

CONSULTATION TO MAKE AN APPOINTMENT WITHOUT A COMPETITION: PENNINE ACUTE HOSPITALS NHS TRUST

The Commissioner for Public Appointments has been consulted under paragraph 3.3 of the Governance Code on Public Appointments (the Governance Code) by NHS Improvements (NHSI) to make an appointment, exceptionally, without a competition. NHSI has been given delegated authority from Ministers to make chair and non-executive director appointments to NHS Trusts.

The Governance Code requires the appointing authority to consult the Commissioner in good time before the appointment is made and to make the decision public alongside their reasons for doing so.

Appointing authority's reasons for making an appointment without competition

NHSI has decided to appoint Jim Potter as Chair of the Pennine Acute Hospitals NHS Trust (PAHT) without putting the post out to open competition.

The former Commissioner for Public Appointments granted a previous exemption under the 2012 Code of Practice for an appointment under exemption without the need to hold a fair and open competition until 30 March 2017 in respect of Mr Potter.

In the year that Mr Potter has been in post as Chair it has been established that PAHT will not be part of the single Hospital arrangements in Manchester – at least in the first instance, and the Trust's long-term future has yet to be decided as the emerging picture of health service provision in the city continues to develop.

Following the assessment by the Care Quality Commission of PAHT as "inadequate" (including in the well-led domain) the Salford Royal Hospital NHS Foundation Trust, of which Mr Potter is also the Chair, has agreed to provide support between the it and PAHT and a management contract is being worked up between both organisations.

The new contact will be for a year and Mr Potter's further appointment under exemption as Chair of PAHT will also be for a period of one year commencing 1 April 2017 in order to cover the period of the contract.

Appointee

Jim Potter is Managing Director of a packaging company based on Salford Quays.

He was appointed as a Non-Executive Director at Salford Royal NHS Foundation Trust in November 1999. He was appointed as Chairman on 1 July 2008 and has been reappointed to that role twice.

Jim Potter was appointed as Chairman of PAHT Trust in April 2016 in addition to his role at Salford Royal.

Commissioner's response to the Consultation

The Commissioner for Public Appointments has considered the assessment of NHS Improvements and is content with the proposal to appoint Mr Jim Potter without competition to the post of Chair of PAHT for a period not exceeding 12 months from 1 April 2017 on the basis that this is followed by either a fair and open competition or reorganisation of the Trust's structure.

**On behalf of the Commissioner for Public Appointments
April 2017**