
**PARTNERING WITH THE DARLINGTON CLINICAL COMMISSIONING GROUP –
MEMORANDUM OF UNDERSTANDING**

Responsible Cabinet Member - Councillor Bill Dixon, Leader of the Council

Responsible Director - Chief Officers Executive

SUMMARY REPORT

Purpose of the Report

1. To update Council on the partnering with Darlington Clinical Commissioning Group (DCCG), and to seek approval on agreeing a Memorandum of Understanding.

Summary

2. The Council has been working more closely with the DCCG since local authorities took on additional public health responsibilities from April 2013
3. A Proof of Concept review was undertaken to explore the scope for improved health outcomes and efficiency savings from a greater integration of functions between the Council and DCCG. This identified potential to achieve these objectives, with progress possible within both the short and longer term.
4. Better outcomes for people will come from the single approach to planning and commissioning of services, with the resident at the heart of the process.
5. While both organisations will continue as separate sovereign bodies with their own governance, savings can be released from shared management, commissioning and support services, and from effective integrated commissioning of services.
6. Partnering with the DCCG will help in developing a closer working relationship between both organisations and will help the Council and DCCG to work together in delivering more integrated services as required by the Health and Social Care Act 2012.
7. At its meeting on 1 July 2014 Cabinet agreed to partner with Darlington Clinical Commissioning. The Memorandum of Understanding sets out the principles the partnership will work together to improve the commissioning and delivery of Health and Social care services.

Recommendation

8. It is recommended that Council approve the Memorandum of Understanding, embodying the terms set out below, to ensure clear principles are agreed and set out for both organisations.

Reasons

9. The recommendation is supported by the following reasons :-
- (a) To ensure partnership has clear principles and understanding to be able to successfully work together.
 - (b) To enable the Council and Darlington Clinical Commissioning Group to better maximise the benefits and effectiveness in commissioning of care and services for local people by working together.
 - (c) To secure the integration of the commissioning of care and services for local people through improved ways of working.

Chief Officers Executive

Background Papers

No background papers were used in the preparation of this report.

Ada Burns: Extension 2010

S17 Crime and Disorder	The report details integration between the two organisations which will have wider ranging benefits for service delivery in the future but there are no specific impacts on Crime and Disorder detailed in the report.
Health and Well Being	The report details integration between the two organisations which will have wider ranging benefits for delivery of health and social care in the future but there are no specific impacts detailed in the report.
Carbon Impact	The carbon impact of the report is limited.
Diversity	There are no specific diversity impacts resulting from this report.
Wards Affected	The report impacts on all wards equally
Groups Affected	The report impacts on all groups equally.
Budget and Policy Framework	The report does not impact on the overall budget and policy framework.
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
One Darlington: Perfectly	The integration detailed in the report is

Placed	designed to support the delivery of the strategy.
Efficiency	The integration is intended to facilitate the achievement of the efficiencies across the two organisations.

MAIN REPORT

10. The Memorandum of understanding sets out the high level the principles by which the Council and Darlington Clinical Commissioning Group will work together to improve the commissioning and delivery of health and social care services for the population of Darlington.

11. The Memorandum of Understanding is based on the principle of two separate and sovereign organisations working in partnership and includes the following provisions:-
 - (a) The clear focus of the Strategic Partnership is that Darlington Clinical Commissioning Group and Darlington Borough Council can better maximise the benefits and effectiveness in commissioning of care and services for local people by working together. The aim is to secure the integration of the commissioning of care and services for local people through improved ways of working. The first phase of which providers leadership and co-ordination of service commissioning through new and improved ways of working

 - (b) The principles will be delivered, in the first instance, by a set of arrangements agreed by both parties and which cover the period 1 September 2014 to 31 March 2016, at which point they will be subject to review.

 - (c) The principles are articulated as follows: both parties are committed to delivering the best health and social care outcomes for the residents of Darlington within the finances available to each organisation. In order to do so, both parties are committed to exploring all ways in which outcomes can be improved and through which resources can be made sustainable.

 - (d) The principles agreed in the Darlington Together vision statement and confirmed in the Better Care Fund submission form a part of this Memorandum of Understanding.

 - (e) Within the agreed strategies and policies of each organisation, areas of mutual benefit have been, and will continue to be, identified which will lead to better outcomes for residents/patients and greater efficiency in the use of resources.

 - (f) In the first instance both parties agree to undertake commissioning activity within a co-located team, separately and jointly accountable to each organisation and working to a single leadership arrangement.

- (g) A post of Director of Commissioning has been created and hosted by Darlington Borough Council and will be accountable for the delivery of programmes which support the agreed focus for the strategic partnership and principles. The post holder will be accountable to both Chief Officers for duties carried out on behalf of their organisations.
- (h) A team of senior leaders will be in place, formed by existing staff being seconded or allocated by their home organisations. The Director of Commissioning will be responsible for ensuring delivery of effective health and social care commissioning within Darlington. Should any extraordinary issues arise which relate to employment practices and procedures then they will be dealt with entirely by the home organisation.
- (i) All staff will work within the values shared by each organisation, Darlington Together, through the partnership and will on a day to day basis report through the Director of Commissioning.
- (j) In order to facilitate decision making, both organisations' management teams will meet jointly and will make decisions in relation to the strategic partnership and to move implementation of any change forward.
- (k) Each of the partners will be responsible for setting their own budgets and, in doing so, would be expected to acknowledge the joint programme in place.
- (l) Neither partner can be obliged to break any existing contract or arrangement as a result of this agreement.
- (m) Whilst this agreement facilitates joint commissioning of services, each partner is still able to continue to commission separate services and to make separate grant and/or funding decisions.
- (n) Where new decisions are taken which lead to increased costs or savings, the apportionment of these costs and the apportionment of financial benefits will be subject to a joint protocol. This gain/share arrangement and methodology are subject of a separate protocol developed jointly by the Director of Neighbourhood Services and Resources (DBC) and the Chief Finance Officer (CCG).
- (o) A notice period of 6 months must be given if either party wishes to terminate this agreement.
- (p) The actions of one partner should not be to the financial detriment of the other partner.
- (q) The Director of Commissioning will maintain a log of accrued benefits stemming from this agreement.
- (r) Partners agree to operate in a culture of openness and honesty, and undertake to provide accurate and timely information in response to reasonable requests

from the other partner.

- (s) Each partner undertakes to treat information shared during the course of this programme as confidential and agrees to use shared information solely for the purpose of delivering this program.

Legal Implications

- 12. Arrangements between local authorities and prescribed NHS bodies can be entered into under S.75 of the National Health Service Act 2006, where those arrangements are likely to lead to an improvement in the way those functions are exercised.