

THE UNITED KINGDOM COUNCIL OF CALDICOTT GUARDIANS

CONSTITUTION

1. NAME

The name of the Council will be “The United Kingdom Council of Caldicott Guardians” which is an independent council supported by NHS Connecting for Health.

2. OBJECT

- i) To be the national body for Caldicott Guardians
- ii) To promote the roles and activities of Caldicott Guardians within the United Kingdom
- iii) To be a forum for the exchange of information, views and experience amongst all Caldicott Guardians
- iv) To seek, consider and to represent the views of Caldicott Guardians on matters of policy relating to the organisation and delivery of Information Governance
- v) To be a channel of communication upon Caldicott matters with national organisations concerned with the NHS, the independent health sector, local government and health and social care professionals
- vi) To act as a resource centre, provide support and arrange learning opportunities for Caldicott Guardians, both current and of the future.

3. CONSTITUENTS

Those eligible to vote in elections of the Council shall be all registered Caldicott Guardians i.e. included in the national Caldicott Guardian Register, howsoever their job is entitled, provided such work involves Caldicott activity and is conducted within the United Kingdom.

4. POWERS OF THE COUNCIL

The Council shall:

- a) elect from its membership its own office bearers and determine its own procedures, with a balance being maintained across the various disciplines represented in the Council;
- b) appoint committees/sub-committees with such powers as are deemed expedient;
- c) manage funds and authorise expenditure as it may deem necessary;
- d) have power to secure independent sources of funding should support from public funds become inadequate

5. MEMBERSHIP AND OFFICE BEARERS OF THE COUNCIL

Office Bearers of the Council shall form an Executive and shall be:

- A Chairman
- A Vice Chairman

who shall be appointed at the Annual General Meeting of the Council from within the elected Council Members.

The composition of the Council will include the following constituencies:

- One member elected from the strategic health authorities and regulatory bodies
- Three members elected from the acute hospitals sector in England
- Three members elected from the primary care sector in England
- Three members elected from the social services sector in England
- Three members elected from the mental health services sector in England
- One member elected from the independent health sector in England
- One member elected from the regional ambulance services
- One member elected from general medical practitioners
- One member elected to represent health, social care and voluntary organisations not already represented
- Two members elected from each of the devolved administrations
- One lay representative
- One nominated member from NHS Connecting for Health

Co-opted members:

The Chair of the Patient Information Advisory Group / or successor organisation

One member from the Ministry of Defence

One member from secure units providing healthcare (prisons and secure psychiatric hospitals)

One member from research/public health/patient safety/secondary use service

Other members will be co-opted from time to time and against specific reason at the discretion of Council or the Executive thereof. Co-option by the Executive would be subject to review at the next Council meeting following the co-option.

Elected and co-opted members shall enjoy full voting rights; however, nominated members are not eligible to vote. Elected, nominated and co-opted members shall be eligible to attend all meetings of the Council and their attendance will register in the establishment of a quorum.

6. ELECTIONS

Nominations for the Office Bearers shall be intimated to the Secretariat along with the names of the proposers and seconders, who shall be Members of Council, 7 days before the date of the Annual General Meeting.

The Chairman will be a Caldicott Guardian and will be elected for three years and will not be eligible for re-election or election to other posts for a period of three years.

The Vice Chairman will be a Caldicott Guardian and will be elected for three years and will not normally be eligible for re-election, but will be eligible for election to other posts.

If the Chairman or Vice Chairman ceases to be a Caldicott Guardian or ceases to be a member of the Council, the office shall be declared vacant. A new Chairman or Vice Chairman will be elected at the next General Meeting.

From 2007, elections to the Council shall be held by postal ballot prior to the Annual General Meeting in each year

Elected Members of Council will serve for three years and will be eligible for re-election.

Nominated Members of Council will serve for three years and will be eligible for re-nomination.

Co-opted members will serve for three years and will be eligible for re-nomination.

The tenure of elected Members of Council will overlap so that every year from 2007 one third of each constituency will be replaced in rotation within the constituency. To secure this the members elected in 2005 shall serve for 2, 3, or 4 years to be determined by order of votes received, or in the case of members elected unopposed, by election by the Council at its Annual General Meeting in 2006.

If a Member of the Council fails to attend a meeting on three consecutive occasions, without good reason, they will be asked to stand down and the post will be declared vacant. Nominations for a new Council Member will be sought from the relevant constituency

7. GENERAL MEETING

The Annual General Meeting of the Council will normally be held in association with the Annual Conference. General Meetings, other than the Annual General Meeting, shall be called by written notification of 21 clear days. The quorum for a General Meeting or an Extraordinary General Meeting shall be five members.

General Meetings will be held at least four times per year at locations to be decided

In the event of a drawn vote, the Chairman shall have a casting vote as well as a deliberative vote.

An Extraordinary General Meeting of the Council will be called at the written request of any five members addressed to the Secretariat giving notification of 21 clear days stating the express purpose for which the meeting is desired.

8. CASUAL VACANCIES

Casual vacancies among the Office Bearers, occurring between Annual General Meetings, will be filled at the discretion of the Executive acting together. The vacancy will be definitively filled by an open election at the next Annual General Meeting and those filling the casual vacancy will be eligible for re-election.

9. DUTIES OF THE SECRETARIAT

Secretariat support for the Council will be provided by NHS Connecting for Health. The Secretariat will issue all notices summoning meetings of members and shall record and file formal Minutes of all the meetings. The Secretariat will also undertake actions, within resource constraints, as determined by the Council.

10. ALTERATION OF THE CONSTITUTION

The Constitution will not be altered except by consent of two thirds of those members of the Council who are present at the Annual General Meeting or at a General Meeting expressly called for the purpose of considering a proposed alteration.

Notice of any such proposal will be given to each member in writing, at least 14 days before the date of the meeting at which the alteration is proposed to be made.