

# PAPER

BOD 131/2014

(Agenda Item: 19)

# Report to the Meeting of the

# Oxford Health NHS Foundation Trust

# Board of Directors

**24 October 2014**

**Trust Constitution – Model Election Rules**

**For: Approval**

New ‘model election rules’ for Governors were published by the FTN in August 2014. The new rules:

* allow FT Members to vote for Governors using e-voting technology; and
* set out that challenges to the conduct of FT elections will now be determined by the Independent Elections Arbitration Panel instead of Monitor.

Election rules are part of an NHS foundation trust’s constitution so, in order to adopt the new rules, the constitution must be amended. All NHS trusts applying to Monitor after 1 October 2014 must use the newly published model election rules and hold elections in line with them.

Attached is a copy of the model election rules; as the Trust uses the Single Transferable Vote system, references to the First Past the Post system have been removed. It is proposed that the rules attached replace the election rules in the Trust’s current Constitution (which start on page C48). A copy of the Trust’s current Constitution may be found here:-

<http://www.oxfordhealth.nhs.uk/about-us/governance/constitution/>

By allowing FT Members to vote using electronic and telephone means it is likely that costs associated with elections will be reduced and it may increase voter turnout.

No other changes to the Trust Constitution are proposed at this time; as previously agreed, a wider review of the Constitution and, in particular, the conflict of interests’ sections will be undertaken and any amendments proposed to Board and Council in 2015.

Following Board approval, the model election rules and the proposal to include them in the Trust Constitution will be presented to the next meeting of the Council of Governors for final approval.

**Recommendation**

The Board is asked to approve the proposed amendments to the Constitution before presentation to the Council of Governors for final approval.

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1. *A risk assessment has been undertaken around the legal issues that this paper presents and there are no issues that need to be referred to the Trust Solicitors.*
2. *This paper (including all appendices) has been assessed against the Freedom of Information Act and the following applies: [delete as appropriate]*

* *THIS PAPER MAY BE PUBLISHED UNDER FOI*