



Department
of Health &
Social Care



Non-Executive Director of NHS England

Information pack for applicants

Closing date: Midday on 3rd July 2018

Reference no: E18-03



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SECTION 1 – The Role

1.1 Role and Responsibilities of a Non-Executive Director of NHS England

Introduction

The Secretary of State for Health and Social Care is looking to appoint a Non-Executive Director (NED) to the NHS England Board.

Role and Responsibilities of the a NED

The primary role of Non-Executive Directors is, as a team, to lead in developing the strategy for, and overseeing the work of NHS England by participating fully in the work of the board, both in the context of the board meetings themselves, and more widely. Non-Executive Directors also play a part in representing NHS England externally, alongside the Chief Executive, the Chair and the Executive Director team.

The responsibilities of the Non-Executive Directors of NHS England are:

- working with the Chair and the Executive Board to develop NHS England's strategy to ensure that it carries out its statutory responsibilities and delivers its mandate, meeting its targets and objectives, and ensuring that the Executive Team is held to account for doing so
- ensuring the board reinforces the values of the organisation by setting a high standard for ethics and responsible business, and by maintaining and enhancing NHS England's reputation as an open and independent body, which puts the interests of the public and patients first
- contributing to the meetings of the Board, taking an active part in discussions, providing counsel, advice, challenge and support to the Executive Team; contributing to an environment of constructive debate on key issues in order to build consensus
- ensuring that NHS England's Executive Team develops and maintains strong working relationships with the Department of Health and Social Care, the other health arms-length bodies and other stakeholders
- promoting the work of NHS England, with an understanding of the value of strategic communication and engagement
- contributing across a range of specific areas, including: setting and maintaining an appropriate clinical agenda for NHS England; ensuring the Board listens to the patient voice; ensuring appropriate financial controls are in place, and risks are managed accordingly; contributing to the change management agenda; ensuring that best practice is followed in all workforce and leadership policies and behaviour

- ensuring that the Executive Team is held to account for putting in place appropriate financial controls and ensuring compliance throughout the organisation.

Qualities required for the role of an NHS England NED

To be considered, you must be able to demonstrate that you have the qualities, skills and experience to meet all the essential criteria for appointment.

Essential Criteria

- a career record of achievement, with an ability to operate effectively on the board of a high-profile national organisation
- a senior leader with academic and NHS clinical experience who can demonstrate the ability to understand and manage the main drivers for clinical excellence in the NHS especially the interface with academic/research bodies
- a strong understanding of corporate governance and a commitment to the principles of public service, with the highest standards of personal propriety in relation to governance, accountability, risk and financial management
- an ability to guide NHS England's strategic direction, and use sound judgement, based on the ability to consider and challenge complex issues from an impartial and balanced viewpoint
- good communication skills, with the ability to work as part of a team, with a positive and constructive style, challenging management recommendations where necessary

Remuneration

- £7,883 per annum
- Remuneration is taxable, and subject to National Insurance contributions, both of which will be deducted at source under PAYE before you are paid. Remuneration is not pensionable
- You may claim travel and subsistence expenses, which are properly and necessarily incurred in carrying out your role and responsibilities as a NED of NHS England, in line with travel and subsistence policy and rates for NHS England. A copy of the policy and rates can be obtained from NHS England

Time commitment

2 to 3 days per month

Location

London

Tenure of office

Ministers determine the length of the appointment, which will be up to 3 years.

Accountability

NEDs are appointed by the Secretary of State and are accountable to the Secretary of State via the Chair for carrying out their duties and for their performance.

For further information regarding the role of the NHS England and the role of a **NED** please contact:

Tom Easterling

Tel: 07810 550 348

Email: Tom.Easterling@nhs.net

1.2 NHS England role and responsibilities

Role and Responsibilities

NHS England was established by the Health and Social Care Act 2012. It was set up on a transitional basis in November 2011, under its original title of the NHS Commissioning Board Authority. It assumed some initial responsibilities in October 2012, and its full responsibilities on 1 April 2013. It is the first time in its history that responsibility for the operations of the NHS has been transferred to an independent board established by primary legislation.

NHS England shares responsibility with the Secretary of State for Health and Social Care for promoting a comprehensive health system in England, to secure improvement in physical and mental health, and in the prevention, diagnosis and treatment of ill-health. The 2012 Act establishes the relationship through a Mandate, which is the means by which the Secretary of State specifies the objectives that NHS England is expected to deliver. The Mandate is reviewed annually, and may not be amended during the year without special reason. The 2018/19 mandate purposefully rolls forward with minimal change to the objectives, 2020 goals and annual deliverables from the 2017-18 mandate. The only substantial change is to extend an existing objective to include support for implementation of EU Exit with regards to health and care.

There are bimonthly accountability meetings between the Secretary of State and the Chair of the Board, and the agenda and the minutes are published. NHS England is also required to report annually on its performance against the Mandate.

Although the Mandate establishes the formal relationship, there is regular informal liaison between NHS England and the Department of Health and Social Care, as there is with the various other Arm's Length Bodies with interdependent responsibilities, including the Care Quality Commission, NHS Improvement, Public Health England, NICE and Health Education England.

Mode of operation

From the outset, NHS England has committed itself to an open and transparent style. The Board is a unitary board, in which both non-executives and executive members work as a team. Its formal business meetings are conducted in public and are web cast live. Each meeting is followed by a private meeting for reserved business as required. Much preparatory work is also done by members of the Board in informal development sessions. Recent sessions have covered such subjects as developing criteria for assessing proposals for the devolution of health responsibilities to cities and regions; a strategic framework for commissioning and initiatives to improve our arrangements for patient and public involvement in all our work.

Responsibilities

NHS England has responsibility for the commissioning of health care in England and, under the Mandate, to invest its annual budget (of approximately

£107 billion) to bring about measurable improvements in health outcomes for the population. Most of the commissioning in terms of expenditure is undertaken by the 211 clinical commissioning groups (CCGs) that were set up under the 2012 Act. NHS England allocates approximately £76 billion to the CCGs. NHS England did not itself set up the CCGs – they were self-determining in this respect – but it did put them through a rigorous authorisation process, and oversees their performance against plans prepared by them and agreed with NHS England’s respective area teams.

The remaining commissioning is undertaken by NHS England directly, and includes primary care (general practice, community pharmacy, dentistry and optometry services), some specialist services, including justice and military; and around £13 billion of specialised commissioning, which includes some 140 different clinical specifications which are of such rarity, or require such skilled teams and/or advanced technology, as to make it necessary for them to be commissioned nationally rather than locally. Highly specialised hospitals, such as Great Ormond Street in London, may earn over 70% of their NHS income through this route.

Current state of play

In October 2014, NHS England, in partnership with the other Arm’s length bodies published the NHS Five Year Forward View, which sets out a collective vision of how the NHS needs to change if it is to close the widening gaps between healthcare needs, funding and the quality of services.

The Five Year Forward View is clear that the continued success of the NHS will require a combination of strategies that span the usual means of enhanced efficiency and procurement, in conjunction with radical transformation of NHS services. NHS England is taking a leading role in the realisation of the changes in the Five Year Forward View.

The challenge to NHS England over the coming years is, working closely with the Secretary of State and the other arm’s length bodies, to deliver the transformation of healthcare in England, wrapped around the needs of empowered patients, and focused upon world-class excellence. The Board is committed to ever increasing emphasis upon compassionate care, fully informed by the needs and wishes of patients and their carers, and reinforced by more effective use, analysis and transfer of data across the NHS, and the transformational power of the new technologies and applications that are currently being developed in healthcare.

In March 2017, NHS England published ‘Next Steps on the NHS Five Year Forward View’, again in partnership with the other ALBs. This summarised progress since the publication of the Forward View and set specific goals for service improvement in 2017/18 and 2018/19.

NHS England is working increasingly closely with NHS Improvement. A Non-Executive Director of NHS Improvement has recently been appointed to serve as an Associate NED on the Board of NHS England, with a reciprocal arrangement on the NHS Improvement Board.

Along with the additional £2.8billion of funding provided for the NHS in Budget 2017, the Government's decision to maintain a stable mandate for 2018-19 will support NHS England, and the wider NHS, to recover performance on important patient access standards. At the same time, progress on existing Five Year Forward View commitments – including on transforming services for cancer, mental health and primary care – will be maintained.

NHS England and NHS Improvement are encouraging local NHS organisations to work together in Integrated Care Systems (ICSs). Integrated Care Systems are those in which commissioners and NHS providers, working closely with GP networks, local authorities and other partners, agree to take shared responsibility (in ways that are consistent with their individual legal obligations) for how they operate their collective resources for the benefit of local populations.

Section 2: How to Apply

2.1 Making an application

Thank you for your interest in the appointment of a NED to NHS England.

To make an application please email your CV, a supporting letter and completed monitoring forms to:

appointments.team@dh.gsi.gov.uk – please quote ref: E18-03 in the subject field.

If you are unable to apply by email you may send your application by post to:

Julia Peters Department of Health and Social Care, Room 1N09, Quarry House, Quarry Hill, Leeds, LS2 7UE

Applications must be received by **midday on 3rd July 2018**.

In making an application please note the following:

Supporting letter

The supporting letter is your opportunity to demonstrate how you meet each of the criteria set out in the person specification. It will benefit the Advisory Assessment Panel if you can be clear which particular evidence you provide relates to which criteria. Providing separate paragraphs in relation to each criterion is common practice. Please write all acronyms in full first.

Please ensure your full name, the role to which you are applying and the corresponding reference number for the post are clearly noted at the top of your letter.

Please limit your letter to two pages, and type or write clearly in black ink.

Conflicts of interest

If you have any business or personal interests that might be relevant to the work of NHS England, and which could lead to a real or perceived conflict of interest if you were to be appointed, please provide details in your Supporting letter.

If appointed, you will also be required to declare these interests on appointment and they will be entered into a register which is available to the public.

Standards in public life and ensuring public confidence

Given the nature of public appointments, it is important that those appointed as members of public bodies maintain the confidence of the public and

Government. If there are any issues in your personal or professional history that could, if you were appointed, be misconstrued, cause embarrassment to Ministers or NHS England or cause public confidence in the appointment to be jeopardised, it is important that you bring them to the attention of the Assessment Panel and provide details of the issue/s in your Supporting letter. In considering whether you wish to declare any issues, you should also reflect on any public statements you have made, including through social media.

The panel may explore any issues you declare with you before they make a recommendation on the appointment.

Failure to disclose such information could result in an appointment being terminated, as those who hold public appointments are expected to demonstrate the highest standards of corporate and personal conduct, and are required to subscribe to the *Code of Conduct for Board Members of Public Bodies*, as part of agreeing to the terms and conditions of appointment. You can access this document at:

<https://www.gov.uk/government/publications/board-members-of-public-bodies-code-of-conduct>

There are also circumstances in which individuals may not be considered for appointment, due to them not meeting certain eligibility criteria for appointment. For further information, please refer to Section 2.3: Disqualification from Appointment.

CV

Please ensure your CV includes:

- Your full name, title, home address, personal contact telephone numbers (land line and mobile) and personal email address
- Similar contact details for two referees who will support your application. One referee should be the person to whom you are/were accountable in your current/most recent appointment or position of employment. Please indicate the relationship of each referee to you. References will be requested for short-listed candidates prior to interview
- Brief details of your current or most recent post and the dates you occupied this role. Please identify any past or present Ministerial appointments.

Monitoring form

Please complete the monitoring form. Diversity monitoring information will not be seen by the Advisory Assessment Panel assessing your application.

If you are appointed to this role, please note that any political activity you declare will be published in accordance with the Governance Code on Public Appointments.

Guaranteed Interview Scheme

The Department of Health and Social Care operates a Guaranteed Interview Scheme (GIS) for disabled people. The Equality Act 2010 defines a person as disabled if they have a physical or mental impairment and the impairment has a substantial and long term adverse effect on their ability to carry out normal day to day activities. Under the GIS a disabled candidate will be selected for interview if they meet the **essential criteria** for the post.

If you wish to apply under the GIS please complete the GIS form and return it with your application.

All applications will be acknowledged by email after the closing date.

Contacts:

For further information regarding the selection process, please contact:

Julia Peters
Appointments Team
Tel: 0113 2545350
Email: Julia.Peters@dh.gsi.gov.uk

For further information regarding the role of NHS England and the role of a NED please contact:

Tom Easterling
Tel: 07810 550 348
Email: Tom.Easterling@nhs.net

Please quote reference E18-03 on all correspondence.

If you choose to apply, we would like to thank you in advance for your time and effort in making an application.

2.2 The Selection Process

The Department of Health and Social Care Appointments Team will deal with your application as quickly as possible and will advise you of the likely timetable at each stage.

Timetable:

- Closing date: Midday on 3rd July
- Shortlisting complete: 13th July 2018
- Interviews held: August/ September (date tbc)

The selection panel will be:

- Jonathan Marron, Director General, Community Care, Community and Social Care, Department of Health and Social Care - panel chair
- David Roberts, Deputy Chair of NHSE - panel member
- Richard Douglas, NHS Improvement NED – panel member
- Moira Gibb, NHSE NED – panel member
- Jane Dacre - Independent Panel Member

The Independent Panel member is independent of both the Department of Health and Social Care and NHS England.

The Governance Code on Public Appointments requires all Advisory Assessment Panel members to declare any political activity within the last five years. All panel members have declared that they have not taken part in any political activity within the last five years.

After the closing date for applications:

- The Department of Health and Social Care may commission a pre-assessment of candidate applications which would then be provided to the Panel for consideration and to inform the shortlisting process. By submitting an application you are agreeing to your application being shared with another party for the purpose of pre-assessment. The pre-assessor and the panel are reliant on the information you provide in your CV and supporting letter to assess whether you have the skills and experience required. Please ensure that you provide evidence to support how you meet all of the essential criteria. It is the responsibility of the panel to determine who it believes best meet the criteria for the role, and who will be invited to interview.
- The interview dates will be confirmed as soon as possible
- The Advisory Assessment Panel will select for interview only the strongest applicants who it feels have demonstrated that they best meet the criteria set out in the person specification. However, if you have

applied under the GIS and you meet all of the essential criteria, then you will also be invited for interview

- If you are invited to interview and if you are unable to attend on the set date then an alternative date can only be offered at the discretion of the Advisory Assessment Panel
- The Appointments Team will email to let you know whether or not you have been invited to be interviewed. It is our intention that interviews will take place in a central London location
- If invited to interview, the Advisory Assessment Panel may invite you to make a brief presentation at the start of the interview and will go on to question you about your skills and experience, including asking specific questions to assess whether you meet the criteria set out for the post
- The Advisory Assessment Panel will also explore with candidates any potential conflicts of interest or any other issues arising from candidate's personal and professional history which may impact on an appointment decision (see section 2.1 for further details).
- Candidates who the panel believe are 'appointable', will be recommended to Ministers who will make the final decision. Ministers may choose to meet with shortlisted candidates, before or after interview, before making a decision. Candidates should therefore be prepared for a short time gap between interview and a final appointment decision being made. Candidates who have been interviewed will be kept informed of progress.
- If you are successful, you will receive a letter from Ministers appointing you as a NED of NHS England, which will confirm the terms on which the appointment is offered
- If you are unsuccessful at interview, you will be notified by the Appointments Team. We appreciate it takes a lot of time and effort to apply for roles and that feedback is a valuable part of the process. As a result, the letter will provide the details of who you may approach for feedback on your interview and application, if you so wish
- For further information on how we will manage the personal information that you have provided to us through your application, see **Section 2.4**

Queries

For queries about your application, please contact Julia Peters on 0113 2545350.

Standards in public life

You will be expected to demonstrate high standards of corporate and personal conduct. All successful candidates will be asked to subscribe to the *Code of Conduct for Board Members of Public Bodies*, you can access this document at: <https://www.gov.uk/government/publications/board-members-of-public-bodies-code-of-conduct>

Diversity and equality of opportunity

The Department of Health and Social Care values and promotes diversity and encourage applications from all sections of the community.

Governance Code on Public Appointments

The Governance Code on Public Appointments, published by the Cabinet Office, sets out the principles that should underpin all public appointments. The Governance Code can be found at: <https://www.gov.uk/government/publications/governance-code-for-public-appointments>.

The Commissioner for Public Appointments

The regulation of public appointments against the requirements of the Governance Code is carried out by the Commissioner for Public Appointments. The Commissioner provides independent assurance that public appointments are made in accordance with the principles set out in the Code. The Commissioner is appointed by the Queen and is independent of the Government and the Civil Service. Further about the role of the Commissioner is available from: <http://publicappointmentscommissioner.independent.gov.uk>

If you are not completely satisfied

The Department of Health and Social Care will aim to process all applications as quickly as possible and to treat all applicants with courtesy. If you have any complaints about the way your application has been handled, please contact Charlotte Firth in the Department of Health and Social Care by emailing charlotte.firth@dh.gsi.gov.uk

If after receiving a comprehensive response from the Department you are still concerned, you can write to the Commissioner for Public Appointments. Please contact:

The Commissioner for Public Appointments
1 Horse Guards Road
London SW1A 2HQ

Tel: 0207 271 8938

Email: publicappointments@csc.gsi.gov.uk

2.3 Disqualification from Appointment and Eligibility Criteria

Disqualification from appointment

The House of Commons Disqualification Act 1975 provides that the Chairman and Non-Executive Directors of the NHS Commissioning Board (NHS England) are disqualified for membership of the House of Commons – so individuals may not hold both offices.

No other specific disqualification criteria are set out in legislation.

The Cabinet Office code of conduct provides a useful guide for individuals considering applying to serve on the Board of NHS England:

<https://www.gov.uk/government/publications/board-members-of-public-bodies-code-of-conduct>

Eligibility criteria

There are circumstances in which an individual may not be considered for appointment. They include:

a) persons who have received a prison sentence or suspended sentence of 3 months or more in the last 5 years

b) persons who are the subject of a bankruptcy restrictions order or interim order, or a debt relief order or interim debt relief order under Schedule 4ZB to the Insolvency Act 1986

c) persons who have had an earlier term of appointment with a health service body terminated on the grounds

i. that it was not conducive to the interests or good management of the body that the person should continue to hold office

ii. that the person failed to attend a meeting of the body on three consecutive occasions

iii. that the person failed to declare a pecuniary interest or withdraw from consideration of a matter in respect of which the person had a pecuniary interest

iv. of misconduct or failure to carry out the person's duties

d) anyone who is under a disqualification order under the Company Directors Disqualification Act 1986; or

e) anyone who has been removed from trusteeship of a charity.

Further advice about disqualification from appointment/ the eligibility criteria can be provided by contacting Julia Peters on 0113 254 5350.

2.4 How we will manage your personal information

Your personal information will be held in accordance with the Data Protection Act 1998. You will not receive unsolicited paper or electronic mail as a result of sending the Department of Health and Social Care any personal information. No personal information will be passed on to third parties for commercial purposes.

When we ask you for personal information, we promise we will:

- Only ask for what we need, and not collect too much or irrelevant information
- Ensure you know why we need it
- Protect it and insofar as is possible, make sure nobody has access to it who shouldn't
- Ensure you know what choice you have about giving us information
- Make sure we don't keep it longer than necessary
- Only use your information for the purposes you have authorised

We ask that you:

- Provide us with accurate information
- Inform us as soon as possible of any changes or if you notice mistakes in the information we hold about you

If you apply for a post, we will share some of the information you provide with the members of the selection panel for the post to which you are applying, so that your CV and supporting letter can be assessed.

The diversity monitoring information you provide will not be used in the selection process and will therefore not be shared with the Advisory Assessment Panel assessing your application at any stage. However, panels may review the political activity response at the interview stage. This in no way acts as a bar to appointment. Further information on this is provided in the attached Monitoring form.

The Commissioner for Public Appointments regulates and monitors appointments to public bodies to ensure procedures are fair. The Department of Health and Social Care is required by the Commissioner for Public Appointments to retain information about the people who apply for public appointments within his remit, and make this information available to him for audit purposes, if requested to do so. Information you provide in your application may therefore be made available to the Commissioner for Public Appointments and the Commissioner's auditors on a confidential basis in order

to help fulfil either the Commissioner's formal complaints investigation role or for audit purposes.