

Paper 7 Appendix B BIS CHECKLIST FOR CLOSURE - CONSUMER FOCUS TRANSFER/CLOSURE PROJECT: CURRENT ISSUES LOG

Issue Type	Issue Number	IssueSummary	Action	Action By
Governance	1	To ensure a smooth closure and/or transition of functions to any newly created/merged bodies, a project should be set up and a clear and comprehensive project plan established.	BIS set up groups in Jan 2011: Programme Steering Group, and three work stream steering groups - Enforcement, Information/Advice/Education/Codes, Advocacy. Bi-lateral CAS/CF Transition Working Group last met on 15/5/11. Both CAS and CitA are recruiting project teams.	All parties
Governance	2	An appropriate SRO and project manager should be appointed to assist Consumer Focus	Resources are under consideration.	MOC/GC
Governance		Effective governance arrangements to ensure clear accountability for both the wind up of the organisation and decision making. Decisions taken should be logged.	The CF Board has agreed additional objectives for A&RC and HR&RC to reflect the circumstances of transition and closure; key issues go to the CF Board for decision. All decisions are recorded formally and published.	Consumer Focus Board
			The Board and Committees receive regular transition reports from the Executive	SMT
			The CF strategic risk register has been updated and split to show both transition and business as usual risks: the transition risks have been shared with BIS on the basis that they will hold the wider project risk register and make it available to all parties.	Consumer Focus/BIS
			Regular, formal meetings take place with BIS.	Consumer Focus/BIS
Governance		Risk registers should set out the key risks associated with closing down, together with contingency plans should these risks materialise. The Audit Committee and the project implementation team should review the transition risk register regularly. It is important that routine monitoring of the risks around any of the outgoing body's functions that are transferring continues to be operated as carefully as before, since the governance responsibilities of the outgoing organisation for those functions continue until they are handed over.	Key risks have been added to the CF strategic risk register which is reviewed by A&RC at every meeting: this register is now in two parts: <i>Transition Risks</i> and <i>Business as Usual Risk</i> . <i>BIS hold the risk register for the overall project. CF seeks to have a coordinating risk register with Citizens Advice Service for transferring elements</i>	Consumer Focus/BIS and CitA etc/Consumer Focus
Governance		Develop a complete list of contractors and suppliers	Underway for HR/Finance and IT	Corporate Services
Governance		The outgoing body must not incur expenditure that inappropriately commits any new organisation or compromises its budget.	Inhibit spending on consumables and enhance contract procurement controls	Budget holders & Procurement
Audit	1	Making transparent any conflicts of interest within the Board, e.g. involvement in successor arrangements	Updating Conflict of Interest letters to take account of the transfer/closure.	HR
Audit		Identify role of internal audit, develop brief about the proposals and associated risks	Already underway	GC
Audit		Briefing Audit Committee members about the proposals and the associated risks	GC to discuss at Audit meetings	GC
Audit		Review arrangements through to transfer/closure to provide an independent opinion to support the Statement of Internal Control	Treasury changes are due on the SIC	TBA
Accounting		The specific disclosures required in the final set of accounts should be discussed and agreed with the NAO at an early stage, as should the methodology for providing comparative figures for the first year accounts of any successor bodies. The information needed to present prior year comparative figures in any new body's first published accounts must be sufficient for the body to take ownership of them subsequently.	NAO already aware and have this under consideration: have advised that 2010/11; 2011/12 accounts should be on ongoing concern basis; on current timetable, 2012/13 will be the final set of accounts.	GC
Accounting		The project plan should include details of how residual issues such as the transfer of functions and resolution of any outstanding issues are to be handled, including the payment of any liabilities at the closing balance sheet date.	BIS have confirmed that they will be the residuary body for financial and accounting issues associated with closure (e.g. ongoing financial commitments; contractual arrangements; grant funding relationships; etc.).	BIS

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Accounting		Consider how representatives from IA and the NAO should best be brought into developments (e.g. attend meetings periodically as observers at the project board for overseeing closure).	IA and NAO routinely attend A&RC and have further discussions offline. Consideration will be given to how they can link to a 'closure board' or equivalent a bit nearer the time. Consumer Focus does not lead this aspect of the work. However we will be providing information as directed and will involve IA and NAO as required.	GC
Project Management		To ensure a smooth closure and/or transition of functions to any newly created/merged bodies, a project should be set up and a clear and comprehensive project plan established.	Identify a project manager.	MOC/GC
Project Management		Respective roles and responsibilities of Consumer Focus and BIS during the change period	Identify internal project team and liaise closely with BIS. Formal dialogues ongoing between CF and BIS	MOC/GC
Project Management		Are there adequate and appropriately skilled resources in place to deal with transition issues. The Department's corporate core should be engaged from the start to ensure that appropriate expert advice is available to support the closure process (e.g. finance, legal, HR, internal and external audit, etc.).	Staff with experience of several transitions already in place. HR and IT project support being identified.	MOC/GC
Project Management		How to deal with residual issues that last beyond the life of the body, such as financial matters, and the protection and destruction of residual information after closure?	BIS requirements and central government policy on records will be followed.	PM
Comms		Identify which stakeholders need to be kept informed	Use contact register to inform OGDs with an interest; external data owners or partners in shared services arrangements; key external partners such as interested voluntary organisations and the EU; Customers; Trade unions or staff associations; Contractors; Parliament and sections of the public	Comms
Comms		Stakeholders should be appropriately engaged in the project to ensure that their views are considered, their knowledge is utilised and their commitment to the changes is established, as far as possible.	The BIS steering/working groups and the bilateral CitAService/CF TWG engage first line stakeholders.	BIS, CitA,CF, working groups
			The BIS Consumer Landscape Consultation will give stakeholders an opportunity to input formally	BIS
			The Consumer Focus Forward Workplan consultation is open to stakeholder input	SMT
			We will need effective communication with stakeholders, communicate through appropriate media to reach stakeholders and Websites may need to be updated or closed down and appropriate signposting supplied.	Comms
Comms		Developing an internal communications plan with both staff and trade unions to ensure messages are regular and consistent	There are regular fora for face to face contact with staff such as the Huddle. In addition we have the home page of the intranet for news and the weekly Round Up emails.	MOC/GC & Comms
Comms		The project should communicate regularly and openly with staff and stakeholders on plans and progress to help enhance commitment and morale.	CF communicates regularly and openly with staff – and with stakeholders as possible - but, with many key issues still unclear or undecided, uncertainty remains high and tests staff commitment and morale.	Comms
Comms		Ensure web information is accurate	Relevant websites being updated	CFLabs & Comms
Legal		When an NDPB is abolished, the sponsor department should establish that adequate powers exist to meet residual pension liabilities for board members and staff, inadequacies being remedied in legislation. The source of funding for these liabilities needs to be agreed with the relevant Treasury spending team.	Information on the pension implications of merging or winding up NDPBs ( <i>Non Departmental Public Bodies Pension and Compensation Guidance Notes</i> issued by HMT) is being considered.	HR
Legal		Determine whether legislation is required to close/abolish the body. If so, this should provide for powers relating to running down, transfer of functions, and other closure issues. Eg FOI Act 2000	Legislation is required: Public Bodies Bill and secondary legislation – anticipated timescale for closure is currently March 2013.	BIS
Legal		Whether or not copyright for material should be assigned to the Crown	Not all NSMC's contracts uphold.	Procurement

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Legal		Copyright – the receiving organisation has to avoid inheriting any potential copyright infringements	Check any contracts that may transfer.	Procurement
Legal		To whom do Enquiries, complaints, FOI, EIRs PQs etc tfr?	BIS may transfer rights and duties to CitA etc	BIS
HR		Ways for staff to share experience and make contacts with staff in relevant bodies, e.g. through secondments?	Graham Clark has gained BIS agreement to recruit.	GC/HR
		Looking at staffing changes to meet CF's remaining workforce needs	On-going	SMT
HR		When key staff leave before the body closes, robust exit management arrangements should be employed to retain and manage vital business knowledge.	Already underway	SMT/HR
HR		Whether you hold sufficient information about staff and their contracts	Staff records already held. Further information on internal contractors gathered 5 May 2011	GC/HR
HR		Whether you hold sufficient information about the terms and conditions of board members	All records up to date	GC/HR
HR		Enabling staff to apply for jobs on civil service vacancies site	Done via Civil Service Recruitment Gateway	GC
HR		Maintaining appraisal and personal development opportunities to ensure that performance does not dip?	On-going	Line managers
HR		Moving quickly to develop clear policies on transfer of functions and planning resourcing accordingly.	On-going	BIS/Consumer Focus/CitA
HR		Check that arrangements are in place for any severance payments to be within relevant conditions of service or approved severance scheme. Where appropriate, obtain prior approval from the Department and Treasury for any redundancy or early severance packages in accordance with <i>Managing Public Money</i> .	Arrangements will be under the terms of the government compensation scheme and referred to BIS (Treasury if appropriate) for approval.	HR/FINANCE
HR		Appropriate arrangements are needed for any staff losses, reductions or transfers arising as a result of closure. Issues to consider will include: contractual arrangements and commitments for staff involved; whether early retirement and severance packages are appropriate and affordable; redundancy arrangements and costs; whether TUPE or COSOP arrangements apply; whether there will be pension liabilities and where these will lie; etc.	First reduction programme for voluntary and compulsory redundancies completed March 2011. TUPE/COSOP discussions have been held with BIS and legal advice taken from TSOL.	BIS/Consumer Focus/CitA
BCP		Key business security systems must be maintained and regularly checked (e.g. back up procedures and business continuity arrangements) to protect management and audit trails.	Business continuity arrangements in place. IT data/systems are resilient and backed-up off-site. Financial systems subject to regular scrutiny through internal and external audit, and reporting to A&RC.	Corporate Services
Assets		Process for allocation of assets and liabilities between parent department, successor bodies and disposal	Preparation of asset transfer documents drawing upon asset list	Corporate Services
Assets		Maintaining a detailed and up-to-date asset register, including the projected cost of disposal		Corporate Services
Assets		Leases may be in place beyond the organisation's abolition date and there may be financial penalties associated with early termination, which may be reduced if sufficient notice is given. Consideration should also be given to whether it is possible to transfer leases to another government body.	Leases are managed pro-actively, with legacy body leases disposed of or with plans in place; leases on new offices in London and Cardiff taken on short term basis.	Corporate Services
Assets		Consideration should be given to disposing of assets at best value, or transferring them to another government body. If assets are scrapped, their values must be written down in the accounts of the closing body.	Most IT, equipment and furniture will transfer to sucessor bodies. OGCs clearing House will be used for any excess furniture.	BIS, CitA,CF, working groups
Core Business		Appropriate arrangements are needed for: retaining key staff and achieving continuity; addressing issues arising from staff changeovers; and, joint working with bodies taking over any functions of the organisation being abolished. For new projects being introduced at the time of change, it is essential to consider the resulting work carefully and avoid the risk that it will be given an inappropriately low priority because of the need to resource the change arrangements.	Discussions on retention underway with BIS. Working groups encourage joint working to facilitate smooth transfer of functions. Forward Workplan recognises changed circumstances and takes account of flexible planning to accommodate ongoing uncertainty at both UK and nation levels.	BIS, CitA,CF, working groups