

## **Council of Governors**

### **Lead Governor Role Description**

#### **Role and responsibilities**

The NHS Code of Governance 2022 confirms the role as: facilitating direct communication between NHS England (NHSE) and the council in a limited number of circumstances:

- where NHSE has concerns about board leadership
- where NHSE has been made aware that the appointment of chair or other board members, elections for governors, or other material decisions may not have complied with Trust's constitution or may be inappropriate.

Additional duties are for Trusts to agree, whilst remaining within the legal role.

The Chair of the Board of Directors also chairs the Council of Governors, Schedule 7(12).<sup>1</sup> It is not the intention of the guidance that the Lead Governor leads the Council of Governors or assumes greater power or responsibility than other governors.<sup>2</sup>

#### **General Duties**

- To act as a point of contact to channel governor views to the Trust Secretary in line with agreed processes.
- To liaise with the Trust Secretary, Trust Chair, Director of Governance and the Senior Independent Director on any matters concerning the exercise of the Council's statutory roles and responsibilities, recognising any potential conflicts of interest.
- To play a role in the appraisal of the Chair in liaison with the Senior Independent Director, subject to approval by the Council's Appointments and Performance Committee and the Council of Governors.

#### **Meetings**

- To preside over meetings of the Council of Governors where the Chair, Deputy Chair or one of the other Non-Executive Directors has a conflict of interest or is unable to attend the meeting<sup>3</sup>.
- To play a role in the agenda setting for the Council of Governors.
- To participate in meetings of the Appointments and Performance Committee.

#### **Contact with Regulators**

- To liaise between NHSE and the Council of Governors when the Trust is in breach of its Licence conditions.

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<sup>1</sup> <https://www.legislation.gov.uk/ukpga/2006/41/schedule/7>

<sup>2</sup> [Your statutory duties, A reference guide for NHS foundation trust governors, August 2013](#)

<sup>3</sup> Trust Constitution, November 2023, paragraph 17.1

- To act as a point of contact for the Care Quality Commission (CQC) when they wish to engage with the Council of Governors.

### **Personal Skills**

- Good communication and interpersonal skills
- Organisation and decision making skills
- Ability to chair meetings
- Ability to represent the Trust to outside bodies.

### **Corporate Contribution**

- Proven leadership skills and an ability to work as a team member
- Ability to formulate strategy and understand priorities
- Ability to make a constructive contribution to the Trust's key objectives
- Ability to build constructive relationships and present the views of the Trust in public.

### **Nomination**

The Lead Governor is chosen by the Council of Governors. Any governor may nominate themselves for election. A governor may nominate a fellow governor for election, with that person's permission.

Nominations are to be made to the Director of Governance<sup>4</sup> within the required timescale.

### **Selection**

If more than one governor expresses an interest, an electronic ballot will be held with the result announced shortly thereafter.

### **Term of Office**

An individual may occupy the position of Lead Governor for a three-year period or the remainder of a three-year term of office, with a limit of six years.

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### **Deputy Lead Governor**

The Council of Governors may choose a Deputy Lead Governor to support the Lead Governor, to deputise for them when they are unable to perform the responsibilities of the role and to undertake such other responsibilities as the Council of Governors may specify.

The same process used for the appointment of the Lead Governor will be used for the appointment of the Deputy Lead Governor.

Should Staff Governors wish to be considered, it may be that a job share of the role would be required.

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<sup>4</sup> Trust Constitution November 2023, Annex 5, paragraph 3.5 – this role may be undertaken by the Trust Secretary