

Report of the Cabinet Member for Health and Wellbeing

Cabinet - 17 August 2017

PARTNERSHIP AGREEMENT (S33) FOR WESTERN BAY PROGRAMME INFRASTRUCTURE

Purpose:	To seek endorsement of the principles of the Partnership Agreement (S33) for Western Bay Programme Infrastructure, which includes a pooled fund for the staffing costs for the Western Bay Programme Office
Policy Framework:	Social Services & Wellbeing (Wales) Act 2014 & National Health Services (Wales) Act 2006
Consultation:	Access to Services, Finance, Legal.
Recommendation(s):	<p>It is recommended that Cabinet:</p> <ol style="list-style-type: none">1) Endorse the principles of the Partnership Agreement for Western Bay Programme Infrastructure, whereby the City & County of Swansea is the host authority, with the three statutory partners of Bridgend County Borough Council, Neath Port Talbot County Borough Council and the ABMU Health Board2) Authorise the Chief Social Services Officer to approve and arrange for the execution of the final version of the Partnership Agreement in consultation with the Head of Legal, Democratic Services and Business Intelligence and the s151 Officer3) Authorise the Chief Social Services Officer in consultation with the Head of Legal, Democratic Services and Business Intelligence and the s151 Officer to make any future minor changes to the executed Partnership Agreement..
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1. Introduction

- 1.1 The Local Authority Chief Executives, Directors of Social Services, Heads of Service together with ABMU Health Board Senior Leaders across Bridgend, Neath Port Talbot and Swansea have been working together under the auspices of the Western Bay programme since 2012. The Western Bay programme has evolved and is now managing and overseeing a range of collaborative services and activities across the region.
- 1.2 A Regional Partnership Board provides strategic oversight and direction to Western Bay and includes elected Member representation from the three Local Authority Leaders and portfolio holders, the Chairman of the ABMU Health Board alongside third sector, independent sector, carers and service user representatives (full Membership of the RPB attached as Appendix 1).
- 1.3 The Western Bay Programme Office is hosted by the City & County of Swansea, through the employment of a small team of staff who coordinate and support a set of programmes and projects that progress health and social care integration. The funding for this arrangement has to date been through different Welsh Government funding streams (Regional Collaboration Fund, Delivering Transformation Grant and Intermediate Care Fund).
- 1.4 Welsh Government transferred the Delivering Transformation Grant funding to the Revenue Support Grant to continue to support the regional joint working activity and new requirements around partnership working, as required within the Social Services and Well-Being (Wales) Act 2014. The Integrated Care Fund is held by the ABMU HB for the Regional Partnership Board.

2. Legislation

- 2.1 The Social Services and Well-Being (Wales) Act 2014 brought about new requirements on partners in the way that services are delivered and the outcomes for citizens. Part 9 of the Act specifically imposes legislative obligations on partners relating to Partnership Arrangements. It requires Local Authorities and the Health Board to make arrangements to promote co-operation with their relevant partners and others, in relation to adults with needs for care and support, carers and children. It also provides Welsh Ministers with regulation making powers in relation to formal partnership arrangements, resources for partnership arrangements (including pooled funds) and partnership boards.
- 2.2 Furthermore the Code of Practice for Part 8 of the Social Services and Well-Being (Wales) Act 2014 (SSWBWA) states '*The director of social services must lead on the development of effective arrangements, including at regional partnership level, to promote co-operation to achieve the following purposes:*

- a) *Improve the well-being of people with care and support needs, including carers who need support;*
- b) *Improve the quality of care and support for people, including support for carers;*
- c) *Protecting adults with care and support needs who are at risk of experiencing abuse or neglect; and*
- d) *Protecting children who are at risk or experiencing abuse or neglect'.*

2.3 There is therefore a statutory requirement for Directors of Social Services to ensure that partnership working arrangements are in place and are delivering improved effectiveness and efficiency in relation to the delivery of care and support services to address care and support needs, and support needs for carers, identified in the population needs assessment.

2.4 A draft Partnership Agreement has been developed to reflect the agreed partner contributions required to support the Western Bay Programme Office. The draft Partnership Agreement is based on the provisions of Section 33 of the National Health Services (Wales) Act 2006, which enables the Health Board and Local Authorities to pool funds to enable the provision of shared services.

3. Background

3.1 The Local Authority Chief Executives and Social Services Directors, together with the Chief Executive of the Health Board and Executive Directors of the HB across Western Bay have worked collaboratively for a number of years and there are a number of regional services and projects currently in existence which are working successfully e.g. Community Services Programme (older people services), Contracting and Procurement Project, prevention and wellbeing initiatives including Local Area/ Community Coordination, Workforce Development training implementation, the Wales Community Care Information System implementation, support for carers, as well as 'business as usual'/ Tier 2 initiatives including the Western Bay Adoption Service, regional Safeguarding Boards, Integrated Family Support Service, Regional Collaborative Committee for Supporting People, Youth Justice and Early Intervention Service.

3.2 The governance of the Western Bay Programme is well established and fit for purpose in fulfilling the priorities identified by the Regional Partnership Board and the requirements of the SSWBWA. Improved engagement and participation of other sectors including the third and independent sectors has been developed through the programme.

3.3 The regional partnership arrangements and work programmes are supported by the Western Bay Programme Office, hosted by the City & County of Swansea. The Programme Office works across partner organisations to deliver on the Regional Partnership Board priority areas of work and provides business support to the Regional Partnership Board and to the transformational Programme and Project Boards which support the Board.

- 3.4 The City and County of Swansea is the host authority for the Western Bay Programme Office. To date the posts (staffing), work programmes, meetings and activities have been funded by the Delivering Transformation Grant combined with the Integrated Care Fund (formerly Intermediate Care Fund). The Partnership (s33) Agreement will formalise the arrangements for the Programme Office and establish a pooled fund arrangement drawing on the Revenue Support Grant and the Integrated Care Fund.
- 3.5 The Delivering Transformation Grant has previously supported the development of the population assessment; the Social Enterprise support programme delivered by three County Voluntary Councils; costs associated with the Regional Citizen panel and communication and engagement activities, including the Western Bay web-site, as well as provision of expert advice.
- 3.6 Skills and capacity to deliver regional working arrangements across health and social care and across local authority and sectoral boundaries are scarce and the experience which has been built up among the Western Bay Programme Office staff over the past 3-4 years is valuable to the programme going forward. The importance of retaining the knowledge and experience in the current team and providing some certainty to experienced staff, with a proposed extension of contracts for three years to 2020 (including a review in 2019) was agreed through support of a business case endorsed by the Western Bay Leadership Group (Local Authority and Health Board Chief Executives and Directors in November 2016).

4. Principles of the Partnership (s33) Agreement

- 5.1 A Partnership (s33) Agreement has been drafted and developed jointly among the legal and finance leads of the 4 statutory partners. It is based on the following principles:
- 5.1.1 the provision of high quality, efficient and cost effective arrangements to meet the needs of the Partners, Service Users and other authorised users;
- 5.1.2 the establishment of an initial budget and the contributions to be made by each of the partners for 2017/18, together with the budget setting arrangements for future years;
- 5.1.3 the provision of detailed financial governance arrangements for the pooled fund
- 5.1.4 transparency in relation to risk sharing arrangements including a provision for any redundancy costs to be shared by the parties in the event of termination of the agreement

5.2 The financial contributions and funding are set out in **Appendix 2**, together with the budget for the first financial year.

6. Financial Implications

6.1 The financial contributions and funding are set out in **Appendix 2**.

7. Workforce Impact

7.1 The City & County of Swansea employs the Western Bay Programme Office staff, some of whom are employed on fixed term contracts, others are seconded from partner organisations.

8. Equality Impact

8.1 There are no equality or engagement implications associated with this report.

9. Legal Implications

9.1 The establishment of a Partnership Agreement under s33 of the National Health Services (Wales) Act 2006, creates legal obligations which will underpin the resourcing of the Western Bay Programme Office and will provide a transparent and auditable basis for the future of this shared resource.

9.2 The Agreement and the governance arrangements contained therein will be subject to annual review to ensure that it continues to be fit for purpose.

10. Risk Management

10.1 An overall risk log is maintained by the Western Bay Programme Office in relation to the Western Bay programme. Individual risk logs are maintained by individual work programmes and projects that make up the Western Bay Health and Social Care programme.

11. Reason for Proposed Decision

11.1 To formalise the partnership funding arrangements in relation to the Western Bay Programme infrastructure and to establish a pooled fund arrangement hosted by the City & County of Swansea.

Background Papers:

Social Services and Wellbeing (Wales) Act 2014
Part 9 Code of Practice (Partnership arrangements)

Appendices:

Appendix 1 Membership of Western Bay Regional Partnership Board
Appendix 2 Financial contributions and budget