
Report to: Cabinet

Date of Meeting: 6th April 2017

Subject: Community Equipment Store

Report of: Director of Social Care and Health

Wards Affected: All

Is this a Key Decision? Yes

Is it included in the Forward Plan? No -
Rule 27 Consent sought

Exempt/Confidential No

Purpose/Summary

Sefton`s Community Equipment Store operates with a Section 75 Partnership Agreement between Sefton Council and Liverpool Community Health Trust. The Section 75 Agreement is due to end on the 31 March 2017. The Council seeks to extend the Agreement to enable the review that is underway to conclude and the findings and recommendations to be reported.

Recommendations

- 1) Extend the current Section 75 Agreement for a maximum period of one year from 1 April 2017 to 31 March 2018.
- 2) Note the work that is being done to review of the Community Equipment Store which will shortly be reported to Cabinet.
- 3) It be noted that the proposal was a Key Decision but had not been included in the Council's Forward Plan of Key Decisions. Consequently, the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Adult Social Care and Health) had been consulted under Rule 27 of the Access to Information Procedure Rules of the Constitution, to the decision being made by the Cabinet as a matter of urgency on the basis that it was impracticable to defer the decision until the commencement of the next Forward Plan because the existing partnership agreement to provide community equipment stores in Sefton between Liverpool Community Health Trust and Sefton MBC will terminate on 31 March 2017.

How does the decision contribute to the Council's Corporate Objectives?

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community			
2	Jobs and Prosperity			
3	Environmental Sustainability			
4	Health and Well-Being	x		

5	Children and Young People			
6	Creating Safe Communities			
7	Creating Inclusive Communities			
8	Improving the Quality of Council Services and Strengthening Local Democracy			

Reasons for the Recommendation:

The Section 75 Agreement governs the arrangements between the Council and Liverpool Community Health Trust. The current Agreement will cease in March 2017 and a maximum extension of one year is requested to enable the review to conclude and to ensure that the “incoming Partner” is proportionately consulted.

What will it cost and how will it be financed?

(A) Revenue Costs

There is no additional cost to the Council resulting from the proposed extension to the agreement. Funding for the Council’s 50% contribution, towards the running costs of the Community Equipment Store, is contained within the revenue budget.

(B) Capital Costs

Not applicable

Implications:

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

Legal -	
Human Resources -	
Equality	
1. No Equality Implication	<input checked="" type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

Impact on Service Delivery:

none

What consultations have taken place on the proposals and when?

The Head of Corporate Resources has been consulted and any comments have been incorporated in the report (FD4581/17)

Head of Regulation & Compliance has been consulted and any comments have been incorporated in the report (LD3864/17)

Are there any other options available for consideration?

No

Implementation Date for the Decision

Following the expiry of the “call-in” period for the Minutes of the Cabinet

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Background Papers:

None

1. Introduction

- 1.1. On 5th November 2015, Cabinet received a report which sought approval for the Council to implement a new Section 75 Partnership Agreement between Sefton Council and Liverpool Community Health Trust under the National Health Act 2006 for the provision of a Community Equipment Store for the period 1st April 2016 to 31st March 2017.
- 1.2. The Cabinet report also sought to authorise the Director of Social Care and Health to commission a new Community Equipment Service with effect from 1st April 2017.

2. The Section 75 Agreement with Liverpool Community Health Trust

- 2.1. The Partnership Arrangement covers staffing and operating costs of the Community Equipment Store, with a total value of £1,021, 250, and a 50:50 contribution from each partner. The funds are not pooled in this Agreement and employees remain the responsibility of each Partner organisation. There is no secondment or TUPE of arrangements in this Agreement. The Council acts as the Lead Partner. Equipment costs are not part of the agreement, remaining the responsibility of each partner.

3. Work to take forward Cabinet Recommendations

- 3.1. A new Section 75 Agreement with Liverpool Community Health Trust for the provision of a Community Equipment Store for the period 1st April 2016 to 31st March 2017 is now in place and the Director initiated a review to commence.
- 3.2. In November, NHS Improvement announced that Lancashire Care NHS Foundation Trust would be the new provider of community services for the population covered by Southport and Formby CCG and Mersey Care NHS Foundation Trust would be the preferred provider for the majority of Liverpool Community Health NHS Trust's south Sefton services from April 2017. Whilst the majority of these community health services will be delivered by Mersey Care and Lancashire NHS Foundation Trust, NHS Improvement and South Sefton CCG communicated that some of the services will be delivered in partnership with 5 Boroughs Partnership Foundation Trust.
- 3.3. In respect of the Community Equipment Store the "incoming partner" as advised will be 5 Boroughs Partnership Foundation Trust. The Council are informed that the process to move to the new arrangements is progressing. The timeline is to complete the transaction by end of May to start services 1st June 2017. This is to ensure due diligence in order to complete the transaction. At this point in time the CCG's and NHSI are working through the interim arrangements with Liverpool Community Health Trust and the process for transfer of elements such as this Section 75. In the interim the Council is proactively working with both current and "incoming" providers.
- 3.4. In terms of the review there have been some changes to the workforce of Liverpool Community Health Trust and to Sefton Council in terms of roles and responsibility aligned to the Equipment Store. In respect of the Council, operational management responsibility of the Community Equipment Store and the lead to conduct the review is in place. In terms of Liverpool Community Health NHS Trust the positions identified in the Section 75 Agreement have been subject to change. The review will make clear the current position and make recommendations.

3.5. The Council led review is soon to report. However, the review has been impacted by the NHS Improvement process both in terms of engagement with the current “Partner” and in terms of access to the “incoming provider”. Focus has been on ensuring the provision of equipment is delivered to a high standard, is safe and effective.

3.6. Partners have been acutely aware of the need to have an agreement that articulates the future approach clearly and ensure that the review concludes with the “incoming Partner” having sight of and contributed to the review in a manner proportionate and appropriate to the NHS Improvement process.

4. Conclusion

4.1. Approval is sought to extend the existing Sefton 75 agreement for a period of up to one year. However, a full 12 month extension may not be necessary depending upon the finding and recommendations of the review and subject to approval.