

GWYNEDD COUNCIL CABINET

Report to the Cabinet

Date of meeting:	16 January, 2018
Cabinet Member:	Councillor Gareth Roberts
Contact Officer:	Morwena Edwards, Corporate Director
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Title of Item:	Integration Agreement within the care and health field regionally

THE DECISION SOUGHT

Members are asked to accept the Integration Agreement as set out in Appendix 1. This agreement provides the governance arrangements for Social Care Services to work in partnership across the region and to satisfy legislative requirements as noted in Part 9 of the Social Services and Well-being (Wales) Act.

Members are asked to accept that the cabinet member will approve individual agreements for specific projects unless there are specific implications for which it would be appropriate to seek the Cabinet's opinion.

1. Background

- 1.1 For some years now, the six Local Authorities in north Wales together with Betsi Cadwaladr University Health Board (the Health Board) have worked together informally, as a collaboration, in order to ensure improvements for the social care field regionally.
- 1.2 This collaboration was instructed by a memorandum of understanding, but the emergence of the Social Services and Well-being (Wales) Act 2014 (the Act) has required the formalisation of these arrangements via an integration agreement.
- 1.3 The Report submitted requests that members consider the Integration Agreement (Appendix 1).

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- 1.4 This agreement notes the desire and agreement of the six authorities in north Wales and the Health Board to collaborate on specific projects in terms of identifying opportunities for improving services for people by introducing integrated services. This could lead to using pooled budgets arrangements. This agreement is in accordance with Part 9 of the Act which provides guidance on partnership arrangements between authorities and the Health Board.
- 1.5 Since 2014, the six Local Authorities and the Health Board have collaborated using the Collaboration framework (memorandum of understanding) to agree strategically on service developments including the use of the Integrated Care Fund.
- 1.6 In order to ensure accurate governance and in accordance with the duties set out in the Act and Code of Practice provided under Part 2 section 9 (1) (General Functions) of the Act, these arrangements need to be formalised.
- 1.7 As members will be aware, part of the formal arrangements was to create a Regional Partnership Board (sometimes referred to as the Part 9 Board). The Board's Terms of Reference can be seen in Annex C, Appendix 1. The Board has been operational since 2015, and oversees specific pieces of regional work as noted in the Act.
- 1.8 Some specific activities or fields have been noted in part 9 of the Act as fields which should be considered as suitable to be looked at in terms of integration options. There is also a responsibility on the parties to identify other services which could be suitable for the delivery of integrated, co-operative or pooled functions. The intention is that the services put forward as options should satisfy the five principles (page 3, Appendix 1) developed by the Regional Partnership Board.
- 1.9 Two areas have been noted within the Act which will require the Parties to join a formal partnership (with one or more partnership arrangements underway) with a lead commissioner and a pooled fund manager, namely:
- Care Home Accommodation Functions
 - Integrated Family Support Service Functions (namely IFSS)
- The Act does not insist that these partnerships are regional partnerships, they are local partnerships due to our view that this provides the best service for the people of Gwynedd.
- 1.10 Discussions are taking place on a national level with Welsh Government in terms of the care home accommodation field in relation to the requirement to create a pooled fund for care home accommodation.
- 1.11 The Council is in the process of trialling the use of a pooled fund with the Health Board on a local level within the adults field, which would include budgets for care homes. This follows logically from the work that has taken place to create integrated teams (Alltwn project). The lessons learned from this work in Gwynedd will be shared regionally.
- 1.12 In terms of the Integrated Family Support Service (IFSS) functions, arrangements are already in place in Gwynedd, with the Health Board and the Isle of Anglesey County Council in terms of providing an integrated service which includes a pooled fund. The Isle of Anglesey County Council is the lead authority with this work.

2. The Integration Agreement

- 2.1 Therefore, the intention of the Integration Agreement is to set a formal foundation for the region so that we can ensure that we provide services in the most effective and sustainable way for the people of north Wales.
- 2.2 This agreement acknowledges that every organisation will retain statutory responsibility for their functions carried out under any pooled arrangements and that therefore the pooled fund partnership agreement or such other agreement that is developed is an important document that will cover accountability, decision-making and financial management in order to satisfy all Parties.
- 2.3 There are individual agreements for specific fields e.g. ICF (Integrated Care Fund) in place, and have been approved by me as the cabinet member. The intention is to authorise any individual agreement as a cabinet member decision unless the specific agreement has implications which should be considered by the Cabinet.

3. Considerations

- 3.1 The Integration Agreement (Appendix 1) is a basis to formalise the collaboration arrangements regionally, and part of this is the consideration of developing pooled budgets. Clearly, members will welcome any regional activity which improves services for the people of Gwynedd.
- 3.2 Section 1.9 to 1.11 above explains the local developments the Council have been part of and which involve pooled budgets, at present the Act does not require the establishment of regional pooled budgets. However, discussions are underway nationally and Welsh Government guidance suggests that they are eager to see this happening. It is unclear as yet what the benefits of creating regional pooled budgets would be for the people of Gwynedd.
- 3.3 Therefore, the question is would agreeing to the Integration Agreement submitted commit the Council to establishing regional pooled budgets? This is not the intention of this agreement, which clearly states:
 - The Parties agree that they will carry out a detailed and tested options appraisal as to the most appropriate form of service integration in respect of the Projects in Annex A
 - The Parties agree that they will carry out a joint (or multi party) consultation exercise in accordance with Part 9 of the Act, with those persons who appear to be affected by the Projects as and when each Project is initiated.
 - The Parties enter into this Agreement fully intending to honour their legal obligations subject always to each Party's obligation of acting in the best interests of their home authority and in compliance with their fiduciary duties.

4. REASONS FOR RECOMMENDING THE DECISION

- 4.1 In order to comply with the requirements of Part 9 of the Social Services and Well-being (Wales) Act 2014 in terms of the need to collaborate.
- 4.2 In order to ensure that robust governance arrangements are in place, it is essential that an integration agreement is in place so that all parties are clear what the requirements are.

5. WELL-BEING OF FUTURE GENERATIONS ACT

- 5.1 Long Term – the aim of the integration is to see the sustainability of the care sector given the increase demand. They provide the opportunity to develop the services and drive up quality.
- 5.2 Prevention – this is at the heart of the Social Services and Wellbeing Act 2014 and a fundamental part of the integration agenda.
- 5.3 Integration – the purpose of the reports is based around the integration of provision across the region.
- 5.4 Collaboration – the agreements provide the Social Care Services with the opportunity to further collaborate whilst ensuring there is a strong governance in place.
- 5.5 Involvement – the agreements will ensure the governance around the development of pooled budgets is based on consultation and involvement and further scrutiny will be provided as these are individually developed.

Views of the Statutory Officers:

i. Monitoring Officer:

As noted in the Report, there is now a statutory obligation under the Social Service and Wellbeing (Wales) Act 2014 to ensure that a formal collaboration agreement exists between the Local Authorities and the Health Board. The Integrated Agreement satisfies this requirement. The Legal Service has been advising on the contents of the Agreement, and there will be a need to ensure legal input with regard to any subsequent individual agreement. No further comments in terms of propriety.

ii. Head of Finance Department:

In accordance with the Social Service and Well-being (Wales) Act 2014, establishing an Integrated Agreement is a statutory requirement. I am satisfied that Gwynedd Council has given input into the contents of the draft agreement before it has been presented to the Cabinet.

From a financial perspective, there are clear risks with the establishment of pooled funds (principally deriving from the loss of local contract), but I am satisfied that the draft agreement shows an effort on the part of all partners to ensure that such steps only occur when they are for the benefit of all partners and their residents, and criteria have been set. I therefore support the intention of this agreement to tread carefully before

committing to any pooled fund arrangements beyond the local developments that are already in progress (as described in parts 1.9 to 1.11 of the report).

Appendices:

**Appendix 1
Integration
Agreement**