



**North Central London**  
Clinical Commissioning Group

# **Frequently Asked Questions (FAQs)**

**(Updated: 4 May 2022)**

Formal consultation on the transfer of staff of NHS North Central London Clinical Commissioning Group (NHS NCL CCG) to the NHS North Central London Integrated Care Board (NHS NCL ICB) on  
01 July 2022

**This Frequently Asked Questions Document covers the following topics:**

- Mechanism of Transfer
- Consultation Process
- London Shared Staff (LSS)
- Staff on Secondments, Fixed Term Contracts and Agency Workers
- Secondments, Fixed Term and Agency Workers
- Measures with regard to the transfer
- Management and transfer of staff information from NHS NCL CCG to NHS NCL ICB
- Support for staff

This document will be updated during the consultation. This document was last updated on 4 May 2022 and newly added questions and answers are shaded in blue.

## Mechanism of Transfer

<p><b>What is the process by which the transfer from the CCGs to the ICBs will take place?</b></p>	<p>The process by which the transfer from the CCG to the ICB will happen will be in line with that required by Cabinet Office Statement of Practice on Staff Transfers in the Public Sector (COSOP) and the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE). Further information is provided in the consultation document.</p>
<p><b>What is the statutory NHS transfer scheme?</b></p>	<p>The mechanism to transfer NHS staff in-scope of the transfer to the newly established ICB on 01 July 2022 will be a national NHS transfer scheme made by NHS England. The transfer scheme sets out that the process of transferring staff will be as required by COSoP and TUPE regulations.</p> <p>Please see the consultation document and NHSE/HR Framework - section 5 (Safe Transfer of all People) for further information.</p>
<p><b>Is the NHS Transfer Scheme legal?</b></p>	<p>Yes. The proposed new legislation includes provision for transfer schemes made by NHS England which will implement transfers of colleagues, property and liabilities from CCGs to ICBs.</p>
<p><b>What is the protection that COSoP/TUPE will provide me as part of the transfer?</b></p>	<p>All staff that transfer to the ICB will receive the following protection as part of the application of CoSoP and TUPE regulations:</p> <ul style="list-style-type: none"> <li>▪ The application of TUPE to protect employment rights of staff when their employer changes as a result of a transfer of an undertaking to avoid them being disadvantaged because of the change;</li> <li>▪ Protection of continuous service;</li> <li>▪ Protection of terms and conditions of employment;</li> <li>▪ Continued membership of the NHS Pension Scheme;</li> <li>▪ Staff will be provided with any measures proposed by the new organisation and;</li> <li>▪ For those staff on a secondment at the point of transfer to the ICB, the transfer scheme will ensure that secondment agreements move from the CCG to the ICB</li> </ul>

<b>How will Employment Commitment apply to me?</b>	In accordance with the employment commitment, all services and staff will transfer to the new ICB via a 'lift and shift' approach. This will ensure that the current change process is undertaken with minimum disruption to those staff that are affected by this change.
<b>How long is the employment commitment for?</b>	The national employment commitment applies to the transition arrangements to ICBs. The NHSE/I Framework is clear that commitment is to provide our people, with employment stability throughout the transition period while minimising uncertainty as much as reasonably possible.

## Consultation Process

<b>How will the CCG consult with staff on the transfer to the ICB?</b>	There will be a formal 30 day consultation in accordance with NCL CCG's Change Management Policy, NHSE/I HR Framework, Employment Commitment and best practice.
<b>When will the consultation commence?</b>	The formal 30 day consultation process will commence on 27 April 2022 and end at 5pm on 27 May 2022.
<b>How do I participate and feedback in relation to the consultation?</b>	<p>Feedback, comments and views on the proposed transfer to the NCL ICB can be provided to Directors, the NCL Executive Management Team and the HR team, informally/formally and in writing to the dedicated NCL HR transition email address: <a href="mailto:nclccg.nclhrtransition@nhs.net">nclccg.nclhrtransition@nhs.net</a></p> <p>In addition, staff are encouraged to feedback comments and views to their recognised trade union representatives. Please see section 15 of the consultation document for names and contact details of the trade union representatives.</p> <p>If any member of staff would like to have a formal 1:1 consultation meeting please contact the HR Transition via the transition email address (<a href="mailto:nclccg.nclhrtransition@nhs.net">nclccg.nclhrtransition@nhs.net</a>) in order that arrangements can be made to schedule a meeting with the relevant manager. Alternatively, arrangements can be made to schedule an informal meeting directly with the relevant manager. Meetings will be held via MS Teams or face-face in an office, where requested.</p>

<p><b>What is the purpose of the consultation meeting and what can be discussed?</b></p>	<p>The purpose of the consultation meeting will be to:</p> <ul style="list-style-type: none"> <li>• Discuss personal circumstances and the impact of the proposed change in employer to NCL ICB;</li> <li>• Enable staff affected by change the opportunity to provide their views, comments and feedback on the proposed changes;</li> <li>• Discuss staff support available; and</li> <li>• Provide Information and feedback mechanisms</li> </ul>
<p><b>Can Trade Union and staff side representatives attend consultation meetings?</b></p>	<p>Yes, staff are entitled to be accompanied by a trade union representative or CCG work colleague to a formal consultation meeting.</p>
<p><b>If I am not part of a trade union, can I be accompanied by anyone else to a formal consultation meeting?</b></p>	<p>Staff are entitled to be accompanied by a CCG work colleague if they are not a member of a Trade Union.</p>
<p><b>How will the CCG consult with staff on long term leave?</b></p>	<p>Staff who are away on long-term sick leave, career break, maternity leave or any other long term leave from work will receive the same information and correspondence as all staff in work via their line manager/Head of Service. Staff on long term leave can attend all staff briefings and can also request a formal consultation meeting in accordance with the CCG's Change Management Policy.</p>
<p><b>How will the transfer process affect me?</b></p>	<p>Given the employment commitment, the transfer process should be seamless and there will be very little change operationally on the day of the transfer. You should perform your usual duties on day 1 of the transfer.</p>
<p><b>Do I have to transfer to NCL ICB?</b></p>	<p>Given the CCG will be no longer exist from 01 July 2022, all staff must transfer to NCL ICB on 01 July 2022.</p>
<p><b>What happens if I am on long term leave e.g. maternity, sick leave on the transfer date?</b></p>	<p>Your employment will continue to transfer to NCL ICB on 01 July 2022.</p>
<p><b>Will organisational structure charts be shared as part of the consultation documents?</b></p>	<p>The CCG organisational structure charts do not form part of the consultation documents. In accordance with the employment commitment, all services and staff will transfer to the new ICB via a 'lift and shift' approach. In turn there will be no changes to the CCG Team structures as part of this consultation and transition. The CCG recognises that structure</p>

	charts do change from time to time and following the announcement of changes to directorate names, structure charts will be updated and placed on the CCG's intranet.
<b>If there is a delay to the passing of the Health and Social Care Bill and the ICB is not established on 1<sup>st</sup> July, will another consultation process be required to be undertaken with CCG staff?</b>	On 28 April 2022, the Health and Care Act 2022 completed the parliamentary process and received Royal Assent. This is an important step and means that Integrated Care Bodies will be established on 1 July 2022. In turn, all staff in-scope of the consultation will transfer from NHS NCL CCG to NHS NCL ICB on 1 July 2022.
<b>Will staff have an opportunity to apply for voluntary redundancy as part of the consultation process?</b>	The transition to the ICB is being managed in accordance with the national NHSE/I HR Framework and the national employment commitment. The purpose of the commitment is to support the retention of our talent and provide our people, with employment stability throughout the transition period, therefore there will be no opportunity for Voluntary Redundancy during this change process

## London Shared Service (LSS) Staff

<b>Will the consultation documents be shared with LSS staff?</b>	Yes, LSS staff were invited to the all staff event to launch the formal consultation on the transfer of staff from NCL CCG to NCL ICB. An email from the Communications Team was sent to all staff following the launch briefing which included the LSS staff that will transfer to the ICB on 1 July, subject to the outcome of the LSS consultation.
<b>Are LSS staff in-scope of the consultation to transfer staff from NCL CCG to NCL ICB?</b>	No, LSS staff are not in-scope of the CCG's consultation process as they are not employees of NCL CCG. LSS staff are subject to the formal London Shared Services consultation on the transfer from NHS London Shared Service staff to a number of London Integrated Care Boards, NHSEI (London Region), and the Royal Free London NHS Foundation Trust.
<b>Can LSS staff formally comment/feedback during the consultation process?</b>	Yes, if they wish to do so. However, please note that because LSS staff are not in-scope of the consultation process, whilst feedback will be duly considered those staff will not receive individual correspondence regarding the outcome of the consultation.

## Staff on Secondments, Fixed Term Contracts and Agency Workers

<p><b>I am on a fixed term contract which is due to end before the transfer date of 01 July 2022. Will my contract be extended?</b></p>	<p>The HR team are working closely with Directors to ensure that managers review posts being filled on a fixed term/temporary basis to enable business continuity during the transition period. In turn, fixed term contracts will be reviewed on a case by case basis by the relevant line manager, Director and Executive Director.</p> <p>Requests for extensions will be managed by managers via the <a href="#">CCG's Establishment Control Process</a>.</p> <p>Should any posts be extended beyond 01 July 2022, these staff will therefore be in-scope of the transfer to the ICB.</p>
<p><b>I am employed by the CCG on a fixed term contract, Am I in-scope of the transfer to the ICB?</b></p>	<p>All employees of the CCG on a fixed term contract and employed by the CCG at the date of transfer (01 July 2022) will be in-scope of the transfer.</p> <p>For those staff whose fixed term contract comes to end before the transfer date of 01 July 2022, their fixed term contract will conclude as contractually arranged at the outset.</p>
<p><b>I am currently on an internal secondment into a post within the CCG. Will my secondment continue following the transfer to the ICB?</b></p>	<p>All employees of the CCG on an internal secondment with an end date beyond the transfer date (01 July) will continue to undertake the secondment role following the transfer to the CCG until the current end date, following which they return to their substantive post.</p> <p>For those staff whose internal secondment comes to end before the transfer date of 01 July 2022, these staff will return to their substantive role and will transfer to the ICB in their substantive role.</p>
<p><b>I am currently on secondment to the CCG from a different employer. Am I in-scope of the consultation and therefore transfer to the ICB?</b></p>	<p>Colleagues engaged by a CCG on a secondment from another organisation are not employees of the CCG and so fall outside of the employment consultation. However, existing secondment agreements will move to the new ICB with the agreement of all parties.</p>
<p><b>What happens to interim workers engaged through agency?</b></p>	<p>Line managers and Directors will have discussions with agencies if interim workers are required to continue beyond current end dates.</p> <p>Requests for extensions will be managed by line managers via the <a href="#">CCG's Establishment Control Process</a>.</p>

## Measures with regard to the transfer

<p><b>What are measures?</b></p>	<p>The current employer (CCG) and the new employer (ICB) are required to inform staff and trade unions of any measures (changes) the ICB intends to take in relation to the transfer of the employees.</p> <p>Measures refers to the information that the new organisation (ICB) must inform the current organisation (CCG) with regard to:</p> <ul style="list-style-type: none"> <li>▪ New employer</li> <li>▪ ICB Executive Management Team any future potential changes that may occur following the transfer into NCL ICB</li> <li>▪ name of payroll and pensions provider, including confirmation of no change to the existing pay day.</li> </ul> <p>Further details can be found within section 8 within the Consultation Document.</p>
<p><b>Will there be a restructure following the transfer to the ICB?</b></p>	<p>NHSE/I have set out renewed ambitions for greater collaboration between partners in health and care systems and options for a firmer legislative basis for Integrated Care Systems. Any future organisational change requirements following the establishment of the new NCL ICB as the ICB evolves over time to focus on system priorities and new ways of working that ensure effective delivery of its functions and priorities, will be undertaken in accordance with current legislation, NCL ICB Change Management Policy and HR good practice.</p>
<p><b>Will there be a review of High Cost Area Supplements?</b></p>	<p>High Cost Area Supplements (HCAS) are provided in accordance with the national Agenda for Change terms and conditions of employment.</p> <p>As outlined in the 'Proposed Measures' section of the consultation document (section 8), the ICB will be reviewing future accommodation/office requirements in 2022. Any proposed changes to contractual work bases as a result of the review will be subject to consultation with staff and trade unions in accordance with NCL ICB's Change Management Policy.</p>

## Management and transfer of staff information from NHS NCL CCG to NHS NCL ICB

<p><b>What will happen with employee records and payroll information?</b></p>	<p>The Workforce System will be updated to reflect the NCL ICB employer name and logo from 01 July 2022. The information held on the Electronic Staff Records (ESR) payroll system will remain and records will be updated to reflect the new NCL ICB employer from 01 July 2022.</p> <p>Tax and pensions information will be transferred automatically to NCL ICB</p>
<p><b>What happens to my pension?</b></p>	<p>Staff in the NHS pension scheme at the point of transfer on 01 July 2022 will continue in the scheme. Staff will retain access to the NHS pension scheme if they would like to join after 01 July 2022.</p>
<p><b>Will my pay date be affected?</b></p>	<p>The salary pay dates will not change and will remain as the 25<sup>th</sup> of the month.</p>
<p><b>Can I still use the same Childcare Vouchers that I am currently using when I transfer to NCL ICB?</b></p>	<p>Yes, if you are using childcare vouchers with NCL CCG prior to the transfer date you can continue using the same childcare voucher scheme after the transfer on 01 July 2022.</p>
<p><b>What happens to my annual leave?</b></p>	<p>Your annual leave entitlement is a contractual term of employment and in line with Agenda for Change Terms and Conditions. In turn, provisions for annual leave will remain unaffected and unchanged as a result of the transfer to the ICB.</p>

## Support for Staff

<p><b>What support is available for staff during this period of change?</b></p>	<p>The CCG recognises that these changes will be taking place against a background of significant and ongoing challenges associated with COVID-19. It is critical therefore that those staff affected by this change process are appropriately supported.</p> <p>The CCG will work in partnership with Trade Union Representatives to offer a range of staff support to meet the different requirements during the different stages of the change process.</p> <p>Please see section 14 of the consultation document which outlines the following support that is available for all staff during the transition to the ICB:</p> <ul style="list-style-type: none"> <li>▪ Health and Wellbeing</li> <li>▪ Resilience Workshops</li> </ul>
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	<ul style="list-style-type: none"> <li>▪ Support from line managers and Directors</li> <li>▪ Trade Union support</li> <li>▪ General queries and additional requests for support can be sent to the HR Transition Team via the dedicated email address: <a href="mailto:nclccg.nclhrtransition@nhs.net">nclccg.nclhrtransition@nhs.net</a></li> <li>▪ HR Drop-In sessions</li> <li>▪ HR advice, support and guidance on the consultation process and transfer arrangements</li> </ul>
<p><b>Is there health and wellbeing support that is available for staff to access during the transition to the ICB?</b></p>	<p>Support is available via occupational health and the Employee Assistance Programme (EAP). In addition to this, we encourage staff to utilise the employee assistance programme service from the CCG's Provider, Workplace Wellness which includes:</p> <ul style="list-style-type: none"> <li>• Employee counselling;</li> <li>• Personal support;</li> <li>• Health and wellbeing;</li> <li>• General advice and support and;</li> </ul> <p>Further information on the employee assistance programme and occupational health services can be found on the CCG's health and wellbeing intranet page.</p> <p>Building resilience workshops to support staff through change will also be available via the CCG's Learning Hub Intranet page.</p>