

TRAFFORD COUNCIL

Report to: Executive
Date: 18 March 2024
Report for: Decision
Report of: Executive Member for Health and Care

Report Title

Section 75 Strategic Partnership Agreement for the integrated delivery of health and social care services in Trafford 2024/25

Summary

The original Section 75 partnership agreement has been in place since 1 October 2019. Trafford Council and Manchester University NHS Foundation Trust (MFT) made a commitment to periodically review and revise the partnership agreement to ensure the viability of the delivery of health and social care integrated services through the legal framework of a Section 75 under the National Health Service Act, 2006.

There is now a requirement to renew the Section 75 effective from 1 April 2024 for a period of 12 months with a more holistic review to be undertaken when an agreed target operating model is developed during 2024/25. There is broad provision made within the Section 75 partnership agreement to enable this to happen and work will be undertaken to ascertain whether further changes will be required over the course of the next 12 months.

Recommendation(s)

It is recommended that the Executive:

- Approve the proposal to enter into a Section 75 Strategic Partnership Agreement for the integrated delivery of Health and Social Care services with Manchester University NHS Foundation Trust for 2024/25 as detailed in the report;
- Delegate authority to the Executive Member for Health and Care, in consultation with the Corporate Director of Adults & Wellbeing and the Director of Legal and Governance to agree the revised terms and conditions of the Section 75 partnership agreement for 2024/25;
- Note the proposal to undertake a detailed holistic review of Section 75 arrangements during 2024/25;
- Note that the renewal of the Section 75 is a key enabling and strategic tool to develop closer working arrangement through 2024/25 and beyond.

Contact person for access to background papers and further information:

Name: Nathan Atkinson, Corporate Director, Adults & Wellbeing
Extension:1901

Background Papers:

Section 75 Strategic Partnership Agreement for the integrated delivery of health and social care services in Trafford 2023/24 – Executive 13 March 2023

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|---|---|
| Relationship to Policy Framework/Corporate Priorities | The Section 75 Partnership Agreement will support the delivery of the following corporate priorities: <ul style="list-style-type: none"> • Reducing Health Inequalities • Supporting people out of poverty • Addressing Climate crisis |
| Relationship to GM Policy or Strategy Framework | The Greater Manchester Integrated Care Partnership has been developed to build on previous work across Greater Manchester (GM) to support the integration of care and support ensuring a seamless and holistic approach to improving support to residents across GM. |
| Financial | Partner Agencies will retain budgetary responsibility for core functions and no financial implications have been identified. Integration including co-location is evidenced to lead to more efficient use of resources. |
| Legal Implications: | Legal framework for the proposed agreement is set out in Section 2 of this report and legal advice and guidance will be sought in respect of the terms and conditions of the agreement. |
| Equality/Diversity Implications | Equality and Diversity implications are considered at individual service level with EIA's completed as appropriate. |
| Sustainability Implications | Not Applicable |
| Resource Implications e.g. Staffing / ICT / Assets | Not Applicable for refreshed agreement |
| Risk Management Implications | Not Applicable for refreshed agreement |
| Health & Wellbeing Implications | Not Applicable |
| Health and Safety Implications | Not Applicable |

1.0 Background

- 1.1 This paper provides an update on the current Section 75 partnership agreement that exists between Trafford Council and Manchester University NHS Foundation Trust (MFT). As the Executive will be aware Trafford CCG, now NHS Greater Manchester - Trafford, in conjunction with Trafford Council undertook a thorough and robust commissioning process and MFT was successfully awarded the contract to deliver community health services in Trafford from 1 October 2019; it was at this point Trafford Local Care Organisation was created.
- 1.2 Under Section 75 of the National Health Service Act 2006, local authorities and NHS bodies can enter into partnership arrangements for the exercise of certain NHS functions by NHS bodies and certain health-related functions of local authorities. Section 75 provides for three flexibilities that NHS Bodies and local authorities can use: pooled budgets, lead commissioning and integrated provision.
- 1.3 As part of achieving formal integration a Section 75 partnership agreement was entered into between the Manchester University NHS Foundation Trust (MFT) and Trafford Council to facilitate the effective delivery of integrated health and adult social care. The Section 75 partnership agreement delegated certain functions to MFT as the host body of TLCO, to facilitate integrated service delivery and joint working across the borough.

- 1.4 There is now a requirement to renew the Section 75 effective from 1 April 2024 for a period of 12 months with a more holistic review to be undertaken during 2024/25. There is broad provision made within the Section 75 partnership agreement to enable this to happen and work will be undertaken to ascertain whether further changes will be required over the course of the next 12 months.

2.0 Schedules to the Section 75 partnership agreement

- 2.1 The Section 75 partnership agreement is accompanied by a suite of schedules that support the operationalisation of the agreement and it should be noted that several schedules will require minor update especially those that are time limited in nature; this work is ongoing and will be complete where possible in advance of 1 April 2024. It should be noted that some schedules will have existing programmes of work aligned to them that mean that they will not be completed by that point.
- 2.2 Several of the schedules will have minor amends made to them to bring them up to date or they may be removed where deemed to be superfluous.
- 2.3 Due to nature of the Section 75 and its practical execution neither party is exposed to any risk as a result of renewing the agreement but that the agreement is a core enabler to joint and integrated working within Trafford.
- 2.4 Details of the Section 75 partnership agreement schedules are below:

| Schedule Category | Schedule Name |
|---|--|
| List of services with indicative budgets | In Scope Services |
| | Out of scope services |
| | MFT Health Budget |
| | Trafford Council Budget |
| Terms of Reference | * TLCO Exec * IMM * Neighbourhood Meeting |
| Information Sharing | Info Sharing Statement of Intent |
| Management, Clinical & Professional Governance | Electronic Case file recording and record audit policy |
| | Adult Services supervision policy |
| | Trafford Governance Handbook |
| Risk Management | Trafford Council Risk Management Framework |
| | Trafford Council Risk Management Policy Statement |
| | LCO Risk Management Strategy |
| Strategies | TLCO Operating Plan |
| | Trafford Locality Plan |
| Schemes of Delegation | Corporate Director of CFW's Delegated Powers |
| | MFT Scheme of Delegation |
| Policies/Procedures | Trafford and MFT Policies and Procedures |
| | Policy & Procedure Change Mechanism |
| Performance Management | Joint Service Plans & monitoring framework |

3.0 Governance Arrangements

3.1 The main vehicle for the oversight of the implementation of the 2024/25 Section 75 agreement and the delivery of safe and effective services will be the Trafford Integrated Management Board. This Board will be accountable via the Corporate Director of Adults & Wellbeing and via the Managing Director to Chief Executive of Trafford Local Care Organisation and Chief Executive of Trafford Council.

3.2 The Section 75 Partnership Agreement 2024/25 and the governance structures outlined in it will enable three levels of decision making:

- decisions that statutorily can only be made by one of the partner organisations for decisions that each of the bodies wish to reserve to themselves;
- decisions that can be made 'jointly' through 'joint governance bodies' whereby the representatives of each of the partner agencies are delegated to make such

decisions, which will need to be made by consensus between the representatives of each agency; and

- decisions delegated to the Corporate Director for Adults & Wellbeing and managing Director to enable the efficient day to day management of the integrated service.

Recommendation

It is recommended that the Executive:

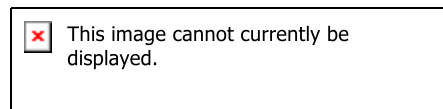
- Approve the proposal to enter into a Section 75 Strategic Partnership Agreement for the integrated delivery of Health and Social Care services with Manchester University NHS Foundation Trust for 2024/25 as detailed in the report;
- Delegate authority to the Executive Member for Health and Care, in consultation with the Corporate Director Adults & Wellbeing and the Director of Legal and Governance to agree the revised terms and conditions of the Section 75 partnership agreement for 2024/25;
- Note the proposal to undertake a detailed holistic review of s75 arrangements during 2024/25;
- Note that the renewal of the Section 75 partnership agreement is a key enabling and strategic tool to develop closer working arrangement through 2024/25 and beyond.

Key Decision (as defined in the Constitution):

If Key Decision, has 28-day notice been given?

Finance Officer Clearance GB

Legal Officer Clearance EM



CORPORATE DIRECTOR'S SIGNATURE (electronic)...

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To confirm that the Financial and Legal Implications have been considered and the Executive Member has cleared the report.