

# Non-executive appointments: applying to become a non-executive director

August 2017

NHS boards play a key role in shaping the strategy, vision and purpose, hold the organisation to account for the delivery of strategy and ensure value for money. The board is also responsible for assuring that risks to a trust and the public are managed and mitigated effectively. Led by an independent chair and composed of a mixture of executive and independent non-executive directors, the board has a collective responsibility for the trust's performance.

## Before you apply

- Do your homework before starting your application: research the trust to learn about specific challenges, read board papers and speak to those you know who have used their services.
- Who to influence and how: make contact with the chair of the trust to gain an understanding of the trust's priorities and the skills needed. Contacts are usually included in the information packs and an informal conversation will help you decide if this is the right role for you and give you an advantage in completing your application.
- Gathering momentum: engage with healthcare and local community networks to raise your profile and improve your understanding of the NHS and its challenges.

## Building your application

Your application should articulate what you can offer. Tailor it to reflect the needs of the trust and how your skills and experience can add value:

- Scrutinise the person specification and use the intelligence you have gained from the chair to ensure your CV and supporting statement demonstrate the requirements for the role.
- Bring your experience to life by explaining your personal responsibility and influence on achievements within relevant roles.

- Demonstrate your understanding of the non-executive perspective and the relationship with the executive colleagues
- Always outline your motivation for applying to show your enthusiasm and commitment to improving the quality of care for patients.

## Sources of information

Information about individual NHS trusts such as business plans, annual reports and services, is available on trust websites. Other sources of information include:

- NHS Improvement: [information about the support provided to trusts](#)
- Department of Health: information including latest policy initiatives: [www.gov.uk/government/organisations/department-of-health](http://www.gov.uk/government/organisations/department-of-health)
- Care Quality Commission (CQC): regulates all health and social care services in England. CQC ensures the quality and safety of care in hospitals, dentists, ambulances and care homes, and the care given in people's own homes: [www.cqc.org.uk/](http://www.cqc.org.uk/)
- NHS England: empowers and support clinical leaders at every level of the NHS through clinical commissioning groups (CCGs), networks and senates, in NHS England itself and in providers, helping them to make informed decisions, spend taxpayers money wisely and provide high quality services: [www.england.nhs.uk/](http://www.england.nhs.uk/)
- Healthcare Financial Management Association (HFMA): information about NHS financial management: [hfma.org.uk](http://hfma.org.uk)

## Useful reading

- The Healthy NHS Board 2013: <https://www.leadershipacademy.nhs.uk/wp-content/uploads/2013/06/NHSLeadership-HealthyNHSBoard-Review-2013.pdf>
- Equality delivery system for the NHS: [www.england.nhs.uk/ourwork/gov/edc/eds/](http://www.england.nhs.uk/ourwork/gov/edc/eds/)
- Quality in the new health system: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/213304/Final-NQB-report-v4-160113.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/213304/Final-NQB-report-v4-160113.pdf)
- The NHS Constitution: <https://www.gov.uk/government/publications/supplements-to-the-nhs-constitution-for-england>

- Healthcare Leadership Model: [www.leadershipacademy.nhs.uk/discover/leadershipmodel/](http://www.leadershipacademy.nhs.uk/discover/leadershipmodel/)
- Five Year Forward View: [www.england.nhs.uk/five-year-forward-view/](http://www.england.nhs.uk/five-year-forward-view/)

## Eligibility and disqualification from appointment

You should declare anything in either your professional or personal history which may affect your eligibility for appointment, cause embarrassment or bring the organisation into disrepute, should you be appointed.

**Residency:** Preference will usually be given to candidates who live in, or have strong connections with the area served by the trust. We may sometimes accept applications from those with the appropriate experience living in the surrounding areas. You should always check the person specification specific to the vacancy.

**Conflicts of interest:** You should note the requirement to declare any business or personal interests that might be relevant to the work of the trust for which you have applied and which could lead to a real or perceived conflict of interests.

The **'fit and proper persons' requirement** plays a major part in ensuring that the people who have director-level responsibility for the quality and safety of care and for meeting the fundamental standards are suitable to carry out these important roles. Under the regulations, NHS providers must be able to provide evidence that appropriate systems and processes are in place to ensure that all new directors and existing directors are, and continue to be, fit for purpose and that no appointments meet any of the 'unfitness' criteria set out in the regulations. Further information about our approach, including the checks we will undertake to ensure that the chairs and non-executives we appoint meet these requirements is also available on our [website](#).

**Disqualification for appointment:** Not everybody is eligible: the following people are disqualified from appointment as chairs or non-executive directors:

- employees of NHS trust with the vacancy
- serving MPs: including MEPs and candidates for election as MP or MEP
- chairs and members of the governing bodies of clinical commissioning groups, or employees of such groups
- people who have received a prison sentence or suspended sentence of three months or more in the last five years

- people who are the subject of a bankruptcy restriction order or interim order
- anyone who has been dismissed (except by redundancy) by any NHS body
- in certain circumstances, those who have had an earlier term of appointment terminated
- anyone who is under a disqualification order under the Company Directors Disqualification Act 1986
- anyone who has been removed from trusteeship of a charity.

In most circumstances, we would not appoint civil servants in the Department of Health or members/employees of the Care Quality Commission to these roles.

All the disqualifications above apply to both chair and non-executive director posts. For chair roles the following additional criteria apply:

- people who perform or provide primary dental services, primary medical services or primary ophthalmic services under the National Health Service Act 2006
- people who are partners or are in a partnership, or are legal and beneficial owners of shares in a company, or a director of a body corporate, that provides primary dental services, primary medical services or primary ophthalmic services
- employees of any of the above.

## **Terms and conditions of NHS trust chair and non-executive director appointments**

These posts are public appointments and not jobs, and are therefore not subject to the provisions of employment law.

**Period of appointment:** New appointments will usually be made for an initial period of between two to four years, after which individuals may be considered for further terms of office, subject to the needs of the organisation and a good performance.

**Time commitment:** These are part-time roles with considerable flexibility for how individuals decide to spend their time, including some evening engagements and preparation time away from the trust. We estimate that as a minimum these roles require the equivalent to:

- three days a week for chairs

- two to three days a month for non-executive directors.

**Standards in public life:** You will be expected to demonstrate high standards of corporate and personal conduct. The [seven principles of public life](#) apply to anyone who works as a public office-holder:

- selflessness
- integrity
- objectivity
- accountability
- openness
- honesty
- leadership.

Public service values are at the heart of the NHS and chairs and non-executives are expected to subscribe, understand and commit to the personal behaviours, values, technical competence and business practices outlined in the [The standards for members of NHS boards and clinical commissioning group governing bodies in England](#) produced by the Professional Standards Authority.

The NHS Leadership Model describes [nine behaviours](#) that together are characteristic of strong and effective NHS leaders. Chairs and non-executive directors will need to demonstrate this range of behaviours and the highest standards of conduct required to contribute effectively in this board level role.

More information about non-executives in the NHS is available on our [website](#).

## **How we will handle your application**

We value and promote diversity and are committed to equality of opportunity for all and appointments made on merit. We believe that the best boards are those that reflect the communities they serve. We particularly welcome applications from women, people from the local black and minority ethnic communities, and disabled people who we know are under-represented in chair and non-executive roles.

We ensure that all appointments of chairs and non-executives to NHS trust boards throughout England are made in a way that is open, transparent and fair to all candidates.

We aim to process all applications as quickly as possible and to treat all candidates with courtesy:

- You will receive an email acknowledging receipt of your application by email.
- We will rely on the information you provide in your covering letter and CV to assess whether you have demonstrated the expertise required at the appropriate level for the post.
- It is likely that applications will be long-listed before they are passed to the selection panel for consideration. You should be aware that in this situation, your application might not be considered in full by all panel members.
- In some cases the trust will employ search consultants and long-listed candidates may be invited to a preliminary interview. If this is the case, your application form will be shared with the search consultants. Feedback from preliminary interviews will be given to the panel who will decide which candidates will be invited for the final panel interview.
- The panel will decide which candidates will be invited for interview.
- You will be notified whether or not you will be offered an interview. Due to the volume of applications we receive, we are not able to provide feedback to individuals not shortlisted for interview.
- If invited to interview, the panel will ask you about your skills and experience and how you would apply them to this role. The questions will also enable you to demonstrate the board-level behaviours required for the role.
- Where a candidate is unable to attend an interview on the set date, an alternative date will only be offered at the discretion of the panel.
- After the interviews, the panel will identify and rank the appointable candidates and the panel chair will submit a report to our provider leadership committee or sub committee. The committee will consider the panel chair's report and make the final decision on the appointment.
- You will be notified of the outcome of your application.

## **Your personal information**

Your personal information will be held in accordance with the Data Protection Act 1998. You will not receive unsolicited paper or electronic mail as a result of sending us any personal information. No personal information will be passed on to third parties for commercial purposes. When we ask you for personal information, we promise we will:

- only ask for what we need, and not collect too much or irrelevant information
- ensure you know why we need it
- protect it and insofar as is possible, make sure nobody has access to it who shouldn't
- ensure you know what choice you have about giving us information
- make sure we don't keep it longer than necessary
- only use your information for the purposes you have authorised.

We ask that you:

- give us accurate information
- tell us as soon as possible of any changes
- tell us as soon as possible if you notice mistakes in the information we hold about you.

If you apply for a post, we will share some of the information you provide with the members of the selection panel for the post to which you apply, so that your application form and CV can be assessed. The monitoring information you provide is not used in the selection process and will not be shared with the selection panel assessing your application. If you are successful and are appointed to an NHS trust we will also share some of your information with relevant individuals at the organisation concerned.

We are required by the Commissioner for Public Appointments to retain information about the people who apply for public appointments within his remit, and make this information available to him for audit purposes, if requested to do so. Information you provide in your application may therefore be made available to the Commissioner and his auditors on a confidential basis in order to help fulfil the Commissioner's formal complaints investigation role and for audit purposes.

## **Information management**

Information you provide may be used for statistical analysis but it will not be used in a way that enables you to be identified.

In relation to the information we collect:

- If you submit an application form, your form and any supporting documentation will be retained for up to two years after the closing date for applications.

- Any other information relating to an application held electronically, which includes your contact details and monitoring information you provided, will be held for up to two years after the closing date for applications
- If at any time you wish your personal information to be removed from our records please contact us.

We are committed to equality and diversity and actively encourage people from all sections of the community to consider applying for public appointments. We are also committed to protecting all of the personal and sensitive information we hold and will take all reasonable steps to ensure that it is protected against unauthorised access, use, modification, disclosure or loss.

We also recognise our obligations under Section 22 of the Gender Recognition Act 2004 and have set out a robust framework for handling protected information to ensure that these obligations are met.

## Dealing with your concerns

The role of the Commissioner for Public Appointments is to provide independent assurance that appointments to the boards of public bodies are made in accordance with the Government's *Principles of Public Appointments and Governance Code*. More information about the role of the Commissioner and the Governance Code is available from his [website](#).

Our appointment and recruitment processes are conducted in accordance with the Code of Governance to ensure that they are made on merit after a fair and open process so that the best people, from the widest possible pool of candidates, are appointed.

If you feel your application has not been treated in accordance with the code and you wish to make a complaint, contact us in the first instance. If you are not satisfied with the response you receive you can contact the Commissioner for Public Appointments through his complaints procedure.

We believe that to make the best possible decisions, NHS boards need people with a mix of skills and experience. We are looking for people from a range of backgrounds who understand the needs and priorities of their local communities and can hold the confidence of patients and the public.

For more information, contact: [public.appointments@nhs.net](mailto:public.appointments@nhs.net)  
**0300 123 2257**      [enquiries@improvement.nhs.uk](mailto:enquiries@improvement.nhs.uk)      [improvement.nhs.uk](http://improvement.nhs.uk)

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