Ashford and St. Peter's Hospitals NHS
NHS Trust

COUNCIL OF GOVERNORS
1st December 2010

TITLE	**Code of Conduct**
EXECUTIVE SUMMARY	Annex 6C of the Constitution requires the Council to have a Code of Conduct.
The Council is asked to:	Adopt the Code of Conduct
Submitted by:	Jane Gear Head of Corporate Affairs
Date:	13th November 2010
Decision:	For Approval

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Code of Conduct

1 **Background**

Annex 6C of the Constitution requires the Council to have a **Code of Conduct.**

An interim Code has been prepared taking account of similar Codes applying in existing Foundation Trusts and also the Trust's 4 values.

The Code is recommended for adoption while noting that this will be reviewed by the Council in one year's time.

2 **RECOMMENDATION**

The Council of Governors is asked to AGREE the Code of Conduct.

Jane Gear
Head of Corporate Affairs

Ashford and St. Peter's Hospitals NHS
NHS Trust

GOVERNORS' CODE OF CONDUCT

Policy Author:	Jane Gear Head of Corporate Affairs
Version	1.0 (interim)
Date Approved:	December 2010
Review Date:	December 2011

GOVERNORS' CODE OF CONDUCT

The Ashford and St Peter's Hospitals NHS Foundation Trust is an apolitical organisation. If I am a member of any political party or other organisation, I recognise that I will not be representing those organisations or the views of those organisations.

1. OVERVIEW AND PRINCIPLES

All members of the Ashford and St Peter's Hospitals NHS Foundation Trust's Council of Governors will:

a. Uphold the Ashford and St Peter's Hospitals NHS Foundation Trust 4 Values which have been agreed with its staff:

- Patients First
- Personal responsibility
- Passion for Excellence
- Pride in our Team

Each of these can be applied to the role of the individual Governor and also the Council as a collective; Governors should make every effort to support these values and also the Behaviour Pledge which underpins the values.

b. Abide by the Seven Principles of Public Life (Nolan), which are:

Selflessness
Holders of public office should take decisions solely in terms of public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or friends.

Integrity
Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in their performance of their official duties.

Objectivity
In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability
Holders of the public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness
Holders of public office should be as open as possible about all the decisions and actions they take They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty
Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership
Holders of the public office should promote and support these principles by leadership and example.

These principles apply to all aspects of public life. The Nolan Committee has set them out for the benefit of all who serve the public in any way.

c. Actively support the vision and aims of Ashford and St Peter's Hospitals NHS Foundation Trust in developing as a successful NHS Foundation Trust;

d. Act in the best interests of the Trust at all times;

e. Contribute to the work of the Council of Governors in order for it to fulfil it's role as defined in the Trust's constitution;

f. Recognise that the Council of Governors exercises a collective view on behalf of all patients, members, local public and staff;

g. Not expect any privilege arising from being a governor;

h. Recognise that the Council of Governors has no managerial role within Ashford and St Peter's Hospitals NHS Foundation Trust.

i. Recognise that you may not use the role of Governor to promote individual care/treatment for friends/relatives.

j. Value and respect governor colleagues, and all members of staff;

k. Respect the confidentiality of information received in your role as governor;

l. Support the Trust in maintaining high standards of infection control in your own behaviours

m. Attend meetings of the Council of Governors, members' meetings and development days, on a regular basis, in order to carry out their role;

n. Conduct yourself in a manner that reflects positively on the Ashford and St Peter's Hospitals NHS Foundation Trust, acting as an ambassador for the Trust.

B. CODE OF CONDUCT FOR GOVERNORS

1. Introduction

This Code seeks to set out appropriate conduct for Governors and addresses both the requirements of office and your personal behaviour. Ideally the implications of non-compliance would never need to be applied. However, a Code is considered an essential guide for Governors, particularly those who are newly elected.

As a member representative dealing with difficult and confidential issues, Governors need to act with discretion and care in the performance of their role. Governors must maintain confidentiality with regard to information gained through their involvement in the hospitals.

The Code seeks to expand on, and complement, the Constitution which will be given to Governors.

Members seeking election to the Council of Governors are expected to sign a Declaration to confirm that they will comply with the Code in all respects, and that, in particular, they support the Trust's objectives. (This is given as Attachment 1)

2. Qualifications for office

Governors must continue to comply with the qualifications required to hold elected office throughout the period of their tenure. The Membership Manager should be advised of any changes in circumstances which disqualify the Governor from continuing in office.

All Governors will be expected to understand, agree and promote the Trust's approach to Diversity in every area of their work.

One of the key objectives of the Council is to promote social inclusion throughout its work. The development and delivery of initiatives should not prejudice any part of the community on the grounds of race, disability, marital status, sexual orientation or religious belief. The promotion of any personal or political view that undermines this prime objective of the Trust is grounds for disqualification from the Council.

The Code aims to ensure that no partner organisation or member associated with its work receives less favourable treatment on the grounds of age, race, colour, disability, marital status, sexual orientation or religious belief.

3. Confidentiality

Where Governors receive confidential information as part of their membership of the Council this must be respected. This is particularly important if you receive information relating to individual patients or staff.

4. Conflict of Interests

Governors should act with the utmost integrity and objectivity and in the best interests of the Trust in performing your duties. You should not use the position for personal advantage or seek to gain preferable treatment in any way. You should declare any conflicts of interests which may arise and should not vote on such matters. If in any doubt you should seek advice from the Membership

Manager. It is important that conflicts of interest are identified and actioned in the interests of the Trust and all individuals concerned.

Governors must declare any involvement that they may have with an organisation with which the hospital may be considering entering a contract. There will be a register of Interests in which Governors must enter any pecuniary (financial) and non pecuniary interests that might create a conflict of interest.

5. Council meetings

Governors have a responsibility to attend meetings of the Council; this is a formal part of the Constitution and Standing Orders. When this is not possible you should let the Secretary know in advance of the meeting.

Governors may not nominate a deputy or any other person to substitute for him/her in the event of not being able to attend a meeting.

Governors are expected to attend for the whole of the meeting and should make every effort to prepare for the meeting by reading papers etc.

In order to help everyone to take part, it is really important that all Governors observe the points of view of others and understand that conduct likely to give offence will not be tolerated. The Chair will reserve the right to ask any Governor who fails to observe the Code to leave the meeting.

6. Personal Conduct

Governors are asked to adhere to the highest standards of conduct in the performance of their duties. In respect of your interaction with others, you need to:

- adhere to good practice in respect of the conduct of meetings and respect the views of your fellow Governors. This will include basic disciplines like not using mobiles or blackberries in meetings, listening to all points of view and valuing everyone's contribution.
- be mindful of conduct which could be deemed to be unfair or discriminatory. Inappropriate behaviour such as the use of foul language, racist or sexist remarks would render a Governor liable to disqualification
- treat the Trust Executives, other employees and fellow members with respect and in accordance with Trust values.
- recognise that Council and Management have a common purpose in the achieving the success of the Trust
- Governors should conduct themselves in such a manner as to reflect positively on the Trust. When attending external meetings or any other events at which they are present, it is important for members to act as ambassadors for the Trust.

7. Accountability

Governors are accountable to the membership and need to demonstrate this by attending members meetings and other key events which provide opportunities to interface with their electorate in order to best understand their views.

8. Training and Development

Training and development is essential for Governors in respect of their effective performance of their role. Certain elements are mandatory for example infection control, and must be attended.

9. Visits to Trust Premises

Where Governors wish to visit Trust premises in a formal capacity as opposed to as individuals in a personal capacity, Governors should liaise with the Membership Manager to make the necessary arrangements in advance. You will need to have been CRB checked as part of your appointment.

Control of infection is an absolute priority within the Trust. When visiting clinical areas Governors must ensure they conform to requirements in respect of Infection Control including hand-washing.

10. Non compliance with the Code of Conduct

Non compliance with the Code of Conduct is against the requirements of Standing Orders.

The Code of Conduct affects all activities of Governors.

This Code of Conduct does not limit or invalidate the right of any Governor or the Trust to act under the Constitution.

Appendix 1

Declaration

In undertaking the role of Governor of this NHS Foundation Trust all governors will sign the following declaration:

i. If I am a member of any trade union, political party or other organisation, I recognise that I must declare this fact and that I will not be representing those organisations (or the views of those organisations) but will be representing the constituency (patient, public or staff) that elected me;

ii. I will seek to ensure that my fellow governors are valued as fellow colleagues and that their views are both respected and considered;

iii. I will accept responsibility for my own actions;

iv. I will show my commitment to working as a team member by working with all my colleagues in the NHS and the wider community;

v. I will seek to ensure that the membership of the constituency I represent is properly informed and given the opportunity to influence services;

vi. I will seek to ensure that no one is discriminated against because of their religion, belief, race, colour, gender, marital status, disability, sexual orientation, age, social and economic status or national origin;

vii. I will comply with the constitution, Standing Orders and Standing Financial Instructions;

viii. I will respect the confidentiality of individual patients and staff;

ix. I will not knowingly make or permit, any untrue or misleading statement relating to my own duties or the functions of the Ashford and St Peter's Hospitals NHSFT;

x. I will make every effort to refer all media contacts to the Head of Communications