

Council of Governors

Subject:	Fit and Proper Person Requirement Annual Report	Date: 10 th May 2022		
Prepared By:	Shirley A Higginbotham Director of Corporate Affairs			
Approved By:	Shirley A Higginbotham Director of Corporate Affairs			
Presented By:	Shirley A Higginbotham Director of Corporate Affairs			
Purpose				
To provide assurance to the board regarding compliance with the Fit and Proper Person Requirement		Approval		
		Assurance	x	
		Update		
		Consider		
Strategic Objectives				
To provide outstanding care	To promote and support health and wellbeing	To maximise the potential of our workforce	To continuously learn and improve	To achieve better value
x	x	x	x	x
Overall Level of Assurance				
	Significant	Sufficient	Limited	None
		x		
Risks/Issues				
Financial	N/A			
Patient Impact	N/A			
Staff Impact	N/A			
Services	N/A			
Reputational	Failure to comply with the regulations could significantly impact on the reputation of the Trust			
Committees/groups where this item has been presented before				
Board of Directors 5 th May 2022				
Executive Summary				
<p>The Care Quality Commission Regulation 5: Fit and Proper Persons requirement came into force on 1st April 2015 and was revised in January 2018 to make explicit the requirement to undertake an enhanced DBS check for directors. The Trust was already doing this.</p> <p>The Policy and Procedure for the Fit and Proper Person Requirements was updated to reflect minor amendments in with changes to national NHS structures and approved by the Joint Staff Side Partnership Forum in September 2021.</p> <p>The regulation applies to all directors, executive and non-executive, permanent, interim and associate positions, irrespective of their voting rights. The regulation does not apply to the Council of Governors.</p> <p>The personal files of all directors are held in the Director of Corporate Affairs office. An audit of the files is undertaken annually and keeps a record of the documentation required these include DBS checks, insolvency checks and the annual self-declaration.</p> <p>A review of the personal files of all directors noted the evidence required to meet the requirements.</p>				