

Policy title:	Fit and Proper Persons Policy.
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Summary:	The aim of this policy document is to ensure that individuals within Director Position comply with the Fit and Proper Persons requirements under Regulation 5.
Target audience:	All Insight Psychological Assessment Ltd Partnership Directors.
Authorised by:	Insight Psychological Assessments Director
Date issued:	1 September 2025
Next review date:	31 August 2026

Version no.	Issue date	Summary of amendments

1. The purpose of this policy is to ensure that all directors, partners, nominated managers at Insight Psychological Assessments Ltd meet the Fit and Proper Person Requirements under the Health & Social Care Act 2008 (Regulated Activities).

This policy sets out the process for ensuring the individuals in key leadership roles are of good standing & have the necessary competence and qualifications, and do not pose a risk to the safe and effective administration of ADHD/ASD assessments.



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2. This policy applies to:

- Partners in the organisation (directors)
- Nominated individuals
- Registered Managers
- Any other person with significant control over the organisation

3. Fit and Proper Person Requirements (FPPR)

All individuals in these roles meet the following five key criteria:

3.1 Good Character

- No history of fraud, dishonesty, financial mismanagement or abuse
- No previous misconduct in a professional capacity
- No record of actions that would question their integrity or ethical conduct

3.2 Qualifications, Competence and Skills

- Must have the necessary training, experience, and knowledge to fulfill their responsibilities.

3.3 Health and Physical Fitness

- Must be physically and mentally capable of performing their role without risk to themselves or others

3.4 No History of Serious Misconduct or Mismanagement

- Must not have been involved in serious care failings that led to regulatory enforcement action
- Must not have been removed as a director under the Companies Act or had CQC registration refused or revoked

3.5 No Inclusion on Any Barred Lists

- Must not be on the Disclosure and Barring Service (DBS) barred list
- No criminal convictions that would prevent safe practice in health and social care

Appendix 1

4. Pre-Appointment Screening

Before appointing any individual to a key position, Insight Psychological Assessments Ltd will conduct thorough pre-employment checks including:

- Enhanced Disclosure and Barring Service (DBS) check
- Professional Qualifications Verification



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- Reference checks from previous employers
- Companies House and Insolvency Register Check
- CQC Enforcement History Review
- Self- Declaration form on Fit and Proper Person criteria

Appendix 2

5. Ongoing Compliance and Monitoring

Insight Psychological Assessments Ltd will ensure ongoing compliance by:

- 5.1 Annual FPPR Declarations – all relevant individuals must sign a declaration each year confirming they will meet the requirements

Appendix 3

- 5.2 Training and Development – ensuring individuals stay up to date with regulatory and ethical responsibilities

6. Reporting and Managing Concerns

If concerns arise about an individual’s fitness or propriety, Insight Assessments will:

- 6.1 Conduct an internal Investigation – reviewing any allegations or performance concerns. Due to the nature of the partnership and for transparency purposes, Insight Assessment may commission an independent external professional to carry out this process.
- 6.2 Take Appropriate Action – this may include retraining, suspension, or removal from post where

necessary

7. Policy Review

This policy will be reviewed annually, or sooner if there are regulatory updates or changes in organisational structure.

Approval and Review Date:	
Approved by:	
Date:	



References: [Regulation 5: Fit and proper persons: directors - Care Quality Commission](#)



Component of the regulation	Providers must have regard to the following guidance
<p>5(1) This regulation applies where a service provider is a body other than a partnership</p>	<ul style="list-style-type: none"> • This regulation applies to all providers that are not individuals or partnerships.
<p>5(2) Unless the individual satisfies all the requirements set out in paragraph (3), a service provider must not appoint or have in place an individual—</p> <p>(a) as a director of the service provider, or</p> <p>(b) performing the functions of, or functions equivalent or similar to the functions of a director.</p>	<ul style="list-style-type: none"> • For NHS bodies it applies to executive and non-executive, permanent, interim and associate positions, irrespective of their voting rights. The requirement will also apply to equivalent director posts in other providers, including trustees of charitable bodies and members of the governing bodies of unincorporated associations. • Where a local authority is a provider, the regulations will not apply to elected members as they are accountable through a different route.
<p>5(3)(a) the individual is of good character</p>	<ul style="list-style-type: none"> • When assessing whether a person is of good character, providers must follow robust processes to make sure that they gather all available information to confirm that the person is of good character, and they must have regard to the matters outlined in Schedule 4, Part 2 of the regulations. It is not possible to outline every character trait that a person should have, but we would expect to see that the processes followed take account of a person's honesty, trustworthiness, reliability and respectfulness. • If a provider discovers information that suggests a person is not of good character after they have been appointed to a role, the provider must take appropriate and timely action to investigate and rectify the matter.



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<p>5(3)(b) the individual has the qualifications, competence, skills and experience which are necessary for the relevant office or position or the work for which they are employed,</p>	<ul style="list-style-type: none">• Where providers consider that a role requires specific qualifications, they must make this clear and should only appoint those candidates who meet the required specification, including any requirements to be registered with a professional regulator.• Providers must have appropriate processes for assessing and checking that the candidate holds the required qualifications and has the competence, skills and experience required, (which may include appropriate communication and leadership skills and a caring and compassionate nature) to undertake the role. These must be followed in all cases and relevant records kept.• We expect all providers to be aware of, and follow, the various guidelines that cover value-based recruitment, appraisal and development, and disciplinary action, including dismissal for chief executives, chairs and directors, and to have implemented procedures in line with the best practice. This includes the seven principles of public life (Nolan principles).
<p>5(3)(c) the individual is able by reason of their health, after reasonable adjustments are made, of properly performing tasks which are intrinsic to the office or position for which they are appointed or to the work for which they are employed</p>	<ul style="list-style-type: none">• This aspect of the regulation relates to a person's ability to carry out their role. This does not mean that people who have a long-term condition, a disability or mental illness cannot be appointed. When appointing a person to a role, providers must have processes for considering their physical and mental health in line with the requirements of the role.• All reasonable steps must be made to make adjustments for people to enable them to carry out their role. These must be in line with requirements to make reasonable adjustments for employees under the Equality Act 2010.



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<p>5(3)(d) the individual has not been responsible for, been privy to, contributed to or facilitated, any serious misconduct or mismanagement (whether unlawful or not) in the course of carrying on a regulated activity or providing a service elsewhere which, if provided in England, would be a regulated activity, and</p>	<ul style="list-style-type: none">• Providers must have processes in place to assure themselves that a person has not been responsible for, privy to, contributed to, or facilitated any serious misconduct or mismanagement in the carrying on of a regulated activity. This includes investigating any allegation of such and making independent enquiries.• Providers must not appoint any person who has been responsible for, privy to, contributed to, or facilitated any serious misconduct or mismanagement (whether lawful or not) in the carrying on of a regulated activity.• A director may be implicated in a breach of a health and safety requirement or another statutory duty or contractual responsibility because of how the entire management team organised and managed its organisation's activities. In this case, providers must establish what role the director played in the breach so that they can judge whether it means they are unfit.• Although providers have information on when convictions, bankruptcies or similar matters are to be considered 'spent' there is no time limit for considering serious misconduct or responsibility for failure in a previous role.
<p>5(3)(e) none of the grounds of unfitness specified in Part 1 of Schedule 4 apply to the individual.</p>	<ul style="list-style-type: none">• A person who will be acting in a role that falls within the definition of a "regulated activity" as defined by the Safeguarding Vulnerable Groups Act 2006 must be subject to a check by the Disclosure and Barring Service (DBS).• Providers must seek all available information to assure themselves that directors do not meet any of the



	<p>elements of the unfit person test set out in Schedule 4 Part 1. Robust systems should be in place to assess directors in relation to bankruptcy, sequestration, insolvency and arrangements with creditors. In addition, where a director meets the eligibility criteria, providers should establish whether the person is on the children's and/or adults safeguarding barred list and whether they are prohibited from holding the office in question under other laws such as the Companies Act or Charities Act.</p> <ul style="list-style-type: none"> • If a provider discovers information that suggests an individual is unfit after they have been appointed to a role, the provider must take appropriate and timely action to investigate and rectify the matter.
<p>5(6) Where an individual who holds an office or position referred to in paragraph (2)(a) or (b) no longer meets the requirements in paragraph (3), the service provider must—</p> <p>(a) take such action as is necessary and proportionate to ensure that the office or position in question is held by an individual who meets such requirements, and</p> <p>(b) if the individual is a health care professional, social worker or other professional registered with a health care or social care regulator, inform the regulator in question.</p>	<ul style="list-style-type: none"> • Providers must assess and regularly review the fitness of directors to ensure that they remain fit for the role they are in. Providers must determine how often to review fitness based on the assessed risk to business delivery and/or to the people using the service posed by the individual and/or role. • Providers must have arrangements in place to respond to concerns about a person's fitness in relation to Regulation 5(3) and (4) after they have been appointed to a role, which either they or others have identified, and providers must adhere to these arrangements. • Providers must investigate, in a timely manner, any concerns about a person's fitness or ability to carry out their duties, and where concerns are substantiated, they must take proportionate, timely action. Where a person's fitness to carry out their role is being investigated, appropriate interim measures may be required to minimise any risk to people who use the service.

FIT AND PROPER PERSONS EMPLOYED

NEW FUNDAMENTAL STANDARDS – HEALTH AND SOCIAL CARE ACT 2008 (REGULATED ACTIVITIES) 2014 – Regulation 5 (Directors)

Background

The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 places a duty on providers not to appoint a person or allow a person to continue to be an executive director or equivalent or a non-executive directors (NED) under given circumstances. These are that these individuals are:

- Of good character;
- Have the necessary qualifications, skills and experience;
- Are able to perform the work that they are employed for after reasonable adjustments are made;
- Can supply information as set out in Schedule 3 of the Regulations

FIT AND PROPER PERSON DECLARATION

Name of Director:
Current Post:
Date of Appointment:
Date of Declaration:



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GOOD CHARACTER

Area of Declaration	Yes	No	Details	Signature
1. Have you been convicted in the UK of any offence or been convicted elsewhere of any offence which, if committed in any part of the UK would constitute an offence?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
Area of Declaration	Yes	No	Details	Signature
2. Have you been erased, removed or struck off a register or professionals maintained by a regulator of health care or social work professionals?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
Area of Declaration	Yes	No	Details	Signature
3. As a Director, is there anything else that you should disclose in relation to you being of good character?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
Area of Declaration	Yes	No	Details	Signature
4. Are you an undischarged bankrupt or a person whose estate has had a sequestration awarded in respect of it and who has not been discharged?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
Area of Declaration	Yes	No	Details	Signature
5. Are you the subject of a bankruptcy restriction order or an interim bankruptcy restriction order or an order to like effect made in Scotland or Northern Ireland?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
Area of Declaration	Yes	No	Details	Signature
6. Are you a person to whom a moratorium period under a debt relief order applies under part VIIA (debt relief orders) of the Insolvency Act 1986(40)?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				



Area of Declaration	Yes	No	Details	Signature
7. Have you made a composition or arrangement with, or granted a trust deed for creditors and not been discharged in respect of it?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
Area of Declaration	Yes	No	Details	Signature
8. Are you included in the children's barred list or the adults' barred list of in any other corresponding list maintained under an equivalent enactment in force in Scotland or Northern Ireland?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
Area of Declaration	Yes	No	Details	Signature
9. Are you prohibited from holding the relevant office or position or from carrying out a regulated activity by or under any enactment?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				

Area of Declaration	Yes	No	Details	Signature
10. Have you been privy to, contributed to or facilitated any serious misconduct or mismanagement (whether unlawful or not) in the course of carrying on a regulated activity, or discharging any functions relating to any office or employment with a service provider?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
<i>If there has been any further discussion in relation to point 10, please detail below:</i>				
Area of Declaration	Yes	No	Details	Signature
11. Do you have the necessary qualifications, skills and experience to carry out your role (and have you provided evidence of any such qualifications)?			4 CEOs positions and 20 years experience in acute hospitals and Social care. Cranfield MBA	

<i>I confirm that we have no other evidence that contradicts this declaration</i>				
<i>If there has been any further discussion in relation to point 11, please detail below:</i>				
Area of Declaration	Yes	No	Details	Signature
12. Do you have strong values around care and compassion that enable you to 'lead by example' when working in the care sector and that are in line with the values of the organisation?			Please reference CV and the 5,000+ people who have worked for me over the last 20 years	
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
<i>If there has been any further discussion in relation to point 12, please detail below:</i>				
Area of Declaration	Yes	No	Details	Signature
13. Have you provided proof of identity and a recent photograph?			DBS submission passport, drivers licence and utility bill shown to HR	
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
Area of Declaration	Yes	No	Details	Signature
14. Have you provided an enhanced DBS disclosure that confirms your suitability to work with vulnerable people?			As above	
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
<i>If there has been any further discussion in relation to point 14, please detail below:</i>				

Area of Declaration	Yes	No	Details	Signature
15. Have you been subject to any formal disciplinary action or have concerns been raised about your conduct when working in health or social care or with children or vulnerable adults?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
<i>If there has been any further discussion in relation to point 15, please detail below:</i>				
Area of Declaration	Yes	No	Details	Signature
16. Have you provided full details of why your employment ended in any job where your duties involved work with children or vulnerable adults?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
<i>If there has been any further discussion in relation to point 16, please detail below:</i>				
Area of Declaration	Yes	No	Details	Signature
17. Do you have any gaps in employment (if so please provide a written explanation of these gaps)?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
<i>If there has been any further discussion in relation to point 17, please detail below:</i>				
Area of Declaration	Yes	No	Details	Signature
18. Do you have any physical or mental health conditions which are relevant to your capability, after reasonable adjustments are made, to properly perform tasks which are intrinsic to your employment or appointment for the purposes of the regulated activity?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
<i>If there has been any further discussion in relation to point 18, please detail below:</i>				



Area of Declaration	Yes	No	Details	Signature
19.As far as you are aware, did your appointment or recruitment follow a robust procedure including the taking up of appropriate references?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
<i>If there has been any further discussion in relation to point 19, please detail below:</i>				
Area of Declaration	Yes	No	Details	Signature
20.Are you committed to continuing professional development, training and improvement to ensure that you continue to be effective in your role?				
<i>I confirm that we have no other evidence that contradicts this declaration</i>				
<i>If there has been any further discussion in relation to point 20, please detail below:</i>				



Regulation 5: Fit and Proper Person Requirements
Director – Information Requirements: Personal File Checklist

Post Title:

Date of Appointment:

Proof of Identity including a recent photograph Yes No

Where relevant, DBS check and/or barring information under the Safeguarding Vulnerable Groups Act 2006 Yes No

Satisfactory evidence of conduct in previous employment concerned with the provision of services relating to health or social care, or children of vulnerable adults Yes No

Where a person has been previously employed in a position whose duties involved work with children or vulnerable adults, satisfactory verification, so far as reasonably practicable, of the reason why that person’s employment in that position ended Yes No

In so far as it is reasonably practicable to obtain satisfactory documentary evidence of any qualification relevant to the duties for which the person is employed or appointed to perform Yes No

A full employment history, together with a satisfactory written explanation of any gaps in employment Yes No



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Satisfactory information about any physical or mental health conditions which are relevant to the person's capability, after reasonable adjustments are made to properly perform tasks which are intrinsic to their employment or appointment for the purposes of the regulated activity

Yes No

Such other information as is required to be kept by the service provider under any enactment which is relevant to that individual

Yes No



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Information Requirements completed by:

Name	Position
Signed	Date

Fit and Proper Person Regulation Compliance Confirmed :

Name	Position
Signed	Date