

Progress report on Forms of Business for the HSCIC

John Willshere

09 September 2013

Contents

Contents	2
Background	3
Progress	3
Further work	3
Current plan	4
Board Action	4

Progress report on Forms of Business for HSCIC

Background

The Board has raised a concern to ensure the forms of business for the HSCIC are proper and robust.

An initial stage of this work was to assess the forms of business (MoUs, letters of agreement etc.) or similar in place for the work requested of the HSCIC. This was completed in July 2013 and showed a reasonably high coverage in some form or another, but relied on perpetuation of historic agreements that were not always well documented and could not necessarily be relied upon to illustrate clear obligations on the part of the HSCIC or the commissioner.

Progress

Over the last few weeks, we have done the following:

- Completed the portfolio alignment, so we now have a virtually complete central register of all projects, programmes and services on the portfolio, along with a mechanism to track progress;
- Initiated a Zero Based Review to refresh our cost estimates, and provide us with a more complete and up to date understanding of the resource implications for all items on the portfolio; and
- reached initial agreement on the form of a standard MoU

There remains, however, a need and some urgency to address the significant qualitative nature of existing obligations and standard of documentation, and to move our relationship with our major commissioners onto a more robust and manageable basis.

Further work

The further work streams we have agreed are as follows:

- **Standard form is agreed:** It has been agreed that a recommended suite of forms of business will be established for the organisation. These will need to be prepared and quality controlled incorporating commercial insight and aligning overall commercial terms, also including commitments in SLAs, work schedules and risk assessment of contributing sub-contracting suppliers.
- **Impact assessment on current portfolio:** This will ensure that they are impacted with regard to the current arrangements, and a plan prepared to supersede existing agreements with the new form where necessary.
- **Consolidate the standard:** All new work will be commissioned according to the new standard forms of business model.
- **Engagement with our major commissioners:** On the back of the Zero Based Review and the business planning that will follow, the aim is to move to form of engagement with the DH and NHSE with a more centrally coordinated format. The

Progress report on Forms of Business for HSCIC

HSCIC will seek to agree with the DH and NHSE that the work the HSCIC delivers for them is contained within a single SLA that covers the terms of engagement and funding, with separate schedules for each programme/area of work.

For the forms of business to meet the requirements of the HSCIC they would need to:

- Manage the range of potential commissioners and sponsors of HSCIC.
- Clearly cover obligations of the HSCIC and the commissioner.
- Be appropriately enforceable upon the commissioner (in terms of payment and risk).
- Cover internal audit recommendations.
- Clearly indicate terms of use of our data (etc.) and arrangements for revoking in the case of misuse.
- Allow clarity of the risk transferred to HSCIC, and equally for HSCIC to set sub contract arrangements with suppliers to the HSCIC that backed off the obligations of HSCIC.

Current plan

The Finance and Corporate Services Directorate has commissioned internal work, joining up the directorates to pull together a series of standard forms of business by the end of November 2013. This will then lead to impact assessment on the current portfolio and subsequently incorporation into all work including annual business planning ready for full roll out no later than 31 December 2013.

Board Action

The board are asked to note the work in hand, endorse that this should be given high priority over the next few weeks and months, and comment on the proposed approach.