

Agenda Item 5

Brighton & Hove City Council

For general release

Meeting: Integrated Services Board
Joint Commissioning Board
Council

Date: 26 June 2006
10 July 2006
13 July 2006

Report of: Director of Housing & City Support
Director of Strategy & Governance

Subject: Review of Governance Arrangements for Social Care and Health Partnerships

Ward(s) affected: All

1. Purpose of the report

1.1 To inform Members of the current governance arrangements for adult social care and Health Partnerships and seek approval to a revised decision-making arrangement within the framework of the existing S.31 agreements between the Council, the Primary Care Trust, South Downs Health and Sussex Partnership Trust.

2. Recommendations

2.1 That the Integrated Services Board and the Joint Commissioning Board approve the proposals set out in paragraph 6.1 of the report and recommend the same to the Council, the PCT and the South Downs NHS Boards for final approval.

2.2 That Council approves the proposals set out in paragraph 6.1 and authorises the Director of Housing and City Support to take all steps necessary or incidental to the implementation of the proposals.

2.3 That Council authorises the Head of Law to amend the existing section 31 agreements to reflect the changes introduced by the proposals and make the necessary alterations to relevant parts of the Council's constitution.

2.4 That Council agrees that the changes come into effect from 1st September 2006.

3. Background

3.1 The arrangements for the integrated commissioning of services between the Council and the Primary Care Trust (PCT) and integrated provision of services between the Council and South Downs NHS Trust (South Downs) were established in April 2002. The arrangements cover social care and health services to adults in respect of HIV/AIDS, intermediate care, learning disability, older people's mental health, working age mental health, substance misuse and community equipment services.

3.2 In April this year, the Sussex Partnership Trust was created and inherited the older people's and working age mental health services (including substance misuse) from South Downs. The functions in respect of Learning Disability Services, including Lead Commissioning, were transferred to the Council. The changes were reflected in a revised Section 31 Agreement with the parties concerned.

3.3 The Section 31 Agreements include governance arrangements that have been operating for the last four years but need revision in the light of experience and to reflect the general direction of travel in the health and social care sectors characterised by ever closer working, co-ordination and integration of services.

4. The Current Governance Arrangements

4.1 The commissioning functions are discharged, at Member level, via the Joint Commissioning Board. The Board is essentially Members of the Adult Social Care & Health Committee of the Council sitting alongside the sub-committee of the PCT (consisting of their non-executive Directors) making contemporaneous but separate decisions. The Section 31 Agreement enables the partners to co-opt up to 3 non-voting Members. So far, there is only one Co-optee representing the Primary Care Trust Patient and Public Involvement Forum.

- 4.2 The arrangements in respect of the integrated service provision consist of the Integrated Services Board. As with the Joint commissioning Board, the Integrated Service Board comprises Members of the Council's Adult Social Care and Health Committee sitting alongside a sub-committee of South Downs making parallel decisions. The Board has the power to co-opt up to 3 non-voting members. There are no co-optees at the moment. The delegated functions of the Board are stated to be: "to manage and monitor services pursuant to functions in so far as required for the purpose of the services".

5. Effectiveness of Existing Arrangements

- 5.1 Although the existing arrangements have enabled the partners to work together, there are a number of questions as to whether they are the most effective and, in particular, whether there is a need for two separate Boards. Some of these include the following:
- Most of the items that have gone to the Integrated Services Board have tended to be "information only" items of an operational nature and it is not clear that a separate member body would be necessary to undertake these roles.
 - The Sussex Partnership NHS Trust are not represented in any of the existing governance arrangements and a mechanism needs to be found to enable them to have some input into the decision making process.
 - The remit of the Joint Commissioning Board includes responsibility for commissioning and monitoring of services. This would cover:
 - (a) agreeing joint commissioning strategies;
 - (b) procurement of those services (i.e. decisions on provider);
 - (c) performance monitoring; and
 - (d) deployment of resources

It is clear from the above that most service issues of significance would be adequately covered by the Joint Commissioning Board without a need for a separate body.

- It is possible to cover all the issues currently dealt with by the Integrated Services Board either at officer level or, if necessary, matters being referred to the partner organisations if a decision is required. Matters

referred to the partner organisations would be dealt with by the Adult Social Care and Health Committee of the Council and the South Downs NHS Trust Board.

- The general message from central government and consultations being undertaken at regional and local level anticipate a more integrated arrangement with streamlined structures. There is therefore a need to limit processes and structures to what is absolutely essential.

6. Proposals

6.1 Based on the above discussions, it is proposed that:

- (i) the Integrated Services Board be abolished;
- (ii) that the Joint Commissioning Board be retained with a revised Membership to include three new Co-optees, (two representing South Downs and one representing the Sussex Partnership NHS Trust);
- (iii) that the Director of Housing & City Support and the Chief Executives of South Downs and Sussex Trust Partnership be instructed to make arrangements to enable service issues to be discussed and management action taken at officer level as appropriate;
- (iv) that matters not resolved under the arrangements referred to in (iii) above be referred to the Joint Commissioning Board or the partners as appropriate; and
- (v) that the Council officer currently co-opted into South Downs Board (but not as the Council's representative) takes the role of representing the Council to strengthen accountability in the absence of the Integrated Services Board.

6.2 Although the Council is represented as the Sussex Partnership Trust Board by an Officer, there is no Member representation. It is proposed to consider these arrangements with a view to promoting Member representation. However, as the arrangements cover East and West Sussex as well as Brighton & Hove, this needs to be done in consultation with the other local authorities.

6.3 Officers believe that the framework arrangements described above will provide more effective and efficient governance. They take into account the fact that any service issues that cannot be resolved at officer level are likely

to involve significant budgetary issues, serious failures in services or issues of a strategic nature. There are all matters which would come within the role and function of the Joint Commissioning Board. The presence of provider partners at meetings of the Joint Commissioning Board will enable them to make direct contribution into the decision making process.

- 6.4 The proposed changes also mirror the position in respect of children's services under the umbrella of the Children and Young People's Trust Board.

7. Next Steps

- 7.1 If the proposals are agreed, the necessary amendments need to be made to the Section 31 Agreements and the constitution. It is proposed that the arrangements come into effect as from 1st September 2006.

8. Consultation

- 8.1 The relevant partner organisations and local Members have been consulted. The proposals deal only with governance arrangements and have no effect on the availability or manner of delivery of services that are likely to be of interest to the general public.

COMMITTEE REPORT APPENDIX



Meeting/Date	<i>[insert name of committee and date of meeting - as on front of report]</i>
Report of	<i>[insert name(s) of Chief Officer(s)/TMT member(s) - as on front page]</i>
Subject	<i>[insert title of report - as on front page]</i>
Wards affected	<i>[specify - or 'all' if appropriate - as on front of report]</i>

<p>Financial implications To be completed for every report. The relevant accountant must be consulted in good time to confirm whether there are financial implications/compliance with financial regulations. Major financial issues should be dealt with in the body of the report and referred to briefly in this section. <i>Finance Officer consulted: [insert]/Date [insert]</i></p>
<p>Legal implications To be completed for every report. The relevant lawyer must be consulted in good time to confirm whether there are any legal/Human Rights Act implications arising from the proposals. Major legal issues should be dealt with in the body of the report and referred to briefly in this section. <i>Lawyer consulted: [insert]/Date [insert].</i></p>

<p>Corporate/Citywide implications To specify how the proposals support the priorities of the council; identify any wider implications for other council services or those of other agencies; and any consequent need to report to P&R/other committee(s).</p>	<p>Risk assessment To summarise the risks which have been considered (where necessary in consultation with the Risk Manager) as set out more fully in the main body of the report/other sections of the appendix.</p>
<p>Sustainability implications To identify both environmental and broader sustainability implications of the proposals. If these are substantial, they should be addressed in the main body of the report and referred to briefly here. If there are none, this should be stated.</p>	<p>Equalities implications This section should identify the equalities implications of the proposals. If these are substantial, they should be addressed in the main body of the report and referred to briefly here. If there are none, this should be stated.</p>
<p>Implications for the prevention of crime and disorder This section should identify the implications of the proposals for the prevention of crime and disorder. If these are substantial, they should be addressed in the main body of the report and referred to briefly here. If there are none, this should be stated.</p>	

COMMITTEE REPORT APPENDIX



Background papers *[Part 1 reports only]*

1. *[List all background papers which were relied on to a material extent in the preparation of the report. Published works (including previous Part 1 committee reports) need not be listed. The public have a right to inspect any item included in the list]*
2. *[If no such background papers were relied upon to a material extent in the preparation of the report, this should be stated].*

Contact Officer

[insert contact name, post title and telephone number (usually the originating officer(s))]