

Shared Insights:

Ros Foster, Nicola Evans and Kathryn Fearn led a session on commissioning independent reviews when NHS organisations identify issues with a service, clinical department or clinician's practice.

Ros Foster is a partner at Browne Jacobson who has over 25 years' experience advising a wide range of clients on regulatory and administrative law issues. Ros specialises in healthcare regulation

When commissioning an external review, it is essential to agree robust Terms of Reference which set out the end to end process. The Terms of Reference should be agreed at the outset and should set the objectives of the review and outline how key issues will be dealt with to meet essential legal requirements.

Consider seeking specialist legal advice when drafting the Terms of Reference.

Click here to read a [checklist](#) of key legal issues that should be addressed in the Terms of Reference. This checklist should be shared with Divisional Management Teams and at Board level, to raise awareness of the pitfalls to avoid and the legal obligations that must be met when commissioning external reviews.

When commissioning the review:

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