

**TO: Gloucestershire Partnership NHS Foundation Trust
Council of Governors**

FROM: David McGrath, Trust Secretary

DATE: 18th July 2007

SUBJECT: Code of Conduct

Summary

The Council of Governors is required to agree a Code of Conduct for Governors.

A working group of Governors has produced a Code for the Council to consider.

PURPOSE

1. The purpose of this report is to provide the Council of Governors with an opportunity to consider and agree a Code of Conduct for Governors.

RECOMMENDATION

2. It is recommended that (subject to any amendments) the Code of Conduct at Annex A be agreed.

BACKGROUND

3. The Council of Governors is required by the constitution to adopt a Code of Conduct for Governors. The code needs to set out the standards of behaviour that can be reasonably expected of Governors whilst fulfilling this role. This assists both Governors and the people they come into contact with to understand what is or is not acceptable conduct. The attachment at Annex A has been developed by a sub-group of Governors and is presented for consideration, amendment (if necessary) and adoption.
4. The Council may remove a Governor from office if he or she fails to adhere to the Trust's Governors' Code of Conduct or persists in acting in a manner prejudicial to the best interests of the Trust.

ALTERNATIVES

5. The Council can:
 - a. Adopt the code unchanged
 - b. Amend the code and adopt it in its changed form
 - c. Reject the current version of the code and agree an alternative way of preparing another draft for consideration at the next council meeting.

6. It is open to the Council to agree a trial period for the code and arrange a review at the end of the period.
7. Because the Constitution requires a code to be adopted it is not acceptable for the Council to continue for very long without a Code of Conduct in place.

GLOUCESTERSHIRE PARTNERSHIP NHS FOUNDATION TRUST**GOVERNORS' CODE OF CONDUCT****INTRODUCTION**

1. Public service values are expected to be at the heart of the NHS and those who work in it have a duty to conduct NHS business with probity and to demonstrate high ethical standards of personal conduct.
2. The Gloucestershire Partnership NHS Foundation Trust constitution requires that the Council of Governors should have a Code of Conduct to provide guidance on the appropriate way for governors to perform their duties both collectively and individually.

SCOPE

3. A governor must observe the Council's Code of Conduct for Governors whenever he or she
 - conducts the business of the Trust
 - acts as a representative of the Council of Governors
 - acts as a representative of the Trust.
4. The Trust's Code of Conduct for Governors shall not have affect in relation to the activities of a member of the Council of Governors, other than in an official capacity, except where his or her personal conduct could reasonably be regarded as bringing his or her office as a governor or the Council of Governors or the Trust into disrepute.

THE NOLAN PRINCIPLES

5. The Committee of Standards in Public Life chaired by Lord Nolan established seven principles of public life. This Code of Conduct requires governors to observe these standards as set out below.
6. **Selflessness** - Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.
7. **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 the performance of their official duties.
8. **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.

9. **Accountability** - Holders of public office are accountable to the public for their decisions and actions and must submit themselves to whatever scrutiny is appropriate to their office.
10. **Openness** - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions, and restrict information only when the wider public interest clearly demands.
11. **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.
12. **Leadership** - Holders of public office should promote and support these principles by leadership and example.

GENERAL OBLIGATIONS

13. A member of the Gloucestershire Partnership NHS Foundation Trust Council of Governors will:
 - a. actively support the values of the Trust and assist in its development as a successful organisation
 - b. abide by the Standing Orders for the practice and procedure of the Council of Governors
 - c. act with honesty, integrity and objectivity in the best interests of the Foundation Trust
 - d. contribute to the work of the Council of Governors in order for it to fulfil its role as defined by the Trust's constitution. To this end, attend meetings of the Council of Governors, members' meetings and training events on a regular basis
 - e. recognise that the Council of Governors exercises collective decision making in the best interests of all patients, local public and staff
 - f. recognise that the Council of Governors has no day to day managerial role within the Foundation Trust
 - g. act as an ambassador for the Trust in a manner that reflects positively upon it
 - h. recognise that they represent the constituency that elected them, rather than any trade union, political party or other organisation they may have affiliation to

- i. respect and treat with dignity and fairness colleagues, patients, relatives, carers, the public, NHS staff and partners in other agencies
- j. seek to ensure that the membership of the constituency represented, is properly informed and able to influence services
- k. ensure that no-one is unfairly discriminated against because of their religion, race, colour, gender, marital status, disability, sexual orientation or age
- l. promote equal opportunities
- m. support and assist the Accountable Officer of the Trust in his responsibility to answer to Monitor (the Independent Regulator of Foundation Trusts), commissioners of health services and the public, in terms of fully and faithfully declaring and explaining the use of resources and the performance of the Trust, in putting national policy into practice and delivering targets
- n. ensure his or her official capacity (or any other circumstance) is not used to improperly confer or secure an advantage or disadvantage for themselves or any other person
- o. when reaching decisions consider any relevant advice given by a Director of the Trust and be willing to give the reasons for those decisions
- p. draw the attention of the Trust Chairman or Trust Secretary to any possible breach of this Code of Conduct, Standing Orders or the Constitution.

GOVERNORS AND THE MEDIA

- 14. Should a governor be approached by the media to comment on any matter of Trust affairs it is expected that the individual governor will not feel it appropriate to make a personal statement, but will refer the media contact to the Trust Secretary or Communications Manager.
- 15. Should the view of the Council of Governors be sought by the media on any matters of Trust affairs, such a view should be formulated by the Council of Governors as a whole, and issued on its behalf by the Chairman or Trust Secretary.
- 16. Should an individual governor feel compelled to express a view to the media on any matter of Trust affairs, the individual governor is expected to preface any comments by a statement that he or she is expressing a personal view and not the view of the Council of Governors or the Trust. The governor is expected to alert the Trust Secretary or Communications Manager to their intention to speak to the media about Trust business.