

**NATIONAL HEALTH SERVICE  
ENGLAND**

**The NHS Cumbria Clinical Commissioning Group Directions 2016**

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 Cumbria Clinical Commissioning Group ("NHS Cumbria CCG").
- (2) These Directions may be cited as the NHS Cumbria CCG Directions 2016 and come into force on 1 September 2016.
- (3) These Directions apply until they are varied or revoked by the Board.

**Exercise of functions**

- (4) An organisational development review of NHS Cumbria CCG has been completed. The Board directs that:
  - (a) NHS Cumbria CCG shall develop an Improvement Plan to include recommendations arising from the review and any other matter required by the Board.
  - (b) The Improvement Plan shall be approved by the Board.
  - (c) NHS Cumbria CCG shall implement the Improvement Plan in accordance with the timelines set out within it and:
    - i. provide prompt and full disclosure of any information, documents and records requested by the Board; and make senior officers available to meet with the Board to discuss the implementation of the Improvement Plan.

(d) The Board may direct NHS Cumbria CCG in any other matters relating to the Improvement Plan including any variations to it.

(5) The Board further directs that:

(a) NHS Cumbria CCG shall develop a credible financial recovery plan (the "Financial Recovery Plan") which shall include but is not limited to:

- i. a risk management strategy that sets out how NHS Cumbria CCG shall ensure, in the financial year 2016/17, that it achieves an in-year deficit of no more than £8.5 million and how it will remain in recurrent balance thereafter;
- ii. confirmation that all facts, figures and projections within the Financial Recovery Plan have been subjected to independent scrutiny by an organisation approved by the Board;
- iii. a complete analysis of the causes of the current underlying financial position and the reasons for the deterioration in the financial position;
- iv. arrangements demonstrating clear links between the Financial Recovery Plan and internal budgets, reporting arrangements, activity plans, cash plans and contracting;
- v. a clear risk assessment of the Financial Recovery Plan;
- vi. arrangements for reporting progress against the Financial Recovery Plan to NHS Cumbria CCG's executive team, NHS Cumbria CCG's governing body and the Board to enable prompt action to be taken should there be any deviation from the Financial Recovery Plan;
- vii. delivery of financial business rules.

(b) NHS Cumbria CCG shall ensure that the Financial Recovery Plan takes into account any potential impacts on NHS Cumbria CCG's financial position arising from development and implementation of local sustainability and transformation plans outlined in the "NHS Planning Guidance 2016/17 – 2020/21"<sup>1</sup> including by identifying any budget or contract that relates to matters in both of the transformation footprints agreed nationally for the purposes of the sustainability and transformation plans that cover NHS Cumbria CCG's area.

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<sup>1</sup> <https://www.england.nhs.uk/wp-content/uploads/2015/12/planning-guid-16-17-20-21.pdf>

- (c) In addition to the matters set out in paragraphs 5(a) and (b), the Financial Recovery Plan shall meet any other requirements as set out by the Board.
- (d) The Financial Recovery Plan shall be subject to the Board's approval.
- (e) NHS Cumbria CCG shall, if directed by the Board, vary or update the Financial Recovery Plan.
- (f) NHS Cumbria CCG shall implement the Financial Recovery Plan.
- (g) NHS Cumbria CCG shall co-operate with the Board regarding the implementation of the Financial Recovery Plan including but not limited to
  - i. providing prompt and full disclosure of any information, documents and records requested by the Board; and
  - ii. making senior officers available to meet with the Board to discuss the Financial Recovery Plan and its implementation.
- (h) The Board may direct NHS Cumbria CCG in any other matters relating to the Financial Recovery Plan.

(6) The Board further directs that:

- (a) NHS Cumbria CCG ensures that its finance and programme management office functions are established and appropriately resourced to ensure appropriate financial management capacity and delivery of the Improvement Plan, the Financial Recovery Plan and NHS Cumbria CCG's Right Care agenda.
- (b) In addition to the matters set out in paragraph 6(a), NHS Cumbria CCG shall meet any other requirements as set out by the Board relating to its finance and programme management office functions.
- (c) NHS Cumbria CCG shall:
  - i. provide prompt and full disclosure of any information, documents and records requested by the Board in relation to compliance with this paragraph; and
  - ii. make senior officers available to meet with the Board to discuss compliance with this paragraph.
- (d) The Board may direct NHS Cumbria CCG in any other matters relating to the requirements of this paragraph.

**Senior Officers**

(7) The Board directs that:

(a) NHS Cumbria CCG shall:

- i. nominate an Accountable Officer to the Board; and
- ii. appoint a Chief Operating Officer.

(b) The Board will determine the process to be followed to make such a nomination and appointment.

(c) The nomination of the Accountable Officer and the appointment of the Chief Operating Officer will be subject to prior approval by the Board.

(d) NHS Cumbria CCG will co-operate with the Board regarding the appointment of its Accountable Officer and its Chief Operating Officer, 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.

(8) The Board further directs that:

(a) NHS Cumbria 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 NHS Cumbria CCG in making appointments as referred to in paragraph 8(a).

(c) The appointment of any person to a position referred to in paragraph 8(a) and the terms of such appointment will be subject to prior approval by the Board.

(d) NHS Cumbria CCG will co-operate with the Board regarding the appointment of any person in accordance with paragraph 8(a), including but not limited to:

- i. the prompt provision of information, documents and records requested by the Board; and
- ii. making senior officers available to meet with the Board.

**Compliance with these directions**

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

A handwritten signature in black ink, appearing to read 'Simon Stevens', with a horizontal line underneath.

**Simon Stevens**

**Chief Executive**

**NHS Commissioning Board**