EXTRACT (RULE 6.1) FROM THE RULES OF THE ROYAL COLLEGE OF MIDWIVES

6. RCM Board

**6.1 Appointment, Retirement and Removal of RCM Board Members**

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| 1. **Appointment and retirement under Rules**   The RCM Board members shall be elected and shall retire in accordance with the Rules. |

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| 1. **Disqualification, resignation and removal of RCM Board members**   An RCM Board member shall cease to hold office if that member:  ceases to be a director by virtue of any provision of the Companies Act 2006, or is prohibited from being a director by law;  is the subject of a bankruptcy order or an order in individual insolvency proceedings in a jurisdiction other than England and Wales which have an effect similar to that of bankruptcy;  makes a composition with the member’s creditors generally in satisfaction of the member’s debts;  is the subject of a written opinion to the RCM from a registered medical practitioner who is treating that person stating that the person has become physically or mentally incapable of acting as a company director and may remain so for more than three months;  is the subject of a court order made by reason of that person’s mental health, which wholly or partly prevents that person from personally exercising any powers or rights which that person would otherwise have;  resigns by notice in writing to the RCM;  is, for more than six consecutive months, absent from meetings of the RCM Board held during that period without permission of the RCM Board and the RCM Board resolves that the member be removed from office;  is expelled from office for breach of the Code of Conduct in accordance with the Rules;  ceases to be a Midwife; or  at a general meeting of the RCM, a resolution is passed that the member be removed from office, provided the member’s views have been invited and the meeting has considered the matter in the light of such views.  **Suspension of RCM Board members**  If an allegation is made against an RCM Board member in relation to the member’s professional conduct or competence, or if an RCM Board member is suspended as a Midwife, that person may be suspended from attending and voting at meetings of the RCM Board until the allegation has been resolved or until re-instatement as a Midwife, as the case may be. |

6.1.1 Succession planning and establishing the Board’s needs are the responsibility of the Board. The Board will build a Board which has the support of RCM members by seeking to ensure that those who are best placed to deliver the highest possible standards of governance are democratically elected and appointed.

6.1.2 The Board will determine a role profile for a member of the RCM Board and the competencies required on the Board.

6.1.3 A person holding office as a member of the RCM Board is required, if the RCM Board so decides, to accept appointment as a Trustee of the Royal College of Midwives Trust.

6.1.4 The tenure of a person who has been elected to be a member of the RCM Board shall be determined by the RCM Board but:

(a) no person shall continue to hold office for more than five years without being re-elected; and

(b) three years of not holding office must elapse before a person who has held office for periods which add up to six years may hold office again.

6.1.5 The RCM Board shall comprise not more than 12 members elected in accordance with these rules. The RCM Board may act in spite of any vacancy and has discretion as to whether or not to call elections to fill vacancies.

6.1.6 Where the RCM Board has decided to call an election the election will be held and conducted in accordance with a timetable and other arrangements determined by the CEO.

6.1.7 Subject to the eligibility criteria in these Rules, all members of the RCM may stand for election as members of the RCM Board and candidates for election may choose whether or not to go through the assessment process provided by these Rules.

6.1.8 The result of an election will be announced after receipt of the scrutineer’s report.

6.1.9 A person may hold only one office of member of the RCM Board at any time.

6.1.10 An RCM member wishing to stand for election must complete a self nomination / eligibility declaration on a form supplied by the RCM for that purpose. The CEO will then apply the RCM Rules to determine whether that RCM member is eligible to stand for election.

6.1.11 An election address submitted by a candidate must be on a form supplied by the RCM for that purpose and must not exceed 300 words. The CEO may curtail at 300 words an election address longer than the prescribed length.

6.1.12 Any election address submitted must include text only.

6.1.13 To be eligible to stand for election candidates must:

6.1.13.1 be full members of the RCM who on the date of commencement of the office for which they are standing for election will have been full members of the RCM for at least three years;

6.1.13.2 have notified the NMC of their intention to practise as midwives for the year in which the election takes place;

6.1.13.3 provide the election documents required by these Rules;

6.1.13.4 give consent for the RCM to carry out relevant checks including, if necessary, identity checks, criminal records bureau (or relevant country equivalent) disclosures and checks against lists of removed or disqualified trustees held by a regulator of charities in the UK;

6.1.13.5 give undertakings to accept appointment as trustees of the Royal College of Midwives Trust;

6.1.13.6 give undertakings to fulfil the responsibilities and duties of the office for which they are candidates in good faith, in accordance with the law and in accordance with the codes of conduct for members of the RCM Board and Trustees of the RCM Trust;

6.1.13.7 have obtained undertakings from their employers regarding time off to undertake the duties of the office for which they are seeking election or be prepared to commit their own time for those duties;

6.1.13.8 not have been expelled from the RCM Board for breach of the RCM Board’s code of conduct;

6.1.13.9 not have their professional conduct under investigation by the NMC;

6.1.13.10 not be employed by, or members of, organisations which are competitors in the field of professional or trade union representation;

6.1.13.11 not be undischarged bankrupts or subject to any arrangement or composition with their creditors generally;

6.1.13.12 not, by a court or a statutory regulator of charities in the UK, have been removed or disqualified from trusteeship of a charity;

6.1.13.13 not be disqualified by any provision of the companies acts or prohibited by law from being company directors;

6.1.13.14 not have been convicted of an offence involving deception or dishonesty (unless the conviction is spent);

6.1.13.15 not be disqualified under the charities acts from acting as charity trustees;

6.1.13.16 not be employees of the RCM;

6.1.13.17 not be subject to court orders because their mental health prevents them from personally exercising any powers or rights which they would otherwise have.

6.1.14 For each election there will be an assessment panel. A panel will normally comprise up to 5 people including some who are members of the Board. A panel will normally be chaired by a person from outside of the RCM who has some prominence in their field or profession.

6.1.15 The role profile for the Board vacancy and the required competencies will be made available to RCM members and the process shown in the following flow chart will be applied.

The competence ratings referred to in this rule are as follows.

Competence rating A:

The candidate demonstrated to the assessment panel the required level of competence.

Competence rating B:

The candidate demonstrated to the assessment panel a level of competence requir~~i~~ng further development.

Competence rating C:

The candidate did not demonstrate to the assessment panel an acceptable level of competence.

Competence rating A will be attached to the statement shown in sub paragraph (i) of rule 6.1.16.

Competence rating B or C will be attached to the statement shown in sub paragraph (ii) of rule 6.1.16.



6.1.16 In respect of each candidate the information sent to voters in an election to the Board will include the following.

(A) Any election address provided by the candidate.

(B) One or other of the following statements of the assessment panel together, where relevant, with the applicable competence rating described in rule 6.1.15.

Either

(i) This candidate completed the RCM’s assessment process for candidates for election to the RCM Board. The assessment panel is of the view that this candidate demonstrates the required level of competence. The assessment panel’s competence rating for this candidate is shown below.

or

(ii) This candidate completed the RCM’s assessment process for candidates for election to the RCM Board. The assessment panel is of the view that this candidate does **not** currently demonstrate the required level of competence. The assessment panel’s competence rating for this candidate is shown below.

or

(iii) This candidate chose not to complete the RCM’s assessment process for candidates for election to the RCM Board. Therefore, the assessment panel has no view of the candidate’s competence.

or

(in the case of a serving board member who is standing for another term and who has chosen not to avail themself of assessment)

(iv) (a) This candidate chose not to complete the RCM’s assessment process for candidates for election to the RCM Board. Therefore, the assessment panel has no view of the candidate’s competence.

(b) The candidate was assessed in [year] and at that time the assessment panel was of the view that s/he [insert words from previous assessment] and the assessment panel’s competence rating for this candidate at that time was [insert previous competency rating].

If the serving board member who is standing for another term has chosen not to avail themself of assessment and does not want the previous assessment disclosed to voters the assessment panel will include only part (a) of statement (iv) in the voters’ information pack

6.1.17 Before an election is held, the RCM will appoint a qualified independent person (“the scrutineer”) to carry out the functions which are required under the relevant legislation and such additional functions as the RCM may specify.

Before a scrutineer begins to carry out their functions, the RCM will notify the name of the scrutineer to the members who are eligible to vote in the election by including a notice on the RCM website as this is the practice of the RCM for bringing matters of general interest to the attention of all its members.

6.1.18 Except as provided below all members of the RCM may vote for the election of members of the RCM Board.

The following may not vote in such elections.

1. Members who have ceased professional practice for one year or longer.
2. Members who for more than three months are in arrears in respect of any subscription or contribution due to the RCM.
3. Members who are in a category of membership that does not afford the right to vote in such elections.

6.1.19 Voting will be in accordance with the relevant legislation, using the system of single transferable vote.