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| MEETING TITLE Trust Board Meeting In Public | | MEETING DATE 28/01/2014 | |
| TITLE of PAPER | For Assurance: Standards for Members of NHS Boards and Clinical Commissioning Group Governing Bodies in England (November 2013) | | PAPER REF 5.4 |
| STRATEGIC OBJECTIVE | All | | |
| PURPOSE OF THE PAPER | That the Trust Board is assured of compliance with the implications of the <i>'Standards for Members of NHS Boards and Clinical Commissioning Group Governing Bodies in England'</i> . | | |
| For Approval | <input type="checkbox"/> | For Assurance | <input checked="" type="checkbox"/> |
| For Decision | <input type="checkbox"/> | Discussion/Information | <input type="checkbox"/> |
| AUTHOR / LEAD | Anne Allen, Director of Corporate Affairs & Trust Secretary | ACCOUNTABLE DIRECTOR | Chief Executive |
| DEBATED AT: | Committee/Group: Trust Executive Group | | Date: 22 January 2014 |
| PREVIOUSLY AGREED AT: | Committee/Group: Not Applicable | | Date: |
| RECOMMENDATION | That Board Members and Officers adopt the <i>Standards for Members of NHS Boards and Clinical Commissioning Group Governing Bodies in England</i> , through signing the attached declaration at Appendix A . | | |
| RISK ASSESSMENT | | | Yes No |
| Corporate Risk Register and/or Board Assurance Framework amended <i>If 'Yes' – expand in Section 4. / attached paper</i> | | | <input type="checkbox"/> <input checked="" type="checkbox"/> |
| Resource Implications (Financial, Workforce, other - specify) <i>If 'Yes' – expand in Section 2. / attached paper</i> | | | <input type="checkbox"/> <input checked="" type="checkbox"/> |
| Legal implications/Regulatory requirements <i>If 'Yes' – expand in Section 2. / attached paper</i> | | | <input checked="" type="checkbox"/> <input type="checkbox"/> |
| Quality and Diversity Implications <i>If 'Yes' – please attach to the back of this paper</i> | | | <input type="checkbox"/> <input checked="" type="checkbox"/> |
| ASSURANCE/COMPLIANCE | | | |
| Care Quality Commission Registration Outcome(s) | | All | |

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| | |
| NHSLA Risk Management Standards for Ambulance Trusts | 1: Governance |

Standards for Members of NHS Boards and Clinical Commissioning Group Governing Bodies in England, November 2013

1. PURPOSE/AIM

- 1.1 That the Trust Board is assured of compliance with the implications of the '*Standards for Members of NHS Boards and Clinical Commissioning Group Governing Bodies in England* [*the Standards*].

2. BACKGROUND/CONTEXT

- 2.1 On 13 September 2012 the Trust Board adopted '*The Code of Conduct for the Board of Directors*', an ethical framework for high standards of corporate and personal conduct which, together with the NHS Constitution, promotes the highest possible standards of conduct and behaviours within the Trust.

- 2.2 *The Standards* (Professional Standards Authority, November 2013) have been revised to reflect the findings of the *Report of the Mid Staffordshire NHS Foundation Trust Public Inquiry* ('the Francis report') and other subsequent reviews. The Government, in its response, said these Standards would form, "the basis for assessing the fitness of senior board-level leaders and managers" in a fit and proper person test.

- 2.3 The Trust has now implemented the fit and proper person test for each employed Member¹ through the respective Executive Director's Contract of Employment (2012).

A non-officer Member¹, usually a Non-Executive Director, is not employed by the Trust, and to whom *the Standards* equally apply.

The Trust Secretary, as an Officer², has a unique role in the Trust, and to which *the Standards* also appertain.

- 2.4 *The Standards* aim to ensure that members of the Trust Board should understand and are committed to the practice of good governance and to the legal and regulatory frameworks in which they operate including the extent and limitations of their personal responsibilities.

¹ "Member" means officer or non-officer member of the Board as the context permits. Members in relation to the board does not include the Chair

² "Officer" means employee of the Trust or any other person holding paid appointment or office with the Trust

^{1 & 2} - YAS Standing Orders, Reservation and Delegation of Powers & Standing Financial Instructions - 1.2.15 and 1.2.20 respectively

- 2.5 All Board Members (not just Executive Directors) and relevant Officers will be asked to adopt and sign up to the knowledge, extent and limitations of their personal responsibilities under *the Standards*, that is:

“To justify the trust placed in me by patients, service users, and the public, I will abide by these Standards at all times when at the service of the NHS.

I understand that care, compassion and respect for others are central to quality in healthcare; and that the purpose of the NHS is to improve the health and well-being of patients and service users, supporting them to keep mentally and physically well, to get better when they are ill and, when they cannot fully recover, to stay as well as they can to the end of their lives.

I understand that I must act in the interests of patients, service users, and the community I serve, and that I must uphold the law and be fair and honest in all my dealings.”

3. PROPOSALS/NEXT STEPS

- 3.1 That the Trust’s leaders and managers should also adopt these Standards which will form part of YAS’ Policy and practice for leadership and managers in future. The Executive Director of People and Engagement will ensure *the Standards* are embedded in proposals for leadership and management training and development in 2014.

4. RISK ASSESSMENT

- 4.1 There is a reputational risk to the Trust if *the Standards* are not appropriately adopted.

5. RECOMMENDATIONS

- 5.1 That Board Members and Officers adopt the *Standards for Members of NHS Boards and Clinical Commissioning Group Governing Bodies in England*, through signing the attached declaration at **Appendix A**.

6. APPENDICES/BACKGROUND INFORMATION

Appendix A: Declaration by Trust Board Members, Officers

Enclosure: Standards for members of NHS boards and Clinical Commissioning Group governing bodies in England, November 2013



Standards for members of NHS boards and Clinical Commissioning Group governing bodies in England
Professional Standards Authority, November 2013

DECLARATION BY TRUST BOARD MEMBERS, OFFICERS

“I, the undersigned, Member¹ / Officer² (as appropriate) agree:

I understand and am committed to the practice of good governance and to the legal and regulatory frameworks in which the Trust and individuals operate. As an individual, I understand both the extent and limitations of my personal responsibilities.

I agree, to justify the trust placed in me by patients, service users, and the public, I will abide by these Standards at all times when at the service of the NHS.

I understand that care, compassion and respect for others are central to quality in healthcare; and that the purpose of the NHS is to improve the health and well-being of patients and service users, supporting them to keep mentally and physically well, to get better when they are ill and, when they cannot fully recover, to stay as well as they can to the end of their lives.

I understand that I must act in the interests of patients, service users, and the community I serve, and that I must uphold the law and be fair and honest in all my dealings.”

¹ “Member” means officer or non-officer member of the Board as the context permits. Members in relation to the board does not include the Chair

² “Officer” means employee of the Trust or any other person holding paid appointment or office with the Trust

¹ YAS Standing Orders, Reservation and Delegation of Powers & Standing Financial Instructions - 1.2.15

² YAS Standing Orders, Reservation and Delegation of Powers & Standing Financial Instructions - 1.2.20

**Standards for members of NHS boards and Clinical Commissioning Group governing bodies in England
Professional Standards Authority, November 2013**

DECLARATION BY TRUST BOARD MEMBERS, OFFICERS

| NAME | TITLE | ROLE / TRUST BOARD | DATED | SIGNATURE |
|----------------|---|---|-----------------|-----------|
| Della Cannings | Chairman | Chairman | 28 January 2014 | |
| David Whiting | Chief Executive | Member / Executive Director | 28 January 2014 | |
| Pat Drake | Deputy Chairman / Non-Executive Director | Member / Non-Executive Director | 28 January 2014 | |
| Dr Elaine Bond | Non-Executive Director | Member / Non-Executive Director | 28 January 2014 | |
| Erfana Mahmood | Non-Executive Director | Member / Non-Executive Director | 28 January 2014 | |
| Barrie Senior | Non-Executive Director | Member / Non-Executive Director | 28 January 2014 | |
| Mary Wareing | Non-Executive Director | Member / Non-Executive Director | 28 January 2014 | |
| Rod Barnes | Executive Director of Finance and Performance | Member / Executive Director | 28 January 2014 | |
| Ian Brandwood | Executive Director of People and Engagement | Member / Executive Director | 28 January 2014 | |
| Russell Hobbs | Executive Director of Operations | Member / Executive Director | 28 January 2014 | |
| Dr Julian Mark | Executive Medical Director | Member / Executive Director | 28 January 2014 | |
| Steve Page | Executive Director of Standards and Compliance | Member / Executive Director | 28 January 2014 | |
| John Nutton | Non-Executive Director (Designate) | Officer / Non-Executive Director <i>Designate</i> | 28 January 2014 | |
| Anne Allen | Director of Corporate Affairs and Trust Secretary | Officer | 28 January 2014 | |