

Report to:	Health and Care Integrated Commissioning Board
Report of:	Chief Finance Officer (CCG) and Deputy Chief Executive (S151 Officer) (SMBC)
Date:	1 November 2021
Subject:	Establishment of a Section 75 Task and Finish Group

1. Purpose

- 1.1 To outline the proposal for the establishment of a Section 75 Task and Finish Group reporting to the HCICB and present the draft Terms of Reference for approval

2. Introduction

- 2.1 Section 75 of the NHS Act 2006 allows partners (NHS bodies and councils) to contribute to a common fund and create a pooled budget which can be used to commission health or social care related services. This power allows a local authority to commission health services and NHS commissioners to commission social care. It enables joint commissioning and commissioning of integrated services.

3. Detail

- 3.1 In order to operate effectively as an enabler of joint commissioning or commissioning of integrated services, the existing Section 75 agreement between Stockport CCG and Stockport Council needs to be reviewed. This has been highlighted in a recent CCG internal audit report that identified a number of recommendations to improve governance and joint decision making to support integrated commissioning.
- 3.2 To address the recommendations in the internal audit report and to develop a fit for purposes Section 75 agreement in preparation for the establishment of a Greater Manchester Integrated Care Board and as part of the development of the Stockport locality architecture a Stockport Locality Section 75 Task and Finish Group is proposed to be established. A copy of a proposed Terms of Reference is attached at Appendix 1. The work and progress will be aligned with the integrated system design sub-group of the shadow locality arrangements agreed by Stockport CCG Governing Body and SMBC Cabinet in September 2021.

4. Recommendations

- 4.1 That the Stockport Locality Section 75 Task and Finish Group be established under the Health and Care Integrated Commissioning Board

- 4.2 That the proposed Terms of Reference for the Task and Finish Group attached at Appendix 1 be approved

Stockport Locality Section 75 Working Group Terms of Reference

1. Purpose

The time limited Task and Finish Group has been established to address the recommendations in the CCG internal audit report 'Section 75 Review' completed in June 2021 and to develop for approval a fit for purpose Section 75 agreement in readiness for the establishment of the ICB in Greater Manchester and associated Locality structure in Stockport.

2. Roles and Responsibilities

The Task and Finish Group will:

- Implement the recommendations of the Section 75 internal audit report during 2021/22.
- Develop a proposed fit for purpose Stockport Locality Section 75 Agreement
- Work closely with the Greater Manchester Section 75 Working Group to ensure the development and implementation of a fit for purpose Stockport Locality Section 75 Agreement aligns with Greater Manchester proposals and direction.
- Identify solutions that are pragmatic, can be implemented in a timely manner.
- Make recommendations to the Integrated Design Working Group of the One Stockport Health and Care Shadow Locality Board for consideration.

3. Membership

The members of the Working Group will be as follow:

Deputy CFO – Stockport CCG (Chair)
Director of Integrated Commissioning – Stockport CCG
Deputy Director of Corporate Affairs – Stockport CCG
Strategic Financial Advisor (Adult Social Care and Health) – SMBC
Head of Business Support (Commissioning & Contracts) – SMBC
Strategic Commissioning and Contract Performance Manager – SMBC
Deputy Director of Finance - Stockport NHS FT

4. Attendees

Other individuals may be invited to attend for all or part of any meeting as and when appropriate with the Chair's agreement.

5. Chair

The Task and Finish Group will be chaired by the Deputy CFO at Stockport CCG, the Deputy Chair will be the Director of Integrated Commissioning at Stockport CCG

6. Declarations of Interest, Conflicts and Potential Conflicts

Where a member of the Group is aware of an interest, an actual conflict or a potential conflict of interest in relation to the scheduled or likely business of a meeting of the [Committee / Group], they are obliged to bring this to the attention of the chair of the meeting as soon as possible, and before the meeting where possible.

The chair of the meeting will determine how this should be managed and inform the member of their decision. Any declarations of interests, actual conflicts and potential conflicts, and arrangements to manage those interests or conflicts that are agreed in any meeting of the Committee, will be recorded in the minutes.

7. Quorum

The quorum will be a minimum of 4 members of which at least one must be the Chair or Vice Chair and representatives from at least two of the participating organisations.

8. Decision Making

The Task and Finish Group is an advisory group and does not have any decision-making authority.

9. Reporting Arrangements

The Task and Finish Group will report on how it is discharging its functions to the Health and Care Integrated Commissioning Board (HCICB) and will make recommendations on the future fit for purpose Section 75 Agreement to the Integrated Design Working Group of the One Health and Care Shadow Locality Board .

10. Meeting Administration

The scheduling of meetings and papers will be organised by the CCG PMO or another member nominated in their absence. Action notes will be taken. Meetings may be recorded to assist with note taking providing that everyone present is informed and agrees at all times.

11. Frequency of Meetings

The Task and Finish Group will meet fortnightly. Additional meetings may be called at the discretion of the Chair if appropriate.

For the expediting of matters which cannot wait for the next scheduled meeting with the agreement of the chair a meeting of the Group may be convened to conduct its business on a 'virtual' basis through the use of email communication. Minutes will be recorded for all such meetings in the usual way.

12. Review of the Terms of Reference

The Terms of Reference will be reviewed as necessary. Any amendments that are required to be made to the Terms of Reference will need to be approved by the Health and Care Integrated Care Board.

Approved By: Health and Care Integrated Care Board

Date: To Be Inserted