

Date of meeting	7 June 2018
Paper number	D

Fit and Proper Person Test – Annual Report

For approval:	<input checked="" type="checkbox"/>	For assurance:	<input type="checkbox"/>	To note:	<input type="checkbox"/>
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Accountable Director	Tina Ricketts Director of People and Culture		
Presented by	Tina Ricketts Director of People and Culture	Author	Kimara Sharpe Company Secretary

Alignment to the Trust's strategic priorities				
Deliver safe, high quality, compassionate patient care		Design healthcare around the needs of our patients, with our partners		Invest and realise the full potential of our staff to provide compassionate and personalised care
Ensure the Trust is financially viable and makes the best use of resources for our patients		Develop and sustain our business		

Alignment to the Single Oversight Framework				
Leadership and Improvement Capability	<input checked="" type="checkbox"/>	Operational Performance		Quality of Care
Finance and use of resources		Strategic Change		Stakeholders

Report previously reviewed by		
Committee/Group	Date	Outcome
People and Culture	May 2018	Approved

Assurance: Does this report provide assurance in respect of the Board Assurance Framework strategic risks?			N	BAF number(s)		
Significant assurance <i>High level of confidence in delivery of existing mechanisms/objectives</i>	<input checked="" type="checkbox"/>	Moderate assurance <i>General confidence in delivery of existing mechanisms/objectives</i>	<input type="checkbox"/>	Limited assurance <i>Some confidence in delivery of existing mechanisms/objectives</i>	<input type="checkbox"/>	No assurance <i>No confidence in delivery</i>

Recommendations	The Board is requested to <ul style="list-style-type: none"> approve the inclusion of the deputies for the voting directors of the trust board and receive the report for assurance.
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Executive Summary
<p>This paper outlines the annual review that has been undertaken with respect to the Fit and Proper Person Test.</p> <p>All Board members plus the Company Secretary have reaffirmed the requirements in relation to the FPPT. The checklist for all Board members is shown in appendix 1. Additionally all the personnel files have been reviewed by the Company Secretary. This review shows that the files are up to date. The CQC recently undertook a spot check and no issues were identified.</p> <p>The outstanding items, which the Chairman has deemed as low risk include some mandatory training for executives and non-executives and the annual review of the directors register for two members of the board. The UK element of the director registers have been completed but we are awaiting confirmation from overseas.</p> <p>Currently if a voting member of the Board is unable to attend, their deputy attends in their place. Whilst this situation is unusual, it has happened during the year. My recommendation to the Board is to include the following posts within the FPPT:</p> <ul style="list-style-type: none"> • Deputy Chief Medical Officer • Deputy Chief Nurse (Quality) • Assistant Chief Finance Officer • Deputy Chief Operating Officer
Background
<p>The Fit and Proper Person test was introduced following the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014.</p> <p>Under the regulations all provider organisations must ensure that director level appointments meet the 'fit and proper persons test' and the regulations place a duty on NHS providers not to appoint a person or allow a person to continue to be an Executive Director or equivalent or Non-Executive Director under given circumstances.</p>
Issues and options
N/A
Recommendations
<p>The Board is requested to</p> <ul style="list-style-type: none"> • approve the inclusion of the deputies for the voting directors of the trust board and • receive the report for assurance.
Appendices
Fit and Proper Person Check list

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Appendix 13B - Annual Checklist Director and Director Equivalent

Please ensure that all the documentation below is retained on the employees' personal file, along with a copy of this form.

NAME:

POST:

Annual Checks

Item	No	✓	Date Checked / Completed	By Whom	Comment
Professional Registration or PIN Check				PA to DOP&C	
Fit and Proper Persons Annual Directors Declaration			April 2018	Company Secretary	
Annual Statement to Trust Board			June 2018	Company Secretary	
Maintenance of the register of declared interests.			April 2018	Company Secretary	
Annual checks for credit, bankruptcy and registration.				PA to DOP&C	
Mandatory Training				PA to CEO	
Formal appraisal processes.				PA to CEO	

Notes

- Any issues in obtaining the documentation to complete this checklist to be escalated to the Trust Chair for action.

I can confirm that all of the relevant documentation has been reviewed and dated:

Signed: _____

Date: _____

PA to Director of HR

Signed: _____

Date: _____

Company Secretary

I confirm that this Board member meets the Fit and Proper Person requirements as outlined by the CQC.

Signed: _____

Date: _____

Chair

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Any Outstanding Documents at the time of annual check

Document	Date Provided	Confirmation initials	Chair's signature	Date