

Decision Pathway – Report



PURPOSE: Key decision

MEETING: Cabinet

DATE: 05 October 2021

TITLE	Memorandum of Understanding (October 2021 to March 2022) for the Integrated Care System of Bristol, North Somerset and South Gloucestershire		
Ward(s)	All Wards		
Author: Christina Gray	Job title: Director for Communities & Public Health		
Cabinet lead: Cllr Helen Holland, Cabinet Member for Adult Social Care	Executive Director lead: Hugh Evans, Executive Director: People		
Proposal origin: Other			
Decision maker: Cabinet Member Decision forum: Cabinet			
Purpose of Report: To adopt and sign the Bristol, North Somerset and South Gloucestershire (BNSSG) Healthier Together Memorandum of Understanding: an agreement that sets out transitional arrangements, partnership arrangements, and the shared principles and values underpinning the developing BNSSG Integrated Care System.			
Evidence Base: On 11 February 2021, the Department of Health and Social Care published the white paper <i>Integration and innovation: working together to improve health and social care for all</i> , which sets out legislative proposals for a health and care bill. The white paper brought together proposals that build on the recommendations made by NHS England and NHS Improvement on integrating care. The white paper proposed the creation of Integrated Care Systems; new partnerships between organisations including Clinical Commissioning Groups, NHS trusts, Local Authorities, and the Voluntary and Community Sector, that work together to meet health and care needs across an area. Integrated Care System partnerships will build on the work of existing Sustainability and Transformation Partnerships, coordinate services to deliver the NHS Long Term Plan, develop ways to improve population health and reduce inequalities between different groups. It is intended that all parts of England are served by a shadow Integrated Care System from April 2021 and that Integrated Care Systems will become statutory bodies by April 2022. Clinical Commissioning Groups will be abolished in April 2022 as part of this change. The Health and Care Bill currently passing through parliament provides the mechanism for establishing Integrated Care Systems in law and removing legal barriers to integrated care for patients and communities. At present, the bill is in the House of Commons 'committee stage'. The Bristol, North Somerset, and South Gloucestershire Sustainability Transformation Partnership (STP) is called Healthier Together. In November 2020, Healthier Together was designated a 'maturing Integrated Care System' which is one of the final stages in the journey towards becoming a fully functioning Integrated Care System (ICS).			

Healthier Together partners have developed a Memorandum of Understanding (MOU) which sets out transitional arrangements until the end of March 2022, and the shared principles and values that will underpin the Bristol, North Somerset and South Gloucestershire Integrated Care System. It is intended that all Healthier Together partner organisations will sign the MOU. The signed MOU will be ratified at an extraordinary meeting of the Healthier Together Partnership Board on 27 October 2021.

The MOU deals with interim arrangements for the Healthier Together partnership, which will become the Integrated Care Partnership under the new legislation. There will also be an NHS Integrated Care Board replacing the CCG.

Bristol City Council has worked with partners on the MOU since its initiation, to ensure that Local Authorities are well represented, have parity in decision-making over the issues that matter to them, in keeping with their leadership on areas such as social care, population health, and inequalities.

Local Authorities will continue to have the responsibility as leaders of 'place' and the creation of the conditions for healthy lives including community leadership, citizen engagement, housing, transport, planning, education skills and employment. For Bristol, there will be opportunities to provide local leadership through engagement with local partners and through the delivery of the One City Plan.

It should be noted that the arrangements set out in this MOU are transitional, temporary arrangements and will be succeeded by detailed arrangements that meet legal and regulatory duties when the Health and Care Bill becomes statute and the ICS is fully established. This MOU will not preclude the constitution of the ICS from being amended in the future.

The Integrated Care System arrangement presents an opportunity to strengthen and continue our partnership working to deliver joined-up support that meets people's needs, and which will enable us to deliver our shared ambition to tackle health inequalities, help communities thrive and achieve the very best for everyone. The ICS also presents an opportunity to invest in community health and preventative measures and ensure that the NHS and social care have a sustainable foundation for the long term.

A delay in the signing of the Memorandum of Understanding would risk our local Bristol, North Somerset and North Somerset missing the national deadline of April 2022, at which point all areas in England should have statutory ICS bodies. This would create reputational risk for the area.

The recommendation of this report is that the Bristol City Council Cabinet approves the adoption of the Memorandum of Understanding .

Cabinet Member / Officer Recommendations:

That Cabinet

1. Approves Bristol City Council agreeing and entering into the Memorandum of Understanding (October 2021 to March 2022) for the Healthier Together Partnership for Bristol, North Somerset and South Gloucestershire attached at Appendix A.
2. Authorises the Chief Executive in consultation with the Cabinet Member for Adult Social Care to oversee and agree any minor amendments to the Memorandum of Understanding as required.
3. Notes that the final version of the Memorandum of Understanding will be brought back to Cabinet for information.

Corporate Strategy alignment:

1. The Memorandum of Understanding supports the commitment of Bristol's Corporate Strategy to work in partnership to improve health and reduce health inequalities in the City.

City Benefits:

1. The Bristol population makes up just under 50% of the whole population of the Integrated Care System.
2. The City of Bristol has the highest level of health inequality within the Integrated Care System area.
3. The City of Bristol has the more diverse population within the Integrated Care System area.
4. Active participation by Bristol City Council in the Bristol, North Somerset and South Gloucestershire Integrated Care System will ensure that the diverse health needs and inequalities of the Bristol population are fully represented and addressed.

Consultation Details:

1. 22 June 2021, OSMB Leads received a briefing on Health Integration
2. 29th June 2021, Cabinet Board
3. 05 July 2021 Bristol, North Somerset and South Gloucestershire Health & Wellbeing Boards Workshop
4. 21 July 2021, Presented to Health Scrutiny Leads Meeting on ICS and MOU
5. 28th July 2021, Bristol Health and Wellbeing Board
6. 02 August 2021, People Joint Cabinet Member briefing
7. 02 August 2021, joint briefing for Cabinet Member for Climate, Ecology, Waste and Energy and Cabinet Member for Housing Delivery and Homes
8. 12 August 2021, Transport Cabinet Member briefing
9. 20 September 2021, Draft MOU shared with Health Scrutiny Commission

Background Documents:

[Health and Care Bill \(2021\)](#)

[NHS Long Term Plan](#)

[BNSSG Five Year Plan](#)

Draft Healthier Together - Memorandum of Understanding – 2nd September

Draft Annexes to the Healthier Together - Memorandum of Understanding – 15th July

Revenue Cost	£0		Insert specific service budget name
Capital Cost	£0	Source of Capital Funding	e.g. grant/ prudential borrowing etc.
One off cost <input type="checkbox"/>	Ongoing cost <input type="checkbox"/>	Saving Proposal <input type="checkbox"/>	Income generation proposal <input type="checkbox"/>

Required information to be completed by Financial/Legal/ICT/ HR partners:

1. Finance Advice: There are no direct financial implications arising from this decision. The MOU does not override Bristol City Council existing decision pathways, which will continue to apply in terms of financial governance and decision making.

The financial framework set out in the Memorandum (Annex 7 refers), defines a set of principles and processes that help establish:

- collaborative ways of working between partners,
- a culture of financial transparency,
- governance arrangements that support delivery of the ICS vision to improve the health outcomes for the population of BNSSG in a financially sustainable way,
- a focus on value for the system,
- processes for reaching consensus and resolving disputes about how best to use financial and other resources available to the ICS,

- a mechanism for management of the aggregate financial position of the parties to achieve and maintain the system financial improvement trajectory for the ICS.

Finance Business Partner: Denise Hunt, 22/09/2021

2. Legal Advice: There are no direct legal implications arising from the report. The MOU sets out interim arrangements for the current Partnership. New arrangements will need to be put in place to comply with the Health and Care Act when it comes in to force in the New year, as well as regulations and statutory guidance. In house Legal advice and support is being provided to assist with developing the new arrangements across the BNSSG area.

Legal Team Leader: Nancy Rollason, Head of Legal, 14/09/2021

3. Implications on IT: IT/Digital have reviewed the MOU, and are fully supportive of the approach being undertaken, and are keen to support. The Council's investments in Technology and Digital Services will allow the Council to take a leading role in recommending and delivering the underpinning systems and solutions to enable effective implementation. We look forward to assisting with the more detailed planning and being able to provide technical/digital assurance as we move forward.

IT Team Leader: Simon Oliver, Director – Digital Transformation, 20/09/2021

4. HR Advice: Whilst there are no specific HR issues arising from the signing of the MOU and it is a temporary arrangement until March 2022 when a revised version will be agreed, this will then be reviewed annually, however there is reference to organisational development as a system. Any changes to the workforce, terms and conditions or ways of working would need to be fully consulted on under Bristol City Council policies and procedures to ensure we are fulfilling our legal obligations to our workforce. As per the MOU representation of all partners on relevant project boards and work groups is key to ensure the fairness and transparency of decision making. Any specific proposals for changes should be brought separately through the governance pathway to ensure compliance.

HR Partner: Lorna Laing, 21/09/2021

EDM Sign-off	Hugh Evans	22/09/2021
Cabinet Member sign-off	Mayor's Office	06/09/2021
For Key Decisions - Mayor's Office sign-off	Mayor's Office	06/09/2021

Appendix A – Further essential background / detail on the proposal	YES
Appendix B – Details of consultation carried out - internal and external	NO
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	NO
Appendix E – Equalities screening / impact assessment of proposal	YES
Appendix F – Eco-impact screening/ impact assessment of proposal	NO
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO
Appendix I – Exempt Information	NO
Appendix J – HR advice	NO
Appendix K – ICT	NO
Appendix L – Procurement	NO