

OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

Decision Reference No: 2021/09/PH/JointCommsagreement

BOX 1

DIRECTORATE: Adults Health & Wellbeing

DATE: 12th April 2021

Contact Name: Rupert Suckling

Tel. No.: 01302 734010

Subject Matter: Renewal of the Joint Commissioning Agreement from 1st April 2021 for 12 months to 31st March 2022

BOX 2**DECISION TAKEN**

The current Joint Commissioning Agreement expired at the end of March 2021.

This ODR renews the Joint Commissioning Agreement from 1st April 2021 for up to 12 months to 31st March 2022. The Agreement will underpin current joint commissioning arrangements and enable Doncaster residents to increasingly experience seamless, joined up care and support.

BOX 3**REASON FOR THE DECISION****Information**

Social and economic challenges such as rising demand for services, fewer resources, an ageing population and more people aged under 18 over the next ten years, has led to statutory health and care partners working more collaboratively to improve and modernise services and the way services are delivered.

Doncaster Council and Doncaster NHS CCG (CCG) has a long history of working together to achieve positive change for Doncaster residents.

In 2017, the Council entered a Memorandum of Understanding (MOU) with the CCG to establish shadow joint commissioning arrangements to take forward seven areas of opportunity, (originally described in the Doncaster Place Plan) where joint commissioning and delivery could be tested.

The seven areas of opportunity were across all life-stages from birth to old age where joined up care and support is required to have a stronger impact on outcomes for individuals. The seven areas of opportunity are Urgent and Emergency Care, Intermediate Care, Complex Lives, Learning Disability, Starting Well first 1001 days, Vulnerable Adolescents and Dermatology. All the areas of opportunity have been progressed to varying degrees of success with the exception of dermatology where plans are being developed to deliver services closer to home within general practice rather than in hospital.

A formal Joint Commissioning Agreement was put in place in April 2018 to enable the Council and the CCG to jointly commission services. This Agreement expired at the end of March 2021.

A refreshed Joint Commissioning Agreement has been developed between the Council and the CCG. This ODR is seeking approval to enter into the new Joint Commissioning Agreement from 1st April 2021.

The JCA underpins the level of integration needed to ensure services are joined up at key points in the lives of Doncaster residents when they need that most.

Joint Commissioning Strategy and Deliver Plans

To support the Place Plan, in April 2019, the Council and the CCG implemented a Joint Commissioning Strategy (JCS) and detailed delivery plans, aligned with the NHS Long term Plan. The JCS sets out the direction of travel and priorities for the Council and the CCG to 2022, it seeks to reduce duplication and make the best use of local resources.

The JCS is underpinned by guiding principles to shape the way partners work together. The Joint Commissioning Strategy is part of the JCA and is the vehicle by which the requirements of the JCA will be delivered.

Place Plan

The Doncaster Place Plan originally published in December 2016, described a 5 year ambition to achieve integrated health and social care, underpinned by the following key strands of work:-

- Identifying areas where residents could benefit most from integration (Areas of Opportunity)
- Developing formal Agreements to create commissioner and provider collaboration
- Revising governance arrangements and developing delivery arrangements to support integration

The Place Plan was refreshed in 2019, with an increasing focus on people as opposed to services. This means that instead of looking at where care is delivered, we are now thinking about local communities and their needs.

The refreshed Place Plan has the same vision and partnership working commitments at its core. It highlights how services will continue to work together to ensure seamless, coordinated services for the people of Doncaster.

The Place Plan refresh is based on a four layered model, focusing on:

- **Supporting communities** to thrive, working much more closely with the voluntary, community and faith sector, investing in social prescribing to improve health and emotional wellbeing
- Developing a **'front door system'**, where there is no wrong door to access health and care services. This will help get people to the right place, first time
- **Joining up care and support at home.**
- Help ensure our **specialist services can be used more appropriately**, across all three life stages thus reducing the demand and need for hospital and emergency care.

The Joint Commissioning Agreement

The Agreement is between the Council and CCG setting out our joint commissioning arrangements across three life stages of Starting, Living and Ageing Well. The Agreement enables the Council and CCG to prepare for formal joint commissioning of services under a Section 75 (S75) agreement. A S75 Agreement is an Agreement made under section 75 of National Health Services Act 2006, which allows the pooling of resources, the delegation of certain NHS and Council health related functions to the other partner, joint and/or lead commissioning of services and the pooling of budgets. In essence the JCA:-

- a. Is a legally binding commitment to develop integrated commissioning and builds on the previously agreed JCA between the Council and CCG.
- b. Sets out the work required to support the parties to deliver effective joint commissioning whilst providing the necessary legal assurances for both the Council and CCG. This provides the strategic commitment to bring commissioning together for the benefit of Doncaster residents, and to jointly address the financial challenges in the system.
- c. Commits both parties to work together during 2021/22 to support joint working arrangements including integrated working and joint contracting of services where sensible to do so
- d. Sets out the areas of joint development, the aims, integration goals and commissioning actions.

Governance

The governance framework is contained in the JCA. The governance processes include regular reports to the Health and Well Being Board and to the Joint Commissioning Management Board.

BOX 4

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- a. **Do nothing:** this option would mean that there is no legally binding Agreement in place between the Council and CCG. This could create a risk as the South

Yorkshire Integrated Care System is established in 2021/22 and takes over the functions of the CCG. This would not secure the efficiency and impact gains of joint working and service delivery. **This option is not recommended.**

- b. **Joint commissioning Agreement:** this option would strengthen the capacity for joint strategic planning and investment between the Council, the CCG and the developing Integrated Care Systems, enabling a shared approach to developing provision to meet the needs of Doncaster residents. It would rely on a 'market development and response' approach to provision itself, with no specific expectation or assurances about the integration of front line services. **This is the preferred option.**

BOX 5

LEGAL IMPLICATIONS

Section 1 Localism Act 2011 gives the Council a general power of competence to do anything that individuals may generally do.

Section 2B of the National Health Service Act 2006 (as amended by Section 12 of the Health and Social Care Act 2012) introduced a new duty on Councils in England to take appropriate steps to improve the health of the people who live in their area.

The Care Act 2014 places a number of duties upon local authorities to promote an individual's wellbeing, ensuring that care and support provision is integrated together with other health provision.

The Joint Commissioning Agreement documents how the Council and CCG work together to prepare for joint commissioning. At the point the service is ready to be jointly commissioned, either a S75, S76 or S256 agreement will be put in place.

Legal should be consulted to prepare the contract extension.

Name: Nicky Dobson **Signature:** _____ **Date:** 14th April 2021 _____

Signature of Assistant Director of Legal and Democratic Services (or representative)

BOX 6

FINANCIAL IMPLICATIONS:

The Joint Commissioning Agreement enables work between the CCG and Council. It does not commit the Council to any financial resources i.e. the current agreement doesn't include any pooled budgets or approach to risk share. All payments will continue to be committed through current contract arrangements.

Further work will be required on the financial implications to prepare for any formal joint commissioning of services including confirming the budgets available, impact on costs/income,

contracting, payment mechanisms and incentives. This will also include further work to identify budgets to be pooled, how the pooled fund will operate, risk share (approach to any deficits or savings between commissioners) and the hosting arrangements for the areas of opportunity identified; these details will be included in the consideration of any future Section 75 agreements/specific reports.

Any other specific actions or programmes of activity that are developed as part of the Joint Commissioning arrangements will require specific financial implications and appropriate decision making per the Council's constitution.

Name: Helen Rowlands Signature: _____ Date: 20/04/21

Signature of Chief Financial Officer and Assistant Director of Finance (or representative)

BOX 7

OTHER RELEVANT IMPLICATIONS

None identified

Name: _____ Signature: _____ Date: _____

Signature of Assistant Director (or representative)

ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.

BOX 8

EQUALITY IMPLICATIONS: (To be completed by the author).

There are no specific equality implications. However, specific projects and activities arising from the implementation of joint commissioning arrangements will be the subject to separate due regard assessments and statements.

BOX 9

RISK IMPLICATIONS: (To be completed by the author)

The key strategic risks identified relate to the absence of a JCA which may adversely impact on joint work and service delivery

BOX 10

CONSULTATION

Consultation has already taken place at various meetings between the Council and the CCG to develop the new JCA from April 2021.

**BOX 11
INFORMATION NOT FOR PUBLICATION**

None identified

Name: _____ **Claire Hewitt** ___ **Signature** _____ **Date:** 21/04/2021

Signature of FOI Lead Officer for service area where ODR originates

**BOX 12
BACKGROUND PAPERS**

Please confirm if any Background Papers are included with this ODR YES

- Cabinet report of 28th November 2017 – To sign a MOU with the CCG.
- Cabinet report of 24th April 2018 – To approve the Commissioning and Provider Agreements in relation to the Doncaster Place Plan
- Joint Commissioning Strategy and Delivery Plans

**BOX 13
AUTHORISATION**

Name: Rupert Suckling Signature: _____ Date: **21/04/2021**

Director of Public Health

Does this decision require authorisation by the Chief Financial Officer or other Officer

NO

If yes please authorise below:

Name: _____ Signature: _____ Date: _____

Chief Executive/Director/Assistant Director of _____

Consultation with Relevant Member(s)

Name: _____ Signature: _____ Date: _____

Designation _____

(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)

Declaration of Interest NO

If YES please give details below:

PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.

Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at Democratic.Services@doncaster.gov.uk who will arrange publication.

It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.