



House of Commons
Public Administration Select
Committee

Ministerial and other appointments from outside Parliament

Written Evidence

This is a volume of submissions, relevant to the inquiry into Executive pay in the Public Sector, which have been reported to the House but not yet approved for publication in final form. Any public use of, or reference to, the contents should make clear that it is not yet an approved final record of the written evidence received by the Committee.

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**Memorandum from William Solesbury, Senior Visiting Research Fellow, Kings
College London and Dr Ruth Levitt, Independent Researcher (MAP 01)**

Summary

- We focus on the Committee's interest in so-called Tsars: their effectiveness (key questions 1 and 7), accountability (key question 2) and appointment process (key question 6).
- Our comments arise mainly from research undertaken in 2005 which studied the contribution made by 'outsiders' (that is, people coming into Whitehall from previous careers outside) to the improvement of policy and delivery in Whitehall departments.
- Effectiveness: there is value that expert outsiders – as Tsars or in other similar roles – can bring to public policy that complements the skills and knowledge of insider civil servants and thus enhances the overall quality of advice to Ministers. However, their contribution must be substantive and critical. It must not just be the loan of their reputation, even celebrity, to endorse established policy.
- Accountability: it is not always clear, at least from the published information about most of these appointments, whether their accountability lies within the Civil Service or just to Ministers; in the latter case their accountability to Parliament is also unclear.
- Appointment process: these differ in the degree of openness, formality and competition they involve. While these differences may be appropriate, it may not be self-evident why one process is chosen rather than another.
- In conclusion we raise several questions for the Committee to consider which bear on the importance of upholding the public interest in bringing outside expertise into government.

Introduction

1. This memorandum focuses solely on the Committee's intention to 'also examine the effectiveness and accountability of advisers invited into government to lead its response on a specific issue – so-called "tsars".' In relation to such appointments we address their effectiveness (the Committee's key questions 1 and 7), their accountability (key question 2) and their appointment process (key question 6).

2. This memorandum is largely based on our research undertaken at Kings College London in 2005 on the contribution made by 'outsiders' (that is, people coming into Whitehall from previous careers outside) to the improvement of policy and delivery. Our research was undertaken through a combination of document analysis, confidential interviews with a sample of 18 outsiders and 12 other people with relevant knowledge and experience and a seminar of researchers, practitioners and observers. The full report of the research titled *Evidence-informed policy: what difference do outsiders in Whitehall make?* is at <http://evidencenetwork.org>, follow the links to Centre Publications and then to Working Paper 23. The relevant findings are summarised below, before we address the questions of the effectiveness, appointment and accountability of Tsars.

Outsiders in Whitehall: Tsars and other advisers

3. There is a long tradition of appointing outside specialists to advise Ministers. In our research we identified the following twelve types of appointment, at that time, for bringing outsiders into Whitehall.

1. Professionals in 'academic' disciplines, e.g. medicine, science, economics, statistics – into discipline-specific roles such as Chief Medical Officer, Chief Scientific Adviser in departments.
2. Professionals in 'support' or 'corporate' functions, e.g. human resources, IT, finance, communications – into functional roles in departments, such as Director of Human Resources, Director of Finance.
3. Top executives, e.g. Chief Executive, Managing Director – into chief executive roles in Whitehall.
4. Policy experts, e.g. health policy, crime policy – into policy teams, strategy units or other specialist units.
5. Sector/service delivery specialists, e.g. from local government or the police or the NHS – usually seconded into central departments or units.
6. Special Advisers to Ministers, i.e. political appointments that are usually not classed as Civil Service posts.
7. Senior 'troubleshooters', sometimes popularly called 'Tsars', such as Keith Hellawell (Anti-Drugs Co-ordinator), Andrew Pinder (e-Envoy) and Celia Hoyles (Maths Tsar).

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| <ol style="list-style-type: none"> 8. Chairs and board members of statutory advisory bodies and commissions, such as the Electoral Commission and the Commission for Integrated Transport. 9. Independent reviewers or members of special committees of inquiry, such as Adair Turner (pensions), Philip Hampton (regulation) and Lord Haskins (rural strategy). 10. Non-executive members of departmental or agency/NDPB boards and audit committees. 11. Outside researchers, consultants, or other professional experts commissioned to provide services to Whitehall departments – usually employed elsewhere or self-employed. 12. Other short term secondments and placements, e.g. from business, academe, local government, NHS, police. |
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We recognised Tsars (number 7 on our list) as one kind of outsider appointment. But there are others sharing their purpose of providing policy advice – notably policy experts (number 4), sector/service delivery experts (number 5), political special advisers (number 6), independent reviewers (number 9), researchers and consultants (no 11) and secondments and placements (number 12).

4. The term ‘Tsar’ was seemingly first used with the appointment in 1998 of Keith Hellawell, a Chief Constable, to advise the Home Secretary on anti-drugs policy. Since then the term has become used loosely – not least in the media – as a descriptive term for specialist advisers. So, while there have been subsequent appointments titled Tsar, other similar posts have been titled otherwise. Below we list and exemplify the range of job titles. We can only exemplify because there seems to be no consistent record of these appointments – their inclusion in the Civil Service Yearbook varies between departments and our inquiries of the Cabinet Office have yielded no information. The details below of job titles and descriptions are mostly drawn from departmental and individuals’ websites.

5. The following titles are in common use.

- Tsar – eg Anti-drugs Tsar in HO (Keith Hellawell, appointed 1998- 2001), Homelessness Tsar in HO (Louise Casey, 1999-2003), Swine Flu Tsar in DH (Ian Dalton, 2009).
- Adviser – eg the Chief Adviser on School Standards in DCSF (Sue Hackman), the Chief Scientific Advisers in various departments, Faith and Community Policy Adviser in DCLG (post recently advertised).
- Commissioner – eg the School Commissioner (Bruce Liddington) in DCSF, the Children’s Commissioner (formerly Sir Al Aynsley-Green; his successor is currently being recruited), the newly appointed Information Commissioner (Sir Joseph Pilling).

- Independent Reviewer – eg in the past on Pensions (Adair Turner), Benefits (Freud), Corporate Governance (David Walker), Skills (Sandy Leitch) and recently Rail Station Standards for DTP (Sir Peter Hall and Chris Green).
- Champion – eg recent appointments of ‘A Voice for Older People’ (Dame Joan Bakewell), a Digital Inclusion Champion (Martha Lane Fox), a Dance Champion (Arlene Philips), a Health Champion in the NHS (Mike Farrar).
- National Clinical Directors in DH – these are 15 senior experts who oversee the National Service Framework for specific services.

6. As well, some non-elected Ministerial appointments have been called Tsars: for example, recently Lord Darzi in DH and Sir Alan Sugar in DBIS.

Effectiveness

7. The Committee’s key questions 1 and 7 are ‘What do these people bring to government? Have they been successful?What are the benefits of appointing increasing numbers of...special representatives.’

8. The general conclusions we drew in our 2005 research were:

- a) Outsiders can bring distinctive and varied perspectives to bear on the work and culture of Whitehall, which are based on the skills, experience, domain knowledge and networks they have developed outside. Thereby they can improve the quality of policy discourse within departments.
- b) Outsiders’ skills, experience, domain knowledge and networks have the potential to complement those of insiders. That potential can be realised where (a) there is high level support; (b) team-working operates effectively; and (c) there is a critical mass of outsiders.
- c) Recruitment and induction practices are very important contributory factors in attracting outsiders, bringing them in and enabling them to succeed. These practices need further improvement; if they were tailored more exactly to each case, they could provide much better conditions for outsiders to give of their best, and for host departments to maximise the potential benefits.
- d) The more the culture maintained by senior insiders in Whitehall can become genuinely open, permeable and responsive to change through external influences, the better use Whitehall will be able to make of the perspectives outsiders contribute; this is a long-standing issue, and there remains considerable scope for improvement.
- e) At the moment, bringing outsiders into Whitehall is officially promoted as ‘a good thing’. However, it is not yet being monitored or evaluated in a sufficiently thorough way, quantitatively or qualitatively, to enable politicians, the executive or observers to be sure of the exact benefits and costs, or the lessons for improvement. Until this type of evidence base is more developed, the whole

endeavour risks being seen as a rhetorical device that lacks real urgency or priority.

We believe that these conclusions still have validity. There is value that expert outsiders – as Tsars or in other roles – can bring to public policy that complements the skills and knowledge of insider civil servants and thus enhances the overall quality of advice to Ministers. However, their contribution must be substantive and critical. It must not just be the loan of their reputation, even celebrity, to endorse established policy.

9. Such advisers need organisational support to help them make that contribution and it is noteworthy that some of the more recent appointments – for example, of Martha Lane Fox and Arlene Philips – have been associated with the creation of an advisory group.

Accountability

10. The Committee's key question 2 is 'Are people appointed to these positions sufficiently accountable? If not, how might they be made more accountable?'

11. There seem to be three models of accountability for Tsars and variants:

- a) where outsider specialists are appointed to advisory posts in the Senior Civil Service, they will have line managers leading up to the departmental Permanent Secretary. As civil servants they can be called before Select Committees.
- b) where the post is statutorily independent of government – as with the Children's Commissioner – they are formally accountable to the Minister who appointed them. They can also be called before Select Committees.
- c) where outsider specialists are appointed by Ministers – whether as political Special Advisers, Independent Reviewers, Researchers and Consultants or Champions, they are only accountable to the Minister. However a degree of independence and freedom to speak their mind in public may be part of the deal: for example, Joan Bakewell as a 'Voice of Older People' is said to be 'acting as an independent and informed advocate on issues which affect old people's lives.' (GEO Press release 9 November 2008). Whether such appointees can be called before Select Committees seems to be at the discretion of the Minister – as was evidenced in the case of Lord Birt a few years back.

12. It is not always clear, at least from the published information about most of these appointments, which of these models applies, and therefore what accountability mechanisms are appropriate to each appointment.

Appointment process

13. The Committee's key question 6 is 'Is the process of appointing 'tsars' sufficiently transparent? If not, how can it be made more transparent?'

14. The same distinctions as above with accountability seems to apply here –

- a) appointments made to the Senior Civil Service are subject to Civil Service Commission procedures and oversight (including public advertisement, competition etc) and sometimes with the assistance of recruitment consultants.
- b) other appointments are made under similar procedures and with the oversight of the Commissioner for Public Appointments.
- c) while others are appointed directly by a Minister through informal procedures of search, interview and negotiation of terms.

Additionally:

- d) consultants and researchers will be appointed through departmental procurement rules that will usually involve open competition and transparent procedures, but without any independent oversight.

15. There is here a clear distinction between the formality of some ‘Tsar’ appointments (usually including competition, transparency of procedure and independent oversight) and the informality of others. There can be good reasons for the informal appointment process – speed, Ministerial confidence in the chosen appointee, unwillingness of suitable candidates to undergo a formal appointment process. But the informality may exclude potentially good candidates and lays the appointment open to a charge of cronyism.

16. Tsar appointments commonly involve part-time work for a fixed term. This is suitable where the appointees may be advising on a specific task rather than ongoing policy development, they may be dependent on the patronage of a particular Minister, and they need to maintain their outside profile and experience to sustain their expertise. These terms contribute to their effectiveness. We note that of the 54 outsiders in senior civil service posts in 2005 whom we identified in our research (see Table A of our report) only 15 are still in the service (on the basis of the Civil Service Yearbook 2009) and only 10 of those are working in their field of former outside expertise.

Conclusions

17. We draw the following conclusions –

- a) ‘Tsar’ has come to be used loosely as a generic term for a wide range of part time, fixed term advisory posts in government. Moreover the term invokes vivid associations with the exercise of (surely now outmoded) autocratic imperial power, which does not reflect the style or content of expert authority that today’s advisors can bring. The Committee may wish to comment on this.
- b) In detail these posts have various titles and remits but have a common purpose in seeking to bring outside expertise to bear on public policy. Therefore the Committee may want to avoid restricting its recommendations to the few posts that are labelled

'Tsar', and to widen the scope of its inquiry so that the many other similar posts are included.

- c) By and large bringing outsiders into departments in these ways does have value in strengthening the work of government, provided that certain conditions are met, particularly patronage and organisational support. The Committee may want to emphasize that if these appointments are to be more than window-dressing, the appointees need to be enabled to exercise influence that is commensurate with their expertise. They are likely to be critical of existing policies and practices, and this is to be welcomed, even if it is uncomfortable.
- d) Tsars' accountability seems to vary – sometimes they are within civil service lines of command, sometimes only accountable direct to a Minister; their accountability to Parliament and its Select Committees can be uncertain. The Committee may wish to comment that this apparent arbitrariness weakens accountability and that a clearer rationale would be worthwhile.
- e) While some of these appointments are made subject to formal CSC or OCPA procedures and oversight or departmental procurement procedures, others are made informally at the discretion of Ministers. Appointment procedures obviously differ in terms of the openness and degree of competition involved. The Committee may want to consider whether the seemingly arbitrary choice of procedure is in the interest of securing the most effective advice to Ministers.

September 2009

Memorandum from Professor Martin Smith (MAP 02)

Summary of Key Points

- There has been an explosion of 'Tsars' in British Government.
- There is no single definition of the role of a Tsar and they carry out very different functions.
- There are no clear mechanisms of appointment or accountability.
- Formally, Tsars do not exist within the British Constitutional framework.
- It is difficult to distinguish Tsars from special advisors or external Ministerial appointments.
- The most systematic use of Tsars has been with in the Department of Health but even here there is little clarity about their roles, the methods of appointment, or the lines of accountability.
- There is a need to formalise both the role of Tsars and the processes of appointment in a way that has occurred with special advisors.
- There needs to be a named official within the Cabinet Office who has responsibility for the management of Tsars.

Introduction

The role of Tsars has developed in an *ad hoc* way since the initial appointments of the Tsars of Homelessness and Drugs in 1997 and 1998. There is no extant government documentation which defines the nature and role of Tsars or explicitly lays out the rules of appointment. Indeed, it appears that Tsars is an informal rather than formal categorisation within British Government. According to Lord Falconer in 2000:

The only civil servant with the official title of "Envoy" or "Czar" is Alex Allan, the e-envoy. He has a remit to drive forward e-commerce policy in the United Kingdom and to represent the UK's e-commerce interests internationally. (Hansard April 20, 2000).

The Nature and Role of Tsars

Those referred to as Tsars seem to have some common characteristics. They are appointed by Ministers, although there does not seem to be an explicit process. Second, their role appears to be as innovators who are responsible for the delivery of government policy through the coordinating and inspiring of a range of actors. In many cases they were created to deal with particularly intractable problems (and copying developments in the US that focussed on pulling different agencies together). However, the other Tsars appear to have little clear logic. Some such as the rail Tsar have an official institutional position (Director General of Rail National Networks) whether others such as the Ageing Tsar seem to be almost honorary or media positions with little institutional relationship

to government. What is interesting about these appointments is that they were and are direct appointments and they have often involved the Prime Minister directly in the appointment. Consequently, Tsars often have dual lines of responsibility one to their home department and another to the Prime Minister. As the rural affairs Tsar, Stuart Burgess, told a Select Committee:

The access that I do have to the Prime Minister is both formal and informal: formal in terms of writing a Rural Advocate's report annually to him and presenting it to him and having a conversation about the major issues, but also more informal contacts wherever possible to meet with him, like at the party conference where I told him I was going up to Cumbria to visit the hill farmers. It was an opportunity for me to directly report. The great opportunity is actually to see that and report back to the Prime Minister directly (Environment, Food and Rural Affairs Select Committee, 2007/8).

Consequently Tsars can be seen as part of a wider process of change within the structures of the central government. First, along with institutions such as the Prime Ministers Delivery Unit they are becoming part of a process of increasing Prime Ministerial policy capacity and the ability to intervene in departments. Second, it can be seen as part of a process of re-defining the role of civil servants in the policy process. Tsars create alternative sources of policy advice and moreover they are political with a small 'p' in the sense that they are directly appointed. Unlike civil servants, they are not morally neutral; they have an explicit function to achieve particular government objectives. Consequently, we can see the development of Tsars as a response to wider changes in the process of government in relation to pluralizing policy advice and increasing the policy capacity of the centre. In this sense Tsars are part of a process of wider changes in the nature of governance.

In many ways they blur the lines between traditional civil servants, political advisors and expert advisors in the role of Tsars. For example, Louise Casey is formally appointed as a civil servant but has had a number positions which the media have referred to as Tsar positions, homelessness, respect and now crime. In many ways these are formal civil servant positions but Casey has often acted without neutrality (being associated with a particular policy that she has created and has been identified with her and acting without anonymity often speaking on issues in an overtly political, not ideological, way). Others, such as Alan Sugar have a role that is much more about publicity and galvanising various groups and interests. It is difficult to distinguish between those like Alan Sugar and other such as Baroness Shitri Vadera who have been appointed to ministerial positions by the Prime Minister directly from Business, without working through the party system or a traditional ministerial career. Baroness Vadera was one of several Ministers who were appointed from outside and is not clear why their role is formalised as a Minister rather than Tsar. The blurring of lines is part of a wider process of dissatisfaction with the policy role of officials and the failure of the traditional machinery of government (such as the Cabinet Office) to coordinate policy. In also suggests a shifting in definition of

ministers, advisors and civil servants. Indeed, it is almost impossible to find a list of the Tsars that exist in government (see Table 1 for an indication of some of the Tsars) and there does not seem to be anyone within the Cabinet Office who has responsibility for the regulation of Tsars.

Table 1: Non-health Tsars

Area	Tsar	Responsible Department	Appointment
Crime	Rod Morgan Graham Robb Louise Casey	Home Office	2009
Behaviour	Sir Alan Steer	DIUS	2008
Respect	Louise Casey	Home Office	2006-8
Drugs	Keith Hellowell	Home Office/Prime Minister	1998-2002
Homelessness	Louise Casey	Home Office	1997-2000
Rural Affairs	Lord Haskins Stuart Burgess	DEFRA	2001-2
Rail	Mike Mitchell	Transport	2005-
Internet	Alex Allen	BERR/Prime Minister	1999-2000
Tourism	Sir Michael Lickiss	Culture	2003-7
Elderly	Joan Bakewell	Prime Minister	2008-
Enterprise	Sir Alan Sugar	Prime Minister/BIS	2009-

Health Tsars

The most systematic use of Tsars has been in the Department of Health where a system of National Clinical advisors has developed as a way of essentially delivery the National Health Framework (see Table 2). However, even in the Department of Health there is considerable inconsistency in what Tsars do, how they have been appointed and their relationships with ministers and officials. The unusual location of Tsars between the interstices of politicians and officials is highlighted by the process of appointment. In some cases the positions appeared to have been appointed almost by chance and certainly there was no explicit, formal process. Moreover, it does indicate that Tsars are non-political, political appointees. The Tsars were effectively appointed by the Secretary of State. In one case ‘the fact of the matter is that I bumped into Alan Milburn on the train’. As another Tsar said:

It then went to Alan Milburn, who was Secretary of State at the time, and I got called into a meeting with him. It wasn't at that time clear to me whether I had been appointed, and therefore was meeting him to discuss how I was going to do the job, or whether this was in effect my job interview, him making sure he liked me. So I really didn't know what the status of the meeting was, and was too green to clarify it (Interview with Tsar).

However when one Tsar said to officials that he was a political appointment he was met with a firm response: 'he said, 'no, no, no, you're not...., you're definitely not' – in that Civil Service 'no way', horrified, because I wasn't a political advisor, I was regarded as part of the civil service'. What is apparent is that Tsars carry out different function and may not even be clear themselves about their status. Some operate very much within Whitehall whilst others retain a considerable presence within the Health Service.

Table 2: Health Tsars

Name	Responsibility	Appointment
Mike Richards	Cancer and Palliative Care	1999
Roger Boyle	Heart Disease and Strokes	2000
Ian Philp	Older People's Services	2000
David Colin-Thome	Primary Care	2001
Louis Appleby	Mental Health	2000
Henry Cayton	Patients and the Public	2002
George Alberti	Emergency Access	2002
Rowan Hilson	Diabetes	200?
Shelia Shribman	Children and Maternity	2005
Lindsey Davies	Pandemics	2006
Carol Black	Health and Work	2007
Surinder Sharma	Equality and Human Rights	2004
Donol O'Donoughue	Kidney Service	2007
Bob Fryer	Widening Participation	2005
Chris Rudge	Transplantation	2008

Conclusion

The growth of Tsars has happened in an ad hoc way as a response to the increasing fragmentation of government and the desire of ministers to have advice from sources beyond the traditional civil services. However, there is no clarity about their role. They vary greatly from those who exist in a more or less honorary position to those who have formal positions akin to civil servants. It is not ever clear that the position of Tsar exists within government; it is a label attached to particular positions. As a consequence it is not clear how Tsars differ from special advisors or external Ministerial appointments. Unlike,

other appointments there does not appear to be any rules within the Ministerial Code that governs their appointment and the whole process of accountability, the nature of their post or terms of office lack transparency. It is not even clear the extent to which these are political appointments. They do seem to undercut the traditional civil service values of neutrality, permanence and anonymity. They are a further bit of Britain's unwritten constitution which has developed in *ad hoc* way without any attempt to formalise either the role, the processes of appointment or mechanisms of accountability. Formally, they do not exist within the rules of British Government.

October 2009

Memorandum from Sir Gus O'Donnell KCB, Cabinet Secretary (MAP 03)

During my evidence to the Committee on 29 October, I agreed to provide you with a list of individuals appointed by the Government who are commonly known as Tsars, Envoys, Champions or Ambassadors, providing advice or championing Government policies. These are generally unpaid appointments although the individuals are able to claim reasonable expenses.

I attach a current list of such appointments.

Please note the list does not include details of individuals who have been appointed to NDPBs, task forces, ad-hoc advisory groups or those who have been appointed to conduct short term reviews. We have also not included details of other individuals who provide independent advice and have been appointed on a contract basis and receive a salary.

I hope the Committee find this useful.

GOVERNMENT APPOINTED TSARS, ENVOYS, CHAMPIONS AND AMBASSADORS¹

Department	Name/Post	Date of appointment
BIS	Lord Sugar – Enterprise Champion	June 2009
	Martha Lane Fox – Champion for Digital Inclusion	June 2009
Cabinet Office	Rt Hon Anne McGuire MP - Cabinet Office Advisor on Third Sector Innovation	November 2008
	Dame Stephanie Shirley - Government's Giving & Philanthropy Ambassador	May 2009
	Tim Berners-Lee – Prime Minister's Information Adviser	June 2009
	Nigel Shadbolt – Prime Minister's Information Adviser	June 2009

	Lord Stevens – Prime Minister’s International Security Adviser	June 2007
DCSF	Howard Goodall – National Singing Ambassador	January 2007
DCMS	Sir Steve Redgrave - Sports Legacy Champion	October 2009
	Richard Caborn MP - Prime Minister’s World Cup Ambassador	June 2007
	Wayne MacGregor - National Youth Dance Champion	April 2008
DECC	Rt Hon Malcolm Wicks MP - Prime Minister’s Special Representative on International Energy	October 2008
	Mark Lazarowicz - Prime Minister’s Special Representative on Carbon Trading	October 2008
FCO	Ann Clwyd MP – Prime Minister’s Special Envoy on Human Rights in Iraq	May 2003
	Baroness Williams – Prime Minister’s Adviser on Nuclear Proliferation	July 2007
	Rt Hon Jack McConnell MSP – Prime Minister’s Special Representative for Conflict Resolution Mechanisms	October 2008
	Ian McCartney MP - UK Commissioner General, Shanghai Expo	September 2007
	Rt Hon Des Browne MP – Prime Minister’s Special Envoy for Sri Lanka	February 2009
Government Equalities Office	Dame Joan Bakewell - Voice of Older People	November 2008

Department of Healthⁱⁱ	Sir Michael Parkinson - Ambassador, Dignity in Care	May 2008
	Rob Aldridge - Chair, Dance Champions Group (Group also includes Arlene Phillips who was appointed June 2009)	July 2008
	Lord Darzi. - Health & Life Sciences Ambassador (working with BIS)	July 2009
Home Office	Richard Taylor – Special Envoy on tackling youth violence and knife crime	February 2009
Ministry of Justice	Sara Payne – Victims Champion	January 2009

ⁱ The List does not include details of individuals who have been appointed to NDPBs, task forces, ad-hoc advisory groups or those have been appointed to conduct short term reviews. Other individuals who provide independent advice and have been appointed on a contract basis and receive a salary are not included on this list.

Individuals are able to claim reasonable expenses associated with their role. They may have use of office space in the relevant government department and access to support as necessary.

ⁱⁱ The Department of Health has also appointed national clinical directors to oversee the implementation of a national service framework (NSF) or major clinical or service strategy, details of which can be found at <http://www.dh.gov.uk/en/Aboutus/MinistersandDepartmentLeaders/Nationalclinicaldirectors/index.htm>

December 2009