

Council of Governors

Subject:	Fit and Proper Person Requirement – Annual Report		Date: 9 th May 2023	
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
Identify which principal risk this report relates to:				
PR1	Significant deterioration in standards of safety and care			X
PR2	Demand that overwhelms capacity			X
PR3	Critical shortage of workforce capacity and capability			X
PR4	Failure to achieve the Trust's financial strategy			X
PR5	Inability to initiate and implement evidence-based Improvement and innovation			
PR6	Working more closely with local health and care partners does not fully deliver the required benefits			
PR7	Major disruptive incident			
PR8	Failure to deliver sustainable reductions in the Trust's impact on climate change			
Committees/groups where this item has been presented before				
N/A				
Acronyms				
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>				