

**NATIONAL HEALTH SERVICE**  
**ENGLAND**

**The NHS Kernow Clinical Commissioning Group Directions 2015**

The National Health Service Commissioning Board (“the Board”), in exercise of powers conferred by Section 14Z21 of the National Health Service Act 2006 (as amended by the Health and Social Care Act 2012), gives the following Directions.

**Citation, commencement and application**

- (1) These Directions are given to NHS Kernow Clinical Commissioning Group (“Kernow CCG”).
- (2) These Directions may be cited as the Kernow CCG Directions 2015 and come into force on 11 December 2015.
- (3) These Directions apply until they are varied or revoked by the Board and replace any existing Directions given to Kernow CCG which are hereby revoked.

**Exercise of functions**

- (4) The Board directs that:
  - a. Kernow CCG will produce a credible financial recovery plan (“Financial Recovery Plan”) which includes but is not limited to:
    - i. how Kernow CCG will operate within its annual budget for the financial year 2016/17 and how it will remain in recurrent balance thereafter;
    - ii. confirmation that all facts, figures and projections within the Financial Recovery Plan have been subjected to independent scrutiny by an organisation approved by the Board;

- iii. a complete analysis of the causes of the current underlying financial position and the reasons for unexpected deterioration in the financial position;
  - iv. a demonstration of clear links to internal budgets, reporting, activity plans, cash plans and contracting;
  - v. a clear risk assessment of the Financial Recovery Plan; and
  - vi. any other requirements stipulated by the Board;
- b. the Financial Recovery Plan will be subject to the Board's approval;
- c. Kernow CCG will implement the Financial Recovery Plan;
- d. Kernow CCG will co-operate with the Board regarding the implementation of the Financial Recovery Plan including but not limited to the prompt provision of information requested by the Board and making senior officers available to meet with the Board to discuss the Financial Recovery Plan, the implementation and the progress of the same; and
- e. it may direct Kernow CCG in any other matters relating to the Financial Recovery Plan.

(5) The Board further directs that:

- a. Kernow CCG will commission a capability and capacity review ("Capability and Capacity Review"). Kernow CCG shall obtain the Board's approval to the specification and the provider commissioned to carry out the review in advance of such appointment and shall co-operate with the Capability and Capacity Review including:
  - i. full disclosure of information to the reviewing organisation; and
  - ii. promptly providing any information, documents and records requested by the Board and making senior officers available to meet with the Board to discuss the Capability and Capacity Action Review and the progress of the same.
- b. it may direct Kernow CCG in any other matters relating to the Capability and Capacity Review.
- c. following completion of the Capacity and Capability Review Kernow CCG will develop an action plan to be known as the Capability and Capacity Action Plan which shall be approved by the Board and then:-

- iii. implements the recommendations in accordance with the Board's instructions; and
- iv. promptly providing any information, documents and records requested by the Board and making senior officers available to meet with the Board to discuss the Capability and Capacity Action Plan, the implementation of any recommendations which are accepted by the Board and the progress of the same

### **Executive Team and Senior Appointments**

- (6) The Board directs that:
- a. Kernow CCG will notify the Board of the need to make any appointments to its Executive Team or its next tier of management;
  - b. where it considers it necessary to do so, the Board will determine the process to be followed by Kernow CCG in making appointments as referred to in paragraph 6a.
  - c. the appointment of any person to a position referred to in paragraph 6a and the terms of such appointment will be subject to prior approval by the Board; and
  - d. Kernow CCG will co-operate with the Board regarding the appointment of any person in accordance with paragraph 6a, including but not limited to the prompt provision of information, documents and records requested by the Board and making senior officers available to meet with the Board.

### **Appointment of Turnaround Director**

- (7) The Board directs that:-
- a. the Board will determine the process to be followed to make an appointment to the position of Turnaround Director for Kernow CCG;
  - b. the appointment of the Turnaround Director and the terms of such appointment will be subject to prior approval by the Board; and
  - c. Kernow CCG will co-operate with the Board regarding the appointment of its Turnaround Director, including but not limited to the prompt

provision of information, documents and records requested by the Board and making senior officers available to meet with the Board.

### **Compliance with these Directions**

- (6) The Board directs that Kernow CCG will co-operate with the Board regarding the Board's oversight of Kernow CCG's compliance with these Directions, including but not limited to the prompt provision of information, documents and records requested by the Board and making senior officers available to meet with the Board.

A handwritten signature in black ink, appearing to read 'Simon Stevens', with a horizontal line underneath the name.

**Simon Stevens**  
CEO, NHS England