

REPORT CLASSIFICATION	✓	CATEGORY OF PAPER	✓
Official	✓	Proposes specific action	
Official: Sensitive Commercial		Provides assurance	✓
Official: Sensitive Personal		For information only	

BOARD	
29 JULY 2025	
Report Title:	Fit and Proper Person Test Compliance Report – June 2025
Purpose of report	
To provide the Board with an overview and assurance on the ICB's compliance with the requirements of the Fit and Proper Person Test (FPPT).	
Key points	
<ul style="list-style-type: none"> In accordance with NHS England guidance, an annual Fit and Proper Person Test was conducted. All Board members were deemed fit and proper and participated in the annual appraisal process. Assurance has been sought in line with national guidance for all Partner Board Members via their employing organisations. Board member references have been completed and retained for any leavers over the period. The NHS England return was submitted on 24 June 2025 reflecting the above. Information was provided to the people team in order to ensure ESR has been fully updated to reflect the completed annual checks. Appraisals have been completed for all Board Members. A copy of the ICB Chairs appraisal summary was provided to the NHS England Regional Team as required on 24 June 2025. 	
Risks and issues	
A risk to ICB non-compliance if the data fields have not been updated in the ESR database to hold board member records.	
Assurances and supporting documentation	
<p>The ICB policy and supporting processes adhere to all current guidance in relation to the Fit and Proper Person Framework.</p> <p>In addition:</p> <ul style="list-style-type: none"> Any updates and changes to the framework are included in the ICB Board newsletter which is received by all ICB Board members. The Internal Audit was completed and a high level of compliance with the control framework was found to be taking place, and the final report highlighted a 'good' assurance rating. <p>All Board members are confirmed as compliant with the FPPT requirements and have participated in the annual appraisal process. There have been no disqualified or non-compliant individuals identified.</p>	

Recommendation/action required						
The Board are asked to receive the update and be assured that the ICB is compliant with the Fit and Proper Person Test.						
Acronyms and abbreviations explained						
ICB - Integrated Care Board NENC - North East and North Cumbria NHSE - NHS England FPPT - Fit and Proper Person Test LCF - Leadership Competency Framework ESR - Electronic Staff Record SID - Senior Independent Director						
Sponsoring Director	D Cornell, Director of Corporate Governance and Board Secretary					
Date approved by Executive Director	11 July 2025					
Report author	K Sutherland, Corporate Governance Manager T Taylor, Board and Legal Services Officer					
Link to ICP strategy priorities						
Longer and Healthier Lives						
Fairer Outcomes for All						
Better Health and Care Services						✓
Giving Children and Young People the Best Start in Life						
Relevant legal/statutory issues						
Note any relevant Acts, regulations, national guidelines etc						
Any potential/actual conflicts of interest associated with the paper? (please tick)	Yes	✓	No		N/A	
Members are in scope for FPPT assessments, however as this report is providing assurance and does not contain any personal information they are able to receive the report.						
Equality analysis completed	Yes		No		N/A	✓
If there is an expected impact on patient outcomes and/or experience, has a quality impact assessment been undertaken? (please tick)	Yes		No		N/A	✓
Essential considerations						
Financial implications and considerations	Not applicable					
Contracting and Procurement	Not applicable					
Local Delivery Team	Not applicable					
Digital implications	Not applicable					
Clinical involvement	Not applicable					
Health inequalities	Not applicable					
Patient and public involvement	Not applicable					
Partner and/or other stakeholder engagement	Not applicable					
Other resources	Not applicable					

Fit and Proper Person Test Compliance Report – June 2025

1. Introduction

- 1.1. In August 2023, NHS England published the [Fit and Proper Person Test \(FPPT\) Framework](#) in response to specific recommendations from the [Kark Review \(2019\)](#) to support NHS organisations' compliance with the regulations.
- 1.2. The aim of the FPPT Framework is to strengthen and reinforce individual accountability and transparency for board members, thereby enhancing the quality of leadership within the NHS.
- 1.3. The new framework came into effect from 30 September 2023 and the ICB has fully adopted and implemented the requirements of the framework.

The ICB currently applies the FPPT framework to:

- Chair
- Executive Directors
- Independent Non-Executive Members
- Board Partner Members (requesting confirmation from their employing organisation).

- 1.4. This report provides assurance to the North East and North Cumbria Integrated Care Board that its members meet the statutory requirements of the Fit and Proper Person Test (FPPT), as outlined in Regulation 5 of the Health and Social Care Act 2008 (regulated activities) Regulations 2014, and that a robust board appraisal process is in place and actively implemented.

2. Internal Audit Findings

- 2.1. AuditOne completed an internal audit during 2024-25 and a high level of compliance with the framework was found to be taking place. The final report received a 'good' assurance rating and recommended three remedial actions in order to continue to improve internal processes. These were:

Ref.	Audit Action	Management Response	Current Position
1.1	The ICB's Recruitment Policy should be updated to provide further clarity on the criteria and roles that fall within the definition of "equivalent roles" for the fit and proper person test to ensure that required checks are carried out for all relevant roles.	A Fit and Proper Person Test Policy is being developed to accompany the existing Recruitment Policy, which will further clarify the ICB's processes (including the requirements for annual self-attestation) and who is in scope as per the regulations. Reference to this policy will also be included in the ICB's Recruitment Policy.	Complete - A Fit and Proper Person Policy was developed in line with current national guidance and approved at NENC ICB Executive Committee in July 2025. The policy outlines how the North East and North Cumbria Integrated Care Board will apply the FPPT Framework to ensure it complies with the requirements and completes the audit
1.2	Once finalised, the Fit and Proper Person Test Policy should be referenced to within the ICB's Recruitment Policy and should include the requirement to complete a FPPT self-declaration, the process for annual renewal of FPPT declarations as well as the	As per reference 1.1, the finalised FPPT policy will provide further clarity on this, however the risk identified is minimal as a local checklist (followed by both Governance and HR) detailing the FPPT requirements has always been in place since the	

Ref.	Audit Action	Management Response	Current Position
	additional checks that are to be completed for the FPPT (i.e. good character, qualification and financial soundness), and the requirement for copies of documents provided as part of the pre-employment checking process to be signed, dated and certified by the person taking the copies.	<p>regulations came into effect with evidence of good compliance recognised in the findings of this audit.</p> <p>In relation to the signing of pre-employment checks for the one individual sampled, the establishment of the TRAC system for recruitment in August 2024 has embedded controls around the signing and dating of documents as part of the pre-employment checks so this action is resolved as the system has already been strengthened.</p>	recommendations.
1.3	Information held for board members should be recorded on ESR and validated as part of the annual Fit and Proper Person Test to ensure that information about serving board members is up to date and current.	A process is underway with the HR Team to transfer all locally held information onto ESR. For any new recruitments, this is already resolved by the implementation of the TRAC process.	Complete - ESR fully updated with all completed Fit and Proper Person Test information.

3. Appraisals

- 3.1. The [Board Member Appraisal Framework](#) was launched 1 April 2025 for all Chairs, Chief Executives, Executive Directors and Non-Executive Members.
- 3.2. The framework incorporates the 6 domains of the [Leadership Competency Framework](#) into a single approach for all executive and non-executive roles and aligns with the [Fit and Proper Person Test \(FPPT\) framework](#).
- 3.3. Board member appraisals will be conducted in line with the NHS England Board Member Appraisal Framework which includes the appraiser requesting multi-source feedback in advance of the appraisal meeting.
- 3.4. In 2024-25, we have further strengthened our processes so that full FPPT compliance was provided in advance of appraisals to provide further assurance and a mechanism to feed into the appraisal discussion.
- 3.5. The preparation for and conduct of the ICB Chair's appraisal was facilitated by the Senior Independent Director (SID) in May 2025, including the collation of multi-source feedback from a range of partners and stakeholders.

4. Annual Assessment and Submission

- 4.1. An annual Fit and Proper Person Test was carried out and all Board members were concluded as fit and proper and had participated in the annual appraisal process.
- 4.2. There have been no disqualified or non-compliant individuals identified.
- 4.3. There have been no Board Members that have mitigations in place relating to any identified breaches.
- 4.4. NHS England has oversight of the ICB's compliance with the FPPT Framework through receipt and review of an annual FPPT submission. A copy of the Fit and Proper Person submission sent to NHS England on 24 June 2025 is attached for assurance at Appendix 1.
- 4.5. The outcome from the Chair's appraisal discussion was recorded and shared with NHS England on 24 June 2025 to facilitate regional director review.

5. Board Appointments

5.1 The following appointments have recently been confirmed via the appropriate governance processes within both NHS England and the ICB:

- The ICB Chair, Sir Liam Donaldson, has been reappointed for a further three-year term of office
- Two Local Authority Partner Members (Tom Hall and John Pearce) were approaching the end of their term of office in June 2025. The ICB Appointments Panel approved an extension to both appointments for a further three-month period.
- Two Independent Non-Executive Members (Eileen Kaner and David Stout) were coming to the end of their first term of office in June 2025. The ICB Appointments Panel approved the reappointment of both, Eileen Kaner for a further three-month term of office and David Stout for a further three-year term of office as Audit Chair for the ICB.

5.2 A further review of the Board composition will be undertaken as part of transitional governance arrangements the ICB will need to put in place as it moves to its strategic commissioning role as set out in the Model ICB Blueprint.

6. Assurance

6.1 To provide further assurance to the Board:

- All Board members submitted an annual self-attestation form within the reporting period.
- A letter of confirmation was received from all partner member's employing organisations where applicable with regards to being Fit and Proper.
- Board member references have been completed and retained for any leavers over the reporting period.
- Updates and changes to the framework, including prompts around conflicts of interest, have been included in the ICB Board newsletter for information which is received by all ICB board members.
- Audit Committee and Remuneration Committee received assurance on the ICB's compliance with the Fit and Proper Person framework.
- There have been no reported breaches or investigations during 2024/25.

7. Recommendations

6.1. The Board is asked to receive the Fit and Proper Person Test compliance report and advise whether any additional assurances are required.

8. Appendices

7.1. Appendix 1 – NENC ICB FPPT Submission to NHSE – June 2025.

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Date: 25 June 2025