

Modifications to the Delegation and Partnering Agreement Peterborough City Council has in place with Cambridgeshire County Council has in place relating to Integrated Sexual and Reproductive Health Services.

Cllr John Howard, Cabinet Member for Adult Social Care, Health, and Public Health

MARCH 2023

Deadline date: N/A

Cabinet portfolio holder:	Councillor John Howard, Cabinet Member for Adult Social Care, Health, and Public Health
Responsible Director:	Jyoti Atri, 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/31JAN23/04
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

RECOMMENDATIONS

The Cabinet Member is recommended to approve the following:

1. Modifications to the Delegation and Partnering Agreement between Peterborough City Council and Cambridgeshire County Council in respect of delivery of Sexual and Reproductive Health Services to include:
 - 1.1 meeting the increases in NHS Agenda for Change salaries for staff employed in Public Health commissioned sexual and reproductive health services; and
 - 1.2 additional central government funding for HIV Pre-Exposure Prophylaxis which helps prevent people at risk from getting HIVThese modifications are set out in further detail in section 3 of this report.
2. Delegate authority to the Director of Legal and Governance to take all necessary steps to implement the decision in Recommendation 1

1. PURPOSE OF THIS REPORT

- 1.1 This report is for the Cabinet Member for Adult Social Care, Health, and Public Health to approve modifications to the Delegation and Partnership Agreement between Peterborough City Council and Cambridgeshire County Council in respect of the delivery of Sexual and Reproductive Health Services.
- 1.2 This report is for Cllr Howard 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 (m).

2. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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3. BACKGROUND AND KEY ISSUES

- 3.1 CMDN DEC19/CMDN/62 authorised the delegation of authority to Cambridgeshire County Council (CCC) to act as lead local authority in commissioning the Integrated Sexual and Reproductive Health Service across Peterborough and Cambridgeshire and for delivery of the function of the service to CCC, which shall include the associated transfer of funding to CCC for up to seven years (period commencing 1 April 2021 and expiring 31 March 2028).
- 3.2 The Delegation and Partnering Agreement between PCC and CCC commenced on 1 April 2021, and CCC has commissioned the service via a Section 75 Agreement with Cambridgeshire Community Services (CCS). Sexual Health Services are mandatory Public Health Services for local authorities to provide for their residents.
- 3.3 The original CMDN and subsequent Delegation and Partnering Agreement is for an annual expected value of £1,566,298.00. A further Key-CMDN is required because the annual budget for these services has grown due to increases in central Government funding. The funding increase is ring-fenced for NHS staff (on Agenda for Change Terms and Conditions) and for HIV Pre-exposure Prophylaxis (PrEP). PrEP is a new drug which helps prevent people at risk from getting HIV. The additional annual values are shown in the table below and within this section 3. Both Agenda for Change and PrEP are additional central government funding that is ring-fenced spend for Public Health commissioned Sexual and Reproductive Health Services.

- 3.4 The total increase to this delegated function, and the value that PCC's delegation to CC shall be modified by, is £570,965.00 for the remaining duration of the Delegation and Partnering Agreement, hence this CMDN seeks authority for the additional values for the following services. However, Agenda for Change pay increases for 23/24 are currently under negotiation and there may be a need for a further increase to the value of the contract, during the remaining period of the contract.
- 3.5

Agenda for change 21/22 and 22/23 - Central government funding was awarded to meet the increases in NHS Agenda for Change salaries who are employed in Public Health commissioned sexual and reproductive health services. It is mandatory that this is given to our commissioned NHS providers. An increase of £66, 532 was awarded in 20/21 and £20, 643 in 22/23. These then become annual uplifts and shall be incorporated within the Delegation and Partnering Agreement accordingly for the remaining period of contract as illustrated within section 8.1.

3.6

HIV Pre-Exposure Prophylaxis (PrEP) Funding– From 20/21 Peterborough was awarded an additional annual payment of £37,992 for HIV PrEP. This is a new medication to prevent the spread of HIV in people who have yet to be exposed to the disease but may be at risk. The grant is to cover the clinical supervision of PrEP which is prescribed to patients in Peterborough. In 20/21 this was paid separately from the main CCS payment. From 21/22 this became embedded under the Section 75 between CCS and CCC, hence this annual value shall be incorporated within the Delegation and Partnering Agreement accordingly for the remaining period of contract as illustrated within section 8.1.

3.7

PrEP Underspend – From 20/21 Peterborough was awarded £37,992.00 for HIV Pre-Exposure Prophylaxis (PrEP). There was a £24,408.33 underspend in the PrEP Grant in 2020/21, the first year of its allocation. As it was new drug there were delays in the supply chain and in the actual grant award resulting in the in-year underspend. The underspend was held in the Councils accounts as the expectation was that it would have to be returned. It has now been confirmed the funding can be spent but only on PrEP Activity. There is now significant demand for PrEP in Peterborough and a waiting list has been created to manage demand. The underspend is being invested in 22/23 to help manage the current PrEP demand pressures and shall be incorporated within the Delegation and Partnering Agreement accordingly for the remaining period of contract as illustrated within section 8.1.

4.0 CORPORATE PRIORITIES

- 4.1 This recommendation links particularly to the Corporate Priority of Health and Wellbeing as it ensures sufficient funding is in place to deliver integrated sexual and reproductive health services.

A Carbon Impact Assessment has been approved for this proposal and it has been agreed there is no impact as the funding simply covers an increase in contract values.

5.0 CONSULTATION

- 5.1 Consultation has been undertaken between the Public Health Directorate, Joint Commissioning Unit, Finance and Legal/Procurement and the service provider with whom CCC contracts by virtue of this delegation between PCC and CCC.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 The modifications to the Delegation and Partnering Agreement will enable the proposed services, as set out within this report, to be delivered by the provider, by virtue of CCC's

lead commission and contract, in accordance with the specifications and efficiently utilise funding granted to the Council.

7.0 REASON FOR THE RECOMMENDATION

- 7.1 To ensure the Delegation and Partnership Agreement between PCC and CCC reflects the agreed annual values for the jointly commissioned integrated sexual and reproductive health service across Peterborough and Cambridgeshire, for which CCC acts as the lead commissioner and has entered into a Section 75 Agreement with CCC for delivery of Sexual and Reproductive Health Services across both local authority boundaries.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 To not increase the values or modify the value of the Delegation and Partnering Agreement. The Council already has a Delegation and Partnership Agreement in place with CCC whereby the Sexual and Reproductive Health Service is delegated to CCC to act as the lead local authority. Should PCC not agree to modify the value of the delegation, then this shall impact the delivery of these services to service users within Peterborough, i.e., HIV Pre-Exposure Prophylaxis services. Additionally, to not agree to the modification would result in PCC not transferring mandatory increases in NHS Agenda for Change salaries for staff who are employed in Public Health commissioned sexual and reproductive health services (via CCC's commissioned s75 agreement with the NHS Body who delivers these services across Peterborough and Cambridgeshire).

9. IMPLICATIONS

9.1 Financial Implications

Funding Category	Original Value 20/21	New values for 21/22	New values 22/23	New values 23/24	New values 24/25
Main Contract Value	1, 566, 298	1, 566, 298	1,566 298	1,566, 298	1, 566, 298
Agenda for change 21/22	66,532	66, 532	66, 532	66, 532	66, 532
Agenda for change 22/23	0		20, 643	20, 643	20, 643
PREP Annual Value	0	37, 992	37, 992	37, 992	37, 992
Prep underspend 20/21	0	0	24, 408.33	0	0
Total	1, 632, 830	1, 670, 822	1, 715, 873	1,691, 465	1, 691, 465
Per annum increase	66,532	104, 524	149, 575	125, 167	125, 167
Total extra value for CMDN all years					£570, 965

10 Legal Implications

10.1

The modifications to the Delegation and Partnering Agreement's values shall be varied within a Deed of Variation and executed by both parties in reliance on 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

11.0 Equalities Implications

- 11.1 The service will continue to be universal but will include targeted actions to address any inequalities and improve the outcomes for the most vulnerable and at risk populations.

12. DECLARATIONS / CONFLICTS OF INTEREST & DISPENSATIONS GRANTED

12.1 None

13. 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.

13.1 None.

14. APPENDICES

14.1 None.