

## Council of Governors

<b>Subject:</b>	Fit and Proper Person Requirement Annual Report	<b>Date:</b> 14 <sup>th</sup> May 2019		
<b>Prepared By:</b>	Shirley A Higginbotham Director of Corporate Affairs			
<b>Approved By:</b>	Shirley A Higginbotham Director of Corporate Affairs			
<b>Presented By:</b>	Shirley A Higginbotham Director of Corporate Affairs			
<b>Purpose</b>				
To provide assurance to the Council of Governors regarding compliance with the Fit and Proper Person Requirement		<b>Approval</b>		
		<b>Assurance</b>	x	
		<b>Update</b>		
		<b>Consider</b>		
<b>Strategic Objectives</b>				
<b>To provide outstanding care</b>	<b>To promote and support health and wellbeing</b>	<b>To maximise the potential of our workforce</b>	<b>To continuously learn and improve</b>	<b>To achieve better value</b>
x	x	x	x	x
<b>Overall Level of Assurance</b>				
	<b>Significant</b>	<b>Sufficient</b>	<b>Limited</b>	<b>None</b>
		x		
<b>Risks/Issues</b>				
<b>Financial</b>	N/A			
<b>Patient Impact</b>	N/A			
<b>Staff Impact</b>	N/A			
<b>Services</b>	N/A			
<b>Reputational</b>	Failure to comply with the regulations could significantly impact on the reputation of the Trust			
<b>Committees/groups where this item has been presented before</b>				
N/A				
<b>Executive Summary</b>				
<p>The Care Quality Commission Regulation 5: Fit and Proper Persons requirement came into force on 1<sup>st</sup> 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 approved by Trust Board in January 2017 and reviewed and updated in January 2019, in line with the renewal date and to take account of minor amendment in line with changes to national NHS structure. The renewed policy was approved by the Joint Staff Side Partnership Forum in January 2019.</p> <p>The regulation applies to all directors, executive and non-executive, permanent, interim and associate positions, irrespective of their voting rights.</p> <p>The regulation does not apply to the Council of Governors. However, a modified version of the fit and proper person template has been implemented at the most recent elections to include a self-declaration form attached. This will be required to be completed annually.</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>				

