

4 March 2020

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Minh Alexander
By email
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Dear Dr Alexander

Thank you for your email dated 16 January 2020 which we are treating as an enquiry.

Since 1 April 2016, Monitor and the NHS Trust Development Authority have been operating as an integrated organisation known as NHS Improvement. For the purposes of this decision, NHS Improvement means Monitor and the TDA.

Your request

You made the following request:

“With regards to the appointment of Paula Vennells as Chair of Imperial College Healthcare NHS Trust last year,

- 1. Please advise of who was the appointing officer in terms of their seniority and job role*
- 2. Please advise what steps, if any, NHS Improvement took to assure itself that Paula Vennells was a Fit and Proper Person within the meaning of CQC Regulation 5 Fit and Proper Persons*
- 3. Please advise if in appointing Paula Vennells, NHS Improvement took any account of the findings and recommendations in the review of FPPT in the NHS by Tom Kark and Jane Russell*

http://data.parliament.uk/DepositedPapers/Files/DEP2019-0161/Kark_Report_on_the_Fit_and_Proper_Person_Test.pdf

In particular, did NHS Improvement investigate whether Paula Vennells had any history of mistreating or suppressing whistleblowers, including with respect to the well publicised faults in the Post Office Horizon IT system?

- 4. What account did NHS Improvement take, if any, of the litigation by subpostmasters that had commenced against the Post Office, alleging*

- "Inappropriately attributed to them and/or inappropriately recovered alleged shortfalls in branch accounts from them;
- suspended them, terminated or induced their resignation from their appointments or engagements, for a reason related to inappropriately alleged shortfalls in their branch accounts;
- pursued civil or bankruptcy proceedings, criminal prosecutions and/or restraint applications against them for a reason related to inappropriately alleged shortfalls, and/or;
- sought to do any of the foregoing for a reason related to inappropriately alleged shortfalls in their branch's accounts;"

<https://www.gov.uk/guidance/group-litigation-orders#the-post-office-group-litigation>

and:

"There are claims for damages for financial loss, personal injury, deceit, duress, unconscionable dealing, harassment and unjust enrichment brought against the Post Office."?

<https://www.judiciary.uk/wp-content/uploads/2019/03/bates-v-post-office-judgment-no3-15-mar-19.pdf>

5. *What account did NHS Improvement take, if any, of criticisms by MPs of the Post Office's leadership in the Horizon dispute?*

<https://www.parliament.uk/business/committees/committees-a-z/commons-select/business-innovation-and-skills/inquiries/parliament-2010/post-office-mediation/>

<https://abingdontechnologies.co.uk/james-arbuthnot-takes-post-office-it-fight-to-house-of-lords/>

6. *Was Dido Harding a party to the appointment process that led to Paula Vennell's appointment as Chair of Imperial College Healthcare NHS Trust?"*

In response

Question 1 – Please advise of who was the appointing officer in terms of their seniority and job role

A selection panel was formed which operated in an advisory capacity to assess which candidates had the required experience and the leadership behaviours needed to be effective in the role. The selection panel's recommendation to appoint Paula Vennells was referred to NHS Improvement's Provider Leadership Committee (PLC) which was ultimately responsible for making this appointment. In 2018, the PLC's membership was made up as follows:

- Up to three Non-Executive Directors, one of whom will be the Committee Chair (appointed by the NHS Improvement Board);
- Executive Regional Managing Director (London);

- Deputy CEO, Executive Director of Resources; and
- Executive Director of Improvement

Question 2 – Please advise what steps, if any, NHS Improvement took to assure itself that Paula Vennells was a Fit and Proper Person within the meaning of CQC Regulation 5 Fit and Proper Persons

NHS Improvement has systems and processes in place to ensure that chairs and non-executive directors are fit and proper persons and that within the meaning of regulation 5 of the fit and proper persons regulations. The checks undertaken by NHS Improvement to ensure that Paula Vennells met our internal criteria included:

- CV check for gaps in history, potential issues and conflicts of interest
- check of self-declaration form completed by the candidate scrutiny of panel assessment documentation, where appropriate for new appointments
- Google and news searches, including high profile roles, any regulated activity, or work with children or vulnerable adults
- scrutiny of references
- search of disqualified directors register
- search of insolvency and bankruptcy register

Further, all appointments are conditionally offered on satisfactory completion of:

- Disclosure and Barring Scheme (DBS) checks (where appropriate to the role)
- occupational health assessment (for new appointments only)
- random checks of educational qualifications
- proof of identity, for example passport or driving licence (for new appointments only)
- proof of qualifications
- proof of right to work, where individual does not provide an EU passport as proof of identity (for new appointments only)

Question 3 – Please advise if in appointing Paula Vennells, NHS Improvement took any account of the findings and recommendations in the review of FPPT in the NHS by Tom Kark and Jane Russell. In particular, did NHS Improvement investigate whether Paula Vennells had any history of mistreating or suppressing whistleblowers, including with respect to the well publicised faults in the Post Office Horizon IT system?

Please see the response to question 2 above. More generally, the Kark recommendations are still being considered and will, where appropriate, be addressed in the forthcoming People Plan.

Question 4 – What account did NHS Improvement take, if any, of the litigation by subpostmasters that had commenced against the Post Office ...

Whilst the litigation proceedings were a matter of public knowledge at the time of the appointment, the selection panel did not place any specific weight on that issue.

Question 5 – What account did NHS Improvement take, if any, of criticisms by MPs of the Post Office’s leadership in the Horizon dispute?

Please see the response to question 4: the selection panel did not place any specific weight on this issue.

Question 6 – Was Dido Harding a party to the appointment process that led to Paula Vennell’s appointment as Chair of Imperial College Healthcare NHS Trust?

Yes, Dido Harding was part of the original selection panel which operated as an advisory panel to assess which candidates had the required experience and the leadership behaviours needed to be effective in the role.

Yours sincerely,

NHS Improvement