

FAQs on NHS England and NHS Improvement's HR Framework for Developing Integrated Care Boards

Change and Transition Core Principles

1. How will the work that staff in CCGs currently do be protected through the transition to ICBs?

Change can be unsettling. This is why the employment commitment has been put in place to reduce uncertainty during the transition to the ICBs. This includes not making changes to roles below senior leadership, protecting terms and conditions, and ensuring continued employment for staff involved in the transfer. The aim is to allow staff to focus on the important work they do rather than worrying about the transfer itself.

2. How will this change be different to previous organisational changes staff have been through?

The aim is to make this change experience different to what you might have been through before. We are working in partnership with trade unions nationally, regionally, and locally to understand how you are being impacted by the change. We are using this feedback to design a change process that disrupts your role as little as possible. Some changes will be needed to senior roles that might have an impact on you, but the employment commitment is there to offer you as much protection as possible.

3. Will there be transparency in finances and flow of monies to support key work?

Integrated Care Boards will be statutory public bodies meaning they will be required to publish details of their finances.

4. Can you give us an undertaking that you will be transparent about unknowns?

Because the legislation needed to establish Integrated Care Systems is still going through parliament, some things are not 100% certain. Our commitment to you is to be as clear and honest as we can be with the information available. Where we don't know we will say so whilst also working to find the answers and give you clear guidance and direction.

5. What assurances can we have about staff maintaining their NHS status and that the ICB will be a public NHS body?

When the Health and Care Bill becomes an Act of parliament this will create ICBs as statutory NHS bodies. You will be transferred as an NHS employee with the employment commitment protecting your terms and conditions. Integrated Care Boards will also become "Agenda for Change" Annex 1 employers maintaining NHS terms and conditions and ethos.

6. How will the staff in different CCGs transition into the new ICB?

All staff will move to the ICB through a "lift and shift" transfer, which is the desired approach as established in the Guidance on the Employment Commitment. Under this transfer all colleagues (below board level) of a CCG will transfer from the CCG to the ICB with no requirement for organisational change. No job matching or pre-transfer selection process will be required.

Looking after our People

7. How will workloads be managed during the transition period?

The HR Framework set out a commitment to look after people and their health and wellbeing. Having the right number of people to share the workload is all part of your employer's duty of care. However, we know this is not easy and supporting people through the transition is a challenge. We have committed to listening to staff concerns at your employer level, but also through our national and regional social partnership forums. We cannot promise to fix all existing staffing issues, but part of the transfer planning is to complete a People Impact Assessment to understand and make plans to keep you safe and well through the transition.

Safe Transfer for all People

8. What is happening to staff on fixed term appointments in terms of redundancy once the CCG is no longer an entity? Will those who are part-time or on fixed term contracts will be included in the employment commitment?

For staff on a fixed term contract of employment, the impact on you will be dependent on the terms of your contract, the duration of the contract and whether or not you are providing cover for a substantive member of staff (for example someone on maternity leave).

Essentially the contract you are currently on should continue on the same terms, with a simple change of employer. A fixed term contract of employment will automatically transfer to the ICB if it is due to end after the intended transfer date. Our aim is to retain talent and provide continuity wherever possible and we are working at national and system level to find solutions that provide stability and remove uncertainty. Further details can be found in section 5.3 of the [HR Framework for Developing Integrated Care Boards](#).

9. How will decisions be made around future work bases to ensure that employees are not disadvantaged?

There are no national plans to change current work bases. However, ICBs will need consult with staff and trade unions if decisions are made to change ways of working. This will involve collective and individual consultation which would need to look at the equality impact of changes, for example on those with caring responsibilities.

10. Why are permanent vacancies being advertised externally? Should these not be interim or fixed term?

Section 3.1 of the HR Framework recommends that ICBs and CCGs should set out their approach to filling vacancies that arise during transition and that there is no national mandate to operate any recruitment freezes. The national ambition is for the work to continue with minimal disruption and therefore permanent replacements below board level might be appropriate. While CCG colleagues will transfer over to the new organisation by way of a transfer scheme made by NHS England, there will be occasions where undertaking a recruitment process is necessary, particularly for new roles that are not currently employed in the existing organisations. Before proceeding the systems should determine a clear and transparent process for recruitment that maximises opportunities for existing colleagues within the system, aligns with local policies and procedures and promotes fairness and equity.

11. What is going to happen to current flexible and home working arrangements?

Agreed contractual flexible working arrangements will lift and shift to the ICB. The same would apply for formal homeworking arrangements not linked to our response to COVID-19. Temporary home working that was adopted as part of our response to Covid-19 is subject to national Covid-19 advice and each CCG/ICB will need to communicate how this will work in practice.

12. What will happen to my trade union membership during the transfer?

If you pay your union membership through deductions at source (i.e., your payroll pays your subscriptions from your wages) then these will transfer to your new employer. If you pay your subscriptions by Direct Debit, you should let your union know your new employer's name when you have been transferred.

13. How can CCGs identify which NHSEI and CSU staff may be in scope of transfer?

Section 5.2 of the HR Framework covering preparation for change and transition identifies that a people impact assessment (PIA) is required to support the identification of the potential impacts of the proposed changes on people working within CCGs or existing ICB workforce structures, with a view to making the process of change as transparent as possible. The PIA process should be carried out at an early stage and take place at both CCG level and ICB /system level as an assessment completed in isolation may not provide a full review of staffing associated with clinical commissioning. A template PIA has been published to support this activity and can be accessed [here](#).

14. What amendments have been made to the Transfer Scheme and how does this impact on the change and transition process?

The mechanism to transfer of NHS staff to ICBs on their expected date of establishment will be a transfer scheme made by NHS England which will implement transfers of colleagues, property and liabilities to ICBs. The main advantage of a transfer scheme, from the employees' point of view, is that it will preserve statutory continuity of service for those transferring. Earlier drafts of the legislation linked the transfer scheme to colleagues employed by CCG, but this has now been broadened to include those who will transfer from other NHS bodies, including NHS England, NHS Trusts and Foundations Trusts and Special Health Authorities, to ensure that all transferring colleagues are afforded the same protections.

15. Will my pay band be affected due to transition?

The intention is to lift and shift roles, so your pay banding should remain the same during transition. Where the outcome of an outstanding banding review/appeal becomes known during the transition period, then this may lead to a change to the pay band for a person's role. Following the transition to the ICB, the new employer will need to assure themselves that they are using the NHS Job Evaluation Scheme fully and properly to ensure pay equality across their workforce. The NHS Job Evaluation handbook ([Chapter 4: Merger and reconfiguration of health service organisations](#)) sets out the work that employers will need to undertake as part of this assurance process - further JEG guidance will be made available in the future.

Management of Change for Board Level Staff

16. Are Directors covered by the Employment Commitment and the principles of 'lift and shift'?

While board-level roles are not covered by the employment commitment and therefore the principles of lift and shift, they will transfer to ICBs via the Transfer Scheme.

17. Will colleagues who support Board level roles also be affected by the management of change for Board level roles?

The employment commitment aims to provide stability throughout the transition period, minimising uncertainty as much as reasonably possible for staff. This means there is a commitment not to make significant changes to roles below the most senior leadership roles during this transition, to minimise the impact of organisational change and to offer opportunities for continued employment for all those who wish to play a part in the future. Colleagues below Board level should 'lift and shift' to the newly established ICB and whilst some of your day-to-day duties and responsibilities may change, your role and terms and conditions should remain the same.