

Interim section 75 agreements for the delivery of health functions: (i) Health Visiting & Family Nurse Partnership; and (ii) School Nursing for the period 1 May 2019 to 30 June 2019

Councillor Lamb, Cabinet Portfolio holder for Public Health

April 2019

Deadline date: *April 2019*

Cabinet portfolio holder: Responsible Director:	Councillor Lamb, Cabinet Portfolio holder for Public Health Liz Robin, Director of Public Health
Is this a Key Decision?	YES If yes has it been included on the Forward Plan: YES Unique Key decision Reference from Forward Plan: KEY/29APR19/05
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO
Is this a project and if so has it been registered on Verto?	NO

R E C O M M E N D A T I O N S

The Cabinet Member is recommended to authorise expenditure totalling £686,667 in relation to interim Section 75 agreements with the Cambridgeshire and Peterborough Foundation Trust relating to:

- (i) The lead provision of School Nursing Services, whereby the Cambridgeshire and Peterborough Trust will exercise the health-related function to the local Council. This will be for the value of £138,667 for the duration of 2 months between 1 May 2019 and 30 June 2019; and
- (ii) The lead provision of Health Visiting and Family Nurse Partnership Services, whereby the Cambridgeshire and Peterborough Trust exercise the health-related function to the Council. This will be for the value of £548,000 for the duration of 2 months between 1 May 2019 and 30 June 2019.

1. PURPOSE OF THIS REPORT

- 1.1 This report is for (enter title of decision maker) to consider exercising delegated authority under paragraph 3.4.3 and 3.4.6 of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (a).

2. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	YES	If yes, date for Cabinet meeting	N/A
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3. **BACKGROUND AND KEY ISSUES**

3.1 **Current Arrangements**

School Nursing has been commissioned by the Local Authority since April 2013 when Public Health responsibilities transferred from the NHS to Local Authorities. Responsibility for commissioning Health Visiting and Family Nurse Partnership transferred to the Local Authority later in October 2015. Section 75 agreements have been in place with Cambridgeshire and Peterborough Foundation Trust (CPFT) to deliver School Nursing Services and Health Visiting and Family Nurse Partnership Services in Peterborough. These agreements expired on 31 March 2019.

The Child Health Joint Commissioning Unit is working strategically to align all child health provision commissioned by Cambridgeshire and Peterborough local authorities and the CCG in order to increase efficiency and improve outcomes for children and young people. The Healthy Child Programme (“HCP”) shall incorporate School Nursing Services and Health Visiting and Family Nurse Partnership Services, and shall be amongst the first child health service to be recommissioned within this strategic vision. Internally, commissioning responsibility for the HCP transferred from the Children’s Health Joint Commissioning Unit to the Public Health Joint Commissioning Unit on 1 October 2018.

In accordance with CMDN FEB19/CMDN/88 these recommissioned arrangements should be in place from 1 April 2019, supported by a Delegation and Partnering Agreement between Cambridgeshire County Council and Peterborough City Council. However, a financial review has identified that further work is urgently required before these arrangements can be put in place. It is estimated that this work will be completed by 30 June 2019.

To deal with the immediate interim provision of these health related functions, an Officer Decision Notice authorised expenditure by way of Section 75 Agreement to CPFT for the period 1 April 2019 to 30 April 2019 for provision of School Nursing and Health Visiting and Family Nurse Partnership Services for a total of £343,333. Subsequently, it is proposed that this CMDN authorises expenditure by way of Section 75 agreements for School Nursing Services and Health Visiting and Family Nurse Partnership Services for the period between 1 May 2019 and 30 June 2019 at a total value of £686,667 to ensure continuation of services during this period, whilst the recommissioning exercise concludes.

3.2 **Direction of Travel**

The Child Health Joint Commissioning Unit is working strategically to align all child health provision commissioned by Cambridgeshire and Peterborough local authorities and the CCG in order to increase efficiency and improve outcomes for children and young people.

The HCP is amongst the first child health service to be recommissioned within this strategic vision. In regards to HCP, the commissioning intentions are to:

- jointly commission HCP across Cambridgeshire and Peterborough via a renegotiated section 75 agreement with the current providers
- support the closer working of the 2 current providers (CPFT in Peterborough and CCS in Cambridgeshire)
- utilise innovation to better manage demand, increase capacity, improve efficiency and address workforce shortages

- realise a modest reduction in service cost (c.£200k pa in Peterborough)

A revised service specification has been developed along with a financial review of service costs to ensure continued value for money for the local authority.

4. Outcomes

- 4.1 The authorisation to enter into Section 75 agreements for School Nursing Services and Health Visiting and Family Nurse Partnership Services for the period 1 May 2019 to 30 June 2019 shall enable continuity of commissioning and delivery of the Healthy Child Programme in Peterborough pending further financial modelling.

5. ANTICIPATED OUTCOMES OR IMPACT

- 5.1 Please refer to 4.1

6. REASON FOR THE RECOMMENDATION

- 6.1 The recommendation to enter into interim Section 75 agreements between 1 May 2019 and 30 June 2019 shall assure continuity of commissioning of the services while additional financial work is carried out.

In accordance with CMDN FEB19/CMDN/88 these recommissioned arrangements should have been in place from 1 April 2019. The future arrangements are supported by a Delegation and Partnering Agreement between Cambridgeshire County Council and Peterborough City Council. However, a financial review has identified that further work is required before these arrangements can be put in place. It is estimated that this work will be completed by 30 June 2019.

To deal with the immediate interim provision of these health related functions, an Officer Decision Notice authorised expenditure by way of Section 75 Agreement to CPFT for the period 1 April 2019 to 30 April 2019 for provision of School Nursing and Health Visiting and Family Nurse Partnership Services for a total of £343,333. Subsequently, it is proposed that this CMDN authorises expenditure by way of Section 75 agreements for School Nursing Services and Health Visiting and Family Nurse Partnership Services for the period between 1 May 2019 and 30 June 2019 at a total value of £686,667 to ensure continuation of services during this period, whilst the recommissioning exercise concludes.

7. ALTERNATIVE OPTIONS CONSIDERED

- 7.1 To do nothing. This was rejected as the Council is required to maintain the continuity of the Healthy Child Programme which is required under the Council's statutory responsibility for Public Health.

8. IMPLICATIONS

Financial Implications

- 8.1 The current total annual value of the Healthy Child Programme (Health Visiting, Family Nurse Partnership and School Nursing) Section 75 is £3,695,226. A deferred saving of £200,000 was included in the 2018/19 Peterborough Business Plan. Further financial work is required which indicates that this saving will not be made in 2019/20 Q1. The proposed financial values for Q1 represent an increase in the Section 75 financial contribution of £156,000, in addition to the planned expenditure for Q1 of £874,000, giving a total of £1,030,000.

Legal Implications

- 8.2 The Council currently commissions Health Visiting and Family Nurse Partnership Services and School Nursing Services under its statutory responsibility for Public Health. The proposals set out in this report recommending a 3 month extension, are consistent with the Health and Social Care Act 2012, and statutory guidance relating to Public Health functions in respect of the NHS Act 2006.

Under the NHS Act 2006 local authorities and NHS bodies can enter into partnership arrangements to provide a more streamlined service and to pool resources, if such arrangements are likely to lead to an improvement in the way their functions are exercised. These powers permit the exercise by an NHS body of a local authority's prescribed health related function in conjunction with the exercise of the NHS body of its prescribed functions (section 75(2)(b), NHS Act 2006). These powers give rise to three Health Act flexibilities, namely pooled budgets, lead commissioning and/or integrated provision.

Equalities Implications

- 8.3 None anticipated.

9. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED

- 9.1 None.

10. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985) and The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

- 10.1 Draft Healthy Child Programme Update to Cambridgeshire Health Committee v4 (6th Dec 2018)
CMDN FEB19/CMDN/88 Recommissioning of the Healthy Child Programme

11. APPENDICES

- 11.1 None.