

NHS COMMISSIONING BOARD AUTHORITY

Title: RATIFICATION OF DECISIONS MADE BY THE DEPARTMENT OF HEALTH PRIOR TO ESTABLISHMENT OF THE AUTHORITY

Clearance: Bill McCarthy, NHS Commissioning Board - Managing Director

Purpose of Paper: The purpose of this paper is to inform the board of decisions necessarily taken by the Department of Health (DH) to support the establishment of the Board Authority on 31 October 2011, which relate to:

- the Phase One People Transition Policy;
- the visual identity of the Board Authority; and
- the Interim shared service provision; and

to seek formal ratification of these decisions.

Key Issues and Recommendations: 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 service for HR, procurement and finance.

The recommendation is that the board ratify the decisions outlined in the attached paper.

Actions Required by Board Members:

1. To ratify decisions taken by the Department of Health prior to the establishment of the NHS Commissioning Board Authority relating to:
 - the publication of the Phase One People Transition Policy;
 - the development of a visual identity for the NHS Commissioning Board Authority; and
 - the interim provision of shared services to the NHS Commissioning

Board Authority by the NHS Business Services Authority.

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Context

1. As part of the work to establish the NHS Commissioning Board as a Special Health Authority on 31 October 2011, it was necessary for the Department of Health (DH) to progress some initial establishment work on behalf of the incoming board. These decisions related to recruiting the first tranche of staff needed to set up the Authority, establishing a visual identity for the new organisation and using this on the Authority website and other communications tools, and the interim provision of support functions as a shared service. This paper seeks ratification of these initial decisions.
2. This establishment work was developed within the context of legal advice, which made clear that the DH could only incur expenditure on reasonable preparatory work in anticipation of the enactment of the Health and Social Care Bill. DH could not commit longer-term expenditure on a body whose existence is subject to the passage of the Bill, or make long-term decisions on behalf of the board of a future Executive Non-Departmental Public Body.

The People Transition Policy

3. DH issued the Human Resources Transition Framework in early July 2011 outlining the principles applying to the HR and employment processes supporting the potential transfer of functions and roles and appointments to the new bodies in the health and social care system.
4. Each new organisation, including the Authority, is expected to apply the principles and guidance set out in the HR framework in its own People Transition Policy (PTP). The PTP for the Authority was developed in collaboration with the HR Transition Partnership Forum, involving employers and trade union representatives.
5. The PTP, attached at Annex A for the board's consideration, provides information about working for the Authority, terms and conditions, and how transfers and appointments will be managed. It includes a redeployment policy for transition and principles for relocation.
6. The PTP is currently being used to guide the transfer and recruitment of the national directors.
7. The PTP was published in advance of the establishment of the Authority and before the detailed structures were known. It was therefore agreed that the Authority should monitor its implementation and, with the HR Transition Partnership Forum, review it in the light of this experience and with the benefit

of more information about the proposed functions, activities and detailed structures of the organisation.

8. Moving forward, subject to the board's ratification of the Phase One PTP, a Phase Two PTP will be developed by the Authority to guide the more extensive phase of appointments expected later in 2012-2013. The publication of the Phase Two PTP is expected to coincide with our current planning assumptions about when the Health and Social Care Bill might receive Royal Assent.

Visual Identity

9. In light of the legal advice outlined in paragraph 2, DH commissioned the minimum design work required to get the Authority up and running on 31st October 2011. This consisted of a simple, fit for purpose, visual identity made up of NHS logotype, specific colours from the NHS colour palette, imagery and specific typeface from the overarching NHS identity. Further details are attached at Annex B for the board's consideration.
10. This simple initial identity was applied to the essential communications tools that the Authority needed to establish itself: the website, an electronic letterhead, and core document templates.
11. Subject to the board's ratification of the initial design work, the Authority will take forward the application of the brand to further communications tools as and when the Authority requires them. In the longer-term, the Authority will start the necessary preparatory work for the development of an identity for the NHS Commissioning Board, once established as an Executive Non-Departmental Public Body by October 2012 (subject to the will of Parliament).

Shared Services

12. The review of DH Arm's Length Bodies (July 2010) made clear the requirement for all existing and new Arm's Length Bodies to participate in a cross-Whitehall initiative to support and deliver the Government's shared service agenda, which seeks to identify cost reductions in the running or provision of non-core back-office services for DH and its Arm's Length Bodies. In support of this initiative, DH agreed, in October 2011, that the NHS Business Services Authority will provide interim shared services to the Authority to cover HR transactions, financial transactions and procurement.