


<b>MEETING DATE:</b>	10 October 2013	 <b>North Lincolnshire Clinical Commissioning Group</b>  <b>REPORT TO THE CLINICAL COMMISSIONING GROUP GOVERNING BODY</b>
<b>AGENDA ITEM NUMBER:</b>	Item 6.1	
<b>AUTHOR:</b>	Caroline Briggs	
<b>JOB TITLE:</b>	Director of Commissioning	
<b>DEPARTMENT:</b>	NHS NL CCG	

**SECTION 75 PARTNERSHIP AGREEMENTS TO UNDERPIN MORE INTEGRATED  
COMMISSIONING BETWEEN THE CLINICAL COMMISSIONING GROUP AND THE  
LOCAL AUTHORITY IN NORTH LINCOLNSHIRE**

<b>PURPOSE/ACTION REQUIRED:</b>	Decisions for Approval
<b>CONSULTATION AND/OR INVOLVEMENT PROCESS:</b>	The proposals have been developed through the Integrated Commissioning Partnership a working group of the Health and Wellbeing Board
<b>FREEDOM OF INFORMATION:</b>	<i>Is this document releasable under FOI at this time? If not why not? (decision making guide being developed)</i> <b>Yes Public</b>

<b>1. PURPOSE OF THE REPORT:</b>			
<p>To update the Governing Body on the progress of developing the Section 75 Partnership Agreements that will underpin integrated commissioning between the Clinical Commissioning Group (CCG) and the Local Authority (LA) in North Lincolnshire.</p> <p>To seek approval to the proposed approach</p>			
<b>2. STRATEGIC OBJECTIVES SUPPORTED BY THIS REPORT:</b>			
<b>Continue to improve the quality of services</b>			<b>x</b>
<b>Reduce unwarranted variations in services</b>			
<b>Deliver the best outcomes for every patient</b>			<b>x</b>
<b>Improve patient experience</b>			<b>x</b>
<b>Reduce the inequalities gap in North Lincolnshire</b>			
<b>3. IMPACT ON RISK ASSURANCE FRAMEWORK:</b>			
	<b>Yes</b>		<b>No</b>
			<b>x</b>

<b>4. IMPACT ON THE ENVIRONMENT – SUSTAINABILITY:</b>	<table border="1"> <tr> <td>Yes</td> <td></td> <td>No</td> <td>x</td> </tr> </table>	Yes		No	x
Yes		No	x		
<b>5. LEGAL IMPLICATIONS:</b>					
<table border="1"> <tr> <td>Yes</td> <td>x</td> <td>No</td> <td></td> </tr> </table>	Yes	x	No		
Yes	x	No			
The partnership agreements will be drafted under Section 75 of the Health and Social Care Act					
<b>6. RESOURCE IMPLICATIONS:</b>					
<table border="1"> <tr> <td>Yes</td> <td>x</td> <td>No</td> <td></td> </tr> </table>	Yes	x	No		
Yes	x	No			
The proposals will result in the continuation of pooled budgets in relation to Learning Disabilities and Mental Health but with a review of the elements to be included, including identification of those relating to complex care which will support delivery of transforming complex care locally. The CCG is currently the host for the mental health pool and is likely to remain so under the revised arrangements. The proposals in relation to Children will support aligned budgets rather than pooled.					
<b>7. EQUALITY IMPACT ASSESSMENT:</b>					
<table border="1"> <tr> <td>Yes</td> <td></td> <td>No</td> <td></td> </tr> </table>	Yes		No		
Yes		No			
<p><i>Has an Equality Impact Assessment been undertaken for this policy/procedure/guidance? If no, please state when this will be undertaken. Have the needs of all those groups defined as having protected characteristics been addressed. Describe monitoring arrangements which will be in place to ensure the needs of the above are being met by the service</i></p> <p>An Integrated Impact Assessment will be undertaken for all commissioning activities funded from the pooled or aligned resources</p>					
<b>8. PROPOSED PUBLIC &amp; PATIENT INVOLVEMENT AND COMMUNICATIONS:</b>					
<table border="1"> <tr> <td>Yes</td> <td></td> <td>No</td> <td></td> </tr> </table>	Yes		No		
Yes		No			
<p><i>Please explain briefly what involvement/communication has taken place or is planned</i></p> <p>Consultation in relation to the agreement will be undertaken with a range of stakeholders as identified in the attached including the Partnership Boards which include service users and carers</p> <p><i>Does this paper need to be forwarded on to another Committee Group?</i></p> <p>No</p>					
<b>9. RECOMMENDATIONS:</b>					
<p>The CCG is asked to: -</p> <p>Note the progress in the development of the S75 Partnership Agreements</p> <p>Support the review of the areas covered by the agreements as set out in the report.</p>					

**NORTH LINCOLNSHIRE COUNCIL**

**HEALTH AND WELLBEING BOARD**

**SECTION 75 PARTNERSHIP AGREEMENTS TO UNDERPIN MORE INTEGRATED  
COMMISSIONING BETWEEN THE CLINICAL COMMISSIONING GROUP AND THE  
LOCAL AUTHORITY IN NORTH LINCOLNSHIRE**

**1. OBJECT AND KEY POINTS IN THIS REPORT**

- 1.1 To update the Health and Wellbeing Board on the progress of developing the Section 75 Partnership Agreements that will underpin integrated commissioning between the Clinical Commissioning Group (CCG) and the Local Authority (LA) in North Lincolnshire.
- 1.2 To agree the finalised agreements will be presented to the Health and Wellbeing Board at the next Board meeting on 10 December 2013.

**2. BACKGROUND INFORMATION**

- 2.1 The Health and Social Care Act 2012 (“HSC Act”) requires each Local Authority area to establish a Health and Wellbeing Board (HWB). The HWB has four core functions. One of these core functions is to encourage closer integration between the commissioners of health and social care. Section 195 of the HSC Act specifically identifies the role of the HWB to support the use of Section 75 partnership agreements to support effective integration.
- 2.2 The HWBB, at the meeting in June 2013 approved a statement of intent that confirmed the continued commitment to working in partnership between Health and the LA whilst the S75 Partnership agreements were being finalised. It was agreed the S75 Partnership agreements would be underpinned by a set of agreed principles:
  - Services to be person centered
  - Services to promote self care and independent living where possible
  - Services to be outcome focused
  - Service users to receive services in the community

The Transforming Complex Care stocktake and action plan in response to the national Transforming Care (Winterbourne) recommendations include a requirement to have in place a pooled budget. The current pooled budgets do not include these areas. Consideration needs to be given therefore as to whether this is covered by the development of an additional S75 agreement or incorporated into one of the others.

### **3. OPTIONS FOR CONSIDERATION**

- 3.1 Three Section 75 Partnership Agreements are in development in North Lincolnshire, one in respect of Services to Adults with Learning Disabilities one in respect of Services to Adults with Mental Health needs and one for services to Children. Work is also underway to scope the complex care requirements to determine if that should be incorporated into one of these or be covered by a separate agreement. The development of separate agreements reflects best practice
- 3.2 Each of the Section 75 Partnership Agreements is concerned with the commissioning responsibilities of each organisation. The separate S75 agreements for the specific service areas will provide greater clarity on the circumstances which will influence the level of funding. These are:
- Changes in local demography or assessed need identified in the Joint Strategic Needs Assessment (JSNA)
  - Changes in priorities in the Joint Health and Wellbeing Strategy
  - Changes in national policy
  - Changes in national funding /resources
  - The impact of transformed services enabling savings to be identified to be reinvested.
- 3.3 The S75 agreements propose that the host organisation for the Mental Health Service S75 is the CCG and that the LA is the host organisation for Learning Disabilities and Children's Service S75s. Hosting arrangements for complex care to be determined.
- 3.4 The S75 agreements for Adults with Learning Disabilities and for Adults with Mental Health needs, and potentially Complex Care, propose the creation of a joint budget between the CCG and LA. The schedules that sit behind the agreements will set out the:
- The service areas covered
  - The funding contributions from each partner
  - Proposals for the administration of the joint resource
  - Expectations of the outcomes to be achieved through the integrated commissioning arrangements
  - Performance management and reporting arrangements
- 3.5 The S75 for Children's Services mirrors the agreements for the adults services but sets out the arrangements for joint commissioning and aligned budgets that are currently linked to a small number of existing commissioned services funded by the CCG and the LA.

### **4. ANALYSIS OF OPTIONS**

- 4.1 The proposals will address the recommended actions identified by the CCG and LA Internal Audit reports.

- 4.2 The proposals will enable the CCG and LA to build on the achievements of existing joint commissioning and funding arrangements.
- 4.3 The creation of three partnership agreements will offer flexibility for any future developments and will help to create the right commissioning climate for the work programme of the Integrated Working Partnership which is actively exploring integrated service delivery in respect of three specific cohort areas:
- Conception to 2 years
  - Vulnerable young people 13 years and over
  - Frail (including elderly) people.

## 5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

- 5.1 Schedule 3 of the S75 Agreements sets out the financial contributions from each partner to the each of the service areas. The total resource for the

Mental Health S75 pool is £13,956k

Learning Disability S75 pool is £7,120k

Children's Service S75 jointly commissioned contracts (aligned) is £307k

- 5.2 Statutory - The HWB is required to produce a Joint Strategic Needs Assessment. The JSNA is used to inform the development of the Joint Health and Wellbeing Strategy (JHWS). The LA and the CCG are required to take account of the priorities in the JHWS. Section 195 of the HSC Act specifically identifies the role of the HWB to support the use of Section 75 partnership agreements to support effective integration. The development of S75 agreements to address areas of joint need and joint priority through agreed joint outcomes offers the opportunity for reductions in service duplication, economies of scale, and maximise the opportunity for the effective deployment of the workforce.

## 6. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

- 6.1 The expectations of the impact on the health and wellbeing outcomes for the people with learning disabilities and mental health needs and for the children in the joint commissioned services in of North Lincolnshire are that:

- More people will remain in their local communities
- Fewer people will need to use specialist services in other areas.
- Service users will experience high quality provision
- Service users will be directly involved in their assessment and planned interventions
- Service users will be actively involved in setting outcomes for their needs to be met
- Commissioners will maximise the resources available for the commissioning of services.

- 6.2 An Integrated Impact Assessment will be undertaken for all commissioning activities funded from the pooled or aligned resources

## 7. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

7.1 The S75 agreements are still in development. The following stakeholders have been identified to be part of the consultation arrangements before the S75 are finalised:

- NLC
- NHS NL CCG
- HWB
- Area Team (NHS England)
- Healthwatch
- Partnership boards MH and LD
- Overview and scrutiny
- LSAB and Adults Board (to be established)
- Provider Organisations

7.2 The feedback from the consultation process will be included in the next report to the HWB.

## 8. RECOMMENDATIONS

8.1 The progress in the development of the S75 Partnership Agreements is noted

8.2 The finalised S75 Partnership Agreements are presented to the next HWB.

CHIEF OFFICER, CCG AND DIRECTOR OF PEOPLE, NLC

Health Place Civic Centre  
Wrawby Road Ashby Road  
Brigg Scunthorpe  
North Lincolnshire North Lincolnshire

Author: Susan Twemlow/Caroline Briggs

Date: 18<sup>th</sup> September 2013

**Background Papers used in the preparation of this report: None**