

**NATIONAL HEALTH SERVICE
ENGLAND**

The NHS Thurrock Clinical Commissioning Group Directions 2017

The National Health Service Commissioning Board ("the Board"), in exercise of powers conferred by section 14Z21 of the National Health Service Act 2006 gives the following Directions.

Citation, commencement and application

- (1) These Directions are given to NHS Thurrock Clinical Commissioning Group ("Thurrock CCG").
- (2) These Directions may be cited as the NHS Thurrock CCG Directions 2017 and come into force on 21 February 2017.
- (3) These Directions apply until they are varied or revoked by the Board or 12 months from the date hereof, whichever shall be the later, and replace any existing Directions given to Thurrock CCG which are hereby revoked.

Accountable Officer Appointment

- (4) The Board directs that:
 - (a) Thurrock CCG will within four weeks of the date these Directions come into force draw up a job description for the role of Accountable Officer which shall be approved by the Board;
 - (b) Thurrock CCG will proceed to nominate to the Board a person to be the Accountable Officer;
 - (c) Thurrock CCG will follow the process determined by the Board in making a nomination to the Board for the appointment of the Accountable Officer;
 - (d) The nomination of the Accountable Officer will be subject to prior approval by the Board; and,
 - (e) Thurrock CCG will co-operate with the Board regarding the appointment of its Accountable Officer, including but not limited to the

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

Exercise of functions

(5) The Board directs that:

- (a) Thurrock CCG will within two months of the date these Directions come into force ensure that it complies with the provisions of its Constitution and has completed contract documentation for all the members of the governing body of Thurrock CCG;
- (b) Thurrock CCG will within one month of the date these Directions come into force comply with the provisions of its Constitution and begin the process for recruiting two more lay members for the governing body of Thurrock CCG including, but not limited to:
 - (i) providing to the Board details of the process that Thurrock CCG intends to follow to recruit such lay members;
 - (ii) providing full disclosure of all information to the Board;
 - (iii) providing a short-list of applicants to the Board for approval prior to any appointment; 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 process for the appointment of new lay members and the progress of the same.
- (c) The Board may direct Thurrock CCG in any other matters relating to the matters in this paragraph 5.

(6) The Board further directs that:

- (a) Thurrock CCG will within three months of the date these Directions come into force commission a review of its human resources arrangements ("the HR Review"), including but not limited to both internal arrangements and support provided to Thurrock CCG by external organisations;
- (b) Thurrock CCG will, before commissioning the HR Review, obtain the Board's approval of the specification for the HR Review;
- (c) Thurrock CCG will implement the recommendations of the HR Review;

- (d) Thurrock CCG will co-operate with the Board regarding the commissioning of and the implementation of the HR Review 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 HR Review, the implementation of its recommendations and the progress of the same; and,
 - (e) The Board may direct Thurrock CCG in any other matters relating to the HR Review.

- (7) The Board further directs that Thurrock CCG will ensure that by 1 May 2017 all staff employed by Thurrock CCG shall have in place objectives and personal development plans for their employment.

- (8) The Board further directs that:
 - (a) Thurrock CCG will develop an action plan to be known as the Mentoring Action Plan to support the provision of mentoring to members of the governing body of Thurrock CCG;
 - (b) The Mentoring Action Plan shall be approved by the Board;
 - (c) Thurrock CCG will:
 - (i) implement the recommendations in accordance with the Board's instructions; and
 - (ii) promptly provide any information, documents and records requested by the Board and make senior officers available to meet with the Board to discuss the Mentoring Action Plan, the implementation of any recommendations which are accepted by the Board and the progress of the same.
 - (d) The Board may direct Thurrock CCG in any other matters relating to the Mentoring Action Plan.

- (9) The Board further directs that Thurrock CCG shall comply with the provisions of the Thurrock CCG Constitution including but not limited to requirements to manage probity, conflicts of interest, lay representation, contracts, complaints and decision making.

- (10) The Board further directs that:

- (a) Thurrock CCG will take legal advice as to the lawfulness of payments made under a contract for an unauthorised interim accountable officer who was not appointed by the Board;
 - (b) Thurrock CCG will promptly provide any information, documents and records requested by the Board in relation to the legal advice and make senior officers available to meet with the Board to discuss the implications of the legal advice; and,
 - (c) The Board may direct Thurrock CCG in any other matters relating to this paragraph 10.
- (11) The Board further directs that Thurrock CCG will exercise the provisions in the Thurrock CCG Constitution to suspend any member of the governing body of Thurrock CCG to allow for an investigation of their actions to be completed and ensure that any, member of the governing body is prevented from engaging in any operational matters until such time as the relevant investigation has been completed.
- (12) The Board further directs that:
- (a) Thurrock CCG shall within 6 weeks of the date of these Directions complete the review of its governance arrangements ("the Governance Review") having first obtained the Board's approval of the specification for the review;
 - (b) Thurrock CCG will implement the recommendations of the Governance Review;
 - (c) Thurrock CCG will co-operate with the Board regarding the implementation of the Governance Review 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 Governance Review, the implementation of its recommendations and the progress of the same; and,
 - (d) it may direct Thurrock CCG in any other matters relating to the Governance Review.

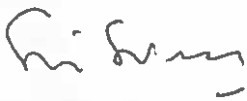
Executive Team and Senior Appointments

(13) The Board directs that:

- (a) Thurrock 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 Thurrock CCG in making appointments as referred to in paragraph 13 (a);
- (c) the appointment of any person to a position referred to in paragraph 13(a) and the terms of such appointment will be subject to prior approval by the Board; and,
- (d) Thurrock CCG will co-operate with the Board regarding the appointment of any person in accordance with paragraph 13 (a), 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

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



Simon Stevens

Chief Executive

NHS Commissioning Board

