

Correspondence
with DH.

Rosamund Riley

From: Roger Evans [GRO-C]
Sent: 07 September 2012 17:01
To: ben.cole [GRO-C]
Cc: ailsa.wight [GRO-C]; rowena.jecock [GRO-C]; Rosamund Riley
Subject: RE: Mft Reserves
Attachments: Mft Beneficiaries Income Sept 2012.xls

Dear Ails,

Thanks for your helpful email. I do appreciate that you are being helpful and that you have other masters to serve.

Dates which would be good for me are: 17/9pm, 20/9am and 21/9 all day. I hope one of these is possible.

I am attaching some initial work on Primary PB's income, which you may find useful. It will, most probably, be in the Business Case. Please do not share it widely just yet. We can discuss them etc when we meet up.

Best Wishes.

Roger

Subject: Fw: Mft Reserves
To: rogerevans4 [GRO-C]
CC: Ailsa.Wight [GRO-C]; Rowena.Jecock [GRO-C]
From: Ben.Cole [GRO-C]
Date: Fri, 7 Sep 2012 12:41:48 +0100

Roger,
Please see attached note from Ailsa

Dear Roger,

Further to my note yesterday (below), in reply to yours of 5 September, I promised a further response on the average payments point as it would be useful to clarify the position. I am grateful to you for your work to date on the issue of the reserve.

From the outset of this process at the start of the year, we have sought to work with the Trust to help develop the proposals for paying down the reserve, and secure Ministerial support for the proposal. It was in that spirit that we decided not to present the Trust's current draft proposal to Ministers, as we felt that Ministers were unlikely to support it in its current form. Finance colleagues agreed that it was only right that the Trustees be given further time to develop the proposal, in order to give it the best possible chance of securing ministerial support. My response was to acknowledge that, and to aim to highlight the areas in which we believe the proposal needs to be strengthened, which I know you appreciate.

While we have a responsibility to the Trust to help it present its proposal to Ministers, we also have a duty to provide Ministers with comprehensive and impartial advice. Therefore, we are required to subject the proposal to an appropriate level of scrutiny, and provide Ministers with all of the relevant information that they might require to make a decision on the future of the reserve. In the current fiscal climate we expect Ministers to look very closely at this issue.

We agree with your point about bringing up those Mft beneficiaries who have less income,

and I think that is a principle which should find resonance with Ministers. I would also like to make absolutely clear that we have not been using, and never intended to use, the average net income of beneficiaries as a criterion for assessment of the MFT's proposal. Neither have we been considering means testing. We simply quoted some indicative figures we had, and MFT was asked to corroborate them. Please see Ben Cole's email to you of 27 July 2012.

The point I was making by referring to net average household income was that without any quantitative assessment of the level of need among the beneficiaries, and a statement of how the Trust will assess charitable need, Ministers will look at the range of the beneficiaries incomes, and question whether there is £4m worth of charitable need. The absence of this information from the proposal was therefore a significant omission.

The objects of the Trust are quite clear, in stating that its purpose is to meet the charitable needs of its beneficiaries. Because of this, we and Ministers need to understand what standard of charitable need the Trust is applying, and what the level of charitable need among the beneficiary community actually is, when considering funding issues affecting the Trust. The income of the beneficiaries is clearly central to that issue, albeit not necessarily the only relevant factor. We recognise that the income of the beneficiaries varies, as indeed does need.

You have already agreed that we should meet soon to discuss. If you can send some dates to Ben he will identify a mutually convenient date.

Kind regards
Yours sincerely
Ailsa
Ailsa Wight
Deputy Director and Head of Programme
Infectious Diseases and Blood Policy
Public Health Directorate
Tel: GRO-C



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Ailsa Wight/PH6/DOH/GB
06/09/2012 10:21

To "Roger Evans" <rogerevans@GRO-C>
cc Rowena Jecock/PH6/DOH/GB@DOH, Ben Cole/HP-SL/DOH/GB@DOH
bcc
Subject Re: MFT ReservesC2D754A636CBFB6B80257A700044FA5D

Thank you Roger.

I'm sorry if you feel this has caused you problems; we thought on the contrary that you would find the considered feedback and the slightly revised timescale, following further discussion with Finance here, helpful to allow you to build the necessary case. We will need a fully detailed and robust position to submit to ministers, and that was made clear to Christopher and Martin in January. The only 'change in tack' is to give you longer to make the case, as now recommended by Finance. Ministers will not

now anyway be considering until late October.

We will get back to you separately on the point about average payments, to clarify the information we hold as well as that Martin relayed, but in the meantime please do consider how to incorporate all relevant facts fully in the case.

It might be helpful to meet soon to discuss the details. If you agree, we will arrange that.

Kind regards

Ailsa
Ailsa Wight
Deputy Director and Head of Programme
Infectious Diseases and Blood Policy
Public Health Directorate
Tel: GRO-C

Message sent from a Blackberry handheld device.

From: Roger Evans [rogerevans4 GRO-C]
Sent: 05/09/2012 13:33 CET
To: Ailsa Wight
Cc: Rowena Jecock; Ben Cole
Subject: RE: MFT Reserves

Dear Ailsa,

Thank you for your email.

We will submit a Business Case by 31st October.

I have to say that the change of tack by DH causes us problems. We reorganised our committee schedule on the basis of your considering the briefing note, you requested and submitted on 25th July; we will now have to revisit it. It was DH's wish to expedite the process.

My Board is also disappointed that you do not feel able to progress on the basis of the Briefing Note. When we met on 18th July, you gave Martin Harvey and myself until 25th July to submit our Briefing Note. It is inevitable that having only four working days to draft it, there is information missing which will be in a fully developed Business Case. You were counselled on this on 18th July.

The most important point I want to make at this stage is our dismay over your using beneficiaries' average net income as a criterion for initial assessment of our case. We did not include any information in the Briefing Note on income, which should, in our opinion, have been the only source for your consideration. As you may know I have discussed this with Ben Coles over the phone and he says it is based on a guesstimate made by Martin during a recent (18th July?) meeting. Martin does not recall proffering these figures but even if he did we would have expected you to confirm them with MfT before their figuring in your internal discussions. We believe the figures (which cover a wide income band) are exaggerated. We will be including information on income in our Business Case.

Importantly, average income is not an appropriate figure for assessing need. There are many beneficiaries and widows with incomes much less than the average-some as low as £6K per annum. It is these we will be looking to address primarily, not Mr and Mrs Average. A comparison with national average income levels is also misleading and inequitable as it takes no account of the financial commitments falling on the co-infected arising from their clinical conditions. It also disregards their inability to borrow money for such issues as home improvements (which we are looking to fund). MfT income, for instance, is disregarded by financial institutions when assessing credit worthiness.

Irrespective of the figures, using income as a criterion also takes DH down a controversial path. As you know, going back to the 1980s and the inception of MfT the whole ethos of providing an income to the co-infected was not based on means testing-which you now appear to be considering. This would raise many issues with the beneficiaries;quite rightly,it is a very sensitive subject with them.

All this will be included in the Business Case. With respect, DH has jumped the gun by introducing the income issue at a premature stage. I would ask, strongly, that income figures not feature in your thinking until you receive our Business Case.

Regards.

Roger

Subject: Re: MfT Reserves
To: rogerevans4 [GRO-C]
CC: Rowena.Jecock [GRO-C] Ben.Cole [GRO-C]
From: Ailsa.Wight [GRO-C]
Date: Thu, 30 Aug 2012 13:04:02 +0100

Dear Roger

Thank you for your e-mail of 25 August regarding the MfT reserve, and my apologies for the silence since you sent in the revised proposal. But as you are well aware, this is a significant issue, and we have been giving it careful thought.

After further consideration with DH Finance we have decided not to put the issue to Ministers until the Trust has agreed its final business case, in October. We believe that Ministers are extremely unlikely to support the current draft proposal because it does not make the case that there is £4m worth of charitable need among the beneficiaries.

As you know the MfT was set up to meet the charitable needs of its beneficiaries. You therefore need to convince Ministers that the beneficiaries have current charitable needs in respect of the items identified in the proposal, and explain why these have not been met from the reserve in previous years. So in order to give the final business case the best chance of receiving Ministerial support in whole or in part, we strongly advise that it contains the following information:

- Why the reserve has not been used to date for charitable purposes, and what has changed to merit its distribution now
- An analysis of the data that has been obtained from the survey of beneficiaries that MfT has commissioned. This should include an assessment of each beneficiary's current ability to pay for any items that they are identified as needing (in suitably anonymised form, of course).
- A statement on what standard of charitable need the Trust intends to apply to applications for grants from the reserve, and how the Trust plans to make an assessment of need. MfT data show that the average infected beneficiary has a net income between c£31k - c£39k. We do not believe that Ministers will understand how a group of people with an average net income in this range have charitable needs, given that this is above average national income and various measures of poverty that are commonly used.

We have negotiated this extension with DH finance, on the basis that the final business case will be approved at the October Board meeting. If we do not receive the final business case by 31 October we will need to go to Ministers with the current draft proposal.

I hope this advice is helpful, and I look forward to receiving the final business case in October. Please do contact me, Rowena, or Ben if you wish to discuss any points. We would be happy to meet to review a further draft, if that would be useful.

Kind regards
Ailsa

Ailsa Wight
Deputy Director and Head of Programme
Infectious Diseases and Blood Policy
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London SE1 8UG

Telephone: [GRO-C]
Mobile: [GRO-C]
email: ailsa.wight [GRO-C]

Ailsa Wight/PH6/DOH/GB
Rowena Jecock

----- Original Message -----

From: Rowena Jecock
Sent: 29/08/2012 14:49 GDT
To: Ailsa Wight
Cc: Ben Cole
Subject: Fw: Mft Reserves

Roger made a mistake with your email address - here is his note to you.

----- Forwarded by Rowena Jecock/PH6/DOH/GB on 29/08/2012 14:48 -----

Roger Evans <rogerevans4 [GRO-C]
25/08/2012 11:06

To
cc
Subject

<ailsa.white [GRO-C]
Rowena Jecock/PH6/DOH/GB@DOH, Ben Cole/HP-SL/DOH/GB@DOH
Mft Reserves

Dear Ailsa,

Please can you give me an update on progress with the Minister in reaching a decision on the commitment by the Mft of its Reserves.

You will recall that we were required to expedite the programme and provide a Business Case by 27th July, which we sent on 26th July. Since then we have heard nothing except a request by Ben to provide further information, which we did by 13th August.

I have already asked for confirmation that our Case has been submitted to the Minister in the amended form we sent it to DH and not yet received a reply.

Please could you also let me know if you are expecting any further information from us by the end of September, which was the original date for submitting our Business Case.

Thanks very much.

Roger

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Rosamund Riley

From: Roger Evans [rogerevans4] **GRO-C**
Sent: 30 July 2012 08:35
To: Rosamund Riley
Subject: FW: MFT Reserves
Attachments: Reserves - Mft revised proposal.doc; ANNEX A.doc; MFT DH Reserves Paper July 2012.doc

Hi Roz,

I am forwarding an email from DH regarding the draft Business Case Martin and I sent last week.

I would be most grateful if you could let me have your suggestions on how I should respond to the second bullet point. As you know I shall be in the office tomorrow so we can discuss then, if necessary.

I would like something by the end of the week, though.

Thanks v much.

Roger

Subject: Re: MFT Reserves
To: rogerevans4 **GRO-C**
CC: Rowena Jercock **GRO-C**
From: Ben.Cole **GRO-C**
Date: Fri, 27 Jul 2012 14:47:58 +0100

Hello Roger,

Thank you for the revised proposal. I appreciate the extra work put into it, but unfortunately we think that it needs strengthening even further in order to present to Ministers. I have taken the liberty of making some changes and inserting some questions into the attached version.

I have also attached a document which I have drafted based on data provided by MfT and discussion at our meeting last week. Could I please ask for you to arrange for it to be checked for accuracy.

There are two fundamental issues regarding the reserves paper:

- It needs more detail on the level of need. About 15 people have been interviewed so far. Can you include some analysis of the data you have acquired so far? I realise it is only a small sample but it is better than nothing. The data could be presented in anonymised, tabular form, along the following lines:

Case A - total household income £X - list of identified needs - comment on whether they have a charitable need. etc

- Assessment of charitable need. There is no statement in the proposal of how MfT proposes to judge charitable need. Can you confirm whether MfT intends to assess an applicants charitable need in judging whether they should receive money from the reserve, and if so how will it be judged? The average MfT primary beneficiary seems to have a total household income of somewhere between £30,000 - £40,000 (about half of which is received net of tax) - please correct me if I am wrong. This is obviously well above the average national household income. It would help to understand on what basis MfT would judge they had a charitable need.

I am going to pick this up again when I return from holiday, so we have a bit of time to work this up further. Would it be possible to let me have something by 13 August, when I return?

Thanks
Ben

(See attached file: Reserves - Mft revised proposal.doc) (See attached file: ANNEX A.doc)

 Roger Evans <rogerevans4@doh.gov.uk> GRO-C

Roger Evans <rogerevans4@doh.gov.uk> GRO-C
26/07/2012 14:54

To Rowena Jecock/PH6/DOH/GB@DOH, Ben Cole/HP-SL/DOH/GB@DOH

cc

Subject MFT Reserves

Dear Rowena/Ben,

As promised I am attaching the interim Business Case for the spending of our Reserves. Please let me know if you require any more information.

We are still intending to agree a Final Business Case at our Board meeting on 24th September.

I look forward to hearing from you.

Regards,

Roger

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