

WIRRAL PLACE BASED PARTNERSHIP BOARD**WEDNESDAY 14 SEPTEMBER 2022**

REPORT TITLE:	WIRRAL PLACE PARTNERSHIP BOARD: TERMS OF REFERENCE
REPORT OF:	ASSISTANT DIRECTOR: STRATEGY AND PARTNERSHIPS

REPORT SUMMARY

The purpose of this report is to provide an update to the Wirral Place Based Partnership (WPBP) Board on the development of the Terms of Reference for the board, the newly established Joint Strategic Commissioning Board and the recommended process of nominating a Chair and Deputy for the WPBP Board.

This report affects all wards but is not a key decision.

RECOMMENDATIONS

The Wirral Place Based Partnership Board is recommended to:

- 1) Endorse the Terms of Reference for the Wirral Place Partnership Board and the process for nomination of Chair (and Deputy) for the remainder of the Municipal Year.
- 2) Note the Terms of Reference for the Joint Strategic Commissioning Board (JSCB) as approved by the Adult Social Care and Public Health Committee in March 2022.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It is important to ensure that the Committee is engaged in the development of the Integrated Care System, the impact on Wirral as a place and the impending changes for Wirral's CCG. Regular briefings will continue to be provided to keep members of the committee informed of national, regional and local progress.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 No other options were considered.

3.0 BACKGROUND INFORMATION

- 3.1 During 2021, a multi-disciplinary team was established across the Health and Care System and tasked with developing new governance arrangements to ensure that Wirral is well placed to assume any new delegated responsibilities from the newly established ICB. The 'ICS Place Delivery Group' formed a number of workstreams to support these new arrangements at Wirral Place within the Cheshire and Merseyside Integrated Care System footprint.
- 3.2 The ICS Place Delivery Group Governance Workstream produced the Terms of Reference for the Wirral Place Based Partnership (WPBP) and the newly established Joint Strategic Commissioning Board (JSCB).
- 3.3 The draft Terms of Reference were presented and approved in principle to the Adult Social Care and Public Health Committee in March 2022 in addition to the Health and Care Chief Executive Steering Group, Health and Well Being Board and Healthy Wirral Partnership and are attached as Appendix One of this report.
- 3.4 The Wirral Place Based Partnership will drive a culture towards greater collaboration and joint working and build upon what partners have already worked hard to develop over the years. Governance arrangements will continue to develop over time, with the potential to develop into more formal arrangements as working relationships and trust increases.
- 3.5 The Wirral Place Based Partnership Board is not a separate legal entity, and as such is unable to take decisions separately from its constituent members or bind any one of them; nor can one organisation 'overrule' the other on any matter. The relevant statutory bodies have not at this point formally delegated decision making to the Wirral Place Based Partnership, although such a scheme of delegation may be developed in future.
- 3.6 It is proposed that the Council and the ICB establish a **Joint Strategic Commissioning Board (JSCB)**. The purpose of the Wirral Joint Strategic Commissioning Board (JSCB or the 'Board') is to make recommendations to and exercise delegated powers of the Adult Social Care and Public Health Committee of the Wirral Borough Council (WBC) and the Integrated Care Board (ICB) for Cheshire and Merseyside in order to bring about the integration of the commissioning functions of both WBC and the ICB to deliver more efficient and effective

commissioning of health and social care services and to ensure effective stewardship of pooled monies under the section 75 agreement between the Council and the ICB.

- 3.7 The JSCB will be established as a 'Committee in Common' within which the two bodies will meet at the same time to discuss a common agenda, but each will retain their own legal status and arrangements. The Council JSCB Committee would have the formal status of a Sub-Committee of the Adult Social Care and Health Policy and Service Committee.
- 3.8 The JSCB Sub-Committee will make all its decisions in accordance with the Budget and Policy Framework of Wirral Council and any matter coming before the JSCB Sub-Committee that might involve a decision contrary to the Budget and / or Policy Framework shall be referred to the main Committee for confirmation and, if necessary, referral to Policy and Resources or the full Council. It is proposed that the JSCB Sub-Committee consist of 3 elected members on a politically proportionate basis supported by the Director of Adult Social Care and Health, the Director of Children's Services and the Director of Public Health as the key statutory officers from the Council with pooled fund responsibility.
- 3.9 The Wirral Place Based Partnership Board will work within existing contractual frameworks and any Section 75 Agreement between the ICB and the Local Authority to transform the way in which health and care services are delivered and services are integrated. The Wirral Place Based Partnership Board will meet at the same time and in the same location as the Council/ICB Section 75 Strategic Commissioning Joint Committee. The Wirral Place Based Partnership Board will work with the Council/ICB S75 Strategic Commissioning Joint Committee and may aim to reach the same decision on identical matters, but ultimately will take its own decisions separately on behalf of the Wirral Place Based Partnership Board, in accordance with these terms of reference.
- 3.10 Leadership is critical for these new arrangements. The Board will elect its Chair and Vice-Chair at the first meeting of each municipal year.
- 3.11 The Terms of Reference for the Wirral Place Based Partnership have been developed in accordance with existing powers and legislation that exists in Place.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no direct financial implications arising from this report.

5.0 LEGAL IMPLICATIONS

- 5.1 The Health and Care Act 2022, sets out how the Government intends to reform the delivery of health services and promote integration between health and care in England. This is the first major piece of primary legislation for health and care in England since the Health and Social Care Act 2012.
- 5.2 The Act allows for the establishment of Integrated Care Boards and Place-based Partnerships across England in July 2022. This will be done at the same time as

abolishing Clinical Commissioning Groups (CCGs). NHS England will agree ICBs' constitutions and will hold them to account for delivery.

5.3 Integrated Care Partnerships are statutory joint committees established by Integrated Care Boards and their partner local authorities in the system. Integrated Care Partnerships bring together partners from across the system to develop an integrated care strategy to address the health, social care, and public health needs of the population. The Integrated Care Boards and local authorities in the system must have regard to the integrated care strategy when making decisions.

5.4 A number of guidance documents issued by NHS England set out how the NHS, local authority and other partner organisations in Integrated Care System will be expected to operate from July 2022. The guidance includes functional details, particularly structural relationships, governance arrangements and duties of the new ICS.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 There are no direct resource implications arising from this report.

7.0 RELEVANT RISKS

7.1 There are no direct relevant risks arising from this report.

8.0 ENGAGEMENT/CONSULTATION

8.1 Wirral's Integrated Care Partnership Development Group (system Chief Executives) and Integrated Care Partnership Delivery Group met regularly to develop Place-based Partnership arrangements. The Integrated Commissioning and Governance Project Board attended by Council and CCG Officers continues to meet monthly. Council and Health Officers from Wirral continue to engage with Cheshire and Merseyside System leads throughout the mobilisation of the new organisational form.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

9.2 There are no equality implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are no direct environment and climate implications arising from this report.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are no community wealth implications arising from this report.

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APPENDICES

Appendix 1 Wirral Place Based Partnership: Terms of Reference v3 (draft)

Appendix 2 JSCB Sub-Committee Terms of Reference

BACKGROUND PAPERS

- NHS Five Year Forward View (2014), <https://www.england.nhs.uk/five-year-forward-view/>
- NHS Planning Guidance (2017), <https://www.england.nhs.uk/publication/delivering-the-forward-view-nhs-planning-guidance-201617-202021/>
- NHS Long Term Plan (2019), <https://www.longtermplan.nhs.uk/>
- Designing Integrated Care Systems (ICSs) in England (2019), <https://www.england.nhs.uk/wp-content/uploads/2019/06/designing-integrated-care-systems-in-england.pdf>
- Integrating Care: Next steps to building strong and effective integrated care systems across England (2020), <https://www.england.nhs.uk/wp-content/uploads/2020/11/261120-item-5-integrating-care-next-steps-for-integrated-care-systems.pdf>
- *Integration and Innovation: working together to improve health and social care for all*, White Paper (2021), <https://www.gov.uk/government/publications/working-together-to-improve-health-and-social-care-for-all>.
- *Legislating for Integrated Care Systems: five recommendations to Government and Parliament* (2021), <https://www.england.nhs.uk/publication/legislating-for-integrated-care-systems-five-recommendations-to-government-and-parliament/>
- NHS Planning Guidance (2021), <https://www.england.nhs.uk/operational-planning-and-contracting/>
- The Queen's Speech 2021 – Background Briefing Notes, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/985029/Queen_s_Speech_2021_-_Background_Briefing_Notes..pdf
- *Integrated Care Systems: Design Framework and Guidance on the Employment Commitment* (2021), <https://www.england.nhs.uk/publication/integrated-care-systems-design-framework/>

- NHS People Plan 2020/2021, <https://www.england.nhs.uk/ournhspeople/>
- Thriving Places - September 2021 – Found at [Thriving Places: guidance on the development of place-based partnerships as part of statutory integrated care systems](#)
- Building strong integrated care systems everywhere ICS implementation guidance on effective clinical and care professional leadership - September 2021 - Found at [Building strong integrated care systems everywhere: ICS implementation guidance on effective clinical and care professional leadership](#)
- Building strong integrated care systems everywhere ICS implementation guidance on partnerships with the voluntary, community and social enterprise sector- September 2021 - Found at [Building strong integrated care systems everywhere: ICS implementation guidance on partnerships with the voluntary, community and social enterprise sector](#)
- Health and Care Bill (2021) <https://bills.parliament.uk/bills/3022>

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
<p>Previous reports presented to Health and Wellbeing Board:</p> <ul style="list-style-type: none"> • Health & Wellbeing Board Refreshed Purpose Integrated Care System Project Update • Integrated Care System and Integrated Care Partnership Developments • Integrated Care System and Integrated Care Partnership Developments • Integrated Care System and Integrated Care Partnership Developments • Integrated Care System and Integrated Care Partnership Developments 	<p>31st March 2021 16th June 2021 20th July 2021 29th September 3rd November 2021 15th December 2021</p>
<p>Previous reports presented to Adult Social Care and Public Health Committee:</p> <ul style="list-style-type: none"> • Strategic Developments in the NHS • Proposals for Integrated Care Partnership • Integrated Care System and Integrated Care Partnership Developments • Integrated Care System and Integrated Care Partnership Development • Integrated Care System and Integrated Care Partnership Developments 	<p>2nd March 2021 7th June 2021 29th July 2021 8th September 2021 13th October 2021 3rd March 2022</p>
<p>Previous reports presented to Partnerships</p>	<p>9th November 2020 13th January 2021</p>

Committee <ul style="list-style-type: none">• Strategic Developments in the NHS• Strategic Developments in the NHS• Strategic Developments in the NHS• Integrated Care System and Integrated Care Partnership Developments• Integrated Care System and Integrated Care Partnership Developments	29th June 2021 28 th September 2021 1 March 2022
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