



Commissioning Board
A special health authority

**Framework Agreement
between the Department of Health and the
NHS Commissioning Board Authority**

Annex D: Communications

General

1. The general principles underpinning the approach to communication between the Authority and the Department are:
 - Mutual respect
 - Co-operation
 - No surprises
2. The Authority and the Department will work together to ensure that there is a smooth process for handling the transfer of responsibilities between the Department and the NHS Commissioning Board ('the Board') as the Authority works towards full establishment of the Board. In the period immediately after the establishment of the Authority, the Authority is likely to need support from the Department to establish its communications capability, and the Authority and the Department will work to ensure that pragmatic, appropriate and clear arrangements are put in place.
3. The Authority and the Department should ensure that relevant officials from their press offices meet regularly and design detailed working practices.

Media handling

4. The Authority will establish and maintain independent relationships with all those interested in or affected by its work, including the media. The Authority has responsibility for dealing with media enquiries received relating to its work and the way in which it has exercised its functions.
5. The Department and the Authority will keep each other informed of plans for media announcements. When it comes to the attention of the Department or the Authority that the media or any other organisation is intending to make public information related to the Authority or its work, the Authority or the Department will, where possible, bring this matter to the attention of each other.
6. The Department and the Authority will, where possible, bring to the attention of communications leads in each organisation issues creating media interest and expected media coverage that relates to the work of the Department or the Authority.

Publications

7. Please note there are separate arrangements for official statistics publications and these are described in the statistics addendum.
8. To support the principle of partnership working described in the framework agreement and the commitment to 'no surprises', the Authority and the Department will share with each other on a monthly basis a schedule of forthcoming publications.

9. The Authority and the Department will, except in exceptional circumstances such as the publication of official statistics, allow each other ten days to view, digest and comment on relevant publications, with appropriate liaison between officials as necessary. The Authority and the Department will, whenever possible, send a copy of the final publication to each other's officials at least three days before publication. There will be times when clearance periods will be shorter than this but the Department and the Authority will endeavour to allow as long as possible in such cases.
10. Where the Authority and the Department cannot resolve an issue relating to the detail in a publication due for release, the organisation publishing the document will respond to the querying organisation in writing before publication explaining why the comments cannot be taken on board in the final copy of the document.
11. 'Publications' in this section refers to documents such as annual reports, any documents or information relating to the structure of the organisation, statutory reports such as accounts, white papers, green papers, and any policy statements that may have a significant impact on the Authority or the Department. This list is not exhaustive and should be interpreted in its widest sense.
12. If it comes to the attention of the Department or the Authority that another government department or public body is intending to publish a report concerning the other party and its work, the Department or the Authority will, wherever possible, bring this matter to each other's attention.

Announcements

13. To support the principle of partnership working described in the framework agreement and the commitment to 'no surprises', the Authority and the Department will share with each other a schedule of relevant planned announcements each month. The Authority and the Department will endeavour to give each other as much notice as possible to enable early discussions on all aspects of the announcement with relevant policy and communications leads from each organisation and, wherever possible, at least one month's notice.
14. The Authority and the Department will also share with each other, in confidence and principally for information, a near-final draft of any relevant report to be published, including conclusions, any executive summary and recommendations.

Announcements affecting the development of the Authority

15. While the Authority is increasing staffing levels and developing its structure and operating procedures, it may generate a number of documents specifically related to this that the Department will need to be aware of because of the relevance to the development of the new health and care system overall.
16. As part of the 'no surprises' approach, details of all announcements, documents, statements and any other activity relating to the development of the Authority or the NHS Commissioning Board (staffing, structures, senior appointments,

remuneration, operations and so on) should be shared with the Department. Wherever possible, this should be done a month in advance.

17. Any developments or announcements that the Department might be planning which have an impact of any kind on the staffing, structures, senior appointments, remuneration or operations of the Authority or the NHS Commissioning Board, or any other aspect of the Authority's overall business, should be shared with the Authority. Wherever possible, this should be done a month in advance.

Statistics

18. See attached statistics addendum for further detail.

Campaign activity

19. Annual marketing and communication strategies should be prepared by the Department and the Authority to support priority objectives. The Department and the Authority must share and discuss these strategies with each other
20. Should the Authority or the Department wish to undertake any major and/or paid-for campaign activity, they should notify each other of this in advance and ensure that there are appropriate opportunities for the other organisation to inform the thinking, co-create where appropriate, and ensure a strategic fit with campaign activity going on elsewhere in the health and care system. This will avoid unnecessary duplication and inefficient use of resource.

Addendum: Statistics

Pre-announcement of any publications

1. The planned month of any statistical publications should normally be announced at least 12 months in advance. The precise date should be announced or confirmed at least four weeks in advance. To support the principle of co-operation, the Authority should inform the Department of any changes to planned publication dates for official statistics.

Sharing data in their final form for briefing

2. Official statistics in their final form, including any press release for publication of official statistics, will be shared with those officials and Ministers for whom pre-release access has been agreed no earlier than 24 hours before the formal time of publication. Access for briefing purposes is limited to requirements to brief Ministers or others who may be required to comment at the time of publication. A list of people should be agreed ten working days in advance by the lead official for statistics at the Authority, who will consult the Department's Head of Profession if they judge necessary (current departmental models for pre-release access may be consulted as a guide). The Authority will not provide media with embargoed access to the press release in advance of publication.

Sharing pre-publication data for other purposes

3. Official statistics may also, with the agreement of the lead official for official statistics at the Authority, be shared before publication for other purposes as set out below.
 - With departmental analytical staff where those staff are directly involved in producing the statistics, or related departmental statistical products.
 - With named departmental analysts and subject specialists, where there would be added value derived from expert quality assurance (either on the figures themselves, or on any statement of departmental policy positions in the draft publication).
 - Where departmental officials apply to the Authority for access for a specified management purpose (if, for example, it is evident that patient health or public finances would be protected by granting such access).
 - Where up-to-date data are needed for inclusion in a departmental publication planned for release at the same time or shortly after the statistics are to be published.
4. In all cases where pre-release access is agreed, the purpose, timings and names of individuals should be agreed by the lead official for official statistics in advance. All pre-release access will be documented, and lists of people granted access will be made available on request. Where pre-release access has been granted, the pre-publication uses of the data will not exceed the stated purpose.