

POLICY ON TRANSPARENCY AND ACCOUNTABILITY

June 2011

Accountable body:	Corporate Board
Agreed:	June 2011
Review Date:	June 2013

1. Introduction

- 1.1 The NHS Confederation is the only body to bring together the full range of organisations that make up the modern NHS. We are an independent membership organisation that represents all types of providers and commissioners of NHS services in England. We also represent trusts and health care boards in Wales; and health and social service trusts and boards in Northern Ireland.
- 1.2 The NHS Confederation is committed to operating in a manner that is open and transparent to the public and accountable to our members.
- 1.3 This policy sets out the measures that the NHS Confederation will put in place to ensure that the organisation is transparent and accountable.

2. Background

- 2.1 The NHS Confederation is a registered charity and is a company limited by guarantee.
- 2.2 The NHS Confederation is regulated by the **Charity Commission**, the independent regulator for charitable activity. Each year we submit information to the Charity Commission in accordance with legal requirements for charities with income over £1 million, including a copy of our trustees' annual report and accounts. The trustees' annual report and accounts are published on the Charity Commission's website at www.charitycommission.gov.uk.
- 2.3 The NHS Confederation is also subject to company law and is registered with **Companies House**. Each year we submit an annual return and accounting records in accordance with legal requirements for large companies. The annual return and accounting records are published on the Companies House website at www.companieshouse.gov.uk.

3. Legislation

- 3.1 The **Freedom of Information Act** gives the public the right to see **official information** held by public authorities. It gives the public the right of access to recorded information held by public authorities and sets out exemptions from that right. The NHS Confederation is not subject to the Freedom of Information Act as it is not a public authority.
- 3.2 The **Data Protection Act** allows a member of the public to see **personal information** held about them by organisations of all types, including the NHS Confederation. It gives individuals the right to know what information is held about them and sets out rules to make sure this information is handled properly. The NHS Confederation is registered with the Information Commissioner, and is responsible for ensuring that any personal information it holds is used fairly, is kept secure, is accurate and is up to date.

4. Objectives

- 4.1 The NHS Confederation is committed to going beyond its legal obligations to put information into the public domain to ensure that we are open and transparent to the public and accountable to our members.
- 4.2 In doing so the NHS Confederation will voluntarily seek to comply with the spirit of the Freedom of Information Act and other requirements to put information in the public domain that are compulsory for the NHS organisations that form the majority of our membership.

5. Transparency

5.1 ***Publishing our annual report and accounts***

- 5.1.1 The NHS Confederation will publish the trustees' annual report and accounts that we submit to the Charity Commission, and the annual return and accounting records that we submit to Companies House on our website at www.nhsconfed.org, so that they can be easily accessed by the public and our members.

5.2 ***Developing a voluntary publication scheme***

- 5.2.1 The NHS Confederation will voluntarily develop a publication scheme setting out how we will proactively publish or otherwise make available as a matter of routine information about:
- who we are and what we do
 - what we spend and how we spend it
 - what our priorities are and how we are doing
 - how we make decisions
 - our policies and procedures
 - lists and registers
 - the services we offer.
- 5.2.2 The publication scheme will be prospective rather than retrospective: it will apply to information published by the NHS Confederation after the publication scheme has been approved by the Corporate Board, and it will not apply to information published prior to this date.

5.2.3 We will post a copy of the publication scheme on our website at www.nhsconfed.org for information once it has been approved.

5.3 *Managing requests for information*

5.3.1 The NHS Confederation will voluntarily develop a clear process for managing requests for information by the public.

5.3.2 We will describe clearly the information that we regard as exempt from our process for managing requests for information. This will include information that is commercially or academically confidential.

5.3.3 If the information requested is covered by our publication scheme, we will aim to provide it without delay.

5.3.4 If the information requested is not covered by the publication scheme, we will aim to provide it within 20 working days if possible.

5.3.5 If the information requested is exempt from our process for managing requests for information, we will respond to the individual who has made the request making clear why this is the case.

5.3.6 We will establish a complaints procedure for individuals who are unhappy with how their request has been handled.

6. Accountability

6.1 *Publishing our business plan and annual review*

6.1.1 The NHS Confederation will publish an annual business plan setting out our aims and objectives for the coming year on our website at www.nhsconfed.org, so that it can be easily accessed by our members.

6.1.2 The NHS Confederation will publish an annual review on its website and distribute hard copies to all members for information.

6.1.3 The annual review will describe to members the organisational objectives agreed through our business plan for the coming year, and it will report to members on how we have performed against last year's organisational objectives.

6.1.4 The annual review will clearly signpost to members where the trustees' annual report and accounts, annual return and accounting records, and business plan can be found on our website.

6.1.5 The annual report will also clearly signpost to members that information about the salaries and expenses of senior NHS Confederation staff is published in the trustees' annual report and accounts.

6.2 *Improving access to our meetings*

6.2.1 We will publish the dates of our bi-monthly trustees and corporate board meetings on our website for information.

6.2.2 We will publish the minutes of our bi-monthly trustees and corporate board meetings on our website for information, including a summary of the outcome of any confidential discussions where possible.

6.3 *Asking members' views to inform our work*

6.3.1 We will establish a regular research programme to monitor our members' views on how we are performing in delivering the organisational objectives agreed in our business plan.

6.3.2 We will establish a new Policy Panel of our members to strengthen network and regional input on issues of cross-cutting importance for the health system. The panel will ensure that the NHS Confederation:

- has a sound understanding of the views of networks and the regional context that members are operating in
- establishes advocates who are active on behalf of the NHS Confederation in their network or region
- can engage with a cross-section of members on early thinking around system-wide reform and drafts of key publications.

6.3.3 We will establish a member engagement programme to ensure that our Chair and Chief Executive meet regularly with members from our networks and regions to listen to their views and brief them on our work.

6.4 *Protecting our members' data*

6.4.1 The NHS Confederation will develop a policy on data protection and information governance and publish the policy on our website.

6.4.2 We will review our processes for capturing and regularly updating member data to ensure that all information that we hold is used fairly, is kept secure, is accurate and is up to date.

7. Responsibilities

7.1 The Communications Director will be responsible for delivery of this policy, working closely with the Head of Corporate Governance and the Head of Corporate and Member Communications.