



NHS People Plan

Transforming Leadership Culture: Implementing the Kark Review

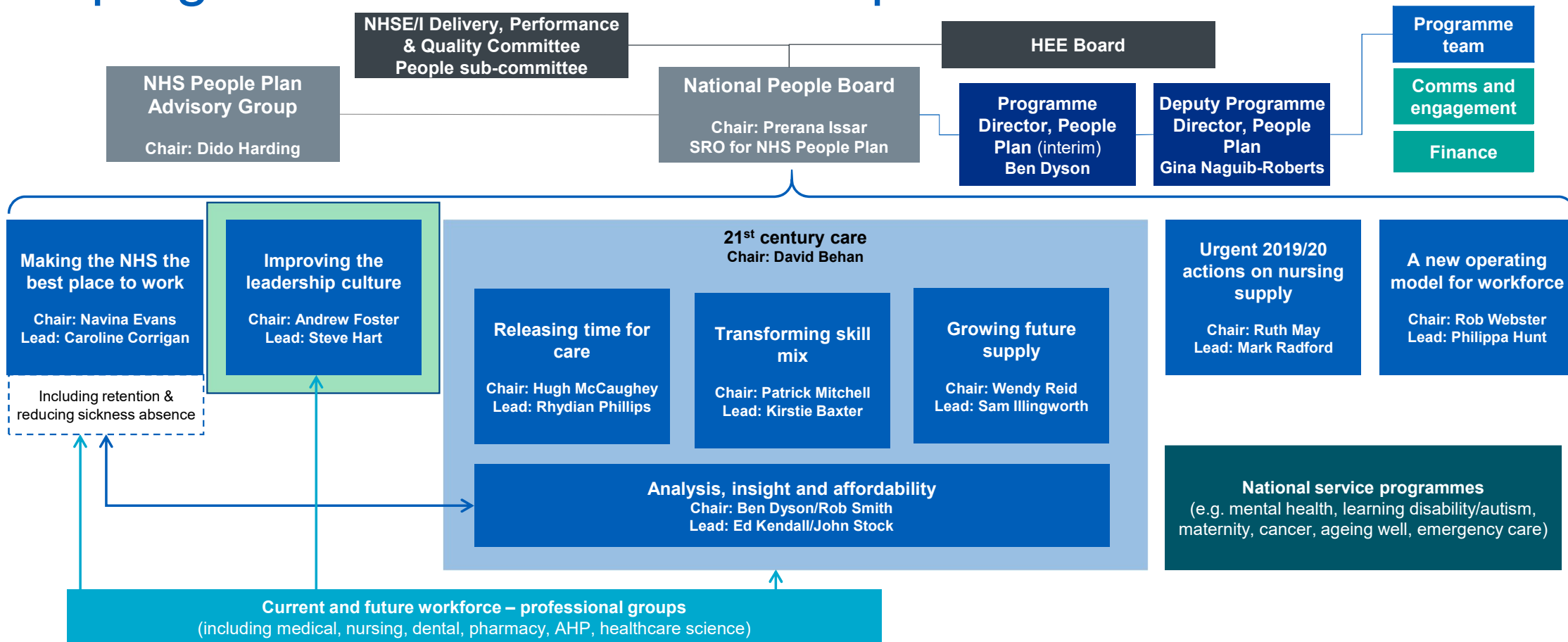
NHS England and NHS Improvement



Introduction

- The NHS is currently developing the first ever NHS People Plan. The Plan has an ambition to make the NHS the best place to work through improving the leadership culture so that all staff are supported to deliver the best possible patient care.
- Part of the NHS People Plan is the implementation of the Kark Review. This Review considered how the Fit and Proper Person Test is functioning.
- The Fit and Proper Person Test is a test applied when making board level appointments and requires all directors of provider organisations to evidence that they are 'fit and proper' to hold a director role within the NHS.
- The Kark Review found there to be several issues with the way the current Fit and Proper Person Test is being applied and made several recommendations that aim to stop the NHS reemploying NHS managers that have committed serious misconduct and to support all managers to ensure they have the qualification and training to be successful in their roles.
- Our work to deliver the Kark Review is structured so we can take account of the views of as many people as possible and that we are aligned with the wider programme to deliver the People Plan.

This workstream fits in to a broad programme to deliver the People Plan



Timeline – Kark Review

w/c 5 August	w/c 12 August	w/c 19 August	w/c 26 August
High impact actions agreed for workstream	7 August Roundtable with Clinical Commissioners	Reference group 1	Detailed actions agreed for workstream
w/c 2 September	w/c 9 September	w/c 16 September	w/c 23 September
	11 September Roundtable with NHS Providers	17 September Roundtable with Kings Fund	Reference group 2 24 th September Roundtables with patient groups
w/c 30 September	w/c 7 October	w/c 21 October	w/c 28 October
4 th October Roundtable with whistle-blowers	Outline chapter agreed for workstream		
w/c 4 November	w/c 11 November	w/c 18 November	w/c 25 November
Reference group 3	First draft of chapter		

In implementing the Kark Review our Reference Group has asked us to consider the following principles

1. That the overarching principle should be that this work is done in service of ensuring high quality patient care and ensuring public confidence in the leadership of the NHS.
2. Any system of further professional regulation for individual senior managers must be fair, rational, transparent, consistent and proportionate.
3. The starting point for any regulatory system must be that the vast majority of managers do a good job and there should be a proper system of support, training and development in place for those who could improve.
4. Many of the issues the Kark review identified are also issues that we aim to tackle through our wider programme to improve the leadership culture across the NHS (especially The Compact and talent). There should be alignment in the way we approach these things.
5. We do not want to introduce unnecessary barriers for existing NHS staff, clinicians or people from other industries who might consider senior operational roles in the NHS.
6. Any process for delivery should avoid unnecessary burden on organisations; this should be tested and measured.

As a first step we have agreed to mandate some reforms to Board level appointments

National Competency Framework for Board Posts

To ensure that Boards recruit only people who meet agreed competency standards. (rec. 1)

Employment and training database

To collect information to support talent boards and to refer against as part of a job move. (rec. 2)

Standardised NHS references

All NHS organisations will obtain/ provide references that accurately reflect the performance of individuals who are moving job. (rec. 3)

Kark made several other recommendations

The Kark Review also made a number of other recommendations.

Recommendation 4: The FPPT should be extended to all commissioners and other appropriate ALBs

- A consistent approach to regulation should be applied across the NHS, not just provider organisations.

Recommendation 5: A power to disbar directors for serious misconduct

- We are seeking views on whether this is a reasonable response to the problems and how best to deliver this recommendation.

Recommendation 6: The words 'been privy to' are removed from regulation

- We are working with the CQC to consider the effect of this amendment. Our provisional view is that the words should be removed from the regulations.

Recommendation 7: That the FPPT be extend to cover social care provision

- The Department of Health and Social Care is considering this aspect of the Kark Review alongside their work to develop a Green Paper for Adult Social Care.

Our preliminary thinking, based on engagement to date

- Our fundamental task is to support and develop good management.
- That any form of regulation should be seen as part of a wider package to support managers.
- The focus of any new system should be on learning, development, training and remediation.
- A light touch approach is probably desirable – this might include a voluntary register to help raise standards and professionalise management, and standardised references.
- When we say managers in this context, we mean Board Directors in Trusts, CCGs and national bodies.
- There is a concept of the ‘Moral Line’ that we need to develop; what constitutes someone crossing a moral line.
- Our work will need to take account of the fact that NHS leadership roles are changing and, in future, there will be greater system working.

We would like to hear from you

- What is your experience of how senior leaders address concerns raised / whistleblowing issues? is there a difference between how junior, middle or senior managers listen?
- What do you think are contributing factors for why things haven't gone so well for some whistleblowers or the concerns they spoke up about?
- How could the leadership culture improve to ensure concerns are heard when they are first raised?
- What would give you confidence that board members are 'fit and proper'?
- Do you agree with the recommendations and our approach to engagement?
- Do you agree with our preliminary thinking?