

[REDACTED]

From: Challice, Angela on behalf of Bown, Chris
Sent: 29 August 2012 09:13
To: [REDACTED] S40
Cc: [REDACTED]
Subject: 35 Years of Service

Dear [REDACTED] S40

It is important to be clear that the South West Consortium has made no proposals or recommendations at all. Moreover no option put forward in the recent publications available on the website results in a 15 percent pay cut as our trades union colleagues assert. It may be helpful for you to read the 'Frequently Asked Questions' available on the consortium website www.meetingthechallenge.info

I have also copied this email to your Chief Executive as I am sure she would wish to know about your concerns and answer any questions you might still have.

But to answer your question directly; you certainly don't deserve a 15 percent pay cut.

Kind regards

Chris Bown
Chairman SWC

From: [REDACTED] S40
Sent: Tuesday, August 28, 2012 08:07 PM
To: Bown, Chris
Subject: 35 Years of Service

Dear Mr Bown

After 35 years of loyal service to the NHS could you tell me why I deserve a 15% pay cut ?

[REDACTED] S40

[REDACTED]

From: Challice, Angela
Sent: 22 August 2012 16:07
To: S46 [REDACTED];
[REDACTED];
[REDACTED];
[REDACTED];
Cc: 'david@davidamos.net'; Fisher, Jon
Subject: Commercial in Confidence - Agenda for Conference Call 23 August
Attachments: SWCagenda23Aug.doc

Dear All

Please find attached an agenda for the Pay Consortium Working Group Conference call, taking place at 11.00am on Thursday 23 August 2012. The document is encrypted and the usual password will apply. Please do not hesitate to contact me should you require a reminder of the password.


The dial in details for the Conference Call are as follows:

Dial In: [REDACTED]

Participant Passcode: [REDACTED] S36

Kind regards

Angela Challice
Executive Assistant to Chris Bown
Chief Executive
Poole Hospital NHS Foundation Trust
Longfleet Road
Tel: 01202 442624
Fax: 01202 442743
Email: angela.challice@poole.nhs.uk

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guidance on the key FOI issues to ensure that the approach across the consortium members can be uniform, where possible, and to minimise the impact and potential prejudice to the workings of the consortium. This approach is designed to support objective, participative and well-informed decision-making.

Trusts are strongly urged to consider the issues raised in Bevan Brittan's advice to ensure no information which is exempt from disclosure is released. Each trust will need to review the guidance in light of the information they hold.

- Any FOI requests received by trusts that relate to the consortium should be sent as soon as possible to Kristin Crook, consortium project manager, so that a centralised log of all requests can be maintained and to ensure that all advice can be issued promptly in accordance with the appropriate timescales. Kristin can be contacted via kristin.crook@btinternet.com
- Please also forward details for your FOI leads to Kristin in order that this advice may be circulated as efficiently as possible.

Statement following the SWC conference, 18 September

Your communications leads should have shared with you the attached statement, which they were encouraged to work with you on to produce trust-level updates following the conference last week. The statement was issued to the HSJ, Nursing Standard and Nursing Times last week. Apologies in the delay on sending this directly to you.

Thanks as ever for your support.

Chris.

Chris Bown.

S46

Subject: Commercial in confidence - SWC update

Dear Colleague

Please see below an update on SWC issues (prior to the first issue on the NHSE survey)

In addition we will be updating and re issuing the FAQs asap. As you are aware the lobbying of board meetings and AGMs has started and Jon Fisher has been liaising with your communication teams with briefings and handling advice. However, if you have any questions please do not hesitate in contacting either Jon or me directly if you wish.

Chris Bown
SWC Chair

Dear colleague,

NHS Employers survey on 2013/14 Agenda for Change pay award

Please be aware that the deadline to complete NHS Employers' survey, which will form part of their submission to the 2013/14 NHS Pay Review Body, is **tomorrow, 28 September**. If you or your HRD have not completed this short survey you are strongly encouraged to do so. Access the survey [here](#).

FOI handling

As agreed at last week's conference, Bevan Brittan will continue to provide centralised advice on FOI requests received by consortium members. The purpose of the advice is to ensure consistency of approach across trusts in responding to requests. It is acknowledged that trusts are responsible for responding to each request as the relevant public authority under the FOI Act, and Bevan Brittan's advice should be regarded as guidance from the consortium on the relevant FOI issues raised by the particular request.

All trusts have a great deal of knowledge on responding to FOI requests, and it is very likely that trusts will reach the same conclusions as those expressed in Bevan Brittan's advice. Again, the purpose is to provide centralised

[REDACTED]

From: Challice, Angela on behalf of Bown, Chris
Sent: 24 July 2012 15:26
To: S40 'Angela Pedder, CEO Royal Devon + Exeter'; [REDACTED]; [REDACTED]; Bown, Chris; [REDACTED]; 'Caspar Ridley, CEO, Salisbury'; [REDACTED]; [REDACTED]; 2gether MH Trust'; [REDACTED]; [REDACTED]; 'Edward Colgan, CEO Somerset Partnership'; 'Frank Harsent, CEO Gloucestershire'; [REDACTED]; 'Helen O'Shea, CEO - Plymouth Hospital'; [REDACTED]; 'Iain Tulley, CEO- Devon Partnership'; 'Jacqueline Kelly, CEO - North Devon'; 'James Scott, CEO Royal United Bath'; 'Jean O'Callaghan, CEO- Dorchester'; [REDACTED]; [REDACTED]; 'Jo Cubbon, CEO Taunton'; [REDACTED] Devon Partnership'; [REDACTED]; [REDACTED]; Partnership'; [REDACTED]; Legg, Lindsey (RBCH); 'Lezli Boswell, CEO- Cornwall'; [REDACTED]; [REDACTED]; 'Marie-Noelle Orzel, CEO (Bristol)'; 'Nerissa Vaughan, CEO- Great Western Hospitals'; 'Paul Mears, CEO - Yeovil'; 'Paul Sly, CEO- DHUFT'; 'Peter Colclough, CEO- Weston Area'; 'Robert Woolley, CEO - Bristol'; [REDACTED]; 'Shaun Clee, CEO- Gloucester'; Spotswood, Tony (RBCH); [REDACTED]; [REDACTED];
Cc: 'David Amos, Pay Consortium Advisor'
Subject: Commercial in Confidence

Dear All

I am writing with regard to the membership of the South West Pay, Terms and Conditions Consortium Steering Group. It has occurred to me, and been suggested by others, that the Steering Group would benefit from having a Director of Nursing on it. I think this would greatly help the work of the SWC and also give the right signals that we are totally committed to making sure that we fully factor in clinical and patient service considerations.

Please can you indicate that you are content with this - and if you wish to nominate your Director of Nursing for this position. I will take a decision should we get more than one nomination which is based on getting the best balance for the Steering Group.

I look forward to hearing from you.

Regards

Chris Bown
Chief Executive

In confidence

Draft response from CEOs to MPs re: RCN template letter to MPs

Dear...

Further to my recent correspondence on the South West pay, terms and conditions consortium, it has come to my attention that a letter is currently being circulated by the Royal College of Nursing and sent to MPs in the South West. I thought it would be helpful to share our response to the key points raised in this correspondence, which may be of use to you in any reply you wish to make to constituents.

It may be useful to provide a brief overview of the consortium and the reason for its existence.

The consortium comprises 20 NHS trusts and foundation trusts and has been established in response to the serious financial and clinical service challenges facing the NHS, both now and in the future.

The consortium's steering group is responsible for identifying how taxpayer funding may be more efficiently used in order to protect both employment and the continued delivery of high quality healthcare, which includes looking at the pay, terms and conditions of all staff.

The consortium acknowledges that the NHS' largest expenditure – our workforce – must be better designed to reflect the needs of each organisation in maintaining and building on high quality health services, whilst recognising and rewarding hard working and high performing staff.

Pay, terms and conditions form a significant and growing part of the financial challenge facing NHS organisations, despite the Government's two year freeze, which ends after this financial year with its announcement to cap annual pay increases at an average of one per cent for the next two years.

The aim of the consortium is to provide greater security for health services and staff, with an affordable pay, terms and conditions system that recognises and rewards performance, promotes greater productivity, and creates a flexible workforce responsive to changing patient needs that is fit for purpose in the modern NHS.

Turning to the letter you will have received, and in terms of the £10,000 each member organisation has contributed towards funding for the South West pay, terms and conditions consortium, it's clear that individual organisations working in isolation when exploring pay, terms and conditions are likely to incur significant costs greater than this amount. . By working together, trusts are able to carry out this detailed and comprehensive piece of work in a far more efficient way.

This financial contribution has enabled the consortium to access professional advice, for example legal support that is not readily available in the NHS, as well as the appointment of an external advisor and project management, and administrative support.

All the chief executives involved are clear that a successful outcome from the work that we are exploring in the South West will include a reduced need for redundancies and increased job security, and I consider £10,000 a reasonable expenditure in order to explore and secure this.

Ultimately, all trusts involved want pay, terms and conditions that are fit for purpose in helping us to meet the significant financial and service challenges we face now and in the future. This includes fully supporting the national negotiations underway over the past 18 months or so regarding amendments to some aspects of Agenda for Change.

Looking at regional pay, I am happy to make clear that the consortium's review is entirely separate from the Government's announcement to ask the Pay Review Body to consider how the national public sector pay systems could better take account of local and regional labour market pressures. The suggestion was that this would allow the national pay systems to pay more to staff working in those areas where the cost of living is higher and certain skills are in high demand.

It is in no organisation's interests to offer pay, terms and conditions that make our trusts less attractive places to work. It is in everyone's interest to provide employment that is both secure and allows for high performance to be rewarded, and which places us in the best position possible to offer services to patients that are sustainable in the years to come.

Despite what you may have read and heard, there are no plans or proposals on the table at this stage. The consortium will produce a full business case by the end of this calendar year to put to trust boards for discussion. For the avoidance of doubt, the decision on whether to progress any changes which may be put forward in this business case lies entirely with trust boards, who will fully evaluate the benefits and any risks associated with any such proposals.

The consortium has undertaken to conduct its affairs in an open and transparent way, within the obvious limitations that a project of this nature must work within. The consortium will shortly be publishing in full documents concerning the review, namely an analysis of operational, service and financial challenges facing us in the South West, and a second paper concerning which areas of current pay, terms and conditions may be looked at to support sustainable organisations into the future. These are both discussion papers, and again, for the avoidance of doubt, contain no proposals or recommendations.

A new website - www.meetingthechallenge.info - has been established which aims to provide as much detail as possible on the work of the consortium, including an FAQ and our latest news releases.

I hope you find the above information useful. As ever if you have any questions, or would like to discuss the work of the South West pay, terms and conditions consortium further, please contact my office.

Yours sincerely

Thank you.

From: Challice, Angela on behalf of Bown, Chris
Sent: 12 September 2012 10:16
To: Angela Pedder, CEO Royal Devon + Exeter; [REDACTED]
Hospital ; Bown, [REDACTED] HUFT; Caspar Ridley, CEO, Salisbury;
[REDACTED]; [REDACTED]; Edward Colgan, CEO Somerset Partnership; Frank Harsent,
CEO Gloucestershire ; [REDACTED]; Helen O'Shea, CEO - Plymouth
Hospital ; [REDACTED]; Iain Tulley, CEO- Devon
Partnership; Jacqueline Kelly, CEO - North Devon ; James Scott, CEO Royal United
Bath; Jean O'Callaghan, CEO- Dorchester ; [REDACTED]
[REDACTED] Jo Cubbon, CEO Taunton; [REDACTED];
[REDACTED]; [REDACTED]; Legg, Lindsey (RBCH); Lezli Boswell, CEO- Cornwall ;
[REDACTED]; [REDACTED] Cornwall ; Marie-Noelle Orzel, CEO
(Bristol); Nerissa Vaughan, CEO- Great Western Hospitals; Paul Mears, CEO - Yeovil ;
Paul Sly, CEO- DHUFT; Peter Colclough, CEO- Weston Area ; Peter Hill, Salisbury;
Robert Woolley, CEO [REDACTED] Clee, CEO-
Gloucester ; Spotswood, Tony (RBCH); [REDACTED]; [REDACTED]
[REDACTED]

S40

Subject: Commercial in Confidence: Letter of Engagement with Bevan Brittan
Attachments: Letter to D Amos - Engagement Letter - 18 July 12(7981398).PDF
Importance: High

Dear All

For the purpose of the South West Consortium obtaining legal advice on the creation of the Business Case, Bevan Brittan is acting for each of the 20 NHS organisations who are members of the Consortium. In order to enable us to share with you legal advice on a legally privileged basis (ie not discoverable) I need you to confirm that for the purposes of obtaining and receiving legal advice on this matter, you are a client as per our contract with Bevan Brittan on account that there is a substantial common interest between all members of the Consortium..

I attach a copy of the letter of engagement dated 18 July 2012 for your records. I would be grateful if you could each please send me an **email by return** confirming that you accept Bevan Brittan's terms of business and the scope of the instructions set out. This will be treated as informed written consent to act on your behalf for the purposes of this instruction. This does not affect the management of the contract nor create any liability on your part for the contract (and its charges) which rest with Poole Hospital NHS FT.

Please do contact David Amos if you need any further explanation on david@davidamos.net

Kind regards

Chris

Chris Bown
SWC Chair

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From: Challice, Angela on behalf of Bown, Chris
Sent: 01 August 2012 15:25
To: 'Bruce Finnermore'
Subject: Commercial in confidence
Attachments: FOI proposed response - 11 questions SN Unison final.doc; SWC FOI advice.doc; Unison_19 July 2012_(1).pdf; 25.7.12 CB to Simon Newell, Unison.doc

Importance: High

Dear Bruce

As discussed, please find attached request for information from Simon Newell, Unison's South West region Head of Health, on the consortium (the letter which was sent to Dorset HealthCare is attached for information). Also attached is the response to that letter from PHFT.

In addition, please find attached two core responses to recent FOI requests regarding the Consortium. One attachment gives model answers to an FOI from Unison, containing 11 questions, the second provides guidance from our legal advisors, Bevan Brittan, on an FOI containing two questions (on remuneration and correspondence).

I hope this is helpful.

Kind regards

Chris

Chris Bown
Chief Executive
Poole Hospital NHS Foundation Trust

Proposed model response

- Has the Trust joined the Consortium and if so why?

[Confirm Trust board has agreed to join the consortium]

- Please provide minutes and any related documents of the Trust Board meetings where the Consortium has been discussed.

[Minutes and related documents from trust board sessions held in public which may refer to the south west pay terms and conditions consortium are available on our website.]

- Is there a Trust Board meeting scheduled to discuss joining the Consortium, if so when?

[N/A]

- When is the Trust Board meeting to discuss Gateways 2 and 3 outlined in the project initiation document?

[The consortium will be developing detailed plans over the coming months, as part of a full business case which will identify, and outline options to help meet, the economic, financial and service challenges over the medium term. No proposals have been put forward and no decisions have been made.]

This work will determine when Trust boards will discuss the consortium further.

The full business case is anticipated to be completed by the end of this calendar year before being presented for consideration at each consortium member's board, including our own]

- Has anyone from the Trust got a specific role on the steering group of the Consortium?

[Give name and role, if applicable to your Trust].

- Is this Trust hosting the financial funding for the Consortium?

[No]

- Has the Trust committed to the initial £10,000 required for membership of the Consortium?

[Yes]

- What finance has the Trust committed beyond the £10,000 referred to above, or does the Trust envisage committing, towards the cost of the Consortium?

[No request has been received, or undertaking given, to provide further funding]

- What areas of Agenda for Change are being considered for change by the Trust and why?

[The consortium will be developing detailed plans over the coming months, as part of a full business case which will identify, and outline options to help meet, the economic, financial and service challenges over the medium term. For this reason it is not possible to answer this question at this time]. All staff, including those not working under Agenda for Change terms and conditions, will form as part of these considerations.]

- What autonomy will the Trust have in relation to the Consortium?

[Individual Trust boards retain full sovereignty in relation to their ongoing involvement with the consortium]

- We understand that the objective of the Consortium is to secure consensus for a Regional Pay Framework across all member organisations. How is the Trust intending to proceed if this consensus is not achieved?

[The consortium has been established in response to the serious financial and operational challenges facing the NHS, both now and in the future, and is responsible for identifying how taxpayer funding may be more efficiently used in order to protect both employment and the continued delivery of high quality healthcare. The consortium's review of pay, terms and conditions is entirely separate from the Treasury's announcement on the economic case for reforming public sector pay to better reflect local labour markets, which the Government has provided evidence to the pay review bodies on. The NHS pay review body has yet to report back following submission of this evidence.

The consortium's over-arching aim is to preserve and protect employment while safeguarding high quality health services for the populations we serve into the future in response to the challenges outlined above. The Board is committed to working positively and constructively with staff side colleagues.]