

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: 2022/21/PH/JCA

BOX 1**DIRECTORATE: Public Health****DATE: 20th May 2022****Contact Name: Dr Rupert Suckling****Tel. No.: 01302 734010****Subject Matter: Joint Commissioners Agreement with Doncaster Clinical Commissioning Group****BOX 2****DECISION TAKEN****To enter into a refreshed Joint Commissioners Agreement with Doncaster Clinical Commissioning Group****BOX 3****REASON FOR THE DECISION**

In 2018 the council entered into a Joint Commissioners Agreement (JCA) with Doncaster Clinical Commissioning Group following a cabinet decision. The agreement provided a framework to work together to improve health and wellbeing in the borough whilst each organisation retained its own decision making processes.

The JCA has been useful in providing a framework for joint commissioning but has now exhausted all contract extensions.

The JCA is a legally-binding commitment to develop integrated commissioning and builds on the previously agreed Memorandum of Understanding between the Council and CCG.

The Agreement sets out the work required to support the parties as they work towards effective joint commissioning and provide necessary legal assurances for both the Council and CCG. The JCA provides the strategic commitment to bring commissioning together for the benefit of Doncaster residents, and to jointly address the financial challenges in the health and care system.

The Agreement will commit both parties to work together during 2022/23 in the areas of opportunity through existing contracts (i.e. joint work to support integrated working but not full joint investment and re-contracting of services in 2022/23).

The Agreement sets out the areas of joint development, the aims, integration goals and commissioning actions for each of the areas of opportunity.

Importantly, there are no plans in 2022/23 to replace existing provider contracts with new jointly commissioned and delivered contracts.

The JCA also provides stability as the South Yorkshire NHS is established on the 1st July 2022.

There are no material changes to this new JCA

BOX 4

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Do not enter into a new agreement.

BOX 5

LEGAL IMPLICATIONS

The Care Act 2014 places a number of obligations on the Council to promote an individual's wellbeing and to ensure that care and support provision is integrated with other health provision and health related provision where it will promote an individual's wellbeing.

The Act also provides that the Council must co-operate with each of its partners and each relevant partner must co-operate with the Council in the exercise of their respective function relating to adults with needs for care and support.

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

The Joint Commissioner Agreement commits the Council to working together with CCG/ICB in 2022/23 and 2023/24, if the extensions it exercised, to develop the future joint commissioning system for health and social care. At the conclusion of this work, the Council and ICB intend to enter into a S75 Agreement, as S76 Agreement or a S256 Agreement.

Legal advice and assistance will be given as and when required.

Name: Nicky Dobson Signature: _By e-mail Date: _8th June 2022

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

BOX 6**FINANCIAL IMPLICATIONS:**

There are no financial implications as a result of this decision. The agreement does not commit the Council to any financial resources at this stage i.e. the agreement doesn't include any pooled budgets or approach to risk share.

In order to progress the work to develop a pooled fund arrangement, commissioners from both the Council and CCG, with support from finance, will need to look at opportunities to pilot/shadow a small service area that may benefit from a pooled budget arrangement. It is expected this would be developed through the Joint Commissioning Operational Group and proposed to the Joint Commissioning Management Board to approve.

This will be to inform future principles and arrangements so that this could potentially be extended to a wider scope in the future if the pilot/shadow arrangements are deemed successful.

Name: Helen Rowlands Signature: _____ Date: 13/06/22

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).

No specific equality implications

BOX 9

RISK IMPLICATIONS: (To be completed by the author)

Not entering into an agreement would increase risk in the system at a time of structural NHS changes.

**BOX 10
CONSULTATION**

Relevant Portfolio holders consulted as part of the decision making.

**BOX 11
INFORMATION NOT FOR PUBLICATION**

None identified

Name: __ Claire Hewitt__ Signature _____ Date: _14/06/2022

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 NO

(If YES please list and submit these with this form)

**BOX 13
AUTHORISATION**

Name: ___Dr Rupert Suckling Signature: ___ Date: 14/06/2022

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 YES/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 Ladem@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.