

Subject no. C101J

Chartered Secretaries Qualifying Scheme – Level One

Health Service Governance

November 2017

Thursday morning, 30 November 2017

Time allowed: 3 hours and 15 minutes
(including reading time)

Do not open this exam paper until the presiding officer or an invigilator tells you to.

You must not take this paper out of the exam room.

The exam paper contains **six** questions. Each question carries 25 marks. You must attempt **four questions only**.

In this examination, abbreviations are usually used to refer to the key terms National Health Service (NHS), Foundation Trust (FT), and Clinical Commissioning Group (CCG).

Questions

Answer **four** questions from this paper.

- 1 Whilst some aspects of health service governance are underpinned by voluntary codes, some aspects are set out in legislation.

Required

- (a) Identify three key pieces of NHS-specific legislation and three key examples of NHS-specific voluntary guidance introduced since 1990. Analyse the main governance provisions and consider their impact on health service governance.

(16 marks)

- (b) Describe the 'comply or explain' approach of the UK Corporate Governance Code and comment on the effectiveness of this approach and its application to health service governance.

(9 marks)

(Total: 25 marks)

- 2 The role of the company secretary is often misunderstood and needs to be more consistently defined in NHS organisations. You have been invited to give a presentation to a national workshop for NHS non-executive directors.

Required

Set out presentation notes in which you:

- (a) Describe the most common misconceptions about the role of company secretary within NHS organisations.

(6 marks)

- (b) Explain the key skills, attributes, experience and qualifications required to fulfil the role of company secretary.

(8 marks)

- (c) Analyse why independence is a key factor in the role of company secretary and how it can be achieved.

(11 marks)

(Total: 25 marks)

- 3 You are the new company secretary of Gibchester Hospital NHS Foundation Trust ('Gibchester') and the council of governors is about to consider the appraisal process for its non-executive directors (NEDs).

One of the NEDs has disclosed a new appointment to a major health product manufacturer, which is recorded in the Register of Directors' Interests. Another NED is coming to the end of her second term of office and has been in post for five years.

The council of governors has asked you how it can assess the ongoing independence of NEDs in the light of a potential decision to reappoint these two NEDs.

Required

Prepare a paper for the council of governors which:

- (a) Sets out and defines the competencies for a NED that a good NED appraisal process would include. *(6 marks)*
- (b) Outlines the types of information the council of governors might need to know about a NED's performance, in order to consider reappointment. *(6 marks)*
- (c) Discusses the criteria for judging NED independence, in light of the two NEDs being considered for reappointment at Gibchester, and the barriers to effectiveness for NEDs. *(13 marks)*
- (Total: 25 marks)*

- 4 In the context of a CCG:

- (a) Describe the performance reporting framework required by NHS England and analyse the assurance that the governing body can take from it. *(15 marks)*
- (b) Explain the key elements of a Board Assurance Framework and the different levels of assurance that it demonstrates. *(10 marks)*
- (Total: 25 marks)*

- 5 Barker NHS Trust ('Barker') has incorporated the new procedures for raising concerns outlined in the 'Freedom to Speak Up' review by Sir Robert Francis. Recently, a member of staff has approached the senior independent director (SID) of Barker and made serious allegations about poor standards of care on night-time shifts on a particular ward. The SID has approached you for advice on how to proceed.

Required

- (a) Explain why the 'Freedom to Speak Up' review was put in place and what the outcomes were. (9 marks)
- (b) Explain the principles of the Employment Rights Act 1996 and the Public Interest Disclosure Act 1998. (9 marks)
- (c) Prepare an email advising Barker's SID on how to handle the disclosure that has been made to them. (7 marks)

(Total: 25 marks)

- 6 The programme board of the Linkup STP footprint is considering the various options for new models of care as it seeks to drive through transformational change. The programme board needs to prepare a paper for dissemination to all boards and governing bodies represented within the STP. The programme board is aware that a number of the organisations it represents are concerned about the governance arrangements for these new models of care.

Required

Prepare a briefing paper for the STP in which you:

- (a) Describe the structures of one new model of care and explain which partners within the STP might be involved in setting them up. (9 marks)
- (b) Outline the legal forms that these new models of care might take. (8 marks)
- (c) Analyse the governance implications of the legal forms that will need to be considered by the participating organisations. (8 marks)

(Total: 25 marks)

The scenarios included here are entirely fictional. Any resemblance of the information in the scenarios to real persons or organisations, actual or perceived, is purely coincidental.

