

Appointment of
Non-Executive Director

Information pack for applicants 2018



Dear Candidate

Thank you for showing an interest in this post and for taking the time to read this information pack. I hope this demanding, but very rewarding position, catches your imagination and that you are encouraged to apply. This crucial role is an excellent opportunity and comes at an exciting time of progress and development.

I hope you will consider applying. If you have the vision and commitment to keep the Trust at the forefront of developments in the NHS and the expertise needed to make a real contribution, we want to hear from you.

The selection and appointment will be carried out by representatives of the Council of Governors Appointments and Remuneration Committee.

All applications must be made by completing the NED application form available via the [Trust's website](#).

Please ensure that you download, complete and return with your application the Trust's Conflict of Interest Form and Fit and Proper Person Declaration.

Yours sincerely



Evelyn Asante-Mensah OBE
Chair



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About the Trust

Introduction

The Trust has an Appointment and Remuneration Committee, which will manage the recruitment of a Non-Executive Director with specific skills to complement those of its existing Directors. Following the selection process, the committee will make a recommendation to the Trust's full Council of Governors for approval at its meeting on 6 November 2018.

Interested candidates are welcome to contact the Chair, Evelyn Asante-Mensah OBE on 0161 716 3001.

What is a Foundation Trust?

NHS Foundation Trusts were created under the Health and Social Care Community Health and Standards Act 2003.

Established as Public Benefit Corporations, NHS Foundation Trusts remain part of the NHS but have been significantly set free from central government control. They possess three key characteristics that distinguish them from NHS Trusts:

- Freedom to decide locally how to meet their obligations
- Accountable to local people, who can become members and Governors
- Monitored by an Independent Regulator of NHS Foundation Trusts (NHSI)

They are accountable to local people through a Council of Governors, made up of elected members from the local communities served by the Trust, plus staff and individuals appointed by stakeholder organisations. They continue to be fully part of the NHS and work in co-operation with other health and social care partners, subject to NHS standards, performance ratings and systems of inspection. The primary purpose of NHS Foundation Trusts is to provide NHS services to NHS patients on the basis of need and not ability to pay.

'A Guide to NHS Foundation Trusts' published by the Department of Health can be found at: <http://www.nhshistory.net/foundation.pdf>

Additional information on the role of NHS Foundation Trusts can be found at: www.monitor-nhsft.gov.uk

Equality Statement

We are an equal opportunity employer and ensure we meet our legal duties covered by the Equality Act. As such within our recruitment processes we will ensure there is no discrimination on the basis of race, religion, colour, sex, gender identity, sexual orientation, age, any physical or mental disability, national origin, veteran status or any other basis covered by appropriate law. All employment will be decided on the basis of qualifications and merit. We have also signed up to being a disability confident employer. Currently our Board is under-represented by members from diverse backgrounds therefore we would welcome applications from BME communities.

An overview of Pennine Care NHS Foundation Trust

We are a leading provider of community and mental health services which delivers care to a population of 1.3 million people within the boroughs of Bury, Stockport, Trafford, Oldham, Rochdale, and Tameside and Glossop. We have a diverse and committed workforce in excess of 5,500 staff, an annual turnover of £274million and are a high performing and growing organisation with ambitious plans for the future.

Our strategy

Pennine Care's five-year Strategic Plan is focused on the delivery of whole-person, place-based care. Put simply, we want people to receive care that meets all of their mental, physical and social needs in combination, rather than treating each problem separately. This ranges from helping people to make positive lifestyle choices or manage a long term condition, to stopping people from going into hospital or helping them to recover. We also want to help people and their families through difficult times, such as when a family is facing adversity or a loved one is at the end of their life. We also know that in order to help people to live well, we need to support them with other aspects of their lives such as employment, leisure, isolation and finances; all of which can impact on our wellbeing.

Our vision

Our vision is to deliver the best care to patients, people and families in our local communities by working effectively with partners to help people live well.

Our values

Our five core values are:

- **C**ompassionate
- **A**ccountable
- **R**esponsive
- **E**ffective
- **S**afe

Strategic goals

In support of the vision the Trust also has a set of strategic goals, which act as overall priorities that steer the organisation in the right direction:

- Put local people and communities first
- Provide high quality whole person care
- Deliver safe and sustainable services
- Be a valued partner
- Be a great place to work



Council of Governors

Our 46 Governors are ambassadors for the Trust and help to develop the Trust's strategic plans. The Council of Governors works closely with the Board of Directors and has a role to play in the governance of the Trust. The Council is afforded a number of statutory powers and duties including those to:

- appoint and, if appropriate, remove the Chair;
- appoint and, if appropriate, remove the other Non-Executive Directors;
- decide the remuneration and allowances and other terms and conditions of office of the chair and the other Non-Executive Directors;
- approve (or not) any new appointment of a Chief Executive;
- appoint and, if appropriate, remove the NHS Foundation Trust's Auditor;
- receive the NHS Foundation Trust's annual accounts, any report of the Auditor on them, and the annual report at a general meeting of the Council of Governors;
- hold the non-executive directors individually and collectively to account for the performance of the Board of Directors;
- represent the interests of the Trust's members, the public and staff in the governance of the Trust;
- regularly feed back information about the Trust, its vision and its performance to the members, public and stakeholder organisations that elected or appointed them.

Board of Directors

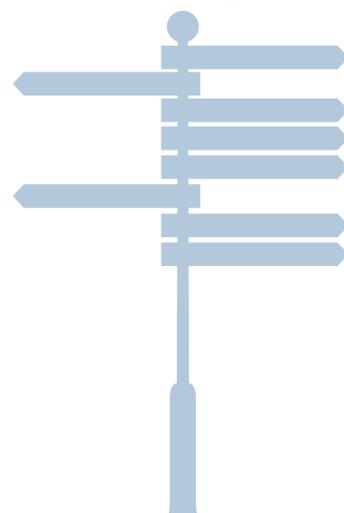
Overall responsibility for the implementation of strategy and policy and the performance of the Trust lies with the Board of Directors. The Board has an extensive range of skills including finance, business planning, operational management, as well as medical and nursing expertise.

Being a Non-Executive Director of Pennine Care NHS Foundation Trust

Expertise and competencies required

We would welcome applications from candidates who can demonstrate the following:

- Experience of working in a senior clinical position in a healthcare environment with empathy for the experience of our service users and carers, who can help ensure we keep the patient perspective at the forefront of our decision-making;
- The skills to complement yet bring appropriate challenge to our current Board members who represent medical, nursing, healthcare professionals and social care perspectives, and who will have credibility and ability to engage with dedicated staff, Governors and members;



- Direct involvement with range of diverse communities;
- Experience of working at Board-level (or equivalent) within a complex, service-driven environment;
- Ability to promote the highest standards of integrity and corporate governance, ensuring that quality, finance and operational demands are held in balance;
- The credibility and political awareness to collaborate with our wide range of external stakeholders.

In addition to the expertise outlined above, all candidates interviewed will need to show that they have the competencies required to be effective in this Board level role. They are:

Patient and community focus	A high level of commitment to patients, carers and the community, especially to disadvantaged groups.
Strategic direction	The ability to think and plan ahead, balancing needs and constraints.
Holding to account	The ability to accept accountability and probe and challenge constructively.
Effective influencing and communication	Be able to communicate effectively.
Team working	Be committed to working as a team member.
Self-belief and drive	Strong personal commitment to the NHS. The motivation to improve NHS performance and confidence to take on challenges.
Intellectual flexibility	The ability to think clearly and creatively.

Description of the role

Non-Executive Directors work alongside the Chair and Executive Directors of the existing Board of Directors to advise on the development of strategy and oversee the performance of the Trust.

The successful appointee will share responsibility with the other directors for the success of the organisation using the available resources to deliver healthcare and improving the health of local people. They will bring independent and objective judgement on issues of strategy, performance and resources.

Your role as a Non-Executive Director will be to use your expertise, competencies and your personal experience as a member of your community to:

- support the Chair, Chief Executive and executive directors in promoting the Foundation Trust's values;
- support a positive culture throughout the Foundation Trust and adopt behaviours in the boardroom and elsewhere that exemplify the corporate culture;

- constructively challenge the proposed decisions of the board and ensure that appropriate challenge is made in all circumstances, ensuring the patient perspective is at the forefront of the Trust's decision-making
- help develop proposals on priorities;
- help develop proposals on risk mitigation;
- help develop proposals on values and standards;
- contribute to the development of strategy.

Non-Executive Directors have a duty to:

- scrutinise the performance of the executive management in meeting agreed goals and objectives;
- satisfy themselves as to the integrity of financial, clinical and other information;
- satisfy themselves that financial and clinical quality controls and systems of risk management and governance are sound and that they are used;
- satisfy themselves that the organisation is providing the highest quality Mental Health and Community Health care;
- commission and use external advice as necessary;
- ensure that they receive adequate information in the form that they specify and to monitor the reporting of performance.

Non-Executive Directors are responsible (acting in the appropriate committees) for:

- determining appropriate levels of remuneration of executive directors;
- participating in the appraisal of executive directors, their fellow non-executive directors and the Chair;
- appointing the chief executive (with the approval of the Council of Governors);
- appointing other executive directors along with the Chief Executive;
- where necessary removing executive directors;
- succession planning for key executive posts.

Membership requirement

Non-Executive Directors of the Foundation Trust must be members of the Foundation Trust.

The candidate may apply online (please see link below) or submit an application for Trust membership with their application but will not be eligible for interview or appointment unless and until they have been added to the register of members.

<http://www.penninecare.nhs.uk/foundation-trust.htm>

Induction and training

The Trust will organise appropriate induction and training for the successful candidate.

Time commitment

Non-Executive Directors at Pennine Care NHS Foundation Trust must devote sufficient time to ensure satisfactory discharge of their duties. This will be approximately 4 to 6 days per month. This will comprise a mixture of set commitments (such as a monthly Board and Committee meetings) and more flexible arrangements for ad hoc events, reading and preparation. A degree of flexibility will be required and some time commitment may be during the evening.

Remuneration

- Non-Executive Directors will receive £15,150 per annum
- Remuneration is taxable and subject to National Insurance Contributions. It is not pensionable.
- Non-Executive Directors are also eligible to claim allowances for travel and subsistence costs necessarily incurred on Trust business.

Appointment and Tenure of Office

- This appointment will initially be for 3 years and will be subject to annual performance reviews and approval by the Council of Governors.
- You should also note that this post is a public appointment of statutory office rather than a job and is therefore not subject to the provisions of employment law. To ensure that public service values are maintained at the heart of the National Health Service, Non-Executive Directors are required to subscribe to the Code of Conduct and Standing Orders and Standing Financial Instructions for the Foundation Trust.
- As a Non-Executive you must demonstrate high standards of corporate and personal conduct. Details of what is required of you and the NHS board on which you serve are set out in the Codes of Conduct as outlined above.
- You will be required to declare any conflict of interest that arises in the course of Board business and also declare any relevant business interests, positions of authority or other connections with commercial, public or voluntary bodies.

Ineligibility

The following paragraphs identify the circumstances where an individual would not be eligible for appointment as a member of the Board of Directors.

- They are a member of the Council of Governors;
- They are the spouse, partner, parent or child of a member of the Board of Directors of the Trust;
- They are a member of the Local Authority's Scrutiny Committee covering health matters;
- They are the subject of a disqualification order made under the Company Directors Disqualification Act 1986;
- In the case of a Non-Executive Director, they are no longer a member of the Trust;

- They are a person whose tenure of office as a Chair or as a member or Director of a health service body has been terminated on the grounds that their appointment is not in the interests of the health service, for non-attendance at meetings, or for non-disclosure of a pecuniary interest;
- They have within the preceding two years been dismissed, otherwise than by reason of redundancy, from any paid employment with a health service body;
- In the case of a Non-Executive Director they have refused without reasonable cause to fulfil any training requirements established by the Board of Directors;
- They have refused to sign and deliver to the Trust Secretary a statement in the form required by the Board of Directors confirming acceptance of the code of conduct for Directors;
- They fail to meet the criteria for independence as defined in the Foundation Trust Code of Governance;
- They fail to disclose information later obtained by way of a Criminal Records Bureau check; The Trust undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed. Having a criminal record will not necessarily prevent an individual from being appointed as a Director of the Trust. This will depend on the nature of the position and the circumstances and background of the offences.
- They have been removed from an NHS performers list, as defined in Statutory Instrument 2004, No. 585, The National Health Service (Performers List) Regulations 2004; or
- They are included on the Sex Offenders Register.

A person may not become or continue as a member of the Trust if:

- They are under the age of 16 years, at the time of application.
- They have been categorised as a 'vexatious complainant', as defined by Trust policy.
- They have been the subject of official action for acts of violence and aggression.
- They are a registered sex offender.

Fit and proper persons

Non-Executives may occasionally have access to children or vulnerable adults through their work for the Trust. To safeguard patients by identifying unsuitable candidates, all appointments will be dependent upon the satisfactory completion of a Standard Disclosure through the Disclosure and Barring Service (formerly Criminal Records Bureau). This will be carried out by the Trust after appointment and before the individual takes up their full duties.

Please ensure you complete the Fit and Proper persons form as part of your application.



Applying for the post

How your application will be handled

Selection and appointment will be carried out by the Council of Governors Appointment and Remuneration Committee, which comprises the Chair of the Trust and representatives of the Council of Governors.

All applications are to be made by completing the NED application form available via the [Trust's website](#).

- Please complete and return the Application Form, Declaration to Determine Independence of Non- Executive Directors form and the Fit and Proper Person Declaration to claire.akid@nhs.net
- Please complete and return the monitoring information sheet and return it to trevor.lewin@nhs.net, do not return this form with your application pack as it forms no part of the shortlisting or selection exercise and will only be used for reporting purposes anonymously.
- You will receive an acknowledgement of your application by email.
- Your application will be shortlisted against the expertise specified for the role and evidence provided on the application.
- Shortlisting will be completed on **15 October 2018**. Shortlisted applicants will be informed whether they have been selected for interview by **16 October 2018**.
- The candidates who have not been shortlisted will be notified by email within three working days of **15 October 2018**.
- The interviews will take place on **5 November 2018**. You will be asked to present to a stakeholder panel comprising Staff, Governors and Service Users and Carers and will then be asked questions by an interview panel to assess whether you can demonstrate the qualities specified.
- The Council of Governors of Pennine Care NHS Foundation Trust will be asked to approve the final appointment on the **6 November 2018**.
- The successful candidate will be contacted by the Chair of the Trust, Evelyn Asante-Mensah OBE.

All shortlisted candidates will be advised of the outcome of the selection process by the Trust.



How to respond

All applications are to be made by completing the NED application form available via the [Trust's website](#).

Please ensure that you download, complete and return with your application the Trust's Conflict of Interest Form.

Braille, large print and tape versions of this information pack and the application form are available from Human Resources by contacting:
Claire Akid, Resourcing Team Lead on 0161 716 3136.

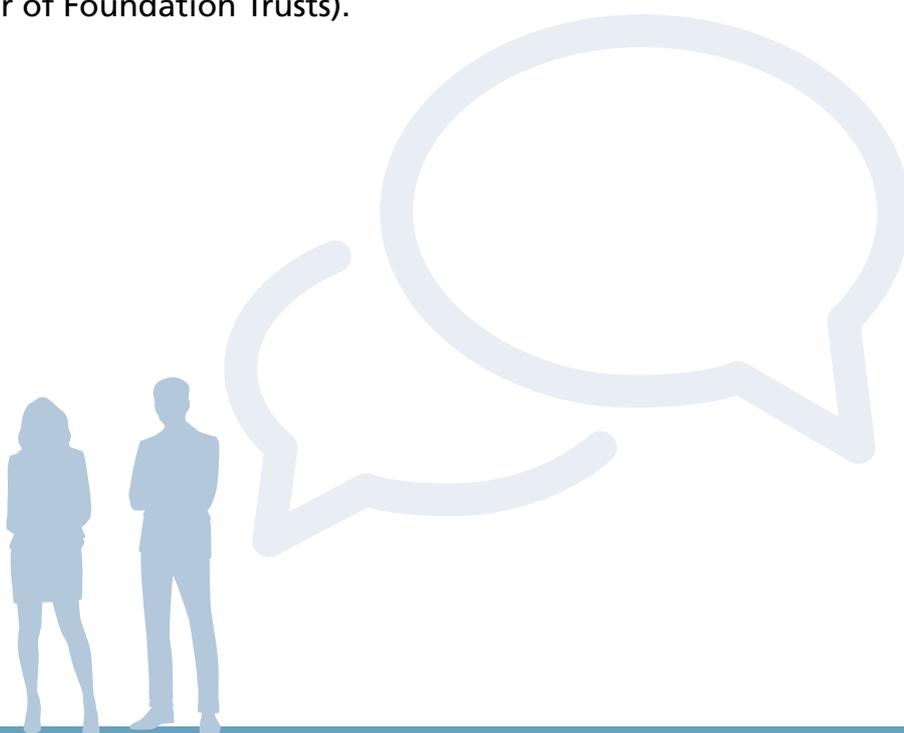
If you experience any difficulties completing your application form, please contact Claire Akid as above between the hours of 9am and 5pm Monday to Friday for assistance before the closing date.

Conflict of interest

All NHS Boards maintain a register of Board members' interests to avoid any danger of Board members being influenced, or appearing to be influenced, by their private interests in the exercise of their public duties. All Board members are therefore expected to declare any personal or business interest which may influence, or may be perceived to influence, their judgement. (This should include, as a minimum, personal direct and indirect financial interests, and should normally also include such interests of close family members. Indirect financial interests arise from connections with bodies, which have a direct financial interest, or from being a business partner of, or being employed by, a person with such an interest).

Declaration to determine independence of Non-Executive Directors

Please complete the declaration to determine independence enclosed at the back of this information pack. The declaration is based upon the recommendations in the Code of Governance for Foundation Trusts, published by NHS Improvement (The Independent Regulator of Foundation Trusts).



The Nolan Principles – the seven principles of public life

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.

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.

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 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 that 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 public office should promote and support these principles by leadership and example.



Declaration to determine independence of Non-Executive Directors

Applicants for the Non-Executive Director post are asked to complete the declaration to determine independence. The declaration is based upon the recommendations in the Code of Governance for Foundation Trusts, published by NHS Improvement (The Independent Regulator of Foundation Trusts).

	Yes	No
Are you, or have you been, an employee of the NHS Foundation Trust within the last five years?		
Have you had, within the last three years, any material business relationship with the NHS Foundation Trust, either directly or as a partner, shareholder, director or senior employee of a body that had such a relationship with the NHS Foundation Trust?		
Do you or have you received additional remuneration from the NHS Foundation Trust apart from remuneration as a Non-Executive Director?		
Do you participate in the NHS pension scheme?		
Do you have any close family ties with any of the NHS Foundation Trust's advisers, directors or senior employees?		
Do you hold any cross-directorships or have you any significant links with other directors through involvement in other companies or bodies?		
Is there any other reason you may be considered not to be independent?		
Do you undertake any political activities or have any political affiliations?		
Note: neither activity or affiliation is a criterion for appointment.		

If you have ticked 'yes' to any of the above questions, please provide further details below or attach further relevant information to this form; this does not necessarily preclude an applicant from being appointed.

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To the best of my knowledge, the above information is complete and correct. I undertake to update, as necessary, the information provided and to review the accuracy of the information on an annual basis.

Signed.....

Print Name..... Date completed

Trust Secretary use:

Date entered in Declaration Register