

NHS COMMISSIONING BOARD AUTHORITY

Decisions of the Meeting of the Public Board Meeting Held on 9 December 2011

	Agenda Item	Person(s) Responsible
2	Governance and Functions	
<p>As a public body, the NHS Commissioning Board Authority must conduct its business as transparently as possible, with a strong emphasis on accountability to Parliament and the public. It is important that board operations exemplify this. This paper detailed the proposed Authority governance structure and board arrangements and the Board was requested to determine if these proposals will enable the board to conduct its business in a transparent manner.</p>		
<p>The Board resolved:</p> <ol style="list-style-type: none"> 1. To approve the proposed board membership. 2. To approve the proposed governance structure and Board arrangements with the following amendments: <ol style="list-style-type: none"> a. Terms of Reference – Remuneration Committee <p style="margin-left: 40px;">Frequency</p> <p style="margin-left: 40px;">To read – “The committee shall meet not less than twice a year”.</p> b. Terms of Reference – Audit Committee <p style="margin-left: 40px;">Attendance</p> <p style="margin-left: 40px;">First sentence to read – “ The Director of Finance, Chief Internal Auditor and appropriate Internal Audit service provider and External Audit representatives shall be required to attend meetings”.</p> <p>(This included the establishment of an Audit Committee and a Remuneration Committee, the Terms of Reference of these committees and the approval of: Matters Reserved to the Board; Ways of Working</p>		

(incorporating Standing Orders); Standing Financial Instructions; and a Scheme of Delegation.)	
3	Approval of Policies
<p>Although the NHS CBA is still a small organisation and currently holds limited information, the FOI Act places an immediate duty on the NHS CBA to produce an approved publication scheme, which is a means of providing the public with access to information that the organisation will proactively publish.</p> <p>The NHS CBA must have in place principles and procedures for minimising, managing and registering potential conflicts of interests, which could be deemed or assumed to affect the decisions made by those involved in the business of the Authority. These decisions could include awarding contracts, procurement, policy, employment and other decisions.</p> <p>The Authority board members covered by this policy document should not allow their judgement or integrity to be compromised. They should be, and be seen to be, honest and objective in the exercise of their duties and should understand fully their terms of appointment, duties and responsibilities.</p> <p>The proposed Declarations of Interest documentation combined with the relevant sections of the proposed Standing Orders (and the proposed Standards of Business Conduct, to be submitted to the next board meeting) will fully address this matter.</p>	
<p>The Board resolved:</p> <ol style="list-style-type: none"> 1. to note the NHS CBA's legal duties and proposed upcoming publications and that the NHS CBA's publication scheme will direct people to this information as it is published; and 2. to approve the Declarations of Interest documentation. 	
4	Ratification of Decisions
<p>In order to establish the NHS Commissioning Board Authority on 31st October 2011, it was necessary for the Department of Health (DH) to progress some initial establishment work on behalf of the incoming board. Key decisions related to the recruitment of staff to set up the Board Authority, to the creation of a visual identity for the new organisation and its use on the Board Authority website and in other communications, and the provision of an interim shared</p>	

service for HR, procurement and finance.	
<p>The Board resolved:</p> <p>To ratify decisions taken by the Department of Health prior to the establishment of the NHS Commissioning Board Authority relating to:</p> <ol style="list-style-type: none"> 1. the publication of the Phase One People Transition Policy; 2. the development of a visual identity for the NHS Commissioning Board Authority; and 3. the interim provision of shared services to the NHS Commissioning Board Authority. 	
5	Equality – Meeting the Public Sector Equality Duty
<p>As a statutory body listed under schedule 19 of the Equality Act 2010 and schedule 1 of its regulations, the Authority must be fully compliant with both the general and specific Public Sector Equality Duties from the outset. Work has already begun to embed equality in our activities. An equality analysis has been undertaken to assess the equality impact of the Authority's functions and identify key actions required to ensure compliance.</p>	
<p>The Board resolved:</p> <ol style="list-style-type: none"> 1. To note the general and specific equality duties, including the requirements to: <ol style="list-style-type: none"> a. publish sufficient information to demonstrate compliance with the general equality duty across its functions by 31 January 2012; and b. prepare and publish equality objectives by 6 April 2012; and 2. to note the work underway to ensure compliance. 	
6	AOB and date of next meeting

The Board resolved:

1. to note that the date of the next meeting is 2nd February 2012.

Peter Marshall
12th December 2011