

ARM'S LENGTH BODY REVIEW

An Arm's Length Body is an organisation working at national level, but at 'arm's length' from the Department. As stand-alone national organisations sponsored by the Department of Health, arm's length bodies (ALBs) work closely with the local NHS, social care services and other ALBs to carry out specific functions. In Department of Health, they regulate the system, improve standards, protect public welfare and support local services. ALBs vary in size but normally have boards, employ staff and publish accounts. They are accountable to the Department of Health and sometimes directly to Parliament. Most ALBs also receive substantial funding from the Department of Health.

This review covered the Department's eighteen Arms Length Bodies at present. The White Paper, *Equity and Excellence: Liberating the NHS*, proposed the establishment of the NHS Commissioning Board. Ministers are also considering the establishment of a single research regulator. Subject to this the Human Fertilisation and Embryology Authority and the Human Tissue Authority will be abolished. The maximum number of ALBs will therefore be ten. However, following the further identification of opportunities for commercial involvement, the NHS Business Services Authority and the NHS Litigation Authority functions within the ALB sector may be reduced or removed.

The conclusions of the review and outcomes for each organisation are set out below.

Arm's Length Body: Alcohol Education and Research Council

ALB Type: Executive Non Departmental Public Body (ENDPB) and registered charity

Role: Administers the Alcohol Education and Research Fund

Proposal: Abolish as an ALB and remove from the sector, while seeking to maximise the opportunities for effective cross-government policy to reduce the harm from alcohol misuse.

Arm's Length Body: Appointments Commission

ALB Type: ENDPB

Role: Makes public appointments

Proposal: Abolish as an ALB during 2012 in view of the very substantial reduction in the number of appointments required. Move remaining appointments to the Department of Health.

Arm's Length Body: Care Quality Commission

ALB Type: ENDPB

Role: Regulates health and adult social care provision

Proposal: Retain as quality inspectorate across health and social care, operating a joint licensing regime with Monitor. Host organisation for HealthWatch England. Current responsibility of assessing NHS

commissioning moves to the NHS Commissioning Board. May gain functions from other organisations, e.g. HTA and HFEA.

Arm's Length Body: Council for Healthcare Regulatory Excellence

ALB Type: ENDPB

Role: Oversees professional regulators

Proposal: Remove from the sector. Make a self-funding body by charging a levy on regulators. Extend role to set standards for and quality assure voluntary registers.

Arm's Length Body: General Social Care Council

ALB Type: ENDPB

Role: Regulates social workers

Proposal: Transfer the regulation of social workers to the Health Professions Council, which will be renamed to reflect its new remit.

Arm's Length Body: Health and Social Care Information Centre

ALB Type: Special Health Authority (SpHA)

Role: Collects and provides health and social care information

Proposal: Retain, and put on a firmer statutory footing by establishing it in primary legislation. National repository for data collection across health care, public health and adult social care. Clearer focus on data collection, with a close working relationship with the NHS Commissioning Board.

Arm's Length Body: Health Protection Agency

ALB Type: ENDPB

Role: Protects the health and wellbeing of the population

Proposal: Abolish as a statutory organisation and transfer functions to the Secretary of State as part of the new Public Health Service.

Arm's Length Body: Human Fertilisation and Embryology Authority

ALB Type: ENDPB

Role: Regulates human embryo storage, research and assisted reproduction treatment

Proposal: Retain as a separate ALB for the time being, with the aim of transferring its functions by the end of the current Parliament. In the meantime, we will examine the practicalities (and legal implications) of how to divide the HFEA's functions between a new research regulator, the Care Quality Commission and the Health and Social Care Information Centre.

Arm's Length Body: Human Tissue Authority

ALB Type: ENDPB

Role: Regulates the removal, storage and use of human tissue and organs

Proposal: Retain as a separate ALB for the time being, with the aim of transferring its functions by the end of the current Parliament. In the meantime, we will examine the practicalities (and legal implications) of how to divide the HTA's functions between a new research regulator, the Care Quality Commission and the Health and Social Care Information Centre.

Arm's Length Body: Medicines and Healthcare products Regulatory Agency

ALB Type: Executive agency

Role: Regulates medical devices and medicines

Proposal: Retain, but with the expectation that it will undertake its regulatory duties in the most cost effective way.

Arm's Length Body: Monitor

ALB Type: ENDPB

Role: Assesses, licences and monitors NHS Foundation Trusts

Proposal: Retain and make an economic regulator, operating a joint licensing regime with CQC.

Arm's Length Body: National Institute for Health and Clinical Excellence

ALB Type: SpHA

Role: Provides national guidance on the promotion of good health and the prevention and treatment of ill-health

Proposal: Retain, and put on a firmer statutory footing by establishing it in primary legislation. Expand scope to include social care standards.

Arm's Length Body: National Patient Safety Agency

ALB Type: SpHA

Role: Promotes patient safety and manages the National Clinical Assessment Service, the National Research Ethics Service and confidential enquiries.

Proposal: Abolish as an ALB. Safety functions retained and transferred to the National Commissioning Board. Explore transfer of National Research and Ethics Service functions to single research regulator. National Clinical Assessment Service to become self-funding over the next two to three years.

Arm's Length Body: National Treatment Agency for Substance Misuse

ALB Type: SpHA

Role: Works to increase the availability, capacity and effectiveness of drug treatment in England

Proposal: Abolish as an ALB, and transfer functions to the Secretary of State as part of the new Public Health Service.

Arm's Length Body: NHS Blood and Transplant

ALB Type: SpHA

Role: Provides blood, organs and associated services to the NHS

Proposal: Retain, and commission an in-depth review of opportunities to make more commercially effective. Transfer Bio-Products Laboratory out of NHSBT into a Department of Health owned company.

Arm's Length Body: NHS Business Services Authority

ALB Type: SpHA

Role: Provides central services to the NHS

Proposal: Retain in short term, and commission commercial review to identify potential for increased commercial opportunities, including potential to remove functions from the ALB sector.

Arm's Length Body: NHS Institute for Innovation and Improvement

ALB Type: SpHA

Role: Supports the NHS by spreading new ways of working, new technology and leadership

Proposal: Remove from ALB sector. Move functions which will support the NHS Commissioning Board in leading for quality improvement to the Board. Review the potential for its remaining functions to be delivered through alternative commercial delivery models.

Arm's Length Body: NHS Litigation Authority

ALB Type: SpHA

Role: Handles negligence claims and works to improve risk management practices in the NHS

Proposal: Retain, and commission an industry review to identify potential opportunities for greater commercial involvement.