

Council of Governors

Subject:	Public Governor Vacancies	Date: 10 th August 2021		
Prepared By:	Shirley A Higginbotham Director of Corporate Affairs			
Approved By:	Shirley A Higginbotham Director of Corporate Affairs			
Presented By:	Becky Cassidy, Deputy Director of Corporate Affairs			
Purpose				
For the Council of Governors to consider the current vacancies for public governors and to agree the next steps			Approval	
			Assurance	
			Update	
			Consider	x
Strategic Objectives				
To provide outstanding care	To promote and support health and wellbeing	To maximise the potential of our workforce	To continuously learn and improve	To achieve better value
x	x	x	x	x
Overall Level of Assurance				
	Significant	Sufficient	Limited	None
		x		
Risks/Issues				
Financial	N/A			
Patient Impact	N/A			
Staff Impact	N/A			
Services	N/A			
Reputational	Failure to ensure a constitutionally compliant Council of Governors could impact on the reputation of the Trust.			
Committees/groups where this item has been presented before				
Executive Summary				
<p>The Council is required to consider what, if any, action it wishes to take in respect of the current publicly elected governor vacancy on the Council of Governors.</p> <p>There are four vacancies:</p> <p>One – Rest of East Midlands, this wasn't filled at the last election in 2019 One - Newark and Sherwood, After Paul Baggaley's resignation Two – Mansfield, After Belinda Salt's resignation and the sad death of Dean Whelan</p> <p>The Constitution provides provisions relevant to this situation at 7.14.2 (Vacancies). This provides that where there is an elected Governor vacancy for reasons other than the expiry of a term of office the Council of Governors shall decide which of the 3 prescribed options shall be followed through</p> <p>7.14.2.1 to call an election within three months to fill the vacancy, unless an election is due within nine months in which case the seat shall stand vacant until the following scheduled election;</p> <p>7.14.2.2 to invite the next highest polling candidate in the relevant constituency at the most recent election who is willing to take office, to fill the vacancy, provided that the candidate achieved at least 5% of the vote in the last held election for the relevant constituency and, where appropriate, class (the "Reserved Governor"). If the vacancy is filled in this way, the Reserved Governor shall be eligible for re-election for a further two full three</p>				

year terms; or

7.14.2.3 to leave the seat vacant until the next scheduled elections are held.

Governors should be aware 7.14.2.2 does not apply in the case of the Rest of East Midlands as there was no second candidate.

Paul Baggaley was elected in October 2020, Belinda Salt in March 2019, Dean Whelan became a governor in August 2019 after Tony Eggington who was elected March 2019 stepped down and the Council agreed to implement 7.14.2.2 to fill the vacancy.

The next elections are scheduled for March 2022, which is nine months away.

There are two Council of Governors within that time frame in November 2021 and February 2022.

It is recommended Council include the four vacancies in the next round of elections March 2022.