

## Board of Directors – Open

Date: 12 August 2020

Item Ref: 12

<b>TITLE OF PAPER</b>	<b>Fit and Proper Person Declaration</b>
<b>TO BE PRESENTED BY</b>	David Walsh, Director of Corporate Governance (Board Secretary)
<b>ACTION REQUIRED</b>	It is recommended that the Board of Directors makes an annual declaration of Fit and Proper Person Compliance as at 31 July 2020.

<b>OUTCOME</b>	To comply with the necessity to make an annual declaration. 31 July 2020 has been pinpointed in relation to the CQC inspection findings and requirement to comply by that date.
<b>TIMETABLE FOR DECISION</b>	Consideration by Trust Board – Wednesday 12 August 2020
<b>LINKS TO OTHER KEY REPORTS / DECISIONS</b>	Delivery against CQC Action Plan 5, submitted to CQC on 29 May 2020 Delivery against objective within Well-Led Development Plan
<b>STRATEGIC AIM STRATEGIC OBJECTIVE</b>	Getting Back to Good
<b>BAF RISK NUMBER &amp; DESCRIPTION</b>	BAF0002 – Well Led
<b>LINKS TO NHS CONSTITUTION /OTHER RELEVANT FRAMEWORKS, RISK, OUTCOMES ETC</b>	NHS Foundation Trust governance arrangements Regulation 17 of the HSCA (RA) Regulations 2014: Good governance
<b>IMPLICATIONS FOR SERVICE DELIVERY &amp; FINANCIAL IMPACT</b>	None directly arising
<b>CONSIDERATION OF LEGAL ISSUES</b>	None directly arising aside from governance/compliance issue detailed above.

<b>Author of Report</b>	David Walsh
<b>Designation</b>	Director of Corporate Governance
<b>Date of Report</b>	5 August 2020

# Summary Report

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## 1. Purpose

For approval	For assurance	For collective decision	To seek input	To report progress	For information	Other (Please state)
	X	X				

## 2. Summary

Board approved a new Fit and Proper Person Policy at its meeting in June 2020. This was in relation to delivery against the CQC Action Plan (now part of the Back to Good Programme).

An annual declaration is required and a date of 31 July 2020 was determined in accordance with the timescales agreed with the CQC.

In summary, the Fit and Proper Person requirements ensure relevant persons (Board members):

- Are of good character
- Have the necessary qualifications, competence, skills and experience
- Are able to perform their work (after reasonable adjustments)
- Have not been response for, privy to or contributed to any serious misconduct or mismanagement.

The local application includes the receipt of appropriate references, the completion of any mandatory training (or other required training) and DBS clearance. A 'Google check' is also undertaken as part of the newly approved policy.

As of 31 July 2020, we complied with the Fit and Proper Person Requirements.

It should be noted that the appointment of a new Chair inevitably resulted in new gaps as from 1 August 2020. This has been separately reported to the Council of Governors as has the assurance that was received from NHSI in order for the appointment to proceed while the completion of this paperwork was undertaken.

## 3. Next Steps

The compliance report will be considered annually hereafter.

## 4. Required Actions

To receive and record the assurance of compliance.

## 5. Monitoring Arrangements

All policies are reviewed periodically, with arrangements in place to ensure this is tracked and those responsible notified in good time. The Fit and Proper Person Policy is due for review in 2023.

## 6. Contact Details

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