

Council of Governors - Cover Sheet

Subject:	Fit and Proper Person Requirements – Update		Date:	13 th August 2024	
Prepared By:	Sally Brook Shanahan, Director of Corporate Affairs				
Approved By:	Sally Brook Shanahan, Director of Corporate Affairs				
Presented By:	Sally Brook Shanahan, Director of Corporate Affairs				
Purpose					
To provide assurance to the Council of Governors of full compliance with the updated NHSE Fit and Proper Person Framework requirements in force from 30 th September 2023.				Approval	
				Assurance	X
				Update	
				Consider	
Strategic Objectives					
Provide outstanding care in the best place at the right time	Empower and support our people to be the best they can be	Improve health and wellbeing within our communities	Continuously learn and improve	Sustainable use of resources and estates	Work collaboratively with partners in the community
X	X	X	X	X	X
Principal Risk					
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					
Executive Team Meeting – 24 th April 2024 Council of Governors meeting – 14 th May 2024 Board of Directors in public – 2 nd June 2024					
Acronyms					
FPPT – Fit and Proper Person Test FPP – Fit and Proper Person ESR – Electronic Staff Record SID – Senior Independent Director NHSE – National Health Service England					
Executive Summary					
At its meeting held on 14 th May 2024 the Council of Governors received its annually scheduled update on FPP requirements that included a description of the new NHSE FPPT Framework for board members effective from 30 th September 2023.					
The paper summarised the actions taken by the Trust in response to the requirements of the new Framework that included confirmation that the core documents comprising the Privacy Notice for Board members, the updated FPP Policy and the new FPP Recording and Reporting Guidance were all in place.					

Since then, the work to capture the outcomes of the required actions and checks into the ESR system, that is the mandated storage repository, have been completed and the first annual submission on the outcomes of the FPP assessments reviewed by both the outgoing and incoming Trust Chairs and the SID. The resulting return (containing information as at 30th April 2024) was scrutinised and signed off by the Chairs on 24th May 2024 and the SID on 6th June 2024. Thereafter the final return was submitted to the NHSE Regional Director and acknowledged on 11th June 2024 to complete the process, in advance of the deadline of 30th June 2024. NHSE (nationally) subsequently raised a question on 11th July 2024, that was fully answered and the response accepted on 18th July 2024 with no action required.

The Council of Governors is asked to note that the Trust has completed the new FPP process and met the requirements in a full and timely manner.

The Audit and Assurance Committee agreed that an internal audit on the implementation and compliance with the new FPP Framework should be included as a core audit within the Internal Audit Plan for 2024/25. The terms of reference for this internal audit were agreed and the internal audit field work concluded during July 2024. The final report is currently awaited. Based on discussion about the draft version it is expected it will provide at least significant assurance with any recommendations being low.

Separately, and beyond the scope of the new Framework, the Trust has extended the coverage of FPP testing to designated deputies to ensure greater assurance in the event a deputy is required to cover for an executive director role for an extended period.