

# Cheshire East Council

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| <b>Date of Meeting:</b>  | <b>19<sup>th</sup> October 2017</b>  |
| <b>Report of:</b>        | <b>Linda Couchman, Strategic Director of Adult Social Care and Health</b>      |
| <b>Subject/Title:</b>    | <b>Strategic Partnership for the Cheshire East Community Equipment Service</b> |
| <b>Portfolio Holder:</b> | <b>Cllr Janet Clowes – Adult Social Care and Integration</b>                   |

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## 1. Report Summary

- 1.1. Council approved the Community Equipment Service (CES) Framework for adult equipment and the Council's budget for up to four years on 3<sup>rd</sup> March 2015; subject to annual confirmation of budget. Since that approval, advice has been received from Legal that the current Constitution now requires additional Council approvals. This report therefore seeks Council's endorsement, under the current Constitution, for the continued s75 of the National Health Service Act 2006 partnership arrangement which delivers the CES.
- 1.2. This Section 75 of the National Health Service Act 2006 Memorandum of Understanding (MOU) is between four partners; Cheshire East Borough Council, Eastern Cheshire Clinical Commissioning Group (CCG), South Cheshire CCG and Vale Royal CCG. This is the commissioning partnership for the Cheshire East Community Equipment Service (CES), which is hosted by Cheshire East Borough Council.
- 1.3. The CES Commissioning partnership has proved very successful in delivering a quality community equipment service over many years. This is due to the benefits of partnership working as a principle, but also because of the nature of this particular joint commissioning arrangement. The arrangement provides an efficient and cost effective centralised service for the four partners. The CES partnership is based on a common statutory requirement to ensure that the adults and children of Cheshire East receive the equipment they need, in a timely way, in order to live more independently and safely. This effective partnership has proven over the years that this integrated approach to delivering health and social care services works well. Its characteristics are:
  - the partnership comprises people with the right knowledge and experience
  - communication is efficient

- there are competent change management skills
  - there is an understanding of the barriers to successful partnership working
  - effective conflict resolution is in place
  - people work together using respectful behaviours
- 1.4. The CES partnership has been in existence for many years, and hosted by CEC since 2009. It has been renewed every three years. There is now a need to renew the MOU under which it operates so that it is co-terminous with the funding approval granted through to 31 March 2021. The MOU contains an annual review facility. This will be used to ensure the correct arrangements remain in place as further integration between Social Care and Health becomes a reality.
- 1.5. Community Equipment Services are statutory services. The Cheshire East CES provides essential equipment to children, adults and older people in order to promote independence, facilitate hospital discharge, prevent admission to hospital and long term residential and nursing care. It also offers support to carers and provides comfort and support at end of life. The service facilitates and contributes to prevention and early help.
- 1.6. The CES supports Council outcomes 5 and 6 :-
- Outcome 5 – ‘People live well and for longer’
- Outcome 6 – A responsible, effective and efficient organisation
- 1.7. The section 75 of the National Health Service Act 2006 arrangement provides for the total budget for all partners for this service to be held by CEC, as the host organisation. That total budget for 2017-18 is £1.2m. Over four years the estimated pooled budget total is over £5m. The contribution for CEC over four years is estimated just over £1.6m, and forms part of the service base budget. There are no plans currently in the Medium Term Financial Strategy for any change to this.

## **2. Recommendation**

That Council:

- 2.1. Endorses the renewal of the Memorandum of Understanding (MOU) through to 31 March 2021 under Section 75 of the National Health Service Act 2006 between Cheshire East Council, Eastern Cheshire CCG, South Cheshire CCG and Vale Royal CCG, for the delivery of the Community Equipment Service.
- 2.2 Delegates authority to:
- (a) the Strategic Director of Adult Social Care and Health (in consultation with the Portfolio Holder for Adult Social Care and Integration and the Director of Legal Services), to approve the final form of the MOU (and any subsequent amendments thereto); and

(b) to the Director of Legal Services to execute on behalf of the Council the approved final form of the MOU.

- 2.3 Delegates authority to the Strategic Director of Adult Social Care and Health (in consultation with the Portfolio Holder for Adult Social Care and Integration and the Director of Legal Services), to renew the MOU arrangements beyond 2021 in accordance with any provision made for that purpose by Council through setting the budget and policy framework.

### **3. Other Options Considered**

- 3.1. For Cheshire East Council and CCG's to commission services separately and not via a pooled funding and MOU approach.

This option would not provide the economies of scale and efficiencies the service has benefitted from over the last eight years. The partnership approach also allows the organisations to jointly establish prescribing approaches, monitor prescribing trends, spend, and appropriate and timely provision. This contributes substantially to integration objectives, supporting operational integration across Health and Social Care practice.

### **4. Reasons for Recommendation**

- 4.1 The CES MOU has now existed for around 20 years with changing partner organisations over the years. It is a successful partnership, contributing to the efficiencies achieved over the years, and to the current timely and appropriate provision of equipment.
- 4.2 The Care Act 2014 places a duty on Local Authorities to:
- Promote individual wellbeing
  - Prevent people's care and support needs from becoming more serious
  - Promote integration of care and support with Health
  - Provide information and advice
  - Co-operate generally with its relevant partners such as the NHS
  - Co-operate with other Local Authorities and their partners
- 4.3 The CES partnership arrangement encourages and facilitates integrated assessment and prescribing across Health and Social Care. It contributes towards better outcomes for people and their carers, and greater efficiencies within the services. This is an example of integration that can be highlighted to NHS England and the DH as progress on the journey to 2020.

### **5. Background/Chronology**

- 5.1 The current CES MOU arrangements have been operating successfully for 20 years. However, there is a need to align current MOU arrangements with the funding approvals given by Council on 3 March 2015.. All CCG partners have agreed to continue this partnership and seek agreement to the continuation from CEC Council, as the host. The further delegation sought at 2.3 of the recommendation will obviate the need for similar approvals to be sought in future to continuing the MOU arrangement. That will follow from continuing provision being made in the budget setting process.
- 5.2 There are no significant changes between the current MOU and the new one. All contracts with suppliers have and will continue to be competitively procured in line with the relevant regulations. There are opportunities to expand the partnership in the future, and these will continue to be explored.

## **6. Wards Affected and Local Ward Members**

- 6.1. The MOU will affect all wards and, as a result, all local ward members.

## **7. Risk Management & Implications of Recommendation**

### **7.1. Policy Implications**

The MOU delivers the Council's ambitions in relation to integrated working with Health and joint commissioning.

### **7.2 Legal Implications**

The MOU will establish the obligation of the parties in relation to the provision of community equipment (jointly funded) service. It confirms the funding contributions and responsibilities of each of the parties in delivering that service. The MOU is intended to facilitate the operations of the parties' agreement to work collaboratively and jointly contribute to sufficient funding of the service.

Section E of the Council's Financial Procedure Rules set out requirements and approval routes for Partnerships and Jointly Funded Projects, such as this. The Council's current contribution to the budget for this service is up to £1,629,000 for the four years from 1<sup>st</sup> April 2017, and therefore in accordance with Rule E.18, Council approval is required to enter any agreement for the jointly funded project, in this case the MOU.

The overall value of the MOU is in excess of £5 million, and therefore (in accordance with Rule 5.1.3) to be entered into by the Council it must be executed under seal by Legal Services.

### 7.3 Financial Implications

The Council's current Medium Term Financial Strategy anticipates the following funding being available....

| Cheshire East Council (CEC) contributions to Community Equipment Service (CES) over 4 years |  |         |         |         |         |  |           |
|---|--|---------|---------|---------|---------|--|-----------|
| Year  |  | 2017/18 | 2018/19 | 2019/20 | 2020/21 |  | Total     |
| Contribution (£)  |  | 407,318 | 407,318 | 407,318 | 407,318 |  | 1,629,272 |

Assumptions:

Adult Social Care will seek to contain the CEC contributions to £407,318 p.a. over the next four years. However, as demand and activity is increasing year on year, this will need to be annually reviewed.

### 7.4 Equality Implications

An Equality Impact Assessment (EIA) has been completed for this services which establishes there are no adverse impacts on protected characteristics group; available if required.

## 8. Access to Information/Bibliography

8.1.1. a) The draft new CES MOU. Author Nichola Glover-Edge

b) CES EIA. Author Nichola Glover-Edge

## 9. Contact Information

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