

Variation to the delegation agreement between Peterborough City Council (PCC) and Cambridgeshire County Council (CCC) regarding the delivery of the Healthy Child Programme (HCP) across Peterborough and Cambridgeshire

Councillor Fitzgerald, Cabinet Portfolio holder for Adult Social Care, Health and Public Health

February 2021

Deadline date: N/A

Cabinet portfolio holder: Responsible Director:	Councillor Fitzgerald, Cabinet Portfolio holder for Adult Social Care, Health and Public Health Liz Robin, Director of Public Health
Is this a Key Decision?	NO
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:

1. Approve the decision to vary the Delegation and Partnering Agreement between Peterborough City Council (PCC) of authority to Cambridgeshire County Council (CCC) related to the commissioning the Healthy Child Programme (HCP) across Peterborough and Cambridgeshire.
2. Approve changes to the financial contributions made by PCC to CCC for the delivery of this function to account for the NHS Agenda for Change staff pay increase.

1.	PURPOSE OF THIS REPORT		
1.1	This report is for Councillor Fitzgerald, portfolio holder for 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 (f).		
2.	TIMESCALES		
	Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting N/A

3.	BACKGROUND AND KEY ISSUES
3.1	<p>The Healthy Child Programme</p> <p>The foundations for virtually every aspect of human development – physical, intellectual and emotional – are established in childhood. In 2009, the Department of Health set out an evidence-based programme of best practice, the Healthy Child Programme, with the ambition of making everywhere as good as the best by developing improvements in health and wellbeing for children and young people.</p> <p>The 0-19 HCP is a universal-progressive, needs-based service delivered at 4 levels: Community, Universal, Universal Plus (single agency involvement) and Universal Partnership Plus (multi-agency involvement). All children, young people and families are offered a core programme of evidence based, early intervention and preventative health care with additional care and support for those who need it.</p>
3.2	<p>Current commissioning arrangements for HCP</p> <p>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.</p> <p>A recommissioning exercise took place in February 2019. A decision was made to commission an integrated Healthy Child Programme across Cambridgeshire and Peterborough via a Section 75 Agreement between the Local Authorities and service providers Cambridgeshire Community Services (CCS) and Cambridgeshire and Peterborough NHS Foundation Trust (CPFT).</p> <p>Under the new commissioning arrangements PCC delegated authority to CCC for the commissioning and delivery of these functions (KEY/26NOV18/03). A Delegation and Partnering Agreement is in place between the two authorities to enable this.</p> <p>The section 75 Agreement came into effect on the 1st October 2019 and will end on the 31st March 2024.</p>
3.3	<p>Agenda for Change</p> <p>Agenda for Change is a nationally agreed UK-wide package of pay, terms and conditions for NHS staff. Under this deal, which came into effect in 2018, was the agreement for all NHS staff employed at the top pay points at bands 2-8c were to receive a 6.5% cumulative pay increase over a 3 year period.</p> <p>The pay increase schedule is outlined below:</p> <ul style="list-style-type: none"> • 3% from 1st April 2018/19 • 1.7% from 1st April 2019/20 • 1.67% from 1st April 20/21 <p>In 2018/19 and 2019/20 the additional pay increase was awarded to NHS trusts directly from NHS England, separate to local commissioning arrangements. For 2020/21, the UK Government decided that adjustments to cover Agenda for Change were to be provided by Local Authorities through an uplift to the Annual Public Health Grant allocation.</p>
3.4	<p>Value</p> <p>The delegation of commissioning responsibility and associated funding is for a period of up to 4.5 years (October 2019 - March 2024). In consideration of CCC undertaking the delegated Activities, PCC had agreed to pay CCC a fixed Fee of £3,775,008 per annum, which is outlined in the Delegation and Partnering Agreement.</p> <p>Commissioners have been in dialogue with the providers and have identified that the CPFT HCP Agenda for Change pay increases equate to an additional £242,133 per annum. This is the final year</p>


	<p>of the deal and therefore this value will go into the core contact value for the duration of the Section 75 Agreement. CPFT provide the HCP in Peterborough.</p> <p>This will mean that the total PCC contributions to CCC for the commissioning and delivery of the HCP will increase from £3,775,008 to £4,017,141 per annum.</p> <p>This report seeks authorisation to vary the Delegation and Partnering agreement to account for this increase in the value of PCC financial contributions to CCC in respect of the Agenda for Change pay increase.</p>
5.	ANTICIPATED OUTCOMES OR IMPACT
5.1	<p>Agenda for Pay is a national pay scheme for which the 2020/21 Annual Public Health Grant has been adjusted to accommodate payment to NHS staff providing Local Authority commissioned services.</p> <p>Without this transferring to the Trusts, there will be a funding gap against the service pay budget and the provider would need to take mitigating action to reduce pay costs in line with funding received, which would adversely impact service delivery.</p>
6.	REASON FOR THE RECOMMENDATION
6.1	See 5.1
7.	ALTERNATIVE OPTIONS CONSIDERED
7.1	Withhold the Agenda for Change uplift costs – this would not be deemed appropriate as it would create a funding gap against the service pay budget and the provider would need to take mitigating action to reduce pay costs in line with funding received, which would adversely impact service delivery.
8.	IMPLICATIONS
	Financial Implications
8.1	<p>PCC is required to transfer its HCP budget to CCC as part of the joint commissioning arrangements. Details regarding amounts, timeframes and 'claw back' are outlined in the Partnering and Delegation Agreement to ensure Peterborough's position is protected and its financial investment is solely used for Peterborough residents.</p> <p>There was an adjustment to the DHSC Public Health grant allocation received by PCC in 2020/21, which was in part, to account for this uplift to the contract values of NHS commissioned services.</p>
	Legal Implications
8.2	<p>PCC and CCC have entered into a Delegation and Partnering Agreement in reliance on their powers and the exclusive rights given to local authorities to undertake administrative arrangements of this nature in sections 101 and 113 of the Local Government Act 1972, and sections 19 and 20 of the Local Government Act 2000 and the regulations made under these Acts; together with the general power within section 2 of the Local Government Act 2000 and the supporting provisions within section 111 Local Government Act 1972.</p> <p>The Delegation and Partnering Agreement shall have set out clear roles and responsibilities for both councils, including (but not limited to) liabilities, financial arrangements, information governance and performance management. Due to the change in the annual contract value and thus PCC financial contributions, a variation to this agreement will be required and officers will work with Legal representatives to execute this.</p>
	Equalities Implications
8.3	None anticipated

	Carbon Impact Assessment
8.4	This decision will have no carbon impact.
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	<p>https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/872798/DHSC_allocations_circular_2020_to_2021.pdf</p> <p>CMDN to authorise delegation of HCP commissioning functions from PCC to CCC – https://democracy.peterborough.gov.uk/mglssueHistoryHome.aspx?Ild=22331&PlanId=395&RPID=0&txtonly=1</p>
11.	APPENDICES
11.1	None

Consultation	Section	Name	Outcome	Date
<p>Shared Service? If you are writing a report as an officer from a shared service authority, all approvals will need to be provided by Peterborough City Council officers.</p>	<p>Ward Councillors (if decision is ward specific)</p>			
	Legal	Fiona McMillian	Approved	20/01/2021
	Finance	Fiona Chapman	Approved	22/12/2020
	Democratic Services	Pippa Turvey	Approved	11/02/2021
	Communications			
	<p>Procurement Project Director (if decision is contract/procurement related)</p>			
	<p>Head of Strategic Property (if decision is property related)</p>			
<p>Other Officers / Members (if the proposals will have an impact on their service area)</p>	Charlotte Palmer	Approved	12/02/2021	

Is your decision urgent?

If you think your decision may need to invoke urgency procedures, please read through [this urgency guidance](#) and contact Democratic Services as soon as possible.

<p>Director's Approval Directors are requested not to sign if the above section is incomplete</p>		<p>Date 13.2.21</p>
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Once signed by Director, please pass to Democratic Services. We will contact the Cabinet Member and arrange for signature.

<p>Cabinet Member Approval</p>		<p>Date</p>
<p>Cabinet Member Comment (if any)</p>		