

29 September 2016

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By email [REDACTED]

Dear [REDACTED]

### **Request under the Freedom of Information Act 2000 (the “FOI Act”)**

I refer to your email of 1 September 2016 in which you requested information under the FOI Act from NHS Improvement. For the purposes of this decision, NHS Improvement means the NHS Trust Development Authority.

#### **Your request**

You made the following request:

*“I would like to know how many times NHS Improvement's Appointments and Remuneration Committee has convened a Termination of Appointment Panel. I would like to know the date each TAP was convened please.*

*I would also like to know how many recommendations the NAT has made on behalf of the ARC to the SofS to increase the pay of a chair or NED.*

*This should be broken down by date, increase asked for, trust and whether the application was successful or not.*

*Relevant extracts below.*

*"The rates of remuneration payable to the chairs and NEDs of NHS trusts are determined by the Secretary of State for Health. Recommendations to Ministers to consider an increase in the rate of remuneration payable to an individual NHS trust chair will be made on behalf of the ARC by the NAT, in consultation with the relevant ERMD and reported retrospectively to the next ARC meeting."*

[https://improvement.nhs.uk/uploads/documents/Report\\_on\\_NHS\\_trust\\_chair.pdf](https://improvement.nhs.uk/uploads/documents/Report_on_NHS_trust_chair.pdf)

On 2 September 2016, following a request for clarification, you stated that you only required the information for the period 1 June 2015 to the date of your request original request i.e. 1 September 2016.

## **Decision**

NHS Improvement does not have a role with regards to the remuneration of NHS foundation trust chairs and NEDs therefore we understand your request to be in respect of NHS trusts only.

NHS Improvement holds the information you have requested and has decided to release it. I have responded to each part of your request below.

**I would like to know how many times NHS Improvement's Appointments and Remuneration Committee has convened a Termination of Appointment Panel. I would like to know the date each TAP was convened please.**

The Appointments and Remuneration Committee, now named the "Provider Leadership Committee", has convened one Termination of Appointment Panel which took place on 2 August 2016.

**I would also like to know how many recommendations the NAT has made on behalf of the ARC to the SofS to increase the pay of a chair or NED.**

The 'NAT', NHS Improvement's NEDs Appointment Team, has made recommendations to increase the remuneration for 22 chair posts since June 2015. All recommendations were successful; two have yet to be implemented. No requests to increase the standard remuneration for other NHS Trust NEDs were made during this period.

**This should be broken down by date, increase asked for, trust and whether the application was successful or not.**

This information is provided in the table below.

For context, NHS trusts now make up only 18% of all local NHS bodies ("NHS bodies" includes NHS foundation trusts, clinical commissioning groups and NHS trusts) and include some of the most challenged organisations in the NHS. They are also the only local organisations for which the Secretary of State sets the level of remuneration payable to the chair and non-executive directors. Remuneration payable to NHS trust chairs is currently set depending on the turnover of the organisation, as follows:

- Band 3: £18,621
- Band 2: £21,105
- Band 1: £23,600

All NHS trust non-executive directors (NEDs) are paid at £6,157 per annum.

There is general consensus that these rates, which have not been significantly increased since 1991, are too low to attract and retain the talented leaders needed by the remaining NHS trusts and far lower than the rates paid in NHS foundation trusts where the average remuneration is now £45,065 per annum (per 'NHS HOSPITAL TRUSTS: Boardroom Pay 2016'). Lord Rose drew attention to the relatively poor remuneration of trust chairs and NEDs in his NHS Leadership Review, "Better leadership for tomorrow". The Lord Rose review is available [here](#).

To attract and retain the best talent, it is essential that chairs receive a reasonable level of remuneration that, at least to some degree, reflects the challenge, complexity and demands of the role. To increase the pay substantially of all NHS trust chairs and NEDs at a time of great pay restraint for other NHS staff however presents risks to the overall strategy on pay. The position currently is that requests to increase the standard rates are being made to Ministers on a case by case basis, when there is a specific need to recruit or retain leaders for these important roles.

<b>NHS Trust</b>	<b>Original remuneration (£)</b>	<b>New level requested (£)</b>	<b>Date Ministers approved</b>	<b>Increase (£)</b>
Barts Health	23,600	45,000	02/09/2015	21,400
South West London and St George's Mental Health	18,621	37,500	02/09/2015	18,879
Ipswich Hospital	21,105	35,000	02/09/2015	13,895
Leicestershire Partnership	21,105	35,000	02/09/2015	13,895
University Hospitals North Midlands	36,865	40,000	02/09/2015	3,135
West Hertfordshire Hospitals	23,600	40,000	02/09/2015	16,400
Worcestershire Health and Care	21,105	30,000	02/09/2015	8,895
Isle of Wight	21,105	30,000	02/09/2015	8,895
East Sussex Healthcare	23,600	40,000	27/10/2015	16,400
East and North Hertfordshire	23,600	40,000	18/11/2015	16,400
North Staffordshire Combined Healthcare	21,105	30,000	03/12/2015	8,895
London Ambulance Service	21,105	40,000	21/12/2015	18,895
Walsall Healthcare	21,105	35,000	25/01/2016	13,895
Worcestershire Acute Hospitals	23,600	40,000	25/01/2016	16,400
Central London Community Healthcare	21,105	35,000	04/02/2016	13,895
Norfolk Community Health and Care	21,105	30,000	02/03/2016	8,895
Yorkshire Ambulance Service	21,105	35,000	02/03/2016	13,895
Sussex Community*	34,494	35,000	02/03/2016	506
Barnet, Enfield and Haringey Mental Health	21,105	35,000	10/03/2016	13,895
Avon & Wiltshire Mental Health Partnership**	21,105	35,000	26/05/2016	13,895
Brighton & Sussex University Hospitals**	23,600	40,000	26/05/2016	16,400
Plymouth Hospitals	23,600	40,000	22/07/2016	16,400

- \* now an NHS Foundation Trust
- \*\* increase not yet implemented and will be available to a new substantive chair

### **Review rights**

If you consider that your request for information has not been properly handled or if you are otherwise dissatisfied with the outcome of your request, you can try to resolve this informally with the person who dealt with your request. If you remain dissatisfied, you may seek an internal review within NHS Improvement of the issue or the decision. A senior member of NHS Improvement's staff, who has not previously been involved with your request, will undertake that review.

If you are dissatisfied with the outcome of any internal review, you may complain to the Information Commissioner for a decision on whether your request for information has been dealt with in accordance with the FOI Act.

A request for an internal review should be submitted in writing to FOI Request Reviews, NHS Improvement, Wellington House, 133-155 Waterloo Road, London SE1 8UG or by email to [nhsi.foi@nhs.net](mailto:nhsi.foi@nhs.net).

### **Publication**

Please note that this letter will shortly be published on our website. This is because information disclosed in accordance with the FOI Act is disclosed to the public at large. We will, of course, remove your personal information (e.g. your name and contact details) from the version of the letter published on our website to protect your personal information from general disclosure.

Yours sincerely,

Ness Clarke  
**Senior non-executive development manager**