

CONSULTATION TO MAKE APPOINTMENTS WITHOUT A COMPETITION: EPSOM & ST HELIER UNIVERSITY 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.

Ministers have delegated their responsibilities under the Governance Code to NHSI in order for them 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 Aruna Mehta without putting the post out to open competition.

Epsom & St Helier University Hospitals NHS Trust (ESHUH) underwent a major inspection by the Care Quality Commission (CQC) in November 2015 which recommended that the Trust should '*ensure that effective corporate governance and management arrangements are put in place*'. ESHUH's assessment and management of risks were, in particular assessed by the CQC as not being effective.

The Trust Board reviewed its governance and risk processes and agreed that there was a need to get greater experience in the non-executive director team to enable the Board to benefit from objective and dispassionate assurance that the new processes would address the areas of concern. Since then, Ms Aruna Mehta has provided this assurance to the ESHUH Board as an Associate, non-voting member.

NHS Improvements has proposed that Ms Mehta fills a vacancy for a full voting member of the Board without holding a fair and open competition for a period of two years to allow the Board to consolidate and benefit from Ms Mehta's experience.

Appointee

Aruna Mehta

Aruna Mehta's career at JP Morgan, where she had been very involved with risk and governance was of particular interest to the Trust. In February 2016, Ms Mehta was appointed by the Trust as an Associate Non-executive Director and in that capacity she helped create the Trust's new Risk Framework and established, with another Non-executive Director, its Performance & Risk Committee (PARC) – a new statutory Board Committee which has taken specific responsibility for these matters as a direct response to the CQC findings referred to earlier.

In addition to her role on the PARC, Ms Mehta is also a member of the Trust's Patient Safety and Quality Committee, Audit Committee and its People and Organisational Development Committee.

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 Aruna Mehta, without competition to the post of Non-executive Director of ESHUH NHS Trust for a maximum period of two years to enable it to consolidate at the end of which time a fair and open competition should be held.

**On behalf of the Commissioner for Public Appointments
8 November 2017**