

Section 75 Agreements: Integrated Community Equipment Service and Occupational Therapy

To: Adults Committee

Meeting Date: 8th October 2020

From: Will Patten, Service Director: Commissioning

Electoral division(s): All

Forward Plan ref:

Key decision: Yes

Outcome: This paper sets out the position with regard to the Integrated Community Equipment Service contract and associated Section 75 Agreement with Cambridgeshire and Peterborough CCG, and the Occupational Therapy Section 75 Agreement with Cambridgeshire and Peterborough NHS Foundation Trust.

Recommendation: Committee are asked to approve:

- a) Integrated Community Equipment Service
 - i. that the ICES Contract with *NRS Healthcare*, and current Section 75 Agreement, is extended for one year to 31/3/22
- b) Occupational Therapy Section 75
 - i. that a revised Service Specification, KPI Schedule and Work Plan are drawn up for implementation from 1/10/20
 - ii. that a new Section 75 Agreement is drawn up for sign off by 31/3/21 to govern the service agreement to 31/3/22

Officer contact:

Name: Diana Mackay
Post: Commissioner
Email: Diana.mackay@cambridgeshire.gov.uk
Tel: 01223 715966

Member contacts:

Names: Councillor Anna Bailey
Post: Chair
Email: Anna.bailey@cambridgeshire.gov.uk
Tel: 01223 706398

1. Background

1.1 Integrated Community Equipment Service (ICES)

The ICES is commissioned via two Section 75 Agreements and pooled budgets – one for Cambridgeshire and one for Peterborough with, the local authorities acting as Lead Commissioner. These pooled budgets fund the contract that is currently provided by *NRS Healthcare* which manages the delivery of health and social care equipment, including some assistive technology, across the two local authority areas. The service is well respected within the health and social care system as an essential element of the early intervention and prevention agenda by providing cost effective options to enable people to remain as independent as possible in the home of their choice. It also supports the long term care agenda in providing equipment alongside care and support packages for people with long term conditions and also supports 'end of life'. The service covers all age groups, including children with disabilities, providing equipment in both the home setting and in school.

The Cambridgeshire pooled budget, governed by the Section 75 agreement has been in place since 2006. Cambridgeshire's pool operates with the following contributions. These are reviewed annually to adjust for inflationary and demand pressures.

	LA contribution	CCG contribution	Total pooled budget
Cambridgeshire Pool	£2,421,213 (51.4%)	£2,286,844 (48.6%)	£4,708,057

The pooled budget has performed well in recent years with either small year-end pressures, or by coming in on budget, or just under. The Section 75 is governed by the quarterly ICES Commissioning Meeting, which reviews finance and performance reports and agrees service priorities.

1.2 Community Occupational Therapy Service (Adults)

There has been a Section 75 Agreement for community Occupational Therapy (OT) services since 2003 when the service was transferred from Cambridgeshire County Council to the three Primary Care Trusts that operated across Cambridgeshire at that time. The OT staff are now employed by Cambridgeshire and Peterborough Foundation Trust and sit within the Neighbourhood Team structure. Their assessments and interventions support people to remain as independent as possible through rehabilitation, equipment provision and minor housing adaptations. They also work closely with the district councils in assessing people for major housing adaptations as part of the Disabled Facilities Grant (DFG) process. The agreement governs the delivery of the social care element of a wholly integrated health and social care OT service. Over the years this has facilitated improved waiting times

and reduced hand-offs between health and social care, with service users only requiring contact with one OT practitioner for all their health and social care needs. The annual value of the agreement is £1.7m.

2. Main Issues

2.1 Integrated Community Equipment Service

The current contract with *NRS Healthcare* was awarded in 2014 following a full EU open tender process with a 5+2 contract term. The 'plus two' extension was agreed by Committee in 2018, which took the formal contract term to 31/3/2021. The Cambridgeshire & Peterborough Joint Commissioning Board (JCB) agreed in May that, due to the impact of the Covid-19 response, a number of contracts should be extended to ensure services remained stable during this challenging time, allow sufficient time to engage the market and undertake the full procurement process. JCB agreed that the ICES contract with *NRS Healthcare* should therefore be extended for a further 12 months to 31/3/2022. The vital importance of this contract to the whole health and social care system is stated at 1.1 and therefore a further extension beyond the formal contract term is seen as essential to maintain the stability of the service.

With regard to the ICES Section 75 Agreement, this was due to be reviewed for the new contract which was to commence in 2021. In light of the contract extension, it is proposed that the Section 75 Agreement will be extended under a contract variation to 31/3/2022 so that it aligns with the contract term. This will also allow time for a new Section 75 Agreement to be drawn up in time for the new contract that will commence on 1/4/2022. This has been discussed with the local Clinical Commissioning Group to ensure their continued funding, and they have confirmed their agreement.

As part of developing the new Section 75 to commence in 2022, a review will be undertaken of the risk share for the Cambridgeshire pool to ensure that the percentage split is consistent with the demand on the contract from health and social care. This exercise will also consider the potential increased demand that is likely to come from the new discharge to assess pathways and the *NHS Hospital Discharge Service Policy & Operating Model* published on 21/8/2020.

2.2 Community Occupational Therapy Service

The current Section 75 Agreement has been extended on a rolling year on year basis with annual uplifts reflecting the Agenda for Change NHS pay awards and agreed as contract variations. The Service Specification was last updated in April 2019. The agreement is currently governed by a quarterly Monitoring Group chaired by the CCC Commissioner and attended by operational staff from Cambridgeshire and Peterborough Foundation Trust (CPFT).

The challenge with this service has always been in understanding the return on investment when health and social care interventions are delivered in such

an integrated way by an NHS body. The service is an essential element of the delivery of the Adults Positive Challenge Programme (APCP) but further work is required to ensure complete engagement with this approach. However, in the last 12 months, waiting times for assessment have improved and the service has begun to report where their interventions have reduced, prevented or delayed the need for long term social care and support, but this reporting needs to be strengthened so that we are confident in its accuracy.

In light of current issues it is proposed that the Section 75 Agreement is renewed, with new specification, key performance indicators (KPI's) and a governance process that aligns with the process for the Mental Health S75 Agreement. This has been communicated to CPFT and, in summary, will deliver:

- A new Section 75 Agreement for sign off by 31/3/2021 so that is effective from 1/4/2021
- CPFT and commissioners to agree a work plan covering the period October 2020 to March 2021 with clear deliverables and review in January 2021. This will prioritise the demonstration of how the service contributes to both cashable savings through reduced social care needs, as well as evidence of the delivery of preventative services that contribute to demand management avoided costs for social care
- Revised Service Specification and Key Performance Indicators for implementation from 1/10/20 and which will be incorporated into new Section 75 Agreement
- Governance to be incorporated into the quarterly Section 75 Governance Board which is Director led and can therefore act as a robust point of escalation
- Finance and Performance Monitoring to be incorporated into the monthly Section 75 Finance & Performance Overview Board led by the Head of Commissioning and the Head of Contracts
- The establishment of a monthly OT Section 75 Operations Group to review outcomes evidenced and delivered in detail and put in place key actions to address any challenges and concerns arising
- Appointment, by CPFT, of a dedicated Trust Professional Lead for OT

3. Alignment with Corporate Priorities

3.1 A good quality of life for everyone

The following bullet points set out details of implications identified by officers:

- The ICES delivers services that support people of all ages to remain as independent as possible in the community
- People are supported to remain living as independently as possible in the home of their choice
- Both the OT and ICES services support people to be discharged from hospital at the optimum time
- Both services support prevention of admission to hospital and care homes
- The integrated provision of the OT service means that people receive rehabilitation as well as equipment provision and housing adaptations avoiding the need to hand off from one service to another

- Both services support both the Early Intervention & Prevention, and the Long Term Care agendas
- 3.2 Thriving places for people to live
There are no significant implications for this priority
- 3.3 The best start for Cambridgeshire's Children

The following bullet point sets out the details of implications:
 - The provision of equipment through the ICES means that children and young people are supported to be as independent as possible at home and school
- 3.4 Net zero carbon emissions for Cambridgeshire by 2050
There are no significant implications for this priority

4. SIGNIFICANT IMPLICATIONS

- 4.1 Resource Implications
The following bullet points set out details of significant implications:
 - These services offer value for money by delivering interventions that prevent greater expenditure elsewhere in the health and social care system
- 4.2 Procurement/Contractual/Council Contract Procedure Rules Implications
The following bullet points set out details of significant implications:
 - CCC needs to continue to commission an ICES through a Section 75 Agreement with Cambridgeshire & Peterborough CCG
 - CCC needs to continue to commission the community Occupational Therapy Service through a Section 75 Agreement with CPFT
- 4.3 Statutory, Legal and Risk Implications
The following bullet points set out details of significant implications:
 - Both the ICES and OT deliver services that are part of statutory provision under the Care Act 2014
 - Failure to provide these services would risk people becoming more dependent on long term care and support
- 4.4 Equality and Diversity Implications
There are no significant implications within this category
- 4.5 Engagement and Communications Implications
There are no significant implications within this category
- 4.6 Localism and Local Member Involvement
There are no significant implications within this category
- 4.7 Public Health Implications
There are no significant implications within this priority.

5. Source Documents

5.1 Source Documents

- Integrated Community Equipment Services Section 75 Agreement
- Occupational Therapy Section 75 Agreement

5.2 Location

- Available from diana.mackay@cambridgeshire.gov.uk