

DERBYSHIRE COUNTY COUNCIL
CABINET MEMBER FOR ADULT SOCIAL CARE

18 October 2016

Report of the Strategic Director for Adult Care

BETTER CARE TOGETHER MEMORANDUM OF UNDERSTANDING

1. Purpose of the Report

To seek approval for the Chief Executive to sign the Memorandum of Understanding between the Council, Tameside and Glossop Clinical Commissioning Group, Tameside Metropolitan Borough Council, Tameside NHS Foundation Trust and Derbyshire County Council.

2. Information and Analysis

The Council is working alongside other health and social care organisations, which operate within the Tameside and Glossop Clinical Commissioning Group (T&G CCG) area, as part of the Care Together programme, to explore ways in which commissioners and providers can work more closely together as part of an integrated system. Other partners involved in the programme include GPs, care providers, hospitals, community service and the voluntary sector.

The Derbyshire Health and Wellbeing Board has been regularly updated on the development and the progress of the Care Together programme so that it can be considered alongside other transformation programmes in the county and from a partnership perspective. The HWB will continue to receive updates on the programme and will continue to focus on activity in the Glossop area.

The Care Together programme is exploring ways in which organisations can utilise resources more effectively, remove unnecessary duplication and work more efficiently. The programme is developing new ways of working, which are person-centred and enables care to take place closer to home, preventing unnecessary admissions to hospital. Community based care will be delivered by new local care teams made up of health and social care staff who will work in a co-ordinated way to deliver the right care, at the right time, in the right place. Local care teams will be based around five neighbourhoods, with four of these being within the Tameside local authority area (Ashton; Denton,

Droylesden and Audenshaw; Hyde, Hollingworth and Longdendale; and Stalybridge, Dukinfield and Mossley) and the fifth neighbourhood located within Derbyshire, covering the communities in and around Glossop.

History of joint-working between Tameside and Derbyshire

The mixed local government organisational and administrative geography of the Tameside and Glossop CCG and former PCT area is a longstanding issue. Partners across Tameside and Derbyshire have a strong history of working together to find the most appropriate strategic and operational solutions, that allow partners in Tameside to meet their requirements as part of the Greater Manchester region, whilst recognising that Glossop is part of Derbyshire and often falls within different sub-regional planning structures.

Health and social care devolution in Greater Manchester

Tameside and Glossop CCG, Tameside Metropolitan Borough Council and Tameside NHS Foundation Trust are all part of the Greater Manchester health and social care devolution deal, whereby the Government has agreed to devolve spend for a number of key functions. As part of this work across Greater Manchester, CCG and local authority areas have been asked to develop locality plans which outline how they plan to transform health and social care so that it is provided more effectively and in some cases this involves the development of new operating models or organisational structures. Tameside and Glossop CCG, Tameside Metropolitan Borough Council and Tameside NHS Foundation Trust have agreed that they wish to create a single integrated care organisation (ICO), which integrates primary, acute and social care within the area.

This new organisational arrangement became operational on 1 April 2016 and on 1 September 2016 Tameside Hospital Foundation Trust, acting as the lead organisation, became an Integrated Care Foundation Trust.

Derbyshire's role on the Care Together Board

Representatives from Derbyshire County Council have supported the work of the Care Together programme and have sought to ensure there is coherency between this work in the north of the county, transformation approaches in other CCG areas, the Better Care Fund and more recently the NHS Sustainability and Transformation Plan for Derbyshire.

To formalise and facilitate the relationship between Derbyshire County Council and the statutory partners of the Integrated Care Organisation (Tameside and Glossop Clinical Commissioning Group, Tameside Metropolitan Borough Council, Tameside NHS Foundation Trust), a Memorandum of Understanding

(MOU) has been developed and the latest draft is attached to this report for information.

The Memorandum of Understanding

The MOU proposes that the Council will not participate as a formal statutory partner in the Care Together Programme, where commissioning budgets are pooled under the control of a single commissioning board. The MOU also states that DCC social care resources will not transfer to the ICO. Instead, DCC will work together with the ICO in relation to its statutory responsibilities in respect of social care, to deliver an agreed commissioning strategy and deliver an agreed integrated system of health and social care.

In practical terms this means Derbyshire and the statutory partners within the ICO will:

- Pursue a 'place-based' approach to secure the greatest improvement in the health, wellbeing and care of people living in Glossop.
- Facilitate the sharing of data, information, details of services and resources accordingly and where appropriate this will be treated confidentially and/ or anonymised, for example for information in relation to the workforce.
- Commit to work together and with local people to enhance and build new improved models of service delivery.
- Engage in discussion prior to making any changes in funding to services and not to 'cost shunt' pressures between the statutory bodies.

To facilitate this:

- The Chief Executive of Derbyshire County Council will become a member of the Tameside and Glossop Care Together Programme Board and will be represented on the Single Commissioning Board and New Model of Care Steering Group.
- The scope of services covered under the BCF may be broadened to include some elements of children's and public health where this assists in meeting the aims set out in Better Care Together.
- Tameside and Glossop CCG will be invited to attend meetings of the Better Care Fund group working across the Derbyshire County.

The MOU also notes that should any issues arise affecting the statutory duties of an organisation it will be referred through their governing process, before any decision is taken. Similarly, should the scope of the MOU need to be broadened to include either Children's Services, Public Health or other DCC functions a refreshed MOU will be tabled at the relevant Cabinet Member's Committee meeting.

3. Legal Considerations

The MOU is still subject to finalisation and the final version of the memorandum will be subject to the approval of Director of Legal Services.

4. Other Considerations

In preparing this report the relevance of the following factors has been considered: financial, social value, legal, human resources, prevention of crime and disorder, human resources, environmental, health, property and transport considerations.

5. Background Papers

- Care Together Board Papers (Chief Executive's Office)
- [Tameside and Glossop Locality Plan](#)

6. Key Decision

No

7. Call-in

Is it required that call-in be waived for any decision in this report? **No**

8. Officer's Recommendation

That the Cabinet Member for Adult Social Care agree that the Chief Executive acts on behalf of the County Council to finalise and sign the Memorandum of Understanding between Tameside and Glossop Clinical Commissioning Group, Tameside Metropolitan Borough Council, Tameside NHS Foundation Trust and Derbyshire County Council.

Joy Hollister
Strategic Director – Adult Care

Tameside & Glossop Care Together

Annex 1:

MEMORANDUM OF UNDERSTANDING (DRAFT)

BETWEEN

**NHS TAMESIDE AND GLOSSOP
CLINICAL COMMISSIONING GROUP,**

TAMESIDE METROPOLITAN BOROUGH COUNCIL and

TAMESIDE HOSPITAL NHS FOUNDATION TRUST

DERBYSHIRE COUNTY COUNCIL

This Memorandum of Understanding is regarding the development of an Integrated Care Organisation and the formation of a single commission to enable the provision of integrated health and social care services to meet the needs of people in Tameside and Glossop and the role of Derbyshire County Council in relation to Glossop

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This agreement is dated [] 2016

between

- 1) NHS TAMESIDE AND GLOSSOP CLINICAL COMMISSIONING GROUP of New Century House Denton, M34 2GP ("CCG")
- 2) TAMESIDE METROPOLITAN BOROUGH COUNCIL of Dukinfield Town Hall, King Street, Dukinfield, SK16 4LA ("TMBC")
- 3) TAMESIDE HOSPITAL NHS FOUNDATION TRUST of Trust Headquarters, Fountain Street, Ashton-Under-Lyne, OL6 9RW ("THFT")
- 4) DERBYSHIRE COUNTY COUNCIL of County Hall, Matlock ,Derbyshire DE3 4AG (DCC)

with the CCG, TMBC, and THFT referred to as the "Statutory Partners" to this Memorandum of Understanding.

The Statutory Partners may, subject to unanimous support, choose to extend this Agreement to incorporate other bodies.

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Purpose of this document

The overriding purpose of this Memorandum of Understanding is to set out the framework for the implementation of an integrated care solution across the locality of Tameside and Glossop. The Statutory Partners have agreed that a more integrated approach is needed to ensure the effective and efficient use of existing health and social care resources as well as transforming the way in which services are delivered across the locality. This will, in turn, enhance the overall wellbeing of the local population.

All parties agree to act in good faith to support the objectives and principles of this Memorandum of Understanding for the benefit of the residents of Tameside and Glossop.

Principles

On 23 September 2015 the CCG, TMBC, and THFT agreed the following key principles:

1. We agree that an integrated system of health and social care is the best way to ensure optimum health and care outcomes for our population and to ensure collective financial sustainability
2. We welcome the Contingency Planning Team's ('CPT') final report of 28 July 2015 and the assurances it provides as to the new model of care that the Tameside and Glossop Clinical Commissioning Group ('the CCG'), Tameside Metropolitan Borough Council ('TMBC') and Tameside Hospital Foundation Trust ('THFT') have jointly agreed to develop and operate to create a new integrated system of health and social care in Tameside and Glossop
3. We agree that THFT represents the best legal delivery vehicle for the integrated care system subject to an amended foundation trust licence and constitution to enable a new legal entity of an Integrated Care Foundation Trust to be constituted by the 1 April 2017. Such an organisation will need to be appropriately representative of all three bodies and other stakeholders including primary care and the voluntary sector, which will be reflected in its constitution. We agree to work together to support the THFT in this transformation with a view to be in the ICFT shadow form from the 1 April 2016

and also:

4. We acknowledge that creating an ICO will not resolve the significant budget challenges facing all organisations but it goes some way to reducing it and it will be necessary to continue to work closely together with all stakeholders to manage the deficit set out in the CPT report
5. We agree that a Tameside & Glossop Locality Plan setting out our vision to work together to reform health and social care services to improve the health outcomes of our population and reduce health inequalities as quickly as possible, be considered and approved in due course at the statutory Health and Wellbeing Board, and that the model of care, which is as outlined in the CPT creating a new integrated system of health and social care in Tameside and Glossop report is a key component of that Plan
6. We agree that in working together to reform health and social care services to improve health outcomes for our population as quickly as possible and enable system wide change to take place transparently and clearly, robust and inclusive governance structures need to be developed and agreed. The key principles of any governance arrangements include:
 - a) The objective of providing governance arrangements which aim to provide streamlined decision making; excellent co-ordination of services for the residents

[Type text]

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- of Tameside & Glossop; mutual co-operation; partnering arrangements, and added value in the provision of shared services
- b) An acknowledgement that the arrangement does not affect the sovereignty of any party and the exercise and accountability for their statutory functions
 - c) A commitment to open and transparent working and proper scrutiny and challenge of the work
 - d) A commitment to ensure that any decisions, proposals, actions whether agreed or considered at the Programme Board carry with them an obligation for the representative at the Programme Board to report these to their own constituent bodies of the Programme Board and any party to the joint working arrangements
- 7. We agree to delegating our decision making power, regarding the implementation of the recommendations of the CPT report, to the Programme Board
 - 8. We agree to develop a Memorandum of Understanding, the Programme Board Terms of Reference, and a detailed Scheme of Delegation for consideration and ratification at a future meeting
 - 9. To provide mutual assurance to the constituent bodies, we agree that there will be regular reports from the Programme Board to the Boards of the constituent bodies
 - 10. We agree to the formation of a Programme Management Office to manage the implementation of the new Model of Care and will jointly look to resource this as appropriate
 - 11. The Commissioners agree to deliver a joint commissioning function, to be in place by 1 January 2016
 - 12. We agree that the governance arrangements will be kept under regular review and be revised from time to time to reflect the changing status of the integrated care delivery vehicle
 - 13. That any decision affecting the statutory duties of an organisation will be referred through that organisation's governing processes.

This Memorandum of Understanding is to be read in conjunction with the following governance documentation:

- the Programme Board Terms of Reference
- the Scheme of Delegation.

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Involvement of DCC in the Care Together Programme

DCC has decided, at this juncture, that it does not want to participate as a formal Statutory Partner in the Care Together Programme involving inter alia the pooling of commissioning budgets within the control of a Single Commissioning Board nor the transfer of its social care resources to the ICO as described in the aforementioned agreed principles.

In relation to its statutory responsibilities in respect of social care within the geographic area of Glossop, DCC does however agree to work together with the Statutory Partners to deliver an agreed commissioning strategy and work with the ICO to deliver an agreed integrated system of health and social care.

DCC also agrees to principles 4, 5, 6, 9, 12 and 13 above.

There is a shared vision for a health and care system to keep people

- safe and healthy - free from crisis and exacerbation
- at home – out of social and healthcare beds
- independent – managing with minimum support

...which will be founded on building strong, vibrant communities (places) whilst maintaining financial balance.

In practical terms this means the statutory partners and DCC will:

1. pursue a 'place-based' approach to secure the greatest improvement in the health, wellbeing and care of people living in Glossop
2. baseline and share detail of services and resources accordingly
3. commit to work together and with local people to enhance and build new improved models of service delivery
4. engage in discussion prior to making any changes in funding to services and not to 'cost shunt' pressures between the statutory bodies

To facilitate this:

- a) The CEO of DCC will become a member of the Tameside and Glossop Care Together Programme Board and will be represented on the Single Commissioning Board and New Model of Care steering Group.
- b) The scope of services covered under the BCF may be broadened to include some elements of children's and public health where this assists in meeting the aims set out in Better Care Together.
- c) Tameside and Glossop CCG will be invited to attend meetings of the BCF group working across the Derbyshire County

Data sharing and confidentiality

The Statutory Partners and DCC acknowledge and agree that each may be required to disclose to others information which is regarded as confidential or commercially sensitive.

The Statutory Partners and DCC subject to this Memorandum of Understanding agree to provide in a timely manner and without restriction all appropriate information requested and required by the Partners to carry out the work including but not limited to relevant detailed financial, activity, workforce and estates related information. All such [Type text]

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information will be anonymised and shall not contain personally identifiable data. Statutory Partners and DCC agree that publically available information may be shared fully with all other Parties that are subject to this agreement

Non-publically available information provided as part of this programme including, but not limited to relevant financial, activity, workforce and estates related information will be held securely by the Partners and not shared with the other parties connected to this project without the express permission of the relevant originating organisation.

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NHS Tameside and Glossop Clinical Commissioning Group	We confirm our agreement to the above Steve Allinson Chief Operating Officer
Tameside Metropolitan Borough Council	We confirm our agreement to the above Steven Pleasant Chief Executive
Tameside Hospital NHS Foundation Trust	We confirm our agreement to the above Karen James Chief Executive
Derbyshire County Council	We confirm our agreement to the above Ian Stephenson Chief Executive