

Approval of Contract Award: s75 Agreement for the commissioning and provision of health-related services for people with learning disabilities 2020-2026.

Councillor Wayne Fitzgerald, Cabinet Member for Integrated Adult Social Care, Health and Public Health

April 2020

Deadline date: N/A

Cabinet portfolio holder: Responsible Director:	Cllr Wayne Fitzgerald, Cabinet Member for Integrated Adult Social Care, Health and Public Health Wendi Ogle-Welbourn, Corporate Director for People and Communities
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/13APR20/02
Is this decision eligible for call-in?	YES
Does this Public report have any annex that contains exempt information?	NO

RECOMMENDATIONS

The Cabinet Member for Integrated Adult Social Care and Health is recommended to authorise the Council to enter into a Section 75 agreement with the Cambridgeshire and Peterborough Clinical Commissioning Group (CCG) for the commissioning and provision of specialist health related learning disability services in line with the lead commissioning arrangements for Learning Disabilities from 1 April 2020 until 31 March 2023, with an option for the Council to extend annually until 31 March 2026.

1. SUMMARY OF MAIN ISSUES

1.1 This Cabinet Member Decision Notice is for the Cabinet Member for Adult Social Care to consider a new s75 agreement for the commissioning and provision of health-related services for people with learning disabilities from 1 April 2020 until 31 March 2023, with an option for the Council to extend annually until 31 March 2026.

2. PURPOSE OF THIS REPORT

- 2.1 This report is for the Cabinet Member for Integrated Adult Social Care, Health and Public Health to consider exercising delegated authority under paragraph 3.4.3 of Part 3 of the constitution in accordance with the terms of their portfolio at paragraph (b).
- 2.2 The purpose of the report is to provide additional background information with regard to the current Section 75 Agreement for learning disabilities health services in Peterborough which have been provided by the Council since 1 February 2012. The new arrangements will enable the s75 to continue until April 2023 with the option to extend until 2026.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO
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4. BACKGROUND

- 4.1 The CCG currently delegates to the Council pursuant to Section 75 of the National Health Service Act 2006 the exercise of its functions in relation to the commissioning and provision of the Learning Disabilities Services.
- 4.2 Under the Current s75 agreement PCC's Community Teams are delivering the following services on behalf of the CCG. The services include Learning Disability Nurses, Speech and Language Therapists, Occupational Therapists and the respite facility Lyons Gardens. Without the continuation of this agreement it would impede professional assessments and impact upon existing services.
- 4.3 Annual cost under the new s75 Agreement will be £965,886 which is cost neutral to the Council as it recovers the staffing and costs identified below from the CCG.

DETAIL	W.T.E	Cost	Cost	Total
		£	£	£
Lyons Gardens Contract - Health Element of the contract with Hereward Care			399,000	399,000
LD Nursing Service - Salary and associated costs relating to the LD Nursing Team	5.75	210,124	22,239	232,363
LD Occupational Therapy Service - Salary and associated costs relating to the LD Occupational Therapy team	2.15	68469	2,447	70,916
LD Speech and Language Service - Salary and associated costs relating to the LD Speech and Language Team	4.50	134,951	24,884	159,835

Administration Cost - Costs of Administration to Support the Nursing, OT and SALT Teams	1.63	30,762	0	30,762
Overhead Costs - Costs of Accommodating the S75 Teams, Included all premises related and support costs			41,193	41,193
Commissioning Cost - Salary Costs of the LD Contract Support Officer	1.00	31,817	0	31,817
TOTAL	-----	-----	-----	-----
	15.03	476,123	489,763	965,886

5. CONSULTATION

5.1 The s75 Agreement is overseen by the s75 Learning Disability Commissioning Board which is comprised of senior Council and CCG officers. The stakeholders have consulted on the existing agreement within their respective organisations and agree the continuation of the arrangement.

6. ANTICIPATED OUTCOMES

6.1 That approval is given to enter into a Section 75 Agreement and that the CCG delegates to the Council pursuant to Section 75 of the National Health Service Act 2006 the exercise of its functions in relation to the commissioning and provision of the Learning Disabilities Services.

7. REASONS FOR RECOMMENDATIONS & ANY RELEVANT BACKGROUND INFORMATION

- 7.1 On 1st April 2013 following the implementation of the relevant sections of the Health and Social Care Act 2012 the Cambridge and Peterborough Clinical Commissioning Group (CCG) took over responsibility for planning and commissioning health services for the NHS in the area from NHS Peterborough.
- 7.2 The existing agreement will end on the 31st March 2020 and in order to continue the partnership agreement between PCC and CCG the intention is to refresh the current s75. There is no significant material change of the current agreement other than updating the various clauses within the agreement to reflect the legislative changes.

8. Alternative options

8.1 Do nothing – Not an option.

8.2 Not to enter into a new agreement – A percentage of monies will revert to the CCG, reducing the Local Authorities ability to provide integrated services which include statutory functions for people with a learning disability.

8. IMPLICATIONS

8.1 Financial

8.1.1 The annual Clinical Commissioning Group (CCG) contribution is £965,886.

8.1.2 The Council contributes 50% of the financial cost in relation to the Lyons Gardens Hereward Care Contract with the remaining amount funded by health as set out in section 4.3 of this report.

8.2 Legal

8.2.1 Section 75 of the National Health Service Act 2006 permits a local authority and a health trust to work together to deliver integrated services which include specific statutory functions. The agreement will cover the arrangements for the lead commissioning and delivery of learning disability health services.

8.3 Carbon Impact Assessment

8.3.1 Carbon Impact Assessment complete with potentially negative impact due to possible increased travel to business premises in various parts of the county.

9. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED

9.1 None.

10. BACKGROUND DOCUMENTS

10.1 CMDN_S75 Learning Disabilities - APR15/CMDN/35