

Council of Governors

Eligibility criteria

Thank you for your interest in becoming a Governor at Sheffield Children's NHS Foundation Trust.

In order to become a Governor you must fulfil certain criteria. The National Health Service Act 2006 specifies that the following may not become or continue as members of the Council of Governors:

- A person who has been adjudged bankrupt or whose estate has been sequestrated and (in either case) has not been discharged.
- A person who has made a composition or arrangement with, or granted a trust deed for, his creditors and has not been discharged in respect of it.
- A person who within the preceding five years has been convicted in the British Islands of any offence if a sentence of imprisonment (whether suspended or not) for a period of not less than three months (without the option of a fine) was imposed on him.
- A person who is not subject to an unexpired disqualification order made under the Company Directors' Disqualification Act 1986.

Further eligibility criteria for sitting on our Council of Governors as defined in the Sheffield Children's NHS Foundation Trust Constitution are listed below.

- A Governor shall not be eligible to become or continue in office as a Governor if:
- he ceases to be eligible to be a Member, save in the case of Appointed Governors

- in the case of an Appointed Governor, the Partnership Organisation withdraws its appointment of him
- he has within the preceding two years been lawfully dismissed otherwise than by reason of redundancy from any paid employment with a health service body
- he is a person whose term of office as the Chairman or as a member or director of a health service body has been terminated on the grounds that his continuance in office is no longer in the best interests of the health service, for non-attendance at meetings or for non-disclosure of a pecuniary interest
- he has had his name removed by a direction under Section 154 of the 2006 Act from any list prepared under Part 4 of that Act and has not subsequently had his name included in such a list
- he has failed to make, or has falsely made, any declaration as required to be made under Section 60 of the 2006 Act or has spoken or voted in a meeting on a matter in which they have direct or indirect pecuniary or non-pecuniary interest and he is judged to have acted so by a majority of not less than 75% of the Council of Governors
- Monitor has exercised its powers to remove him as a Governor of the Trust or has suspended him from office or has disqualified him from holding office as a Governor of the Trust for a specified period or Monitor has exercised any of those powers in relation to him on any other occasion whether in relation to the Trust or some other NHS Foundation Trust
- he has received a written warning from the Trust for verbal and/or physical abuse towards Trust staff, patients, carers and/or Governors
- he has been placed on the registers of Schedule 1 Offenders pursuant to the Sexual Offences Act 2003 (as amended) and/or the Children and Young Person's Act 1933 to 1969 (as amended), (including whether or not the conviction is spent)

- his term of office is terminated pursuant to paragraph 3 of Annex 6 in the Trust Constitution
- he is a member of a Staff Class and any professional registration relevant to his eligibility to be a member of that Staff Class has been suspended for a continuous period of more than six months
- he is incapable by reason of mental disorder, illness or injury in managing and administering his property and/or affairs
- the relevant organisation which he represents ceases to exist
- he is a Member of the UK Parliament
- he is a Director of the Trust or a governor of another NHS Foundation Trust
- they are the spouse, partner, parent or child of a Member of the Board of Directors of the Trust
- he is a Member of a local authority overview and scrutiny committee
- he is not sixteen years of age at the closing date for nominations for election or appointment
- being a Member of one of the Public Constituencies or one of the classes of the Patients' and Carers' Constituency, they refuse to sign a declaration in the form specified by the Secretary of particulars of their qualification to vote as a member of the Trust, and that they are not prevented from being a member of the Council of Governors
- in the case of a Local Authority Governor, they are an elected member of the local authority

The Sheffield Children's NHS Foundation Trust Constitution is available to download at www.sheffieldchildrens.nhs.uk/elections