



CHANGES TO THE CONSTITUTION: HACKNEY'S INTEGRATED COMMISSIONING COMMITTEE

COUNCIL MEETING DATE (2016/17)

1 MARCH 2017

CLASSIFICATION:

Open

If exempt, the reason will be listed in the main body of this report.

WARD(S) AFFECTED

All Wards

Tim Shields, Chief Executive

1. INTRODUCTION

- 1.1 At its meeting on 27th February 2017 Cabinet considered a report proposing that the Council enters into an integrated commissioning model for health, social care and public health with the NHS City and Hackney Clinical Commissioning Group (“CCG”). As part of these proposals, Cabinet is recommended to establish the Hackney Integrated Commissioning Committee, which will have delegated authority to make decisions on the management of pooled budgets.
- 1.2 The Hackney Integrated Commissioning Committee will meet as committees in common with an Integrated Commissioning Committee established by the CCG and together to be known as the Integrated Commissioning Board.
- 1.3 This report proposes that Full Council approves amendments to the Constitution to reflect the establishment of the Hackney Integrated Commissioning Committee and the Integrated Commissioning Board, including incorporating their terms of reference into the Constitution.

2. RECOMMENDATION(S)

- 2.1 Full Council is recommended to:
 - i) approve that the terms of reference for the Hackney Integrated Commissioning Committee and Integrated Commissioning Board, as attached at Appendix 1, be included in the Constitution in Part 3.3; and
 - ii) approve other amendments to the Constitution to reflect the establishment of the Integrated Commissioning Committee as detailed in paragraph 3.5 of this report.

3. THE INTEGRATED COMMISSIONING COMMITTEE

- 3.1 Cabinet is proposing to enter into an agreement with the NHS City and Hackney Clinical Commissioning Group (“CCG”) to manage pooled funds initially across adult social care, public health and CCG commissioned services in the borough. Further information can be found in the report to Cabinet on 27th February 2017.
- 3.2 As part of the governance arrangements, Cabinet will establish the Hackney Integrated Commissioning Committee to make decisions on its behalf with regards to the management of the pooled budgets and commissioning in the Hackney area. The CCG will appoint its own separate Integrated Commissioning Committee to make decisions on its behalf. It is intended that the Hackney Integrated Commissioning Committee and CCG committee will

operate as committees in common and shall be known together as the Integrated Commissioning Board.

3.3 Hackney's Integrated Commissioning Committee will be an executive statutory committee established under the Local Government Act 1972. It must therefore operate in accordance with relevant legislation and the Council's Constitution.

3.4 The full terms of reference for the Hackney Integrated Commissioning Committee and the Integrated Commissioning Board are attached at Appendix 1. It is proposed that the terms of reference are inserted in part 3.3 of the Constitution.

3.5 It is also proposed that the following amendments be made to the Constitution to reflect the establishment of the Hackney Integrated Commissioning Committee:

i) The Council's decision-making structure chart on page 5 of the Constitution be amended to include reference to the Hackney Integrated Commissioning Committee;

ii) After paragraph 5.14 in Article 5, Part 2 of the Constitution, insert the following summary:

"Hackney Integrated Commissioning Committee – The Committee has been authorised by Cabinet to make decisions and manage pooled funds with the NHS City and Hackney Clinical Commissioning Group in accordance with the Committee's terms of reference and schemes of delegation."

4. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

4.1 This report recommends to Full Council the approval of

- The terms of reference for the Hackney Integrated Commissioning Committee and Integrated Commissioning Board, as attached at Appendix 1, be included in the Constitution in Part 3.3; and
- The amendments to the Constitution to reflect the establishment of the Integrated Commissioning Committee as detailed in paragraph 3.5 of this report.

4.2 The pooling of Adult Social Care and Public Health budgets with CCG monies through a Section 75 agreement present an opportunity to improve health outcomes for local people by commissioning and delivering services across organisations in a more joined up/integrated way that makes the most of our shared investment at a time when public sector funding has experienced significant reductions and increasing budgetary pressures.

4.3 The table below summarises the pooled funds which the Hackney Integrated Commissioning Committee along with the Integrated Commissioning Board will have delegated authority to make decisions on.

| SUMMARY OF SERVICES INCLUDED WITHIN THE INTEGRATED COMMISSIONING FUND 2017/18 | | | |
|--------------------------------------------------------------------------------------|------------------------------------------|---------------------------------|---------------------------------|
| Section 75 Services | | | |
| Service Area (Workstream) | Contract Type | 2016/17 Budget £'000 | 2017/18 Budget £'000 |
| 1. City & Hackney CCG | | | |
| Unplanned Care (BCF) | Section 75 | 4,805 | TBC in Feb |
| Unplanned Care (non BCF) | NHS contracts and Alliance contracts | 89,056 | TBC in Feb |
| Unplanned Care Total | | 93,861 | |
| Planned Care (BCF) | NHS contracts and Alliance contracts | 13,915 | |
| Planned Care (non BCF) | NHS contracts and Alliance contracts | 169,773 | TBC in Feb |
| Prevention (non BCF) | NHS contracts and Alliance contracts | 5,309 | TBC in Feb |
| Children/Young people | NHS contracts and Alliance contracts | 42,563 | TBC in Feb |
| | City & Hackney CCG Total: | 325,421 | - |
| 2. London Borough of Hackney | | | |
| Unplanned Care | Contracted Services & Directly Delivered | 6,126 | 6,126 |
| Planned Care | Contracted Services & Directly Delivered | 67,662 | 65,500 |
| Planned Care (via DFG Capital) | Contracted Services & Directly Delivered | 1,185 | 1,185 |
| Prevention* | Contracted Services & Directly Delivered | 36,277 | 35,326 |
| | London Borough of Hackney Total: | 111,250 | 108,137 |
| Grand Total Section 75 Services including Efficiencies/QIPP | | 436,671 | 108,137 |
| Aligned Services | | | |
| 1. City & Hackney CCG | | | |
| Non-excisable* health services | NHS contracts contracts | 21,843 | TBC in Feb |
| Corporate, Support and reserves | | 30,972 | TBC in Feb |
| | City & Hackney CCG Total: | 52,815 | |
| 2. London Borough of Hackney | | | |
| Non-excisable* social care services (income) | | (5,609) | (5,726) |
| | London Borough of Hackney Total: | (5,609) | (5,726) |
| Grand Total Aligned Services including Efficiencies/QIPP | | 47,206 | (5,726) |
| In Collaboration Services | | | |
| 1. City & Hackney CCG | | | |
| Primary care co-commissioning | | - | TBC in Feb |
| | City & Hackney CCG Total: | - | TBC in Feb |
| Grand Total In Collaboration Services including Efficiencies/QIPP | | 0 | |
| Grand Total Integrated Commissioning Fund including Efficiencies/QIPP | | 483,877 | 102,411 |

4.4 The financial framework is contained within schedule 3 of the S75 agreement and sets out the parameters and rules governing the fund, notably:

- The Council will host the fund and the appointed pooled fund manager will be the Group Director of Corporate Finance and Resources
- For 2017/18 it is anticipated that there will be no changes to transactions or 'who pays who'
- The totality of the fund will be reported in a note to the Council's accounts as with existing s75 agreements

- The risk of overspend will remain with the lead commissioner of the services forecast to overspend.

4.5 It is important to ensure that the Council does not bear the risk of health overspends and vice versa. Of similar importance is the acknowledgement in the financial framework of the Council's duty to continue to respond to funding cuts and set a balanced budget. It is important that Adult Social Care and Public Health services remain part of the medium term financial strategy and will continue to contribute to savings programmes going forward.

5. COMMENTS OF THE DIRECTOR OF LEGAL

5.1 Cabinet has authority under section 101 and 102 of the Local Government Act 1972 to establish the Hackney Integrated Commissioning Committee to discharge executive functions.

5.2 In accordance with Article 15 of the Constitution, the changes proposed to the Constitution can only be approved by Full Council.

5.3 The Hackney Integrated Commissioning Committee must meet and take decisions in accordance with the Local Governments Acts 1972 and 2000 and subsequent regulations. The Committee will therefore be subject to the Council's Access to Information Procedure Rules, Executive Procedure Rules and other relevant provisions in the Constitution. Decisions taken by the Committee shall be subject to call-in and scrutiny in accordance with the Constitution.

APPENDICES

Appendix 1 – Hackney Integrated Commissioning Committee and the Integrated Commissioning Board's terms of reference

BACKGROUND PAPERS

Report to Cabinet 27th February 2017 – Integrated Commissioning for Health and Social Care

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|----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|
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