

# Council of Governors

## SUMMARY REPORT

**Meeting Date:** 19 April 2023

**Agenda Item:** 12

<b>Report Title:</b>	<b>Governor Election Update</b>	
<b>Author(s):</b>	Amber Wild, Corporate Assurance Manager	
<b>Accountable Director:</b>	Deborah Lawrenson, Director of Corporate Governance	
<b>Other Meetings presented to or previously agreed at:</b>	<b>Committee/Group:</b>	N/A
	<b>Date:</b>	N/A

### Summary of key points in report

This summary report provides an update on Governor Elections for 2023 and recommended next steps for discussion and agreement.

The term of office for Governors is three years, with up to three consecutive terms being allowable – up to total of 9 years, after which governors must stand down.

Each year elections take place to appoint to existing vacancies or to seats where the terms of office has come to an end.

In 2023, 18 elected seats will become vacant at the end of July 2023. Of these, 13 are currently vacant as they were not filled during the Governor elections in 2022. The remaining 5 seats will become vacant due to Governors' terms of office coming to an end on 31 July 2023. Of these 5 seats, 4 Governors will be eligible to stand again in their constituencies (2 public governor seats and 2 service user seats). The other governor who is public will be standing down as she has served 9 years.

It was agreed at the last Council of Governors meeting for a review of the Constitution to take place to reflect requirements in the Health and Social Care Act around the duty of collaboration and to reflect changes in the new Code of Governance. We also intended to look at the make-up of governor seats including for example the removal of the appointed seat for Clinical Commissioning Groups which ceased to exist from 1 July 2022.

A discussion will take place in the workshop session on options for this. Any changes will need to be approved at the Council of Governors in June and the Annual Members Meeting in July so will not affect the current election process.

The election will run from May 2023 to July 2023 with the conclusion reported to the Council of Governors via email in August and the results published. The new Governors will join the Council of Governors and the results formally received there, in October 2023.

The appointment of Governors is subject to successful completion and receipt of the Fit and Proper Person's test and receipt of appropriate declarations of interest. Pending completion of these, new Governors will be able to attend any meetings that occur between the end of the elections and the next scheduled formal Council of Governors meeting in October 2023.

<b>Recommendation for the Council to consider:</b>							
<b>Consider for Action</b>		<b>Approval</b>	<b>X</b>	<b>Assurance</b>		<b>Information</b>	<b>X</b>
The Council of Governors is asked to note and approve the update of the current governor elections and recommended next steps for discussion and agreement. It is proposed to proceed with the Option 1 timetable and for Governors to support with promoting the elections within their constituencies.							

<b>Please identify which strategic priorities will be impacted by this report:</b>							
Recover Services and improve Efficiency				Yes	<b>X</b>	No	
Continuous Quality Improvement				Yes	<b>X</b>	No	
Transformation – Changing things that will make a difference				Yes	<b>X</b>	No	
Partnerships – working together to make a bigger impact				Yes	<b>X</b>	No	
<b>Is this report relevant to compliance with any key standards ?</b>							
Care Quality Commission Fundamental Standards				Yes	<b>X</b>	No	
Data Security Protection Toolkit				Yes		No	<b>X</b>
				State specific standard <i>Code of Governance Health and Social Care Act Provider Licence</i>			
<b>Have these areas been considered ? YES/NO</b>					<b>If Yes, what are the implications or the impact? If no, please explain why</b>		
Service User and Carer Safety, Engagement and Experience		Yes	<b>X</b>	No		The Council of Governors provides an opportunity to engage with our communities and ensure appropriate equality, diverse and inclusive representation.	
Financial (revenue & capital)		Yes		No	<b>X</b>		
Organisational Development/Workforce		Yes		No	<b>X</b>		
Equality, Diversity & Inclusion		Yes	<b>X</b>	No			
Legal		Yes		No	<b>X</b>		
Environmental Sustainability		Yes		No	<b>X</b>		

## Section 1: Analysis and supporting detail

### Background

1.1 Governor terms of office stand at three years, with up to three consecutive terms being allowable after which governors must stand down. Each year elections take place to appoint to existing vacancies or to seats where the terms of office has come to an end.

1.2 In 2023, 20 seats will become vacant as follows:

The following elected seats will be available in the upcoming election:

Constituency and Class	Number of Seats in the Constituency	Number of seats vacant for the election
Public - Sheffield North West	2	1
Public - Sheffield North East	2	2
Public - Sheffield South East	2	2
Public – Sheffield Southwest	2	1
Service Users and Carers - Service User	10	7
Service Users and Carers - Carer	4	1
Service Users and Carers - Young Service User or Carer	2	1
Staff - Psychology	1	1
Staff - Medical and Clinical	1	1
Staff - Social Worker	1	1
		<b>Total 18</b>

Elected Governors term of office ending in 2023 are as follows:

Chris Digman	Public South East	01.08.2020	31.07.2023
Ben Duke	Public South West	01.08.2020	31.07.2023
Sylvia Hartley	Public North West	01.07.2014	30.06.2017
		01.07.2017	31.07.2020
		01.08.2020	31.07.2023
Rebecca Lawlor	Service User	01.09.2020	31.08.2023
Nev Wheeler OBE	Service User	01.09.2020	31.08.2023

Chris Digman, Ben Duke, Rebecca Lawlor and Nev Wheeler will be eligible to stand again in these elections. Sylvia Hartley having served 9 years as a Governor will be stepping down.

In addition, there are two Governors who were elected in the by-elections in November 2022 and have not taken up their posts. These Governors have not completed their Fit and Proper Persons tests and have not yet attended meetings. They have been contacted to ask if they wish to continue as a Governor and these seats may be included in the 2023 elections:

Julian Gill	Carer Governors	01.02.2023	31.07.2023
Fozia Nadeem	Public Rest of England	01.02.2023	31.07.2023

### 1.3

#### Appointed seats

The following appointed governor terms of office will also come to an end in 2023 and the appointing bodies will be contacted in April 2023 to ask for nominations:

Julie Marsland	Staffside	01.07.2020	30.06.2023
Dave Swindlehurst	Sheffield MENCAP	01.07.2020	30.06.2023

#### **Election process**

### 2.0

Section 4.1 in the SHSC Constitution states that subject to rule 69 of the Model Rules for Election, the returning officer for an election is to be appointed by the corporation.

Civica Election Services have been contracted, in line with the SHCS Procurement policy to support the Governor Elections for 2023 -2026. Procurement looked at our requirements. which was a modern, comprehensive service providing a digital membership database and an election provider. The procurement department searched for providers under the G-Cloud framework. The G-cloud framework is a procurement agreement between suppliers and the government to encourage the adoption of cloud services across the public sector and provide a secure platform for providing services. The contract was direct-awarded to Civica as they are the only provider on the G-cloud to be able to provide both a membership database and an election service. Civica have extensive experience in supporting NHS organisations with running elections and engaging memberships. They have a strong track record of delivery and long-lasting customer relationships.

There are two options in terms of timeframe for the elections.

Timetable options for the upcoming elections are set out below. The first is a longer 55-day timetable and the second is a shorter minimum statutory 41 days.

<b>ELECTION STAGE</b>	<b>OPTION 1 (55 days)</b>
Trust to send nomination material and data to CES	Wednesday, 26 Apr 2023
Notice of Election / nomination open	Friday, 12 May 2023
Nominations deadline	Monday, 12 Jun 2023
Summary of valid nominated candidates published	Tuesday, 13 Jun 2023

Final date for candidate withdrawal	Thursday, 15 Jun 2023
Electoral data to be provided by Trust	Tuesday, 20 Jun 2023
Notice of Poll published	Monday, 3 Jul 2023
Voting packs despatched	Tuesday, 4 Jul 2023
Close of election	Thursday, 27 Jul 2023
Declaration of results	<b>Friday, 28 Jul 2023</b>

<b>ELECTION STAGE</b>	<b>OPTION 2 (41 days)</b>
Trust to send nomination material and data to CES	Thursday, 18 May 2023
Notice of Election / nomination open	Friday, 2 Jun 2023
Nominations deadline	Monday, 19 Jun 2023
Summary of valid nominated candidates published	Tuesday, 20 Jun 2023
Final date for candidate withdrawal	Thursday, 22 Jun 2023
Electoral data to be provided by Trust	Monday, 26 Jun 2023
Notice of Poll published	Thursday, 6 Jul 2023
Voting packs despatched	Friday, 7 Jul 2023
Close of election	Thursday, 27 Jul 2023
Declaration of results	<b>Friday, 28 Jul 2023</b>

### Recommendation

The Council of Governors is asked to note the update provided and to discuss and agree to the recommended timetables for the Governor elections.

Option1 is the longer timetable and this allows 4 weeks for the nomination period which can be beneficial when there are a lot of seats in the elections. It allows the opportunity to add in extra reminders and communications if we are struggling to fill any seats. We will be able to provide the necessary data to the election provider in time for the elections process to start on the 26 April.

The 41-day timetable is the minimum timeline that can be done as outlined in the model election rules, and the nomination period is only just over 2 weeks.

The election provider will be ready to set up on 26 April 2023, and it is proposed that we go with Option 1, to ensure a successful election.