

**NHS DORSET CLINICAL COMMISSIONING GROUP  
GOVERNING BODY SPECIAL MEETING  
INSPECTION OF REGISTERS**

<b>Date of the meeting</b>	22/05/2019
<b>Author</b>	A Gladwell - Head of Financial Accounts
<b>Purpose of Report</b>	The CCG maintains various registers and declarations of interest for both members and staff, to support governance arrangements. A summary of tenders and the Registers of Interest will be provided on the day.
<b>Recommendation</b>	The Governing Body is invited to inspect the Registers of Interests, Tenders, Hospitality, Gifts and Sponsorship. The 'Award of contract without competition' report has been presented to the Audit Committee throughout the year.
<b>Stakeholder Engagement</b>	Audit Committee, CCG members, management and staff
<b>Previous GB / Committee/s, Dates</b>	N/A

**Monitoring and Assurance Summary**

<b>This report links to the following Strategic Objectives</b>	<ul style="list-style-type: none"> <li>Leading and Working Differently</li> </ul>		
	<b>Yes</b> [e.g. ✓]	<b>Any action required?</b>	
		<b>Yes</b> Detail in report	<b>No</b>
All three Domains of Quality (Safety, Quality, Patient Experience)	✓		✓
Board Assurance Framework Risk Register	✓		✓
Budgetary Impact	✓		✓
Legal/Regulatory	✓		✓
People/Staff	✓		✓
Financial/Value for Money/Sustainability	✓		✓
Information Management & Technology	✓		✓
Equality Impact Assessment	✓		✓
Freedom of Information	✓		✓
<b>I confirm that I have considered the implications of this report on each of the matters above, as indicated</b>	✓		

Initials: AG

## 1. Introduction

- 1.1 In accordance with the Corporate Governance Framework the CCG maintains several registers, members and staff declarations to support appropriate governance arrangements. These have been reproduced within the report or will be available for inspection on the day.
- 1.2 The Register of Tenders Received is commercially confidential and viewing will be on this basis.

## 2. Report

### Losses and Compensation Payments

- 2.1 Annexes 4.10 and 4.13 of HM Treasury's Managing Public Money set out the relevant losses and special payments guidance and delegated limits to be followed by all NHS organisations. It is anticipated that only novel, contentious or repercussive cases will be referred to NHS England. The guidance defines these types of expenditure in greater detail and describes the action to be taken when they occur.
- 2.2 Losses and special payments are items that Parliament would not have contemplated when it agreed funds for the health service or passed legislation. By their nature they are items that ideally should not arise. They are therefore subject to special control procedures compared with the generality of payments, and special notation in the accounts to draw them to the attention of Parliament. They are divided into different categories, which govern the way each individual case is handled. This guidance is not applicable to any losses or special payments that arise from inter NHS transactions.
- 2.3 The CCG had one loss and three special payments in 2018/19. These were:
  - Loss in the sum of £4.20 related to discrepancy in Canford House petty cash float;
  - Special payment in the sum of £100.00 as an ex-gratia payment following process failure in the handling of a CHC application, subsequent appeals and reimbursement;
  - Special payment in the sum of £500.00 as an ex-gratia payment recommended by the findings of the Parliamentary & Health Service Ombudsman (PHSO) following disagreement over the care commissioned by the CCG;
  - Special payment in the sum of £28,800.00 as an ex-gratia payment to Leicester City Council to avoid the risk of court action, following an unsuccessful local dispute resolution process, regarding a disputed period of care.

## **Register of Use of Company Seal**

### ***Available on the day***

- 2.4 Where it is necessary that a document shall be sealed, the seal shall be affixed in the presence of two senior managers and a register should be kept as a record of the sealing of every document. Where any document will be a necessary step in legal proceedings on behalf of the CCG, it shall, unless any enactment otherwise requires or authorises, be signed by the Chief Officer or any Executive Director.
- 2.5 The use of the seal is generally used for contracts for the purchase/lease of land and/or building, major capital works, lease agreements, contracts or agreements with organisations other than NHS or other government bodies including local authorities.

## **Register of Tenders Received**

### ***Available on the day***

#### **The Register of Tenders Received is commercially confidential and viewing will be on this basis**

- 2.6 The Chief Officer or his nominated representative will be responsible for the receipt, endorsement and safe custody of tenders received until the time appointed for their opening. As soon as practicable after the date and time stated as being the latest time for the receipt of tenders, they shall be opened by two senior officers/managers designated by the Chief Officer and not from the originating department.
- 2.7 The involvement of Finance and Business Intelligence Directorate staff in the preparation of a tender proposal will not preclude the Chief Finance Officer or any approved Senior Manager from the Finance and Business Intelligence Directorate from serving as one of the two senior managers to open tenders. All Executive Directors/members will be authorised to open tenders regardless of whether they are from the originating department provided that the other authorised person opening the tenders with them is not from the originating department. The CCG's Company Secretary will count as a Director for the purposes of opening tenders.
- 2.8 Every tender record shall indicate with the date of opening and those present at the opening. A record shall be maintained by the Chief Officer, or a person authorised by him, to show for each set of competitive tender invitations made through the tender system:
- The name of all firms/individuals invited;
  - The name of firms individuals from which tenders have been received;
  - The date the tenders were received and opened;
  - The persons present at the opening;
  - The price shown on each tender;

- Any recorded alterations to the tender responses;
- Each entry to tender record will clearly show who made such entries.

## **Register of Hospitality**

### ***Available on the day***

- 2.9 All CCG staff and members of the Governing Body must comply with the CCG's Standards of Business Conduct and Conflicts of Interest Policy and NHS England's national guidance 'Managing Conflicts of Interest in the NHS', the Code of Conduct for NHS Managers 2002 and the ABPI Code of Professional Conduct relating to hospitality/gifts from pharmaceutical/external industry.
- 2.10 No order shall be issued for any item or items to any firm which has made an offer of gifts, reward or benefit to directors or employees, other than:
- isolated gifts of a trivial character or inexpensive seasonal gifts, such as calendars;
  - conventional hospitality, such as lunches in the course of working visits;
  - > £25 to be registered.

## **Declaration of Interests**

### ***Available on the day***

- 2.11 The NHS Code of Accountability requires Governing Body members to declare interests which are relevant and material to the Governing Body of which they are a member. The Chief Officer will ensure that a Register of Interests is established to record formally declarations of interests of Governing Body members. Reference here to Governing Body members shall mean CCG Board members, Executive Directors and Lay Members. All existing CCG Governing Body members should declare such interests. Any Governing Body members appointed subsequently should do so on appointment. In particular, the Register will include details of all Directorships and other relevant and material interests which have been declared by the above.
- 2.12 The CCG has a system in place to satisfy itself on an annual basis that the Registers of Interest are accurate and up to date. Conflicts of Interest declared at meetings are recorded within those meeting minutes and on an internal Conflicts of Interest Register. The Register will be available to the public and the Governing Body will take reasonable steps to bring the existence of the Register to the attention of local residents and to publicise arrangements for viewing it.

## 3. Conclusion

- 3.1 The Governing Body is requested to receive and consider the Registers and the Declaration of Interests.

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**Date: 17 May 2019**

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