

To: The Board

For meeting on: 30 April 2014

Agenda item: 4

Report by: Catherine Davies, Executive Director of Co-operation and Competition

Report for: Information

TITLE: Co-operation and Competition update

Summary:

This report provides the Board with information about the significant developments with regard to the work of the Co-operation and Competition directorate and the Co-operation and Competition Panel (CCP) since the meeting of the Board on 26 March 2014.

Complaint by Thornbury Radiosurgery Centre Limited into the commissioning of radiosurgery services by NHS England:

Following publication of our case closure decision on 26 February 2014, we published a guidance document on Friday 4 April 2014, setting out our learnings from this case. Attached at Annex B.

Commissioner events:

Through March and April, together with the Corporate Communications team, we ran ten regional workshops for commissioners. The events took place around the country from Brighton to Newcastle. They were educational sessions aimed at Clinical Commissioning Groups, Commissioning Support Units and NHS England direct commissioners. They focused on improving understanding and confidence in the Procurement, Patient Choice and Competition Regulations. The feedback we had was very positive. 93% of attendees felt the events were worth attending and 99% said they were able to have their say and felt listened to. Additionally, the proportion of attendees rating their understanding of the Procurement, Patient Choice and Competition Regulation as fairly/very high went from 33% to 88%. We are considering how to follow up these events in the coming months.

Recommendations:

The Board is asked to note the summary of the work of the Co-operation and Competition directorate and the CCP.

Public Sector Equality Duty:

Monitor has a duty under the Equality Act 2010 to have due regard to the need to eliminate unlawful discrimination, advance equality of opportunity and foster good relations between people from different groups. In relation to the issues set out in this paper, consideration has been given to the impact that the recommendations might have on these requirements and on the nine protected groups identified by the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, gender and sexual orientation).

It is anticipated that the recommendations of this paper are not likely to have any particular impact upon the requirements of or the protected groups identified by the Equality Act.

Exempt information:

Some of this report is exempt under the Freedom of Information Act 2000.

Some of the information in this report (the confidential annex) is exempt from publication as it falls under section 36 of the Freedom of Information Act 2000. The information is exempt because disclosure of that information would, or would be likely to, inhibit the free and frank provision of advice, or exchange of views for the purposes of deliberation. In applying these exemptions, we have considered the public interest test; disclosure of this information will not enhance the accountability or transparency of Monitor as its disclosure would inhibit the free frank disclosure of information.