

## Council of Governors: Summary Sheet

**Title of Paper:** Introduction of Enhanced Disclosure and Barring Service Check for Governors and issuing of Governor ID badges

**Presented By:** Jayne Brown OBE, Chair

<b>Action Required:</b>	<b>For Information</b>	<input checked="" type="checkbox"/>	<b>For Ratification</b>	<input type="checkbox"/>	<b>For a decision</b>	<input type="checkbox"/>
	<b>For Feedback</b>	<input type="checkbox"/>	<b>Vote required</b>	<input type="checkbox"/>	<b>For Receipt</b>	<input type="checkbox"/>

To which duty does this refer:

Holding non-executive directors individually and collectively to account for the performance of the Board	<input type="checkbox"/>
Appointment, removal and deciding the terms of office of the Chair and non-executive directors	<input type="checkbox"/>
Determining the remuneration of the Chair and non-executive directors	<input type="checkbox"/>
Appointing or removing the trust's auditor	<input type="checkbox"/>
Approving or not the appointment of the trust's chief executive	<input type="checkbox"/>
Receiving the annual report and accounts and auditor's report	<input type="checkbox"/>
Representing the interests of members and the public	<input type="checkbox"/>
Approving or not increases to non-NHS income of more than 5% of total income	<input type="checkbox"/>
Approving or not acquisitions, mergers, separations and dissolutions	<input type="checkbox"/>
Jointly approving changes to the trust's constitution with the Board	<input type="checkbox"/>
Expressing a view on the Trust's forward plans	<input type="checkbox"/>
Consideration on the use of income from the provision of goods and services from sources other than the NHS in England	<input type="checkbox"/>
Monitoring the activities of the Trust to ensure that they are being conducted in a manner consistent with its terms of authorisation and the constitution.	<input type="checkbox"/>
Monitoring the Trust's performance against its targets and strategic aims	<input type="checkbox"/>

### How does this item support the functioning of the Council of Governors?

Undertaking Disclosure & Barring Service Checks on governors provides a level of assurance that governors are fit and proper persons as per the requirements of the Provider Licence.

**Author of Report:** Sam Stoddart

**Designation of Author:** Deputy Board Secretary

**Date:** 4 December 2017

## SUMMARY REPORT

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**Report to:** Council of Governors

**Date:** 14 December 2017

**Subject:** Introduction of Enhanced Disclosure and Barring Service Check for Governors and issuing of ID badges

**From:** Margaret Saunders, Director of Corporate Governance (Board Secretary)

**Prepared by:** Sam Stoddart, Deputy Board Secretary

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### 1. Purpose

The purpose of this paper is to inform the Council of Governors of the Board's decision to introduce Disclosure and Barring Service (DBS) checks for all governors in order to provide assurance that governors fulfil the requirements of the following:

- Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 5 - Fit and Proper Persons Test;
- Trust's Provider Licence;
- Trust's Constitution (Annex 7), and
- Managing Conflicts in the NHS Policy.

### 2. Summary

Currently the Trust requires governors to complete and sign an annual declaration which includes questions regarding:

- Being convicted of an offence;
- Being in breach of the Companies Act as a director or under Section 60 of the Companies Act 2006;
- Being subject to direction under Section 142 of the Education Act 2002;
- Being placed on the sex offender's register.

In order to strengthen the assurance provided to the Board and the public regarding the fitness of governors to undertake the role, the Trust will now introduce 3-yearly enhanced DBS checks for governors in line with good practice.

#### **Governor ID Badges**

Governors will be provided with a revised design of photo badge.

### **3. Next Steps**

Governors will receive a letter early in January 2018 detailing the process for undertaking the DBS check which will include a meeting with Human Resources (HR).

If a governor can evidence an enhanced DBS check with this organisation within the last three years they may not be required to undertake a further check. This will be required after the three year period.

### **4. Required Actions**

The Council of Governors is asked to:

- acknowledge the introduction of enhanced DBS checks for all Governors with immediate effect;
- acknowledge the requirement for these to be undertaken every 3 years;
- acknowledge and return Trust Governor ID badges;
- once contacted by HR, ensure they arrange to meet within the given timeframe.

### **5. Monitoring Arrangements**

The Director of Corporate Governance (Board Secretary) will oversee the process.

### **6. Contact Details**

For further information, please contact:  
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