

CANDIDATE GUIDANCE NOTES
FOR THE COMPLETION AND RETURN OF YOUR NOMINATION FORM

DEADLINE FOR RETURN OF NOMINATION FORMS

Your completed nomination form must be received by the **Returning Officer, Association of Electoral Administrators, PO Box 288, Letchworth Garden City SG6 9EP** no sooner than Thursday 7 January 2010 and no later than **noon on Monday 25 January 2010**. Any nomination forms received after this date will be ruled invalid. Please be aware that there is no discretion within the election rules to extend the time for delivery of nomination forms for delays as a result of postal disputes or for any other reason. For this reason you are encouraged to return your completed nomination form as soon as possible. You are also encouraged to keep a photocopy.

Nomination forms may be returned by post or fax and must be signed by yourself. Please ensure that you send the signed **original** by post, do not send a photocopy of your completed form as your original signature must be visible for your nomination to be valid.

If you fax your nomination paper, your photograph must be emailed or posted and clearly marked with your name. A faxed copy of a photo cannot be used for printing purposes.

We would appreciate it if you could type or word process your election statement to avoid any doubt which may occur with handwritten statements. It would be helpful if you are able also to email your personal statement and photograph (see page 2 of the nomination form) to the Returning Officer at returning.officer@aea-elections.co.uk clearly indicating your name and the name of the Trust.

The safe return of your form is the responsibility of you: - **the candidate**. We strongly recommend its safe receipt by the Association of Electoral Administrators is checked by contacting the Association of Electoral Administrators on **Tel & Fax 01462 617125** or returning.officer@aea-elections.co.uk. All nomination forms received will be acknowledged as soon as is practicable by email or post.

Candidates should note;

- (1) That the successful candidate's term of office as governor will expire in 2011, the same date as the term of office of current governors.**
- (2) That in line with the Trust's existing policy relating to elected governors, the successful candidate will be subject to standard CRB disclosure.**

Candidates' Details

- ◆ In order to stand for election a candidate must:-
 1. Be a member of Colchester Hospital University NHS Foundation Trust in the constituency and class for which they are standing and be at least 16 years of age at the time of nomination.
 2. Not be prevented from being a member of the Members' Council by paragraph 8 of Schedule 7 of the National Health Service Act 2006 or by any provision of the constitution of the Trust. (A copy of the constitution can be viewed from the Trust's website www.colchesterhospital.nhs.uk if required)
- ◆ All parts of the form indicated with an * must be completed.
- ◆ Please ensure a daytime telephone number is provided at which you may be contacted in the event that there are any queries about the detail on your nomination paper. An email address is not compulsory but a useful means of contacting you should it be necessary.

Provision of photograph

You are required to provide a passport style photograph to be published in the election material with your statement. You may provide this in colour, but it will only be reproduced in black and white. Please be aware that faxed copies of photographs cannot be accepted for printing purposes.

If you are sending your photograph please ensure that you write your name on the back and securely attach it to the nomination form as indicated on the form.

Declarations of Interests and Eligibility

- Both of these sections of the nomination form must be completed for your nomination to be valid.
- If elected, candidates must agree to abide by Code of Conduct for Governors of Colchester Hospital University NHS Foundation Trust. Further details are available on the Trust's website (www.colchesterhospital.nhs.uk), from the Foundation Trust Membership Office (01206 742733), or by e-mailing the Association of Electoral Administrators at returning.officer@aea-elections.co.uk
- Please read the extract from the Standing Orders of the Members' Council on pages three and four of these guidance notes. The extract gives details of financial interests that should be declared. You may consider that you have an interest that is not listed in the extract, if so, please err on the side of caution and include it on your form to ensure that your form is completed accurately.

Election Statement – Preparation Instructions

- You are asked to provide an election statement, on either page 2 of the nomination form, a separate sheet of paper (word processed if possible), or emailed as a word attachment (preferred) to returning.officer@aea-elections.co.uk clearly identifying to whom it relates. Failure to provide a statement will not invalidate your nomination. Your election statement should describe why you think you should be elected. It will be reproduced and circulated to voters with the ballot paper. Questions have been included on the form to assist you.
- It must not exceed the word limit of 200 words. Please state the total number of words used at the end of your election statement.
- In the interests of fairness, your statement will be reproduced **EXACTLY** as it has been submitted. This means any grammatical or spelling errors **WILL NOT** be corrected. Please check your statement carefully before you submit it.
- It would help the Returning Officer if you could ensure that any handwriting is legible. The Returning Officer will not seek clarification of any illegible words and will make a best considered judgement of the same for reproduction in any documents sent to voters. The Returning Officer will not accept any responsibility for producing inaccurate information as a result of illegible handwriting.
- Election statements will be produced in sentence case so the Returning Officer will also make a best judgement as to how to reproduce election statements that are submitted written in upper case.
- Colchester Hospital University NHS Foundation Trust and the Association of Electoral Administrators reserve the right to edit or refuse to publish any election statement if it is factually inaccurate or contains libelous material.

Detailed rules relating to statement preparation

- a) Every word no matter how small e.g. "I", "or", "and", "the" etc will be counted as one word.
- b) Numbers in a block will be treated as one word e.g. "1989", "1/128", "1988/89" and "1988/1989."
- c) Any acronyms or groups of initials will be treated as one word. For example NHS would count as one word. If, however, full titles for acronyms or groups of words are used then they will count as separate words. For example National Health Service will count as three words.
- d) Compound words or hyphenated words will be treated as one word.
- e) All biographical details will be printed using a common typeface and type size font.
- f) Selected words or sentences can be emboldened, capitalised, underlined or placed in italics.

- g) Entire election addresses submitted in any of these formats will, however, be reproduced in the common typeface and type size font detailed in Paragraph (e) above.
- h) The use of bullet points and numbering to make separate points is allowed, these will not be counted as words.
- i) Words or phrases can be centered or indented. Boxes around particular words or phrases will not, however, be reproduced.
- j) Your statement may be up to two hundred words (200 words) in length (subject to the definitions given in the points above). Any part of the statement exceeding that two hundred word limit shall not be reproduced, and the wording 'statement cut at word count' will be inserted at the end of the statement. Please note that the overall statement will be cut, not the answer to each question.

Additional Information

- ◆ Candidates will be listed in alphabetical order of surname on the ballot paper. A candidate's first name will also be listed but not their title.
- ◆ No details relating to educational, professional or distinguished awards and achievements received by a candidate will be published as part of their name on any paperwork published by the Returning Officer i.e. BSc, OBE etc. Should a candidate choose to include this information in the body of their election statement then this will be acceptable.
- ◆ The following information will be published on each candidate in the election paperwork which will be circulated with the ballot papers:-
 1. An election statement (if provided)
 2. Declaration of interests (compulsory)
 3. A photograph (if provided)
- ◆ Please ensure that you complete the form correctly and sign it, as failure to do so may invalidate your nomination.

If you require any further information on completing this nomination form, or would like to check that you have completed it correctly, before you formally submit your nomination, you are encouraged to contact Chris Solich on **Tel & Fax 01462 617125** or email at returning.officer@aea-elections.co.uk.

Important – Please read.

Declaration of Interests

Your attention is drawn to the following extract from the Standing Orders of the Members' Council which gives details of financial interests that should be declared.

- (a) Requirements for Declaring Interests and applicability to Governors:** All existing Governors shall declare interests which are pecuniary (which includes monetary) personal or family interests that he has and which are relevant to the Trust.
- (b) Interests which should be declared pursuant to (a) above include:**
 - (i) Directorships, including non-executive directorships held in private companies or public limited companies (with the exception of those of dormant companies).
 - (ii) Ownership or part-ownership of private companies, businesses or consultancies likely or possibly seeking to do business with the NHS.
 - (iii) Majority or controlling share holdings in organisations likely or possibly seeking to do business with the NHS.
 - (iv) A position of authority in a charity or voluntary organisation in the field of health and social care.
 - (v) Any connection with a voluntary or other organisation contracting for NHS Services.

- (vi) Any substantial or influential connection with an organisation, entity or company considering entering into or having entered into a financial arrangement with the Trust, including but not limited to lenders or banks.
- (vii) Any other commercial interest in the decision before the meeting.
- (viii) Research funding/grants that may be received by an individual or their department.
- (ix) Interests in pooled funds that are under separate management.

For the avoidance of doubt, any Governor who comes to know that the Trust has entered into or proposes to enter into a contract in which he or any person connected with him (including those persons who are referred to in Standing Order 8.3 and elsewhere) has any pecuniary interest, direct or indirect, the Governor shall declare his interest.

Pecuniary Interest

- (c) **Definition of Terms Used in Interpreting 'Pecuniary' Interest:** For the sake of clarity, the following definition of terms is to be used:

- **"Spouse"** shall include any person who lives with another person in the same household (and any pecuniary interest of one spouse shall, if known to the other spouse, be deemed to be an interest of that other spouse);
- **"Contract"** shall include any proposed contract or other course of dealing;

- (d) **"Pecuniary Interest"** subject to the exceptions set out in the Standing Order, a Governor shall be treated as having an indirect pecuniary interest in a contract if:

- (a) he, or a nominee of his, is a member of a company or other body (not being a public body), with which the contract is made, or to be made or which has a direct pecuniary interest in the same; or
- (b) he is a partner, associate or employee of any person with whom the contract is made or to be made or who has a direct pecuniary interest in the same.

and in the case of family or close personal relationships the interest of one party shall, if known to the other, be deemed to be also an interest of the other.

- (e) **Exception to Pecuniary Interests:** A person shall not be regarded as having a pecuniary interest in any contract if:

- (a) neither he nor any person connected with him has any beneficial interest in the securities of a company of which he or such person appears as a member, or
- (b) any interest that he or any person connected with him may have in the contract is so remote or insignificant that it cannot reasonably be regarded as likely to influence him in relation to considering or voting on that contract, or
- (c) those securities of any company in which he (or any person connected with him) has a beneficial interest do not exceed £5,000 in nominal value or one per cent of the total issued share capital of the company or of the relevant class of such capital, whichever is the less. Where this paragraph applies he shall nevertheless be obliged to disclose/declare his interest in accordance with Standing Order 8.1.2 above.
- (d) Any remuneration, compensation or allowance payable to the Chairman or a Governor shall not be treated as a pecuniary interest.