

<https://www.hsj.co.uk/daily-insight/daily-insight-fit-and-proper-not-fit-for-purpose/7029641.article>

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[The latest in the University Hospitals of Leicester finance scandal](#) has seen NHS England's referral of two former directors to the CQC dropped.

The CQC confirmed this month that John Adler, former chief exec, and Paul Traynor, former CFO, could not be referred as they no longer worked for a registered healthcare provider.

This raises a few questions – why did NHS England refer the two directors if it couldn't go anywhere?

And is this yet another example of how the fit and proper persons referral process is not... fit for purpose?

In his expert review of the FPP, Tom Kark QC said the FPPT does not stop “the unfit or misbehaved from moving around the system”.

The Kark review also recommended creating a new body, the Health Directors' Standards Council, with the power to investigate complaints of misconduct by senior directors and bar them from sitting on NHS boards.

Jon Restell, chief executive of union Managers in Partnership, said he believes there is still mileage in the FPP, but the recent white paper on the new health bill suggests managerial regulation could still be on the cards.

This would mean the limited FPP would no longer be the only means to hold managers to account.