

**Sherwood Forest Hospital NHS Foundation Trust**

**Fit & Proper Person Recording and Reporting Guide**

**April 2024**

**Version 1.1**

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| **Version** | **Date** | **Author** |
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**Introduction**

Set out in the NHS England Fit and Proper Person Test Framework for Board Member (August 2023) are clear requirements for how we manage the Fit and Proper Person (FPP) data and the expected reporting requirements.

Section 3.10 sets out the expectations around how we record the data within the Electronic Staff Record (ESR) and this document gives clarity to the data items expressing how these will be recorded, updated and reported.

**Process**

On new appointments we need to undertake a formal check on ‘Board Members’ against the Fit and Proper Framework, and on an annual basis undertake a formal assessment of fitness and properness for each board member, these have been developed to give assurance.

**New Appointments -** Information will be detailed within new starter documentation and checks done prior to the individuals offer of employment and start date. The date needs to be entered into against the schedule in appendix 1.

**Existing Annual Reporting Requirements –** On an annual basis we are required to report on all currently employed ‘Board Members’ against the Fit and Proper Framework. We will use the data items the schedule in Appendix 1 to ensure we give assurance that all board members at Sherwood Forest Hospitals NHS Trust are compliance with the fit and proper person requirements as part of the Health & Social Care Act 2008.

A report will be produced for the Chair and Director of Corporate Affairs annually in April (See Appendix 2). At the time of producing this report we will revisit all required checks and validate the information we hold on ESR annually during March.

The guidance recommends it is good practice for the Chair to present a report on completion of the annual FFPT to the Board in a public meeting, and where applicable to the Council of Governors for Non-Executive Directors.

Where we have Board Members exiting the Trust the Director of Corporate Affairs will generate a reference, that will be stored on the individuals personal file and the date produced recorded in ESR (as per Appendix 1).

Occasionally we are requested for **Externally provided References**, these are for staff who have worked at Sherwood Forest Hospital in the past. These will be completed by the Director of Corporate Affairs and stored within the Fit & Proper Persons Shared Drive. We will record these as per Appendix 3.

**File Storage**

Information will be held in various areas for the Fit and Proper Person Test

**Electronic Staff Record (ESR)**

ESR will be used to hold high level electronic data on the FFP Test, as well as core personal data on an individual basis, this will include dates and outcomes.

**Fit & Proper Persons Shared Drive** - [U:\Central\HR\RECRUITMENT & SELECTION\Fit and Proper Persons Test]

This file will hold electronic copies of external references, the summary report for the annual return and the detailed checks that have been completed.

To ensure that data is secure we have created a secure shared folder, (above) this provides is secure for the Recruitment Manager, Associate Director of People (Transformation) and Director of Corporate Affairs.

The file has been split into different folders; these include:

* Board Member FPP Reports
* External References
* Guidance & Documentation

**Individual Personal File** – We will use the individual person file for hard copies of information, this is kept secure within the Director of Corporate Affairs office. Following the FFP framework and NHS Records Management Code of Practice we will retain detailed files for Board Members until the individuals 70th Birthday.

**Access to files**

The below details who have access to the files and information associated with the Fit and Proper Person Test.

**Fit & Proper Persons Shared Drive** - [U:\Central\HR\RECRUITMENT & SELECTION\Fit and Proper Persons Test] – This is a restricted folder; access is granted to:

* Director of Corporate Affairs
* Recruitment Manager
* Associate Director of People (Transformation)

**Individual Personal File –** These are access through the Director of Corporate Affairs office and personal files are held in a secure filing cabinet.

**Electronic Staff Record (ESR)** - Accessed via the Associate Director of People (Transformation)

**Appendix 1 - Information held in relating to the FFP Test**

|  |  |  |  |
| --- | --- | --- | --- |
| **FFP Data Item** | **Where held (Source)** | **ESR Link** | **Comments** |
| First Name\* | ESR | Entered as part of new starter process |  |
| Second Name\* | ESR | Entered as part of new starter process |  |
| Organisation\* | ESR | Entered as part of new starter process |  |
| Staff Group\* | ESR | Entered as part of new starter process |  |
| Job Title\* (current job description) | ESR | Entered as part of new starter process |  |
| Occupational Code\* | ESR | Entered as part of new starter process |  |
| Position Title\* | ESR | Entered as part of new starter process |  |
| Employment History\* | ESR | Entered as part of new starter process | Enter & Maintain | Others | Mandatory NHS Employment Checks | Employment History |
| Training & Development | ESR |  | Check if Mandatory Training up to Date – See People Analytics Team |
| References\* | * Date of Reference – ESR * Reference (Paper and Electronic) - FFP Shared Drive and Personal File | Enter & Maintain | Others | Mandatory NHS Employment Checks | References | Enter date reference received |
| Last Appraisal and Date | * Appraisal Date - ESR * Reference (Paper and Electronic) - FFP Shared Drive and Personal File | Enter & Maintain | Assignment | Others | Extra Information | Appraisal and Development Summary | Add in Performance Appraisal Meeting | Appraisal Date  \*Will only be included after first appraisal (annual) |
| Disciplinary findings | * Dates and Summary - ESR * Documentation - Case File / Personal File | Entered by People Operations |  |
| Any ongoing and discontinued investigations | Case Files |  |
| Type of DBS disclosed\* | ESR | Enter & Maintain | Others | Mandatory NHS Employment Checks | Date DBS Requested | Add type of DBS Required and reference number |
| Date DBS received\* | ESR | Add in date DBS Received |
| Disqualified directors register check | FFP Shared Folder / Personal File | Enter & Maintain | Others | Extra Information | Fit and Proper Persons Test | Add in date checked. |
| Date of medical clearance\* | ESR | Enter & Maintain | Others | Mandatory NHS Employment Checks | References | Enter revised Medical Clearance Dates if appropriate |
| Date of professional register check | ESR | Enter & Maintain | Others | Mandatory NHS Employment Checks | References | Enter revised details and date professional register / qualification checks completed.  If not required leave blank |
| Insolvency check | * Dates -ESR * Documentation - FFP Shared File | Enter & Maintain | Others | Extra Information | Fit and Proper Persons Test | Add in date checked. |
| Self-attestation form signed | * Dates -ESR * Documentation - FFP Shared File | Enter & Maintain | Others | Extra Information | Fit and Proper Persons Test | Add in date checked. |
| Social Media check | * Dates -ESR * Documentation - FFP Shared File | Enter & Maintain | Others | Extra Information | Fit and Proper Persons Test | Add in date checked.  Add in if the Social Media Policy has been met (Y/N) |
| Employment Tribunal judgement check | * Dates -ESR * Documentation - FFP Shared File | Enter & Maintain | Others | Extra Information | Fit and Proper Persons Test | Add in date checked. |
| Disqualification from being a charity trustee check | * Dates -ESR * Documentation - FFP Shared File | Enter & Maintain | Others | Extra Information | Fit and Proper Persons Test | Add in date checked. |
| Sign off by Chair / CEO |  | Enter & Maintain | Others | Extra Information | Fit and Proper Persons Test | Add in date checked. |
|  |  |  |  |
| Board Member Reference Complete/Retained\* |  | End Employment | [DFF] | Board Member Reference Completed | Only needs to be completed when reference has been completed. |

\*Fields marked with an asterisk do not require validation as part of the annual FFPT unless a specific reason arises.

**Appendix 2 – Annual Reporting Template**

Annually we will conduct FFP checks on all Board Members, and the below example report produced for the Chair and Director of Corporate Affairs to give assurance, where there are queries on the checks or information held, we will flag using the coding below. This will then form the basis for the annual Chairs report.



**Appendix 3 - Log of References**

