



<b>Trust Board Meeting in Public</b>				<b>13 September 2012</b>	
<b>Title</b>	Yorkshire Ambulance Service Foundation Trust Constitution			<b>Paper Ref</b>	7.1
<b>PURPOSE (X)</b>		<b>Information</b>		<b>Strategic Objective</b>	<b>Business Plan Objective</b>
<b>Approval</b>	x	<b>Decision</b>			
<b>Assurance</b>	x	<b>Discussion</b>		All	All
<b>Purpose of the paper</b>	The purpose of this paper is to seek approval of the Trust Board for the Foundation Trust Constitution. And, the Trust Board is requested to note legal advice to the Trust confirming the legality of the Constitution.				
<b>Recommendation</b>	<b>That the Trust Board:</b> <ol style="list-style-type: none"> <li><b>1. Approves the Foundation Trust Constitution;</b></li> <li><b>2. Notes Solicitor's confirmation of the legality of the Constitution.</b></li> </ol>				
<b>Author</b>	Karen Kanee, Head of FT Development	<b>Accountable Director:</b>		Anne Allen, Director of Corporate Affairs & Trust Secretary	
<b>RISK ASSESSMENT</b>				<b>Yes</b>	<b>No</b>
<b>Changes to the Corporate Risk Register and/or Board Assurance Framework</b>					<b>No</b>
<b>Resource Implications</b>				<b>Yes</b>	
<b>Legal implications</b>				<b>Yes</b>	
<b>ASSURANCE/COMPLIANCE</b>					
<b>CQC Registration Outcome(s)</b>	<b>Auditors' Local Evaluation</b>		<b>NHSLA Risk Management Standards for Ambulance Trusts</b>		
All	N/A		N/A		

**YORKSHIRE AMBULANCE SERVICE NHS TRUST  
TRUST BOARD MEETING IN PUBLIC, 13 September 2012**

**Foundation Trust Constitution**

**1. PURPOSE/AIM**

The purpose of this paper is to seek approval of the Trust Board for the Foundation Trust (FT) Constitution. And, the Trust Board is requested to note legal advice to the Trust confirming the legality of the Constitution.

**2. BACKGROUND/CONTEXT**

**2.1** As previously reported to the Trust Board (20 August 2012), YAS must submit its FT Constitution to the Strategic Health Authority (SHA) together with a letter from Trust solicitors confirming the legality of the Constitution\*. At this point, neither the SHA (nor later, Monitor, the FT Regulator) would expect the document to change prior to FT Authorisation.

\* The Constitution commented on by Trust solicitors incorporates the changes indicated by the Trust Board at recent meetings.

**2.2** On submission of the FT Constitution to the SHA/Monitor, ***it must be in a tracked change version with any deviation from the Regulator's (Monitor) model template identified.***

**3. RISK ASSESSMENT**

It is noted that it is vital for YAS to demonstrate it is prepared to become a Foundation Trust and operate in accordance with the Monitor Code of Governance and any relevant statutory requirements, including the 2006 Act and the Monitor Code of Governance.

**4. RECOMMENDATIONS**

**That the Trust Board:**

1. Approves the Foundation Trust Constitution;
2. Notes Solicitor's confirmation of the legality of the Constitution.

**5. APPENDICES/BACKGROUND INFORMATION**

1. Yorkshire Ambulance Service' Foundation Trust Constitution;
2. Letter from Mills & Reeve LLP: to Ms D M Cannings QPM, Chairman, Yorkshire Ambulance Service NHS Trust.