

Cover Sheet

Council of Governors: Wednesday 12 October 2022

CoG2022.18

Title: 51TLead Governor Role and Arrangements for Deputising for
the Lead Governor

Status: For Decision

History: New Paper

Board Lead: Trust Chair

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Confidential: No

Key Purpose: Strategy

Lead Governor Role and Arrangements for Deputising for the Lead Governor

1. Purpose

- 1.1. This paper asks the Council to support the proposal that the role of Lead Governor formally include acting as a point of contact for the Council with governors in other organisations across the healthcare system.
- 1.2. It also proposes that, in undertaking this liaison, the chairs of governor committees may act as deputies for the Lead Governor where required.

2. Background

- 2.1. All NHS foundation trusts are asked to nominate a lead governor, to facilitate direct communication between the Council of Governors and Monitor (now NHS Improvement / NHS England [NHSI/E]) in the limited circumstances where it may not be appropriate to communicate through the normal channels.
- 2.2. Appendix B of Monitor's NHS Foundation Trust Code of Governance suggests the following specific elements to the lead governor role:
 - To facilitate communication between Monitor and the Council of Governors, in particular where it would not be appropriate for this to occur through normal channels;
 - To be a point of contact should Monitor have concerns regarding board leadership provided to the Trust;
 - To be a point of contact should Monitor have concerns that appointments, elections or other material decisions have been inappropriate or not complied with the Trust's Constitution; and
 - To initiate communication where the Council or individual governors wish to contact Monitor.
- 2.3. Under Annex 8 of Appendix 2 of the Constitution, the Lead Governor may also have a role in the event of a dispute between the Council of Governors and the Board of Directors.
- 2.4. The Council of Governors has also chosen to agree an extended definition of the role, which was also approved by the Board of Directors, specifically to allow for the post-holder to play a role in setting the agenda for meetings of the Council of Governors.

- 2.5. The role of Lead Governor is currently held by Graham Shelton, Public Governor, West Oxfordshire, who was last re-elected to the role in March 2022. His current term of office is due to expire on 1 April 2023.

3. Lead governor role and arrangements for deputising

- 3.1. With the introduction of Integrated Care Systems and a strengthened emphasis on partnership working across the wider system, it is increasingly valuable for the Lead Governor to be able to act as a point of contact for the Council with governors in other organisations.
- 3.2. It is therefore recommended that the Council of Governors formally agree that the Lead Governor be able to undertake such liaison on its behalf.
- 3.3. In this context there would also be benefit in the Lead Governor having other governors who are able to deputise for them in these discussions where appropriate. This will also strengthen knowledge and experience across the wider Council and may assist with succession planning to ensure suitable candidates for the role in the future.
- 3.4. The creation of a formal Deputy Lead Governor role would most appropriately be through an additional electoral process and be agreed with the Trust Board. It is not proposed that this change be made at this stage. However, it is suggested that the Council agree that the Chairs of Governor Committees may act as deputies for the Lead Governor where required. The establishment of a formal Deputy position may then be considered in the future.

4. Recommendations

- 4.1. The Council of Governors is asked to:
 - a) **agree** that the role of lead governor formally include acting as a point of contact for the Council with governors in other organisations across the healthcare system; and
 - b) **agree** that the Chairs of Governor Committees may act as deputies for the Lead Governor where required.