

Meeting: Trust Board
Date: 28 th September 2011

Title: Draft Foundation Trust Constitution

Executive Summary:	<p>At its meeting on 27th July 2011 the board received a paper setting out proposed changes to the draft constitution from the 2008 version, following consultation with the Council of Governors. These were agreed with the additional requirement that the governors appointed by the boroughs of Islington and Haringey should be GP members of Clinical Commissioning Group. The board agreed that the name of the foundation trust should be Whittington Health Foundation Trust. It was further agreed that the Chairman and Deputy Chairman should review the draft constitution for submission to the Trust Board for agreement prior to the launch of public consultation. The attached draft, which has been prepared by the trust's solicitors Bevan Brittan, incorporates all the changes previously agreed and comments from the Chairman and Deputy Chairman. Attention is drawn to the colour coding of text which is described on the front cover. There remain a few points on which further clarification or advice is being sought from Bevan Brittan which are shaded grey in the document.</p>
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Elements of the constitution on which the trust should seek views in the consultation process include:

- The scope of the public, patient and staff constituencies: pp14-17 and Annexes 1-3 pp 33-36

- The composition of the Council of Governors: Annex 4 pp38-38

Outstanding matters (shaded yellow in the document) on which a decision needs to be made are:

1. The name of the former patients' constituency in the light of the integration of acute and community services, on which the trust may wish to consult. Should it be "Patients and/or Service Users"?

2. The trust's operating principles set out in Annex 9 Appendix 9 Appendix 1 p70. It is suggested that these should be drawn from the trust's strategy when finalised

It should be noted that the constitution may change in the light of the outcome of the consultation and as a result of any modifications to be made following the enactment of the Health and Social Care Bill.

Action:	The trust board is asked to approve the draft constitution prior to the finalisation of the consultation document on the trust's foundation trust application.
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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
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