

# Governance solutions for your scheme

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CAPE TOWN ICC  
10-14 MAY 2025

*The*  
**24<sup>th</sup> Annual  
BHF Conference**

**COLLABORATING FOR VALUE**

*Partnerships Transforming  
the Future of Healthcare*



## Empowering boards to deliver value, drive strategy and protect members' interests

2



Unchartered waters

NHIA

Regulatory changes



King V

Updated corporate governance approach



Treating members fairly



Contracting with administrators and managed care organisations

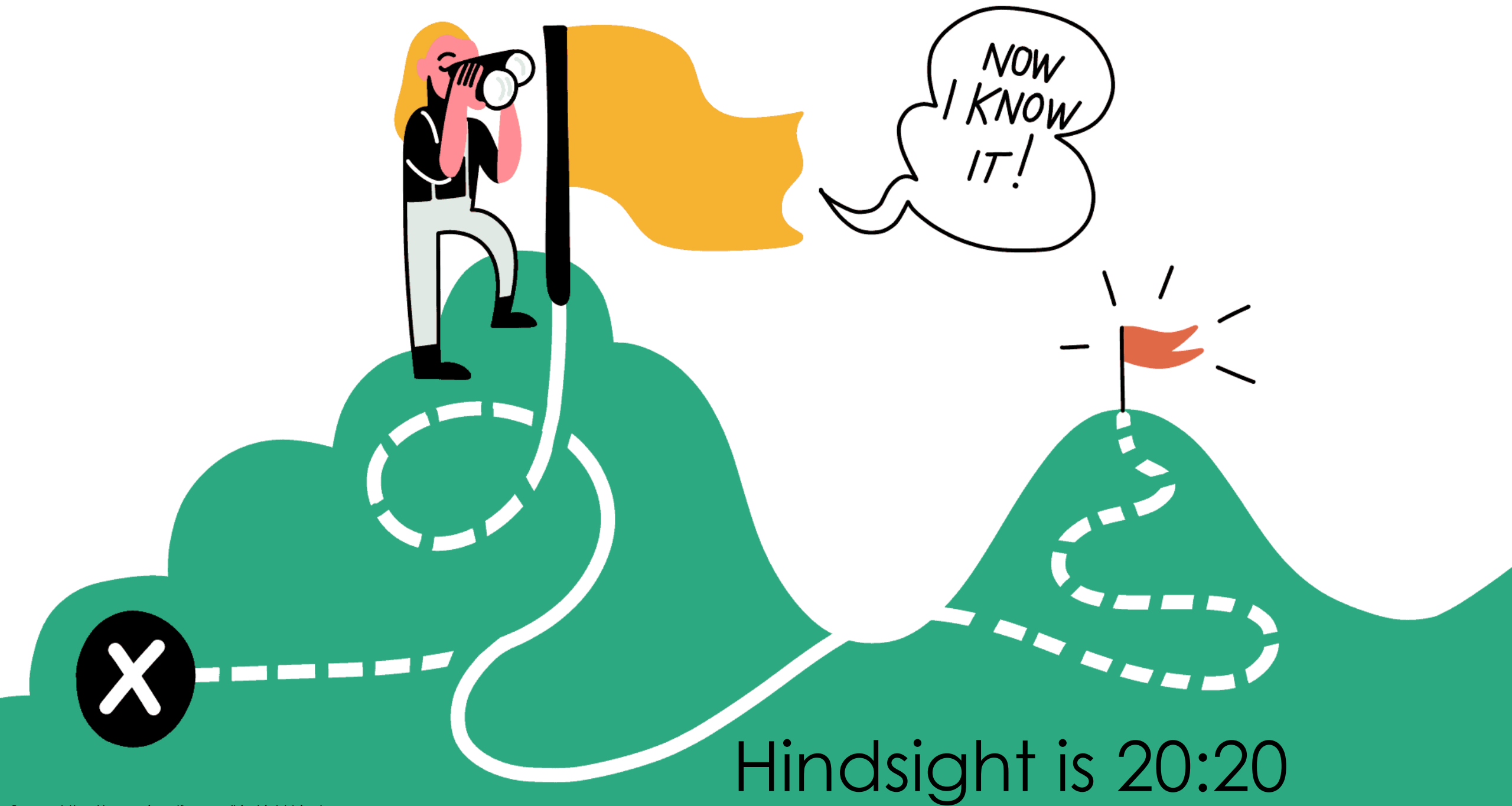


Key lessons from the collapse of a medical scheme

# What could go wrong?

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# CONSIDER



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# C is for...

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- **Constituency**
  - Member-elected
  - Employer-appointed
- **Collective decision-making**
  - Board of trustees v trustee
- **Confidentiality**



<https://connect.gladly.com/courses/collaborative-decision-making/>

# O is for...

7

- **Oversight**
  - Versus **doing** or **micro-managing**
  - Different **context**
  - Independent viewpoint **strengthens thinking**
  - Reduces **confirmation bias**



<https://craresources.com/blog/cro-oversight-and-it/>



# N is for...



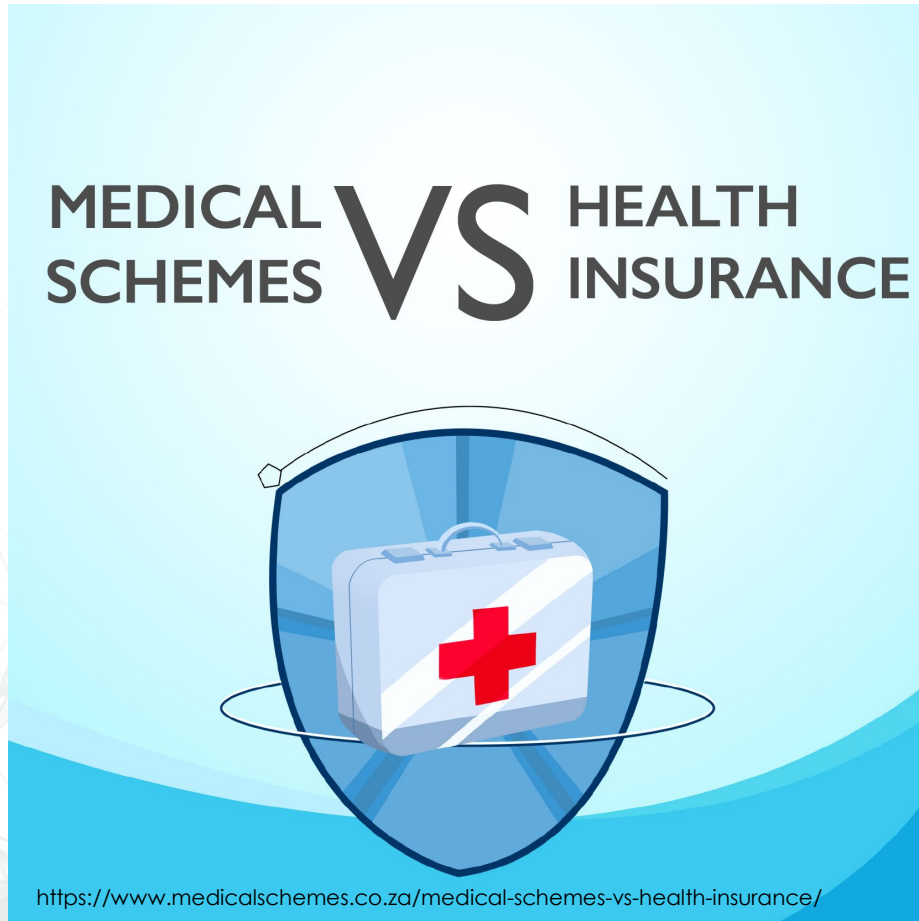
- **Negligence**

- Conduct standard
  - What would a **reasonable trustee in Trustee A's position** have done
  - What did Trustee A do?
- Take all **reasonable steps** to ensure that **interests of beneficiaries** are protected at all time in terms of:
  - **Rules**
  - **Act**
- BOT to act with **due care, diligence, skill**, and good faith



# S is for...

9



- **Scheme** is independent of its members:
  - Separate **body corporate**
  - **Separate assets and liabilities**
- **Seek expert advice**
  - Defence to negligence
- Proper control **systems** in place

# I is for...

10

- **Independent** thinking
  - **Critical thinking** and building on conversation vs **being obstructive**
- Trustees are provided with **appropriate information to inform their decision-making**
- **Act impartially** in respect of all beneficiaries
- Adequate and appropriate **information** communicated to members regarding rights, benefits, contributions and duties in terms of the Rules
- Appropriate professional indemnity and fidelity guarantee **insurance**

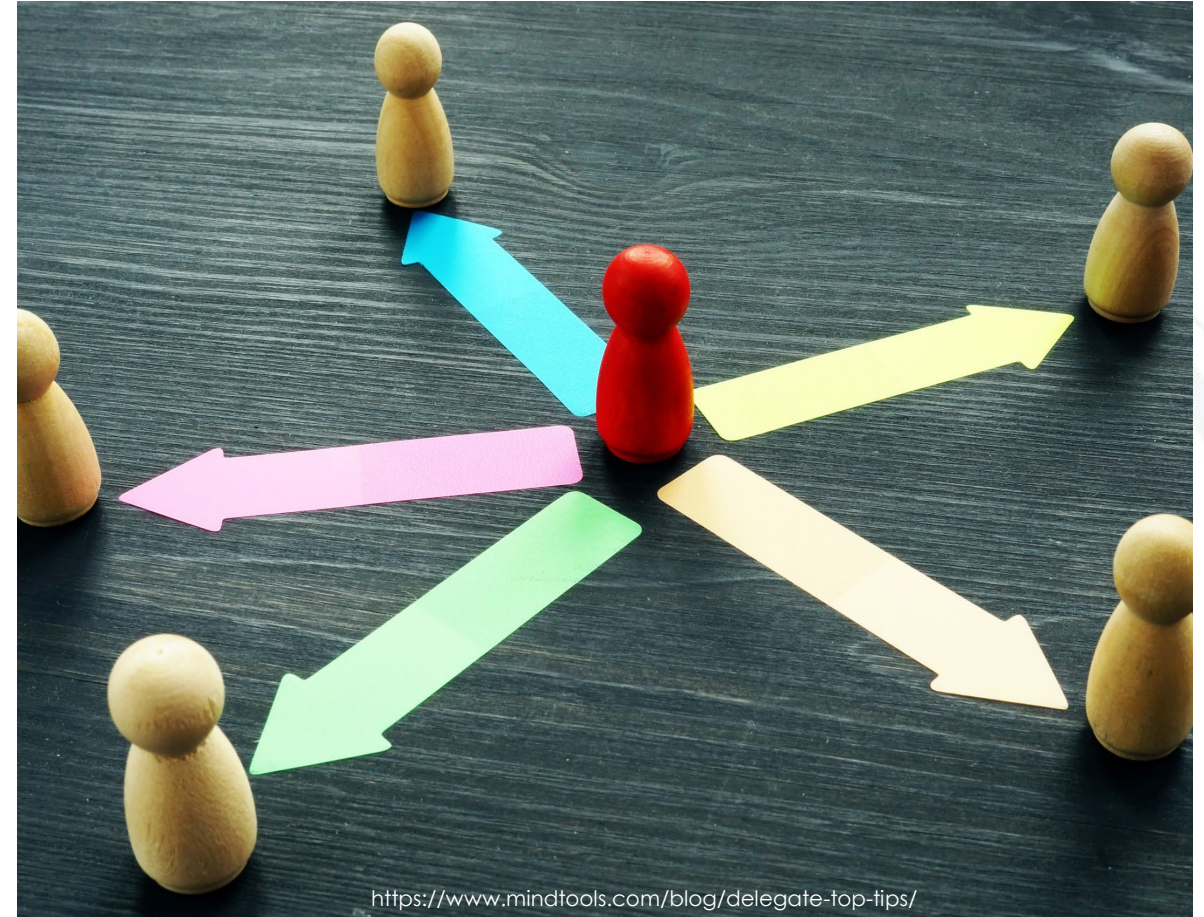


<https://www.parklanepracticeswindon.nhs.uk/services/patient-confidentiality/>

# D is for...

11

- **Delegate** to:
  - **Principal Officer** in terms of a formal Delegation of Authority document
  - **Administrators and managed care organisations** in terms of agreements
  - **Committees** in terms of areas of expertise
    - But final decision-making to remain with the Board
  - **Expert service providers**
- But once delegated, provide **oversight not micro-management**





# E is for...

12

**EDUCATE. ENGAGE. EMPOWER.**



- **Educate**

- Beneficiaries
- Employer groups
- Trustees
- General public

- **Ethics**

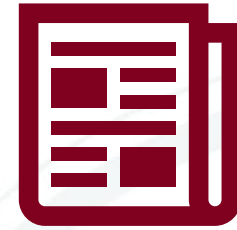
- **Codes of conduct and policies**
- Act in **good faith**
- Avoid **conflicts of interest**
- **Integrity**
- **Responsibility**
- **Competence**
- **Accountability**
- **Fairness**
- **Transparency**





## Rules

**Constitutional document** of scheme  
Importance of **governance provisions**  
Not just benefits and contributions



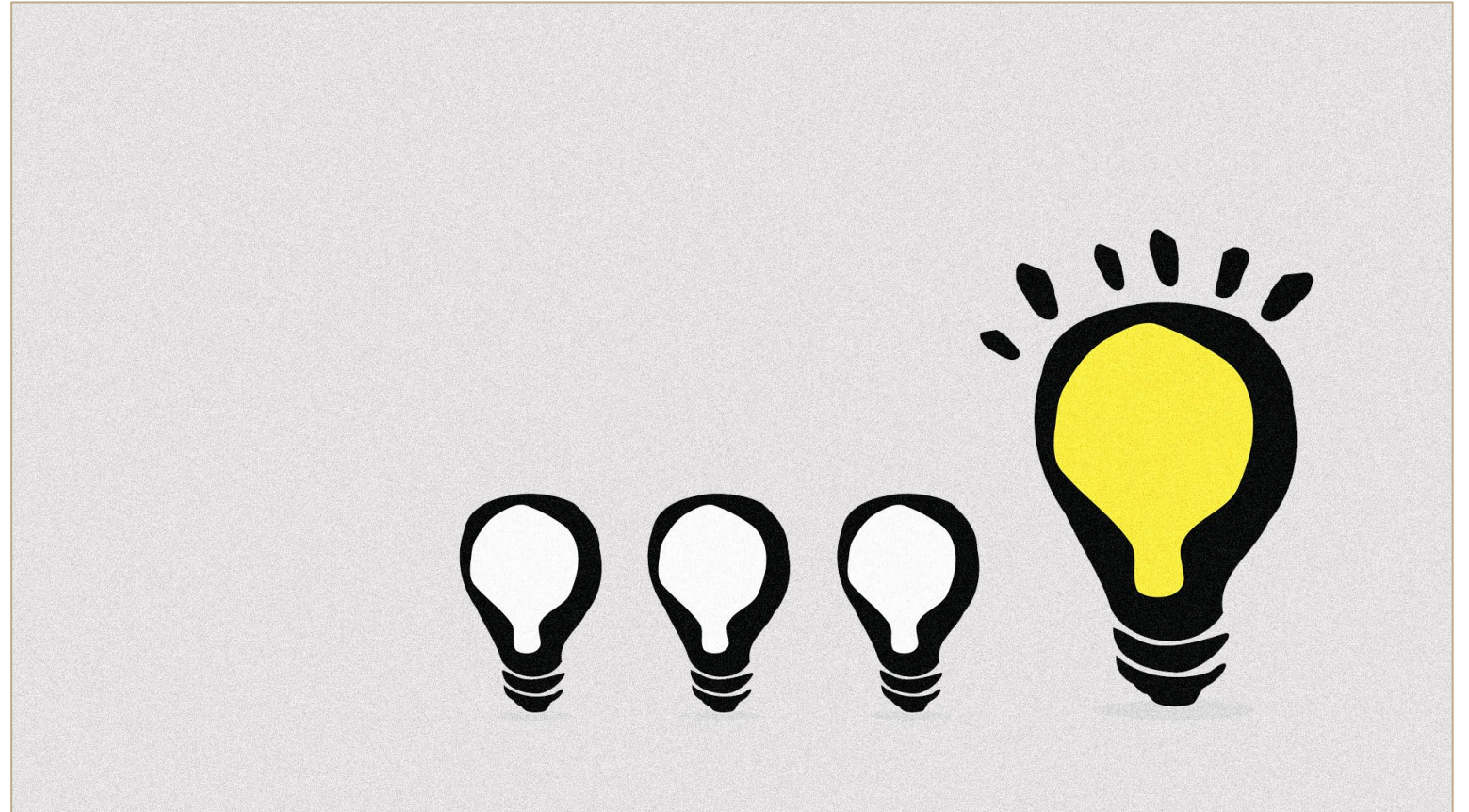
## Read

Rules  
Act  
Agenda packs  
BHF publications  
General media

# Most importantly...

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- **Consider** everything
  - Think deeply
    - Pros
    - Cons
    - Unintended consequences
  - Engage





# Questions?



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