

Chair Appointment 2019

Applicant Brief

Closing date for application: Friday 23rd November 2018

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Background information

Tees, Esk and Wear Valleys NHS Trust was created in April 2006, following the merger of County Durham and Darlington Priority Services NHS Trust and Tees and North East Yorkshire NHS Trust.

In July 2008 we achieved foundation trust status under the NHS Act 2006. As a foundation trust we are accountable to local people through our Council of Governors and are regulated by NHS Improvement, the independent regulator of foundation trusts

In June 2011 we took over the contract to provide mental health and learning disability services to the people of Harrogate, Hambleton and Richmondshire. On 1 October 2015 we took over the contract to provide mental health and learning disability services in the Vale of York.

In December 2014 we were awarded the 'Gold Standard' by Investors in People . This is a nationally recognised people management standard which assesses how well organisations manage and develop their staff.

In October the Trust's rating of "good" by the Care Quality Commission (CQC) was reaffirmed following the Trust-wide inspection of our services in July 2018.

We provide a range of mental health, learning disability and eating disorder services for the people living in County Durham, Darlington, the Tees Valley and most of North Yorkshire.

With over 6,500 staff and an annual operating income of over £300 million we deliver our services by working in partnership with local authorities and clinical commissioning groups, a wide range of other providers including voluntary organisations and the private sector, as well as service users, their carers and the public.

TEWV serves patients across a large geographical area. Our main towns and cities are Durham, Darlington, Middlesbrough, Scarborough, Whitby, Harrogate, Ripon, and York and there are numerous smaller seaside and market towns scattered throughout our patch. We are also in the catchment area for the largest concentration of armed forces personnel in the UK (Catterick Garrison).

Read more about the Trust's achievements over the past decade in our special commemorative brochure ["TEWV – the first ten years"](#).

Our structure

Our trust has [a board of directors and a council of governors](#).

We have five operational localities, four of these are geographically based (County Durham and Darlington, Teesside, North Yorkshire, York and Selby) with a separate one for forensic services.

(note: the localities for North Yorkshire and York and Selby are due to merge)

Within each of the four geographical localities we have four clinical directorates:

- adult mental health services
- mental health services for older people
- children and young people's services
- learning disability services

Adult mental health services

We provide mental health services to adults of working age in partnership with social care and a wide range of voluntary and independent services providers for the people of County Durham, Darlington, Teesside and North Yorkshire and the Vale of York, including:

- A wide range of community-based assessment and treatment services including primary care, liaison, crisis intervention, assertive outreach, community affective disorders and psychosis teams and eating disorders. The Trust also provides community mental health and deafness services and adult attention deficit hyperactivity disorder (ADHD) across Teesside, County Durham and Darlington.
- Inpatient assessment and treatment services, including acute, intensive care, challenging behaviour, 24 hour nursed care and rehabilitation services
- Improving access to psychological therapy (IAPT) services (working with partners) in Durham, Darlington, North Yorkshire and York and Selby
- The region's specialist eating disorder service (for the North East and North Cumbria)

Older people's services

We provide mental health services for older people working in partnership with social care and a wide range of voluntary and independent service providers. The services we provide include:

- Inpatient assessment and treatment services, including acute and challenging behaviour services

- A wide range of community-based services including; mental health teams, acute liaison, care home liaison, day services and memory clinics

Children and young people's services

This service includes all child and adolescent mental health services and early intervention in psychosis services for the people of County Durham, Darlington, Teesside and North Yorkshire.

Services for children with learning disabilities are also provided in County Durham, Darlington and Teesside.

Our hospital at West Lane is also the base for our specialist regional North East and North Cumbria eating disorder inpatient service for children and young people.

Adult learning disabilities

We provide community and inpatient specialist assessment and treatment services to people with learning disabilities and mental health problems, autism, epilepsy and challenging behavior.

Forensic mental health and learning disabilities forensic services

Forensic services are specialist services which treat patients referred to us by the criminal justice system because of mental health or learning disabilities conditions, which have been a factor behind their offending. We provide community, inpatient and rehabilitation forensic services for people with mental health problems and learning disabilities.

We also provide community forensic services including criminal justice liaison services that work across the whole offending behavior pathway, for example street triage and the mental health services within all seven North East prisons and four prisons in the North West region.

The Board of Directors

The trust is run by a trust board made up of executive and non-executive directors and led by a non-executive Chair. They are collectively responsible for exercising the powers and overseeing the performance of the Trust. As a unitary Board all directors have joint responsibility for every decision of the Board of Directors and share the same liability. This does not impact upon the particular responsibilities of the Chief Executive as the accounting officer.

The general duty of the Board and of each director individually, is to act with a view to promoting the success of the organisation so as to maximise the benefits for the members of the Trust as a whole and for the public.

Its role is to provide leadership of the Trust within a framework of prudent and effective controls, which enables risk to be assessed and managed. It is responsible for:

- Ensuring the quality and safety of healthcare services, education, training and research delivered by the Trust and applying the principles and standards of clinical governance set out by the Department of Health and Social Care, NHS England, the Care Quality Commission, and other relevant NHS bodies;
- Setting the Trust's vision, values and standards of conduct and ensuring that its obligations to its members are understood, clearly communicated and met. In developing and articulating a clear vision for the Trust, it should be a formally agreed statement of the Trust's purpose and intended outcomes which can be used as a basis for the Trust's overall strategy, planning and other decisions;
- Ensuring compliance by the Trust with its licence, its constitution, mandatory guidance issued by NHS Improvement, relevant statutory requirements and contractual obligations;
- Setting the Trust's strategic aims at least annually, taking into consideration the views of the Council of Governors, ensuring that the necessary financial and human resources are in place for the Trust to meet its priorities and objectives and then periodically reviewing progress and management performance;
- Ensuring that the Trust exercises its functions effectively, efficiently and economically.

The Board of Directors keeps its performance and effectiveness under on-going review. It undertakes a self-assessment of effectiveness supported by post Board of Directors' meeting reflections, Board time outs, a development programme, the review of governance arrangements and the performance of its committees' through an annual self-assessment exercise.

The Board of Directors maintains continuous oversight of the Trust's risk management and internal control systems with regular reviews covering all material controls, including financial, operational and compliance controls. The Board of Directors reports on internal control through the Annual Governance Statement.

The appointment of Non-Executive Directors requires approval by the majority of the Governors attending the relevant general meeting, but their removal requires the approval of three-quarters of the entire Council of Governors.

The Council of Governors

The general duties of the Council of Governors are:

- To hold the non-executive directors individually and collectively to account for the performance of the Board of Directors, which includes ensuring the Board of Directors acts so that the Trust does not breach the terms of its licence;
- To represent the interests of the members of the NHS Foundation Trust as a whole and the interests of the public.

In addition, the statutory roles and responsibilities of the Council of Governors are 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 Trust's auditor;
- Receive the Trust's annual accounts, and the annual report at a general meeting of the Council of Governors;
- Provide views to the Board when the Board is preparing the document containing information about the Trust's forward planning, noting that the Board must have regard to the views of the Council of Governors;
- In preparing the Trust's forward plan, the Board must have regard to the views of the Council of Governors;
- Approve significant transactions*;
- Approve an application by the Trust to enter into a merger, acquisition, separation or dissolution*;
- Decide whether the Trust's non-NHS work would significantly interfere with its principal purpose, which is to provide goods and services in England;
- Approve amendments to the Trust's constitution*;
- Require, if necessary, one or more directors to attend a Council of Governors meeting to obtain information about performance of the Trust's functions or the directors' performance of their duties, and to help the Council of Governors to decide whether to propose a vote on the Trust's or Directors' performance.

(* Functions jointly exercised with the Board of Directors)

The Council of Governors is not responsible for the day to day running of the organisation.

Members

As a Public Benefit Corporation Tees, Esk and Wear Valleys NHS Foundation Trust has members. We have two membership constituencies to represent stakeholder interests:

- Public constituency;
- Staff constituency;

NHS Improvement

NHS Improvement (previously Monitor) <https://improvement.nhs.uk/> is the Independent Regulator for NHS Foundation Trusts. The Trust is compliant with their Code of Governance. It therefore ensures that plans are in place for the orderly succession for appointments to the Board, so as to maintain an appropriate balance of skills and experience within the Board. It takes into account the future challenges, risks and opportunities facing the Trust and the skills and expertise required within the Board of Directors to meet them.

Additional information can be viewed at the campaign microsite where you can download the following:

- Latest published Annual Report and Accounts
- The NHS Foundation Trust Code of Governance
- The NHS Constitution

Role description

Post Title:	Non-Executive Chairman of the Trust
Responsible to:	Council of Governors
Recognised Base:	West Park Hospital, Darlington
Hours of attendance:	Approx. 3 days per week (will include some evening meetings)

Role Summary

Foundation Trusts are public benefit corporations licensed by NHS Improvement to provide NHS healthcare services. Foundation Trusts are managed by a board of directors that exercises all of the powers of the Trust. They are accountable to local communities through a council of governors which comprises representatives elected by both public and staff members and appointed by partner organisations.

The Chairman will chair both the Board and the Council of Governors and has the specific role to create the conditions in which they, as well as the individual directors and governors, can maximise their effectiveness.

Key Responsibilities

Strategy

- Provide leadership to the Council of Governors and the Board of Directors, ensuring their effectiveness in all aspects of their role and agenda;
- Work with board members in developing and promoting the Trust's vision, values, aims and strategic objectives;
- Pro-actively direct and manage major board decisions and their development ensuring that 'due process' has been applied at all stages of decision making and full and complete consideration has been given to all options during the process; and
- Lead and direct work within the Trust with other Non-Executive Directors, the Chief Executive and other Executive Directors.

Human Resources

- Support, encourage and, where appropriate, 'mentor' other Board members and senior executives;
- Arrange the regular evaluation of the performance of the Council of Governors and the Board of Directors and, their Committees and the appraisal of individual Directors.
- Agree the objectives of the Chief Executive and all Non-Executive Directors;
- Facilitate the effective contribution of Non-Executive Directors, Directors and Governors and ensure constructive relations;
- Lead the successful recruitment and appointment of the Chief Executive to the Trust as and when a vacancy arises; and
- Take responsibility, in conjunction with the Board, for their own personal development and ensure that this remains a priority.

Operations

- Take responsibility for ensuring that the Board monitors the progress of the business against the planned objectives;
- Use general management and leadership ability and personal knowledge of the constituencies to guide and advise on the work of the Board of Directors and Governors of the Trust;
- Ensure that the Board establishes clear objectives to deliver the agreed plans and meet the terms of its Licence and regularly review performance against these objectives;
- Plan and conduct Board meetings in conjunction with the Chief Executive;
- Encourage the best use of resources including the development of effective risk and performance management processes;
- Share and use relevant expertise with senior managers and clinicians in a changing healthcare environment;

- Promote appropriate processes and procedures to deliver high standards of professional, clinical, administrative and personal behaviours across the Trust;
- Be aware of and understand relevant, regulatory and central government policies; and
- Comply at all times with the Trust's published health and safety policies, in particular, by following agreed safe working procedures and reporting incidents using the Trust's risk reporting systems.
- Ensuring that patient safety and continuous improvement of quality remains paramount.

Communication and relationships

- Ensure the effectiveness and constructive dialogue and promote harmonious relations with the following bodies as relevant;
 - Board of Directors;
 - Council of Governors;
 - The Trust's partner organisations and stakeholders;
 - National healthcare stakeholders; and
 - Regulators such as NHS Improvement and the Care Quality Commission.
- Ensure the provision of accurate, timely and clear information to Directors and Governors so that within the boundaries of probity, good governance and risk, the Trust meets all its statutory objectives and remains within the terms of its Licence;
- Participate fully in the work of the Board of Directors and Council of Governors and maintain appropriate links with the Chief Executive and individual Directors, as well as with the wider local and national health and social care community;
- Develop high level relationships with key stakeholders, including the Trust's commissioners, but ensuring that the interests of all stakeholders are fairly balanced at all times;
- Actively share the vision of the Trust with stakeholders;
- Bring balance to the use and influence of external advisers;

- Represent the Trust's views with national, regional or local bodies or individuals and ensure that the views of a wide range of stakeholders are considered;
- Uphold the values of the Trust by being an appropriate role model and ensuring that the Board promotes equality and diversity for all its service users, staff and other stakeholders;
- Be an ambassador for the Trust; be knowledgeable and aware of local issues
- Set an example on all policies and procedures designed to ensure quality of employment. Staff, service users and their carers must be treated equally irrespective of gender, ethnic origin, age, disability, sexual orientation, religion etc.

Key Working Relationships

The Chairman will be expected to establish effective working relationships with the Governors, Non-Executive Directors, the Chief Executive, Executive Directors and the Trust Secretary.

Person specification

Person Specification

1. *Qualifications*

Professional qualification or relevant experience	D
Degree or equivalent	D
Further qualification in management	D

2. *Experience*

Experience of leadership in a medium or large complex organisation	E
Experience in chairing boards or committees	E

3. *Skills and Abilities*

Highly developed leadership skills	E
Excellent communication and influencing skills	E
Good networking skills	E
Highly developed analytical skills	D
Highly developed interpersonal skills	E
Effective team player	E
Ability to provide constructive challenge and manage conflict	E

4. *Knowledge*

Best practice in corporate governance	E
Financial management	D
Strategy development	E
Performance management	E
Broad interest of the NHS	E

5. *Personal Attributes*

Self-Motivated	E
Politically aware	E
Gravitas	E
Assertive	E
Pro-active and Enquiring	E
Sound judgement	E
Commitment to self-development	E
A car owner and driver OR have access to public or private transport to meet role mobility requirements	E

E = Essential

D = Desirable

Candidates **must** be resident in the core area served by the Trust (County Durham, Darlington, the Tees Valley and North Yorkshire) or adjacent to it for practical reasons with regard to attending meetings and availability etc.

Criteria for Disqualification

The following are the circumstances in which an individual may not become or continue as a member of the Board of Directors: In the case of a non-executive Director, if:

- They fail to become or cease to be a member of the public constituency.
- They become a member of the Council of Governors
- They are not, or cease to be, a fit and proper person to be a Director of a Foundation Trust in accordance with the requirements set out in the Licence and the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014.
- They are subject to an unexpired disqualification order made under the Company Directors' Disqualification Act 1986.
- They are other disqualified at law from holding the office of Director of an NHS Foundation Trust

Terms of appointment

Remuneration: £50,000 per annum for three days per week.

The appointment is for an initial period of a maximum of three years, as agreed with the Council of Governors. The appointment may be renewed for a second term of up to three years. In exceptional circumstances and in accordance with the constitution, Chairs and Non-Executive Directors may be removed from office by NHS Improvement or the Council of Governors. This post is a public appointment and is not subject to the provisions of employment law and not within the jurisdiction of Employment Tribunals.

The roles of Chair and Non-Executive Director are appointees not employees. To ensure that public service values are maintained at the heart of the NHS, all Directors are required on appointment to agree to abide by the Code of Conduct for the Trust's Board of Directors

The Seven Principals of Public Life

The Seven Principles of Public Life

Those with public appointments are expected to demonstrate a commitment to, and an understanding of, the value and importance of the principles of public service. The Seven Principles of Public Life are:

Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

Integrity

Holders of public office should not place themselves under any financial obligation to outside individuals or organisations that might seek to 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 it.

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

How to apply

How to apply

If you have any queries, please contact the Trust's adviser Mike Dixon, Partner, Dixon Walter, as follows:

Telephone: 0191 5005500

Email: mike@dixonwalter.co.uk

Alternatively you can please visit the campaign microsite where you can download the briefing papers and supporting documentation:

The closing date for applications is 5pm, Friday 23rd November 2018

To apply, please submit a CV and completed Application Questionnaire (available at the campaign microsite www.dixonwalter.co.uk/opportunities/tewvchair to Mike at mike@dixonwalter.co.uk

This is the preferred method of application and all applications will be acknowledged. Alternatively you can post an application to:

Dixon Walter
50 Melville Street
Edinburgh
EH3 7HF

Shortlisted candidates will have the opportunity to informally meet the Chief Executive prior to the formal interviews which will be held on Friday 25th January 2019.

This is a Governor-led appointment and the Selection Panel will make recommendations to the Council of Governors at their next meeting after which a formal offer will be made to the successful candidate.

Checks will be made against the requirements set out in the Licence and the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 prior to formal appointment. This will include an enhanced DBS check