East Midlands Ambulance Service NHS
NHS Trust

Time Required	5 Mins	Paper No.	PB/12/42

Report to: **PUBLIC BOARD OF DIRECTORS' MEETING**
Date: **19 March 2012**

Subject:	EMAS Core Constitution
Report by:	Karen Sullivan, Trust Secretary

Purpose of Report

As part of the Foundation Trust Application process EMAS is required to submit its Core Constitution to Monitor for approval. The document requires approval by the Board prior to this. The purpose of the constitution is to detail:

- how the Governors and Board of Directors will work together;
- how the Trust is accountable to local people;
- who is eligible to be a governor or member;
- the composition of the Board of Governors and the Board of Directors; and
- how Governors and Directors will be appointed.

A template constitution is provided by Monitor. The Trust may make amendments to the template but must provide reasons for this.

The Constitution is part of the Foundation Trust's Terms of Authorisation and as a result the Foundation Trust must abide by it. If changes are required after approval by Monitor, the Trust would need to consult on the changes and seek re-approval from Monitor.

The Trust has an existing constitution based on the Monitor template which was consulted on and approved by the Board in 2009. Some changes are proposed to this document. The proposed changes relate to the number of governors and the quorum for meetings of the Council of Governors. The table below sets out the proposals for the number and classes of governors. For comparative purposes the attached paper provides information on the number of governors for those ambulance trusts with Foundation Trust status. It is proposed that the quoracy for meetings of the Council of Governors is 14 governors which represents 50% of the total number of governors.

Public	Staff	Appointed	Partnership	Total
14 governors **5 classes aligned to counties** Derbyshire - 3 Leicestershire - 3 Lincolnshire 3 Northamptonshire - 2 Nottinghamshire - 3	**5 governors** **3 classes** 3 – Operational (including EOC) 1 - Non-Operational 1 - Volunteers	**3 governors** 1 – Ambulance Lead Commissioners 1 – GP Commissioner 1 – Local Authority	**5 governors** 1 – Local Resilience Forum 1 – Community Services 1 – Acute 1 – Mental Health 1 - Voluntary Org i.e. Lives, Air Ambulance	**27**

The Trust is still currently awaiting further legal advice regarding the refresh of the consultation. An update will be provided at the Board meeting. Any further amendments to the constitution as a result of a refresh will be presented to the Board for approval.

Implications:

Quality (including Patient Safety, Staff Safety, Dignity and Patient Experience) • N/A
Human Resources including Equality • N/A
Legal • N/A
Policy • N/A
Financial (including any funding requirements) • N/A
Media/Communications • N/A

Details of any identified risk(s): N/A	**Risk Assessment**		
	Consequence (A)	**Likelihood** (B)	**Score** (A x B)
	N/A	N/A	N/A
Details of mitigation of identified risk(s):	N/A		
This paper links to the following Trust Strategies:	All		
This paper links to the following Strategic Objectives:	All		

Recommendation(s)

The Trust Board is asked to approve the amendments to the EMAS Core Constitution prior to consultation.		
Management of Item	PMO: Level 1 Level 2	Function ☑

AMBULANCE SERVICE CONSTITUTION BENCHMARKING

	Public	**Staff**	**Appointed**	**Partnership**	**Total**
North East	21 4 Classes	4 Classes: A&E and Urgent PTS Control & Contact Centres Support Services	4 1 - Commissioning PCT 3 – Local Authority	5 1 – University 1 – Local Resilience Forum Acute – 1 Mental Health Trust – 1 Voluntary Organisations - 1	**33**
South East Coast	14 6 Classes	4 2 Classes: Operational Non-Operational	2 1 – PCT 1 – Local Authority	6 1 – Category 1 Responders Network 1 – Mental Health Trust 1 – University 1 – Charity 2 – Acutes	**26**
South West	17 5 Classes	5 5 Classes: A&E Urgent PTS Volunteers Support Staff	4 3 – PCT 1 – Local Authority	5 From the following: Fire Service Police Voluntary Services Acutes Mental Health	**31**