

Report to the NHS Somerset Clinical Commissioning Group on 30 June 2022

Title: CCG closedown to ICB transition	Enclosure I
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Version Number / Status:	0.1 Draft
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Summary and Purpose of Paper

This paper provides Somerset CCG Governing Body with a final update on the progress and assurance of the process to closedown Somerset Clinical Commissioning Group (CCG) and transition to Somerset Integrated Care Board (ICB) ahead of 1 July 2022.

Recommendations and next steps

The Governing Body is asked to **note** the contents of this paper regarding the closure of Somerset CCG and transition to Somerset ICB.

Impact Assessments – key issues identified

Equality	Forms part of the due diligence and readiness to operate activities			
Quality	Forms part of the due diligence and readiness to operate activities			
Safeguarding	Forms part of the due diligence and readiness to operate activities			
Privacy	Forms part of the due diligence and readiness to operate activities			
Engagement	Forms part of the due diligence and readiness to operate activities			
Financial / Resource	Forms part of the due diligence and readiness to operate activities			
Governance or Legal	Forms part of the due diligence and readiness to operate activities			
Sustainability	Not applicable			
Risk Description	A Risk and Issues log for the workstream has been developed and is held by the B1 workstream - CCG to ICB transfer and People transfer Programme Board			
Risk Rating	Consequence	Likelihood	RAG Rating	GBAF Ref

CCG Closedown and ICB Establishment B1 Workstream Programme Board Handover

**Maria Heard, Programme Director Fit for My Future
30 June 2022**

CCG Closedown

- Royal Assent was given to the Health and Care Act 2022 on 28 April 2022 and the establishment of Integrated Care Boards (ICB) confirmed as 1 July 2022.
- Somerset CCG considered a low complex, Level 1 system, eg 1 CCG transferring to 1 ICB where boundaries remain the same. A B1 CCG Closedown to ICB establishment programme board was created chaired by a CCG non-executive director which reported into the CCG Audit Committee and wider Somerset ICS Development Programme Management
- We used the NHSEI national due diligence closedown spreadsheet to ensure that we carried out the necessary actions to underpin the legal transfer of people, property, and liabilities from the CCG to the ICB. A “**Lift and Shift**”
- We undertook an employee consultation from 28 March 2022 to 29 April 2022 with trade unions and staff in line with TUPE requirements / COSoP guidance to support the safe transfer of staff from CCG to ICB.
- The CCG internal auditors, BDO, provided independent internal audit assurance to the process identifying good practice and recommendations, all of which have been addressed.
- The CCG Audit Committee noted and approved the due diligence checklist at its meeting on 25 May 2022 and was subsequently presented to Somerset CCG Governing Body on 26 May 2022.
- On 27 May 2022 written assurance was given by James Rimmer, CCG CE to Jonathan Higman, ICB CE designate, that a robust due diligence processes had been completed, acknowledging that there is ongoing work to finalise the process in readiness for 1 July 2022.
- Alison Henly, CCG Director of Finance, Performance, Contracting and Digital signed off the due diligence checklist confirming that we have not identified any concerns to date and do not anticipate any issues and we submitted this to NHSEI SW region on 30 May 2022.

ICB Establishment

- Assurance for the establishment of the ICB took the form of the Readiness to Operate Statement (ROS). This is a high-level statement to confirm that all legally required, and operationally critical elements are in place ready for the establishment of each ICB as a statutory body on 1 July 2022, and that arrangements are in place for the ICB to fulfil its role within the wider ICS, including establishing the Integrated Care Partnership with the relevant Local Authority. This is jointly signed by the CE ICB designate and NHSEI SW regional director
- This is underpinned by a Readiness to Operate Checklist. Colleagues from the CCG Closedown to ICB establishment programme board supported the quarterly returns of the ROS checklist to NHS E with the final ROS checklist due for submission on 10 June 2022 together with the signed ROS statement
- On 25 May 2022, the CCG Audit Committee approved the Q1 Readiness to Operate checklist and Lou Evans, Chair of Audit Committee took Chair's actions to update, if necessary, prior to final submission
- On 26 May 2022 the CCG Governing Body noted the ROS checklist and approved the assurance regarding the closure of Somerset CCG and transition to Somerset ICB
- On 10 June 2022 Jonathan Higman, Designate CE submitted the final Readiness to Operate checklist and draft Statement of Readiness to NHSEI regional team to enable the regional team to undertake a final review
- On 15 June 2022 a formal regional establishment meeting took place with Jonathan Higman, Designate ICB CE, Alison Henly, Designate CFO and other colleagues to review the CCG closedown due diligence process and Readiness to Operate as an ICB process. It was agreed that Somerset was ready to be established as an ICB with no conditions.
- On 17 June 2022 Jonathan Higman, Designate ICB CE and NHSEI's regional director approved the final Statement of Readiness for the ICB to confirm readiness to proceed and submitted to the national NHS EI team

ICB Establishment – next steps

- Handover reports identifying key decisions, challenges, risks, issues and outstanding actions will be handed over from the CCG to the ICB
- Handover reports from the GB and its committees will be finalised and handed over to the ICB Board.
- The B1 workstream Programme board will continue to meet until all actions outstanding are complete and/or taken into business as usual for the ICB.

1 July 2022 – First day arrangements:

- NHS England will use its powers as proposed under the Health and Care Act to make an Establishment Order to legally establish Somerset ICB.
- Staff will transfer from NHS Somerset Clinical Commissioning Group (CCG) to the Somerset Integrated Care Board (ICB) on Friday 1 July 2022 with no break in service and all terms and conditions of service will also transfer and are protected. This is in accordance with the Transfer of Undertakings Protection of Employment (TUPE) Regulations 2006 and the Cabinet Office Statement of Practice (COSoP) Regulations 2013.
- Transfer Scheme: NHS England will use its powers to transfer the staff, property, and liabilities from the existing CCG to ICB by way of statutory transfer schemes
- First Somerset Integrated Care Board meets to approve the constitution, board members, policies, and arrangements