					
<ul style="list-style-type: none"> <li>The Council are asked to approve the constitutional amendments. This must be done by vote.</li> </ul>					

### 2. Summary

Following a request by the Council of Governors at its July 2015 meeting, the Constitution has been amended so that it is gender neutral. A summary of the paragraphs that have been changed is provided in the Appendix 1.

### 3. Next Steps

These amendments have been approved by the Board of Directors at their 7<sup>th</sup> October meeting as is constitutionally required. Further approval is required by the Council of Governors by means of a vote. If approved, the amendments will come into force immediately. As these amendments do not confer and take away any powers on the Council of Governors, approval of the membership is not required.

### 4. Required Actions

The Council is asked to vote to accept the constitutional amendments detailed in appendix 1.

### 5. Monitoring Arrangements

The Board Secretary will ensure that if approved by the Board and Council of Governors, Monitor will be informed of the amendments and an updated constitution will be made available on the Trust’s website.

### 6. Contact Details

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## Appendix 1 – Summary of Changes to the Constitution

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