

NHS England and NHS Improvement Board meetings held in common

Paper Title: NHS System Oversight Framework for 2021/22

Agenda item: 5 (Public meeting)

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Paper type: For approval

Organisation Objective

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|-----------------------------|-------------------------------------|----------------|--------------------------|
| NHS Mandate from Government | <input type="checkbox"/> | Statutory item | <input type="checkbox"/> |
| NHS Long Term Plan | <input checked="" type="checkbox"/> | Governance | <input type="checkbox"/> |
| NHS People Plan | <input type="checkbox"/> | | |

Executive summary

Consultation on a new NHS System Oversight Framework (SOF) for 2021/22 closed on 14 May. There was strong support for the direction of travel from the responses to the consultation and from the various engagement events with NHS leaders. The main feedback themes have been reflected in an updated NHS System Oversight Framework for 2021/22.

Action required

The Boards are asked to approve the NHS System Oversight Framework for 2021/22.

Risk

The paper links to risk 9 on the Corporate Risk Register.

Background

1. Consultation on a new NHS System Oversight Framework (SOF) for 2021/22 was launched on 26 March, following approval by the NHS England and NHS Improvement Boards, and closed on 14 May. This paper provides a summary of the key areas of feedback and summarises the changes made as a result. The updated SOF for 2021/22 is annexed to this paper.
2. The approach to oversight aligns with the vision set out for Integrated Care Systems (ICS) in *Integrating Care* and in the Government's White Paper, *Integration and Innovation: working together to improve health and social care for all*.

Considerations

3. Over one hundred and twenty responses to the consultation were received. These included representations from individual clinical commissioning groups

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(CCGs), NHS providers, and ICSs; and from other national bodies and representative groups including the NHS Confederation, NHS Providers, Local Government Association, Care Quality Commission, British Medical Association and the Royal College of General Practice.

4. In addition, a series of consultation events were hosted in collaboration with NHS Providers, NHS Clinical Commissioners and the NHS Confederation. These sessions involved leaders from across the NHS including ICS leaders and Chairs trust Chief Executives and Chairs, and CCG Accountable Officers and Chairs.
5. Overall, there was strong support for the direction of travel set out in the consultation document. Respondents particularly welcomed the:
 - system based approach to oversight and improvement;
 - commitment to a phased and flexible approach to implementation of the new framework;
 - balanced scorecard approach based on six oversight themes that align to the NHS Long Term Plan;
 - principle of earned autonomy underpinning the use of segmentation to determine the support requirements of NHS organisations and ICSs; and
 - replacement of the separate, provider focused finance and quality 'special measures' regimes with a new system-based Recovery Support Programme (RSP).
6. Respondents also noted that appropriate leadership behaviours and organisational cultures will play a critical role in the successful implementation of this new approach.
7. A key theme in the feedback was the alignment with the future direction for ICSs set out in the Government's White Paper *Integration and innovation*. Respondents were keen to understand the future accountability of an ICS and the responsibilities of the Integrated Care Board (ICB) and Integrated Care Partnership (ICP) in terms of oversight, support and intervention action. The NHS Confederation and NHS Providers, amongst others, also requested further clarity on the accountabilities of systems and NHS organisations in 2021/22.
8. The second overarching theme was the scope of the framework with respect to primary care and partners in social care.
 - a. Oversight of PCNs and primary care generally is the subject of ongoing work and is an area we expect to develop further in future iterations of the SOF. In the discussions with NHS leaders there was recognition that the status of PCNs varies and is evolving.
 - b. The important relationship with social care in delivering as a system was emphasised. The Local Government Association questioned how joint working arrangements will be reflected within future frameworks given the legislation expected in this parliamentary session.
9. In response to these two overarching themes we have:

- a. revised the introduction to the SOF to provide clarity on the scope of the framework and set it within the context of current statutory framework and future direction for ICSs; and
 - b. increased the emphasis on primary care and PCNs, including clarification that primary care performance and quality will be a key part of oversight at place and system level.
10. Other specific themes from the feedback related to the implementation of the SOF in 2021/22, specifically:
- a. the approach to the segmentation of NHS organisations and systems, and how quantitative metrics will be balanced against more subjective measures such as leadership and culture;
 - b. the approach to oversight of NHS organisations operating across multiple systems: several respondents noted that there are additional complexities arising for organisations spanning multiple ICSs, such as mental health trusts and ambulance trusts. Leaders of these organisations were keen to avoid complex reporting arrangements; and
 - c. alignment with wider oversight and regulatory arrangements, including those of CQC, Health and Wellbeing Boards, and Overview and Scrutiny Committees.
11. In response to these specific areas of feedback we have:
- a. published the list of oversight metrics
 - b. updated the section on segmentation setting out the objective, measurable 'eligibility criteria' and the additional considerations that will require a greater degree of judgement to be exercised by NHSEI;
 - c. clarified that, where trusts operate across multiple systems, regional teams will work with them and the relevant ICSs to agree appropriate arrangements in line with the principles of the SOF, and
 - d. updated the dedicated section on alignment with partners to include reference to Health and Wellbeing Boards and local authority health overview and scrutiny committees.

Next steps

12. The next steps, subject to approval by the NHS England and NHS Improvement Boards are to:
- a. issue and implement the new NHS System Oversight Framework for 2021/22, and
 - b. continue to work with leaders from across the NHS as well as partner organisations to further develop the approach to oversight for future years.