

NHS Foundation Trusts

A guide to developing governance arrangements

4.5 Electing governors

The way elections take place will be decided by each NHS Foundation Trust. But, in setting up their arrangements, the real challenge is to identify an electoral process that is relevant to the local community and ensures that the true mix of socio-economic and geographical interests is represented. In a similar way staff governors are not nominations of unions or other staff groups but should be appointed on the basis of free elections of those staff who chose to become members.

Elections to the board of governors can occur in a number of ways, for example by postal or electronic ballot – giving NHS Foundation Trusts greater flexibility to set up appropriate election arrangements. However, where an election is contested it must be by secret ballot.

Section 10 sets out the potential electoral systems that might be used to elect the public, patient and staff governors to the Board of Governors.

4.6 Appointing non elected governors

Primary care trust governors

As outlined above, the board of governors of an NHS Foundation Trust must include at least one governor from a primary care trust that the NHS Foundation Trust provides goods and services to. There may be more, if the Trust so chooses. An NHS Foundation Trust should agree with the primary care trusts to which it supplies goods and services how many primary care trust governors there should be on the board of governors and the method of selection (for example rotation, one to represent all primary care trusts). They must leave the selection process to the primary care trusts themselves.

One or two governors could represent a large number of primary care trusts. Where this occurs those primary care trust governors should not be seen as representing the interests of their specific primary care trust. Their role is to provide the perspective of the wider health community and be a knowledgeable source for governors to develop better understanding of the environment in which the NHS Foundation Trust operates.

Local authority governors

The board of governors of an NHS Foundation Trust must also include at least one governor from a local authority that falls wholly or partly within a public constituency of the NHS Foundation Trust. There may be more, if the Trust so chooses. Again, an NHS Foundation Trust should agree with the relevant local authorities how many local authority governors there should be on the board of governors and the method of selection (for example rotation, one to represent all local authorities). They must leave the selection process to the local authorities themselves. The local authority governor does not need to be elected to the board of governors nor do they need to be an elected member of the local authority - for instance they could be a relevant officer such as the Director of Social Services. Local authority governors should not be appointed to represent the interests of their specific local authority. Their role is to provide the

perspective of the wider community and be a knowledgeable source for governors to develop better understanding of the environment in which the NHS Foundation Trust operates.

University governors

If the NHS Foundation Trust's hospitals include a university medical or dental school they need to have a governor appointed by that university. The NHS Foundation Trust should agree with the relevant universities how many university governors there should be on the board of governors and the method of selection, but must leave the selection process to the universities themselves.

Partnership governors

An NHS Foundation Trust must decide whether it wishes any partnership organisations to be represented on the board of governors. Where it considers it appropriate to include partnership organisations it must list the organisation(s) that can be represented on the board of governors in their constitution. The list of partnership organisations could include the League of Friends, relevant charities, faith groups and so on. The partnership organisations themselves will need to determine the selection process and then employ that process to select a governor.

