

## ***COMMISSIONING PARTNERSHIP BOARD Agenda***

Date Thursday 15<sup>th</sup> February 2024

Time 1.00 pm

Venue Crompton Suite, Civic Centre, Oldham, West Street, Oldham, OL1 1NL

Notes

1. DECLARATIONS OF INTEREST- If a Member requires advice on any item involving a possible declaration of interest which could affect his/her ability to speak and/or vote he/she is advised to contact Paul Entwistle or Constitutional Services at least 24 hours in advance of the meeting.
2. CONTACT details for this meeting are available from Constitutional Services – telephone 0161 770 5151, or e-mail – [constitutional.services@oldham.gov.uk](mailto:constitutional.services@oldham.gov.uk)
3. PUBLIC QUESTIONS - Any Member of the public wishing to ask a question at the above meeting can do so only if a written copy of the question is submitted to the contact officer by 12.00 noon on Monday, 12<sup>th</sup> February 2024.

### MEMBERSHIP OF THE COMMISSIONING PARTNERSHIP BOARD

Councillors Brownridge, Mushtaq, Shah and Taylor  
NHS Greater Manchester Integrated Care: M. Barker, M. Colohan, S. Naylor and Dr J. Patterson

#### Item No

- 1 Election of Chair  
The Panel is asked to elect a Chair for the duration of the meeting.
- 2 Apologies For Absence
- 3 Urgent Business  
Urgent business, if any, introduced by the Chair
- 4 Declarations of Interest  
To Receive Declarations of Interest in any Contract or matter to be discussed at the meeting.
- 5 Minutes of Previous Meeting (Pages 1 - 4)

The Minutes of the Commissioning Partnership Board held on 29<sup>th</sup> September 2022 are attached for approval.

6 Public Question Time

To receive Questions from the Public, in accordance with the Council's Constitution.

7 Oldham Locality Section 75 proposed budgets – 2023/2024 - report (Pages 5 - 10)



**Present:** Councillors Brownridge, Jabbar and Moores (Representing Oldham Council); Mr. M. Barker, Dr J. Patterson and Ms. K. Rigden (Representing Oldham CCG).

Also in Attendance:

Sayyad Osman – Deputy Chief Executive

Jayne Ratcliffe – Director of Adult Social Care/DASS

Mark Stenson – Assistant Director of Corporate Governance and Strategic Financial Management

Peter Thompson – Constitutional Services

1           **ELECTION OF CHAIR**

Resolved: That Councillor Moores be elected Chair for the duration of the meeting.

2           **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Chadderton.

3           **URGENT BUSINESS**

There were no items of urgent business received.

4           **DECLARATIONS OF INTEREST**

There were no declarations of interest received.

5           **PUBLIC QUESTION TIME**

There were no public questions to consider.

6           **MINUTES**

Resolved: That the minutes of the meeting of the Commissioning Partnership Board, held on 26<sup>th</sup> May 2022, be approved as a correct record.

7           **REVISED CONTRIBUTION TO 2022/23 SECTION 75 AGREEMENT**

The Partnership considered a report of the Directors of Finance that sought consideration and agreement of the proposed changes to the Section 75 Agreement (S.75) for 2022/23.

The report proposed changes to the scope and scale of the S.75 from 1<sup>st</sup> July to align with the budgets delegated to locality. The report also recognised that the values outlined are subject to further variation in response to change in allocation to locality that may emerge during the year.

The report that was presented to the Partnership Board in May 2022 outlined the S.75 budget and detailed the budgets impacting the wider determinants of health that sit under the joint stewardship of the board. It was recognised that those budgets classified as “in view” are outside of the scope of the

S.75 agreement for both Health and Social Care but came under the Joint Stewardship of the Board as described by the Target Operating model.



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In addition, it was recognised that 2022/23 would be a transitional year for Health as the changes arising from the implementation of the White Paper on Health and Social Care Reform were enacted. With the transfer of agreements to NHS Greater Manchester from 1<sup>st</sup> July 2022, there was now a requirement to align the financial values in Locality S.75 agreements with the budgets which have been delegated to place. This was also a requirement of the formal constitution process to enable formal delegation to Locality System Boards from the NHS Greater Manchester Board.

The values included in the submitted report were split by Quarter 1 operating as Oldham CCG and Quarters 2 - 4 operating as NHS Greater Manchester. This reflected the point of variation to the health element of the S.75.

Resolved:

1. That the Commissioning Partnership Board confirms its support of the changes proposed in the scale and scope of the 2022/23 S.75 agreement between Oldham CCG and Oldham Council.
2. That the Commissioning Partnership Board acknowledges that the values outlined are subject to further variation in response to changes in allocation to locality which may emerge during the year.
3. That the Commissioning Partnership Board notes the recommendation that agreement of final values to be added to the legal agreement should be delegated to Locality Finance Lead (or Greater Manchester ICB's Chief Finance Officer as appropriate) and Oldham Council's Director of Finance).
4. That the Commissioning Partnership Board authorises a Variation Agreement to be generated that will be signed off by NHS Greater Manchester and Oldham Council.

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## **QUARTER 1 2022/23 OLDHAM LOCALITY S75 FINANCE REPORT**

The Partnership considered a report of the Directors of Finance that provided an update on the Oldham Locality Section 75 (S75) position for Quarter One of 2022/23 (April – June 2022).

S.75 agreements existed between Local Authorities and the NHS nationally for the pooling of budgets to facilitate closer working. Oldham Council and Oldham CCG had entered into such an agreement for several years. The S.75 agreement covered expenditure where services were being commissioned jointly and a wider scope of NHS Healthcare functions. The CCG's contribution to the S.75 agreement included all items that could be legally included in the pooled fund. However, this only represented further items of expenditure into view of the Council. It did not create new expenditure (the contracts for which the CCG had already planned to incur) or create a new

risk for the Council (as the expanded section of the S.75 did not pool risk in this area). The main purpose was to facilitate a whole system approach to deliver care where and how it could be best delivered to the citizens of the Oldham Borough.



The submitted report presented the position, at 30<sup>th</sup> June 2022, when Oldham CCG ceased operations. A forecasted outturn position had not been reported as NHS Greater Manchester had directed that the S.75 needed to be amended to reflect the health budgets delegated to localities from 1<sup>st</sup> July 2022 onwards. Until the budget for Quarters 2 - 4 (Q2 - 4) was agreed, a forecast outturn position for health could not be accurately reported. It was expected that this would be in place for Month 6. It was not anticipated that the changes would impact on the risk share arrangements of the S.75.

The signed S.75 for Oldham had been formally agreed at the Commissioning Partnership Board's meeting on 31<sup>st</sup> March 2022. The Agreement encompassed pooled funds totalling £135.2m for Quarter 1, comprising of a Pooled Aligned Budget of £134.8m and a Pooled Budget of £0.4m.

Resolved: That the report be noted.

The meeting started at 1.00pm and ended at 1.25pm.

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Report to Oldham Commissioning Partnership Board

## Oldham Locality Section 75 proposed budgets – 2023/24

### Report Author:

Sara Naylor, Associate Director Finance (Oldham), NHS GM  
Sarah Johnston, Director of Finance, Oldham Council

**15 February 2024**

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### Report summary:

This paper presents to the Board a variation to the current Section 75 agreement schedule 8 (finance schedule) with the 2023/24 values and the key movements between 2022/23 and 2023/24.

The paper also sets out the approach to developing the 2024/25 S75.

### Implications and/or risks:

N/A

### Recommendations:

- 1) Note key movements between the 2022/23 and 2023/24 pooled budgets
- 2) Approve the schedule 8 for 2023/24 attached as appendix 1 to be varied into the original Section 75 (13 June 2022) including transformation fund usage 23/24
- 3) Note next steps for the development of the 2024/25 S75 agreement

## **1. Purpose**

- 1.0 The purpose of this paper is to update the Board with the proposed Section 75 (S75) budget for 2023/24.

## **2. Background**

- 2.0 The current S75 agreement between Oldham Metropolitan Borough Council (OMBC) and Oldham Clinical Commissioning Group (CCG) was signed on 13 June 2022. The partnership agreement set out the approach to the commissioning of health and social care services for the year 2022/23. Appended to Schedule 1 of the Agreement is a list of services with the respective budgets referred to in the agreement as schedule 8.
- 2.1 In July 2022 the Health and Social Care Act was enacted with the subsequent dissolution of CCG'S to Integrated Care Boards (ICB). The responsibility for all NHS contracts, independent sector Acute contracts, and Primary Care delegated commissioning for Oldham CCG were transferred to NHS Greater Manchester ICB. Subsequently the original S75 agreement was varied (January 2023) to reflect the transfer of services and a revised finance schedule (schedule 8) for 2022/23.
- 2.2 During 2023 the Government announced a call for evidence on Section 75 agreement to support further use of pooled budgets. The areas for consultation included widening the range of services in scope of the Section 75 (including public health) and widening the scope of organisations (voluntary third sector) that can enter arrangements under the Section 75. The NHS Greater Manchester Integrated Care Board (GM ICB) have also been undertaking a review of the Section 75 agreement with the aim to standardise across its ten localities. The output of this review is also awaited.
- 2.3 Due to changes in personnel across the Oldham locality and Council and in addition to the expectation there would be further direction on the form of the Section 75 agreement the budget values for 2023/24 (schedule 8) have not been varied. This paper presents the 2023/24 budget (schedule 8) variation and sets out the approach for 2024/25.

## **3. Section 75 Agreement for 2023/24**

- 3.1 The 2023/24 Section 75 budget (Schedule 8) is attached as appendix 1 to this paper. A summary of the 2023/24 compared to the 2022/23 budget is presented in in table one below:



**Table One - 2023/24 proposed Pool Aligned budgets**

<b>Section 75 Agreement 2022/23 to 2023/24</b>	<b>Revised Budget 2022/23 £k</b>	<b>Current Budget 2023/24 £k</b>	<b>Variance £k</b>
<b>Pool Aligned budget</b>			
OMBC- Services	175,057	217,536	42,497
OMBC- Partnership Transformation Fund		3,024	3,024
Oldham ICB	157,380	95,218	(62,162)
<b>Sub Total</b>	<b>332,437</b>	<b>315,778</b>	<b>(16,659)</b>
<b>Pool- Community Equipment</b>			
OMBC	692	780	88
Oldham ICB	908	951	43
<b>Sub Total</b>	<b>1,600</b>	<b>1,731</b>	<b>131</b>
<b>Total Pool</b>			
OMBC	175,749	221,340	45,591
Oldham ICB	158,288	96,169	(62,119)
<b>Total Pool Value</b>	<b>334,037</b>	<b>317,509</b>	<b>(16,528)</b>

3.2 The Section 75 budget for 2023/24 shows a total contribution across pool aligned and pooled funds of £317.509m, a net decrease of £16.528m compared to the 2022/23 budget. The key movements from 2022/23 to 2023/24 to note are:

- The NHS Oldham locality contribution has decreased by £62.119m between 2022/23 and 2023/24 reflecting the transfer of budgetary responsibility for a number of services from Oldham CCG to NHS GM ICB part way through 2022/23 (CCG's were decommissioned and ICB created – 1 July 2022).
- OMBC Pool Aligned contribution in relation to services included in the agreement has increased by £42.497m in 2023/24 reflecting investment by the Council in Community Health and Adult Social Care and Childrens Social Care.
- The Council holds the Partnership Transformation Fund with budgeted expenditure of £3.024m in 2023/24 as per schedule 1 scheme C of the Section 75 agreement. Schemes from this fund for 2023/24 are shown in appendix 1 for approval.
- The contribution to the Community Equipment budget has increased by £0.131m with additional contributions from both organisations reflecting increased demand for the service.

## **4 2024/25 Section 75 review**

- 4.1 One of the key requirements of the Section 75 agreement (term 20.1) is for the partners to undertake an annual review within 3 months of the end of each financial year. Therefore, it is proposed that for 2024/25 a review is undertaken not only of next year's financial Schedule, but also of the full s75 agreement.
- 4.2 It is possible that a set of template clauses or template agreement may need to be implemented following a national and GM-wide review, but this will be incorporated into this local review process and will be subject to agreement by both parties as per the usual processes.
- 4.3 In addition, for 2024/25, it is proposed that the Commissioning Partnership Board is disbanded and that s75 decision-making is moved into Oldham Integrated Care Partnership Board (due to be renamed Place-Based Partnership Committee), with protected voting rights to the two parties to the agreement. These changes will be submitted to Cabinet for approval – we are aiming to take this to the March Cabinet.

## **5 Recommendations**

- 5.1 The Board is asked to:
- Note the key changes between the 2022/23 and 2023/24 schedule 8
  - Approve the schedule 8 for 2023/24 attached as appendix 1 to be varied into the original s75 (13 June 2022) by NHS GM ICB
  - Note next steps for the review of the 2024/25 Section 75

## **Appendices**

Appendix 1 2023/24 variation - Schedule 8 2023/24

## Appendix 1 Schedule 8- 2023/24 Oldham Pooled Budget

### 1) Pooled Aligned Budget

OMBC Lead Commissioner / Provider	Budget 2023/24 £'000
Learning Disability	29,196
Mental Health	14,872
Physical Support	44,216
Sensory Support	1,153
Support with Memory & Cognition	3,444
Mental Health and LD block and external contracts	
Older People contracts	1,933
Mio-Care Contract, including reablement	12,612
Hollybank	1,190
Hospital and Urgent Care Social Work Team	979
Community Cluster Teams	3,064
Carers Services	385
Minor Adaptations	111
Housing Related Commissioning	-
Community Business Services	2,437
Safeguarding Services	2,376
Strategic Management	1,476
Changing Futures	398
Hospital Discharge Fund	-
Oldham Total Care	-
Working Age Adults	6,288
Continuing Health Care	-
<b>Community Health and Adult Social Care</b>	<b>126,130</b>
Public Health - Excl contribution to non pooled services	16,845
Youth, Leisure & Communities	4,953
Environment Services - Environmental Health	1,112
Economic Development - Strategic Housing	1,136
Childrens Social Care	56,893
Preventative Services	7,918
<b>Total OMBC Lead Commissioner (incl services funded by NHS GM Oldham Locality)</b>	<b>214,988</b>
Disabled Facilities Grant (DFG) - capital	2,548
<b>Total DFG - capital</b>	<b>2,548</b>
<b>Total OMBC</b>	<b>217,536</b>
<b>Partnership Transformation Fund held by OMBC (Sch 1 scheme 3)</b>	
Population Health Management support	612
Childrens transformation support	192
Oldham Total Care	1,500
Thriving communities	606
CYP mental health	50
ICP chair	64
<b>Total Transformation fund</b>	<b>3,024</b>

NHS GM Oldham Locality	Budget 2023/24 £'000
Acute	71
Community Contracts	5,653
Better Care Fund	7,581
Mental Health	10,311
CHC	14,774
Prescribing	47,427
Primary Care	6,185
Other expenditure	546
Hospital Discharge Fund	1,420
Capacity and Voluntary Sector Fund	1,249
<b>Total NHS GM Oldham Locality</b>	<b>95,218</b>
<b>Total Pooled Aligned Budget Expenditure OMBC and Oldham NHS Locality</b>	<b>315,778</b>

2) **Pooled Budget - Community Equipment**

Community Equipment Expenditure	Budget 2023/24 £'000
<b>Financed By:</b>	
OMBC	780
NHS GM Oldham Locality	951
<b>Total Pooled Budget</b>	<b>1,731</b>

3) **Summary of Total Pooled Funds**

Total	Budget 2023/24 £'000
Pooled Aligned Budget	315,778
Community Equipment Pooled Budget	1,731
<b>Total Pooled Funds</b>	<b>317,509</b>

Funded by	Budget 2023/24 £'000
OMBC	221,340
Oldham locality	96,169
<b>Total OMBC Contribution</b>	<b>317,509</b>