

## **APPENDIX 5**

### **GOVERNING BODY ELECTIONS**

#### **1 DEFINITIONS**

1.1 In this Appendix 5 the following definitions shall apply:

<b>Appointed Member</b>	Means a Member of the Governing Body other than an elected Clinical Representative.
<b>CCG</b>	Means NHS North Central London Clinical Commissioning Group.
<b>LMC</b>	Means Local Medical Committee.
<b>Main Body of the Constitution</b>	Means the Constitution excluding all Appendices and Schedules.
<b>Member Practice</b>	Means a Member Practice of North Central London CCG as defined in Appendix 2.
<b>Barnet Borough</b>	Means the Barnet Borough group of Member Practices as defined in Appendix 2.
<b>Camden Borough</b>	Means the Camden Borough group of Member Practices as defined in Appendix 2.
<b>Enfield Borough</b>	Means the Enfield Borough group of Member Practices as defined in Appendix 2.
<b>Haringey Borough</b>	Means the Haringey Borough group of Member Practices as defined in Appendix 2.
<b>Islington Borough</b>	Means the Islington Borough group of Member Practices as defined in Appendix 2.

#### **2 POSITIONS HELD BY ELECTED GOVERNING BODY MEMBERS**

2.1 In accordance with clause 22.3 of the Constitution the following Governing Body positions are held by elected Governing Body members:

- 2.1.1 Two elected Clinical Representatives from the London Borough of Barnet;
- 2.1.2 Two elected Clinical Representatives from the London Borough of Camden;
- 2.1.3 Two elected Clinical Representatives from the London Borough of Enfield;
- 2.1.4 Two elected Clinical Representatives from the London Borough of Haringey;
- 2.1.5 Two elected Clinical Representatives from the London Borough of Islington.

#### **3 VOTING FOR ELECTED GOVERNING BODY MEMBERS**

3.1 The elections are to select the elected members of the Governing Body.

## **4 ELECTION ELIGIBILITY**

- 4.1 To be eligible to stand for election to the Governing Body the person must satisfy the requirements of either clause 4.2, 4.3, 4.4, 4.5 or 4.6 below.
- 4.2 To be eligible to stand for election to either of the two elected Clinical Representative positions from the London Borough of Barnet the person must:
- 4.2.1 Be a GP or a Nurse; and
  - 4.2.2 Practice at least 1 clinical session per week in a Member Practice within the Barnet Borough.
- 4.3 To be eligible to stand for election to either of the two elected Clinical Representative positions from the London Borough of Camden the person must:
- 4.3.1 Be a GP or a Nurse; and
  - 4.3.2 Practice at least 1 clinical session per week in a Member Practice within the Camden Borough.
- 4.4 To be eligible to stand for election to either of the two elected Clinical Representative positions from the London Borough of Enfield the person must:
- 4.4.1 Be a GP or a Nurse; and
  - 4.4.2 Practice at least 1 clinical session per week in a Member Practice within the Enfield Borough.
- 4.5 To be eligible to stand for election to either of the two elected Clinical Representative positions from the London Borough of Haringey the person must:
- 4.5.1 Be a GP or a Nurse; and
  - 4.5.2 Practice at least 1 clinical session per week in a Member Practice within the Haringey Borough.
- 4.6 To be eligible to stand for election to either of the two elected Clinical Representative positions from the London Borough of Islington the person must:
- 4.5.1 Be a GP or a Nurse; and
  - 4.5.2 Practice at least 1 clinical session per week in a Member Practice within the Islington Borough.

## **5 POSITION ELIGIBILITY**

- 5.1 The positions set out in clauses 2.1.1, 2.1.2, 2.1.3, 2.1.4 and 2.1.5 above must be held by GPs or Nurses from Member Practices. Each position must be held by a different GP or Nurse and each GP or Nurse must be from a different Member Practice and/or Primary Care Network. Each office holder must fulfil these requirements for the duration of their term of office.

## **6 ELIGIBILITY TO VOTE**

- 6.1 All GPs and Nurses working at least one clinical session per year at a Member Practice in the Barnet Borough will be eligible to vote to elect the two elected Clinical Representatives from the London Borough of Barnet.
- 6.2 All GPs and Nurses working at least one clinical session per year at a Member Practice in the Camden Borough will be eligible to vote to elect the two elected Clinical Representatives from the London Borough of Camden.

- 6.3 All GPs and Nurses working at least one clinical session per year at a Member Practice in the Enfield Borough will be eligible to vote to elect the two elected Clinical Representatives from the London Borough of Enfield.
- 6.4 All GPs and Nurses working at least one clinical session per year at a Member Practice in the Haringey Borough will be eligible to vote to elect the two elected Clinical Representatives from the London Borough of Haringey.
- 6.5 All GPs and Nurses working at least one clinical session per year at a Member Practice in the Islington Borough will be eligible to vote to elect the two elected Clinical Representatives from the London Borough of Islington.

## **7 THE ELECTION PROCESS**

- 7.1 The election process to elect the elected Governing Body members who will hold the positions set out in section 2 above is as follows:
  - 7.1.1 The CCG will announce the election before the ballot to elect any of the elected Governing Body members set out in clause 2.1 above is held;
  - 7.1.2 The nomination period will open after the CCG announcement referred to in clause 7.1.1 above;
  - 7.1.3 The Job Description, core competencies and eligibility criteria will be published;
  - 7.1.4 People wishing to stand for election may self-nominate;
  - 7.1.5 All nominees will be required to complete an application form and provide a candidate statement in support of their nomination;
  - 7.1.6 All nominees will be assessed by a Nominations Panel prior to any ballot being held to ensure that the nominees are suitable to hold office as a Governing Body member;
  - 7.1.7 The Nominations Panel will consist of the following people or their nominated deputies:
    - a) An LMC representative;
    - b) A Governing Body Lay Member;
    - c) A Governing Body Appointed Member;
  - 7.1.8 The Nominations Panel will assess all nominees in two stages:
    - a) Stage one is a paper based review of the nominees' application forms against core competencies and eligibility criteria. Nominees who successfully pass this stage will proceed to stage two;
    - b) Stage two is nominee interviews. Once the interviews are completed the Nominations Panel will decide which nominees meet the suitability requirements. Nominees who successfully pass this stage will be eligible to stand as a candidate in the elections.
  - 7.1.9 For the avoidance of doubt nominees who do not successfully pass both stages set out in clause 7.1.8 above will not be eligible to stand as a candidate in the elections. This clause does not prohibit, restrict or exclude nominees from nominating or standing in future elections.
  - 7.1.10 Candidates' statements as set out in clause 7.1.5 above will be sent to all voters.
  - 7.1.11 A ballot will be held to determine the successful candidates. In the interests of transparency and fairness an external organisation specialising in running elections will conduct the ballot.
  - 7.1.12 Each GP and Nurse who is eligible to vote in accordance with section 6 above may vote for a maximum of two candidates but may vote for fewer candidates

at their absolute discretion. Any voting card with more than two candidates voted for will be invalid and will not be counted.

7.1.13 Once the outcome of the election is known candidates will be informed of the result.

## **8 ADDITIONAL ELECTION RULES**

- 8.1 Two persons from the same Member Practice or same Primary Care Network may not be elected to the Governing Body. In the event that two or more persons from the same Member Practice or Primary Care network stand for election and individually receive more votes than the other candidates in the election the person with the highest number of votes will be elected to take office. The other person in the same Primary Care Network or Member Practice will not be elected and will not take office despite receiving more votes than their nearest competitors.
- 8.2 All elected Clinical Representatives will need to be elected by the electorate. This is to ensure that each elected Governing Body member has a mandate from constituents. The vote will allow constituents to choose whether to vote for the candidate or whether to reject the candidate. For the avoidance of doubt this includes the scenario where there is only one candidate per role.
- 8.3 Employees or Governing Body members of other Clinical Commissioning Groups are ineligible to hold office as an elected Governing Body member.
- 8.4 The rules to be able to stand for election are contained in this Appendix 5. However, to hold office as a Governing Body member individuals must also fulfil and continue to fulfil the general eligibility requirements to be a member of the Governing Body throughout their terms of office. These requirements are contained in the Standing Orders. All election candidates must meet the criteria by the time they take office as a Governing Body member.

## **9 ALLOCATION OF POSITIONS**

- 9.1 The two persons standing for election as the Clinical Representatives from the London Borough of Barnet with the highest number of votes will be elected into these positions.
- 9.2 The two persons standing for election as the Clinical Representatives from the London Borough of Camden with the highest number of votes will be elected into these positions.
- 9.3 The two persons standing for election as the Clinical Representatives from the London Borough of Enfield with the highest number of votes will be elected into these positions.
- 9.4 The two persons standing for election as the Clinical Representatives from the London Borough of Haringey with the highest number of votes will be elected into these positions.
- 9.5 The two persons standing for election as the Clinical Representatives from the London Borough of Islington with the highest number of votes will be elected into these positions.
- 9.6 Clauses 9.1 to 9.5 above are subject to section 8 above.

- 9.7 For the avoidance of doubt all elected Governing Body positions detailed in clause 2.1 above are equal in status and collective responsibility.

## **10 ELECTION OF THE CHAIR**

- 10.1 The Chair of the CCG shall be elected and will be one of the ten elected Governing Body Clinical Representatives.
- 10.2 The Chair will be elected by the elected Governing Body Clinical Representatives by simple majority.
- 10.3 Elected Governing Body Clinical Representatives wishing to become Chair must submit an expression of interest.
- 10.4 All elected Governing Body Clinical Representatives wishing to stand for the role of Chair will have to attend an external assessment centre for assessment as Chair and successfully pass it unless they have held the role of Chair at a CCG in the previous five years.
- 10.5 Subject to clause 10.4 above if only one elected Governing Body Clinical Representative submits an expression of interest pursuant to clause 10.3 above the person will automatically be elected as Chair without the need for a formal vote.
- 10.6 Subject to clause 10.4 above if more than one elected Governing Body Clinical Representative submits an expression of interest pursuant to clause 10.3 above the Chair will be elected by a formal vote.
- 10.7 Each elected Governing Body Clinical Representative is able to cast one vote each in the election for Chair.
- 10.8 Nothing in this clause 10 shall prohibit, prevent, exclude or otherwise restrict elected Governing Body Clinical Representatives from voting for the position of Chair before they formally take office. However, the outcome of the vote will need to be ratified upon taking office.
- 10.9 In the event of a tied vote a further formal vote will take place. If the vote remains tied then a third formal vote will take place. If the vote remains tied after a third vote the decision shall be remitted to the voting members of the Governing Body excluding the Accountable Officer and Chief Finance Officer and a decision will be made by simple majority with each remaining voting Governing Body member being able to cast one vote each.

## **11 ELECTION OF THE DEPUTY CHAIR**

- 11.1 The Deputy Chair of the CCG shall be elected and will be one of the three Governing Body Lay Members.
- 11.2 The Deputy Chair will be elected by the voting members of the Governing Body excluding the Accountable Officer and Chief Finance Officer. The decision will be made by simple majority with each remaining voting Governing Body member being able to cast one vote each.
- 11.3 Lay Members wishing to become Deputy Chair must submit an expression of interest.

- 11.4 If only one Lay Member submits an expression of interest pursuant to clause 11.3 above the person will automatically be elected as Deputy Chair without the need for a formal vote.
- 11.5 If more than one Governing Body Lay Member submits an expression of interest pursuant to clause 11.3 above the Deputy Chair will be elected by a formal vote.
- 11.6 Each voting member of the Governing Body are able to cast one vote in the election for Deputy Chair.
- 11.7 Nothing in this clause 11 shall prohibit, prevent, exclude or otherwise restrict voting members of the Governing Body from voting for the position of Deputy Chair before they formally take office. However, the outcome of the vote will need to be ratified upon taking office.
- 11.8 In the event of a tied vote the Governing Body Chair shall have the casting vote.

## **12 ELECTION OF THE CLINICAL VICE-CHAIR**

- 12.1 The Clinical Vice-Chair of the CCG shall be elected and will be one of the ten elected Governing Body Clinical Representatives.
- 12.2 The Clinical Vice-Chair must not be an elected Clinical Representative from the same borough as the Chair.
- 12.3 The Clinical Vice-Chair will be elected by the elected Governing Body Clinical Representatives by simple majority.
- 12.4 Elected Governing Body Clinical Representatives wishing to become Clinical Vice-Chair must submit an expression of interest.
- 12.5 If only one elected Governing Body Clinical Representative submits an expression of interest pursuant to clause 12.4 above the person will automatically be elected as Clinical Vice-Chair without the need for a formal vote.
- 12.6 If more than one elected Governing Body Clinical Representative submits an expression of interest pursuant to clause 12.4 above the Clinical-Vice Chair will be elected by a formal vote.
- 12.7 Each elected Governing Body Clinical Representative is able to cast one vote each in the election for Clinical Vice-Chair.
- 12.8 Nothing in this clause 12 shall prohibit, prevent, exclude or otherwise restrict elected Governing Body Clinical Representatives from voting for the position of Clinical Vice-Chair before they formally take office. However, the outcome of the vote will need to be ratified upon taking office.
- 12.9 In the event of a tied vote the Governing Body Chair shall have the casting vote.

## **13 ELECTIONS HELD IN GOOD FAITH**

- 13.1 All elections including but not limited to the election process, election information, candidate eligibility, candidate voting, the ballot and any results arising therefrom held in good faith shall be valid even if is subsequently discovered that there was any defect in the elections including but not limited to the way in which the elections were held.

## **14 RATIFICATION OF ELECTED ROLES**

- 14.1 Those candidates who are successfully elected must have their appointments ratified by the Governing Body. This includes the Governing Body Chair, Vice-Chair and Clinical Vice-Chair.