

**Amendments to SHEFFIELD TEACHING HOSPITALS NHS FOUNDATION TRUST
Constitution (as last amended 14.02.200) to ensure compliance with the Health and Social
Care Act 2012 Commencement Order 2.**

Page	Section No	Amendment	Comment
2	n/a	Table of Contents: <ul style="list-style-type: none"> Number 4 "Other Purposes" removed as superseded by revised Principal Purpose Index numbering reordered Number 8 "Governors Council" changed to Council of Governors 	
3, 4	1.1	Definitions <ul style="list-style-type: none"> Inclusion of reference to 2012 Act Inclusion of reference to Monitor Amendment of "Independent Regulator" definition to mean Monitor. Change "Governors Council" references to "Council of Governors" 	
5	3	Principal purpose <ul style="list-style-type: none"> Replacement of wording with recommended text as highlighted in the NHS Foundation Trust Model Core Constitution issued August 2012 	
5	4	Other purposes – section removed as superseded by section 3	Numbering altered accordingly from this point forward
5	5	Framework <ul style="list-style-type: none"> Change "Governors Council" references to "Council of Governors" Change "license issued by the Regulator" to "the terms of authorisation issued by Monitor" 	Bullet point 2: Although not recommended in Model Core Constitution issued August 2012, it fixes anomaly created by required inclusion of Monitor in definition section.
6	6.2.1	Number reference change	
6	6.3.1	Number reference change	
7	6.3.4	Number reference change	
8	6.5.1	Disqualification for membership <ul style="list-style-type: none"> Update paragraph references to 6.2, 6.3 or 6.4. 	
8	6.6.1	Number reference change	
8	6.8	Associates Change "Governors Council" references to "Council of Governors"	
8 - 16	7	Council of Governors (previously Governors' Council) <ul style="list-style-type: none"> Change "Governors Council" references to "Council of Governors" 8.15 c) Change "independent Regulator" to "Monitor" 	As for Section 5
9	7.2	<ul style="list-style-type: none"> Number reference change 7.2.1 Change "board" to Council of Governors" 	
9	7.3	Number reference change	
10	7.4.5	Number reference change	
10	7.5.4	Number reference change	
10	7.5.5	Number reference change	
11	7.10.1	Number reference change	
11	7.11.1	Number reference change	
11	7.11.2	Number reference change	
11	7.11.3	Number reference change	

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12	7.11.8	Number reference change	
14	7.13.2	Number reference change	
14	7.14.1	Number reference change	
16	7.18.8	Number reference change	
16	8.3	Number reference change	
16	8.3.1	Number reference change	
16	8.4	Number reference change	
16-18	8	Board of Directors <ul style="list-style-type: none"> Change "Governors Council" references to "Council of Governors" 8.7.7 Change "independent Regulator" to "Monitor" 	As for Section 5
17	8.6.1	Number reference change	
18	8.7.9	Number reference change	
18	8.7.10	Number reference change	
18	9	Meetings of Directors Change "Governors Council" references to "Council of Governors"	
19	11	Registers <ul style="list-style-type: none"> Change "Governors Council" references to "Council of Governors" 12.3 Change "Independent Regulator" to "Monitor" 	As for Section 5
20	12	Public documents Change "regulator" to "Monitor"	As for Section 5
20	13	Auditor Change "Governors Council" references to "Council of Governors"	
20	13.3	Number reference change	
21	14	Accounts <ul style="list-style-type: none"> 14.1 and 14.2 to replace 15.1 - inclusion of all recommended text as highlighted in the NHS Foundation Trust Model Core Constitution issued August 2012 Retain 15.2 and 15.3 but renumbered 14.3 and 14.4 14.5 to replace 15.4 – inclusion of all recommended text highlighted in the NHS Foundation Trust Model Core Constitution issued August 2012 14.6 to replace elements of 15.4 i.e. "The Trust (through its Chief Executive and accounting officer" with suggested text in the NHS Foundation Trust Model Core Constitution. 15.5 and 15.6 removed as superseded 	Bullet point 4: Although not recommended in Model Core Constitution issued August 2012, it makes clear role of Accounting Officer.
21-22	15	Annual reports and forward plans <ul style="list-style-type: none"> Change title to "Annual report, forward plans and non-NHS work" as highlighted in the NHS Foundation Trust Model Core Constitution issued August 2012 Change "Governors Council" references to "Council of Governors" 15.1, 15.2 b), 16.3 and 16.4 Change "Independent Regulator" to "Monitor" New sections 15.5, 15.6 and 15.7 rewording recommended text highlighted in the NHS Foundation Trust Model Core Constitution issued August 2012 	As for Section 5 Please note I had to change the wording for 15.6.2 "notify the directors of the trust <u>and</u> its determination" to " <u>of</u> its determination" and a major re-write of 15.7 – happy to explain
22	16	Indemnity Change "Governors Council" references to "Council of Governors"	

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22	18	Dispute Resolution process Change "Governors Council" references to "Council of Governors"	
22	19	Amendment of the Constitution <ul style="list-style-type: none"> • Change "Governors Council" references to "Council of Governors" • 12.3 Change "Independent Regulator" to "Monitor" 	As for Section 5
24-26	Annex 2	Practice and Procedure for Meetings <ul style="list-style-type: none"> • Change "Governors Council" references to "Council of Governors" • 1.2 insert "to withdraw" as missing in original Constitution • 2.7 Change "Independent Regulator" to "Monitor" 	As for Section 5
55-57	Annex 6	Dispute Resolution <ul style="list-style-type: none"> • Change "Governors Council" references to "Council of Governors" • Removal of Section 5 Review of Process 	Not applicable as new arrangements in place to review Constitution.
58-59	Annex 7	Register of Directors' and Governors' Interests <ul style="list-style-type: none"> • Change "Governors Council" references to "Council of Governors" 	