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| Meeting: | Trust Board |
| Date: | 27th July 2011 |

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| Title: | Draft Foundation Trust Constitution |
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Executive Summary:

The Tri-partite Formal Agreement with NHS London proposes the potential commencement of public consultation on our intention to apply for Foundation Trust status at the end of September 2011. The consultation runs for a minimum period of 12 weeks. In order to be ready for this stage, we need to have developed our draft Foundation Trust constitution which has to demonstrate to Monitor that we shall be legally-constituted. Having been through the process in 2007-08 we have a basic document with which to work. This has been updated with the help of our legal advisers to take account of the latest Monitor FT constitution and any changes in the variable elements of the previous constitution which we wish to make.

There are elements of the constitution on which we need to consult with the public, and we have been through the initial draft with a small group of governors who have expressed an interest. The proposals of this sub-group have now been discussed in a general meeting of the Council of Governors and their views have been taken on board.

The attached summary of what is being proposed for consultation in relation to membership, constituencies and the size and composition of the Council of Governors is presented for the Board's consideration.

The draft constitution will be updated following this discussion and then circulated for comment so that a final version can be agreed and ratified at the September meeting of the trust board. It should be noted that the draft is likely to change further during the application process to take account of any implications of the Health & Social Care Act when passed.

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| Action: | The Trust Board is asked to: <ul style="list-style-type: none">➤ Confirm the trust's intention that its name should be Whittington Health NHS Foundation Trust➤ Consider the attached proposals for consultation on elements of the draft constitution➤ Authorise a group comprising the chairman, deputy chairman and FT project director to agree the draft constitution for ratification by the board. |
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| Report from: | Susan Sorensen Corporate Secretary |
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| Sponsor: | Fiona Smith Director of Planning and Programmes |
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**Compliance with statute, directions,
policy, guidance**

Lead: All directors

Reference:

FT application guidance
Monitor Model FT constitution