

Borders NHS Board

2012/13 ANNUAL REVIEW OF THE NHS BORDERS CODE OF CORPORATE GOVERNANCE

Aim

The purpose of this paper is to provide a summary of issues raised by the steering group tasked to complete the annual review of the NHS Borders Code of Corporate Governance (CoCG).

Background

The NHS Borders Code of Corporate Governance was reviewed and approved by the NHS Borders Board in January 2012.

An annual review cycle was agreed by the NHS Borders Board to ensure the document remains 'fit for purpose'.

The CoCG Steering Group was set up to discuss issues raised by the officers of the organisation and to make recommendations on updates and amendments necessary on the content of the Code.

Key Issues

Issues raised have been detailed in the following table headed as either Governance or Operational.

Governance Issue	Details of Issue	Recommendation	Action
Introduction of "Fair Warning" privacy breach detection	Privacy breach detection software has been provided by the Scottish Government to all Health Boards to monitor inappropriate records access	Include reference to "Fair Warning" under Standards of Business Conduct for NHS Staff	Update Section C Para 2
Board Policy on Counter Fraud	Audit Scotland co-ordinate a bi-annual National Fraud Exercise in which NHS Borders participates	Include reference to NHS Borders participation in the bi-annual National Fraud Initiative in the CoCG	Update Section D Para 3
Breaches of the Code of Corporate Governance	Breaches of the CoCG are currently reported to the CoCG Steering Group	All breaches of the CoCG to be reported to the Audit Committee and this information to be contained within the Guidance for Staff	Section C Para 4 25.1
Audit Committee Terms of Reference	The Audit Committee ToR was updated in June 2012	Include amendments to the Audit Committee ToR in the next revision of the CoCG	Section A Para 8b

Structure of NHS Borders Board	The CoCG makes reference to more than one Vice Chair for NHS Borders	Update the CoCG to reflect the requirement to have only Vice Chair for NHS Borders Board	Section A Para 2 Sub-Para 3
Bribery Act 2010	The Bribery Act 2010 superseded the Prevention of Corruption Acts 1906 and 1916	Include reference to the Bribery Act in Members Code of Conduct for information. Replace reference to the Prevention of Corruption Acts in Standards of Conduct for NHS Staff with the Bribery Act 2010 and include reference to penalties for offences under the Act	Section C Para 1
Operational Issue	Details of Issue	Recommendation	
Authorisation of overseas travel	Overseas travel to be authorised at Executive Director level	Clarify the delegated limits for overseas travel by creating a separate sub paragraph	Section E Para 4.2 Quotations etc New section (g) Overseas Travel
Procurement Contracts	CEL 05 (2012) stipulates that where national, regional or local contracts exist (including framework arrangements), use of these contracts is mandatory	Amend the Procurement and Tendering paragraph under the Scheme of Delegation & Key Roles to reflect this requirement	Section E (2) Procurement & Tendering

Summary

The above table was compiled to detail the issues raised following the 2012/13 review of the NHS Borders Code of Corporate Governance.

The suggested recommendations address the issues raised and provide clarity to officers of the Board strengthening governance arrangements and ensuring the document is operationally 'fit for purpose'.

The CoCG Steering Group have completed the required annual review as requested by the NHS Borders Board.

Recommendation

The Board is asked to **approve** the report.

Policy/Strategy Implications	N/A
Consultation	N/A
Consultation with Professional Committees	The Code of Corporate Governance has been reviewed by the CoCG Steering Group and the Audit Committee.
Risk Assessment	Failure to regularly review the Code of Corporate Governance may expose the Board to the risk that the document is not 'fit for purpose'.

Compliance with Board Policy requirements on Equality and Diversity	N/A
Resource/Staffing Implications	None identified

Approved by

Name	Designation	Name	Designation
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