

NHS COMMISSIONING BOARD AUTHORITY

Minutes of the Board Meeting Held in Public on 9 December 2011

Present: Professor Malcolm Grant, Chair
Sir David Nicholson, Chief Executive
Mr Ed Smith, Non-executive Director
Sir David Nicholson, Chief Executive
Sir Bruce Keogh, Medical Director
Mr Paul Taylor, Interim Director of Finance

In attendance: Mr Bill McCarthy, Managing Director Commissioning Board
Dame Barbara Hakin, National Managing Director
Commissioning Development, Department of Health
Mr Peter Marshall, Board Secretary
Ms Lorraine Middlemas, Board Secretariat

MINUTES OF MEETING

Item 1 – Oral Item – Welcome and Introductory Comments

1. The Chair opened the first meeting of the NHS Commissioning Board Authority (NHS CBA) and welcomed all Board members and attendees. In the introductory comments, the Chair and the Chief Executive set out their vision for the NHS and the role of the NHS CBA in supporting the NHS to deliver better outcomes for patients and improve on quality.

Item 2 – Paper NHSCBA/12/2011/1 - Governance and Functions

2. Under this item, Board members were asked to approve the following:
 - the NHS CBA's governance structure and board arrangements;
 - a Schedule of Matters Reserved to the Board;
 - Ways of Working (incorporating Standing Orders);
 - Standing Financial Instructions; and
 - a Scheme of Delegation.
3. The Board resolved to approve all of the above, with the following amendments:
 - Terms of Reference – Remuneration Committee
frequency, to read – “The committee shall meet not less than twice a year”.
 - Terms of Reference – Audit Committee
Attendance, the 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”.

Item 3 – Paper NHSCBA/12/2011/2A Approval of Policies: Freedom of Information and NHSCBA/12/2011/2B Approval of Policies: Declaration of Interest.

4. There were two separate papers to consider under this item:

Paper NHSCBA/12/2011/2A – Approval of Policies: Freedom of Information

5. This paper asked Board members to note the NHS CBA's duties under the *Freedom of Information Act 2000 (FOI Act)*. It also informed Board members of the NHS CBA's anticipated future publications that will support the NHS CBA to meet its duties.
6. Board members resolved to note the NHS CBA's legal duties and the proposed upcoming publications.

Paper NHSCBA/12/2011/2B – Approval of Policies: Declaration of Interest

7. This paper set out the policy of the NHS CBA in relation to the 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.
8. The proposed Declarations of Interest documentation combined with the relevant sections of the proposed Standing Orders, and the proposed Standards of Business Conduct, which are to be submitted to the next board meeting, fully addressed this matter.
9. Board members were asked to approve the Declarations of Interest documentation.
10. Board members resolved to approve this document.

Item 4 – Paper NHSCBA/12/2011/3 Ratification of Decisions (NHS CB Branding; NHS CB People Transition Policy; and NHS CB Shared Services)

11. Board members were asked to ratify some decisions that had been taken by the Department of Health (DH) to ensure that the NHS CBA was established by 31 October 2011. The decisions related to the:
 - Phase One People Transition Policy;
 - visual identity for the NHS CBA; and
 - interim provision of shared services to the NHS CBA.

12. Board members resolved to ratify the decisions made previously by DH.

Item 5 – Paper NHSCBA/12/2011/4 Equality – Meeting the Public Sector Equality Duty

13. This paper briefly summarised the statutory duties of the NHS CBA under the Equality Act 2010, and outlined the initial action undertaken to ensure that the NHS CBA was compliant with these duties in the exercise of its functions.

14. Board members resolved to note specific equality duties, including the requirements to publish sufficient information to demonstrate compliance with the general equality duty across its functions by 31 January 2012, and prepare and publish equality objectives by 6 April 2012.

15. It was recommended that the Board receive a copy of the published equality analysis for information, when it is ready for publication. In addition, a copy of the draft response to the equality analysis should be brought to the next meeting for consideration.

Item 6 – Oral Item Any Other Business

16. None

17. The date of the next meeting is Thursday 2 February 2012.