

**Report of: Executive Member for Health & Social Care**

Meeting of:	Date:	Ward(s):
Executive	13 January 2022	All

Delete as appropriate	Exempt	Non-exempt
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**SUBJECT: New Section 75 arrangements for Integrated Community Equipment Service (ICES) budget****1. Synopsis**

- 1.1 This report seeks approval to reposition the current pooled budget arrangements for the ICES budget, which is presently held between Islington Council (LBI) and Whittington Health. The proposal is to extend the pooled budget arrangement to include North Central London Clinical Commissioning Group (NCL CCG) and to enter into a new Section 75 Agreement to formalise the arrangements. The proposal is to split the £1,545,000 budget as such; NCL CCG - £463,500, Whittington Health - £463,500 and LBI - £618,000.

**2. Recommendations**

- 2.1 To approve the reconfiguration of this pooled budget, as detailed in this report.
- 2.2 To approve the establishment a new partnership agreement, under section 75 of the National Health Service Act 2006, with Whittington Health and the North Central London Clinical Commissioning Group (NCL CCG), to formalise the new pooled budget arrangement.

**3. Background**

- 3.1 The Integrated Community Equipment Service (ICES) facilitates the provision of equipment to enable someone to live safely and independently in their own home. This could be a simple aid such as a walking stick or raised toilet seat or more complex equipment like beds and hoists. It supports the broader vision across health and social care (and Fairer Together Borough Partnership) of early intervention, building resilience, and promoting independence. Simple aids can provide a one-time intervention to support residents with low needs from requiring any further support. More complex equipment allows residents with higher needs to stay in their

own home, and regain independence in their own home following hospital admissions. . The pooled budget arrangement allows health and social care colleagues to access equipment on behalf of residents, for the benefit of residents. The benefits to individuals also therefore benefits the health and social care system, supporting residents to remain as independent as possible, reducing the need for larger care packages, preventing hospital admissions and supporting timely and safe hospital discharges.

- 3.2 In 2011, Whittington Health and the London Borough of Islington established a pooled budget to purchase community equipment. The budget is hosted by LBI, and provision is currently contracted with Medequip via the London Community Equipment Consortium.

When the pooled budget was set up, LBI contributed £554k and Whittington Health £176k (Total of £730k). This was amended in 2012/13 to LBI £450k and Whittington Health £450k (Total - £900k), however outside the pool, LBI funded approximately £645k from an aids and adaptations budget, bring LBI's total to £1,095,000.

- 3.3 All parties appreciate the benefits of maintaining the pooled budget, however the current contributions do not reflect actual spend. Expenditure on equipment within the pooled budget in 19/20 was 75% Health and 25% LBI rather than 50:50 as per budget split. Whittington Health, as the lead health provider in the borough are block commissioned by the CCG, and community equipment funding is included in this financial envelope. ICES is not just used by Whittington Health, it is also used by all health providers working with Islington residents which includes several more NHS Trusts. Whittington Health does not have control of the utilisation of ICES by other health providers.

Neighbouring boroughs do not have the same arrangement for their community equipment budget, for example Haringey have a pooled budget between the Council and the CCG.

Rather than moving to a LA/CCG pooled budget it is felt NHS provider participation is incredibly beneficial; it enables clinical oversight and responsibility and organisational oversight, scrutiny and support in managing costs.

NCL CCG contribution to the pooled budget will add significant value as it recognises the use and benefits of the ICES to the health of Islington residents and to the health system. The proposal for NCL CCG to join the ICES pooled budget has been agreed by their NCL CCG Executive Management Team and has the support of Whittington Health.

- 3.4 The budget has not increased since 2012/13. Despite a range of actions that have made more efficient use of the ICES, supporting more people at home, rather than in institutional care means that resident needs have increased and community equipment costs have increased with inflation since 2013. The budget has been overspent for the last 4 years. To date, overspends have been split 50/50% between LBI and Whittington, however given the spend proportional to LBI and other NHS providers accessing this budget this was not deemed equitable.

The new proposed arrangement would include an agreement that any overspend will be split in line with pooled budget contributions, 30% Whittington Health, 30% NCL CCG and 40% Islington Council.

## **4. Implications**

### **4.1 Financial implications:**

The overall community equipment budget for 2021/22 is £1.545m, this is funded via the ICES Pool budget - £0.900m (Islington Council £0.450m & Whittington Health £0.450m) and an Islington Council aids and adaptations budget - £0.645m.

The proposal is to include the entire £1.545m in an increased ICES Pool Budget split as follows:

<b>Contributing Body</b>	<b>%</b>	<b>Amount £m</b>
Islington Council	40%	0.618
NCL CCG	30%	0.464
Whittington Health	30%	0.464
Total	100%	1.545

Any overspends or underspends will be split in line with the pool budget contributions in the table above. Currently the council's share of ICES pool budget overspend (£0.200m of the projected overspend of £0.400m) is managed within existing resources, however any increase in the overspend will require identification of management actions.

This proposal will result in a decrease Islington's contribution to the pool budget by £0.477m, however most of this decrease will be offset by the CCG moving contributions from Older People residential and homecare budgets for Bathing Service, Assisted Living and Night Settling (£0.322m) and Nursing Care Plus (£0.143m) to the equipment pool budget.

Overall, this will result in a saving of £0.012m for the Council.

### **4.2 Legal Implications**

- a) This report seeks approval to reposition the current pooled budget arrangements for the ICES budget, which is presently held between Islington Council (LBI) and Whittington Health. The proposal is to extend the pooled budget arrangement to include North Central London Clinical Commissioning Group (NCL CCG). The proposal is to split the £1,545,000 budget as such; NCL CCG - £463,500, Whittington Health - £463,500 and LBI - £618,000.
- b) Section 75 of the National Health Service Act 2006 provides powers for NCL CCG and Whittington Health to exercise specified local authority functions and for the council to exercise specified functions of NCL CCG and Whittington Health.
- c) A partnership agreement pursuant to section 75 will be established between the NCL CCG, Whittington Health and the council setting out the respective aims and obligations of the partners. Governance arrangements relating to the partnership agreement will be set out within the terms of the section 75 partnership agreement.
- d) The council's constitution requires the Executive to take any decisions to enter into arrangements with an NHS body under section 75 of the National Health Service Act 2006 or to apply for Care Trust status under the Health and Social Care Act 2001.  
(Responsibility for functions, council Constitution, Part 3, paragraph 4.7(c)).

#### **4.3 Environmental Implications and contribution to achieving a net zero carbon Islington by 2030:**

This decision does not have any environmental implications as it relates solely to the configuration of the pooled budget.

#### **4.4 Equality Impact Assessment:**

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

An Equality Impact Assessment has not been completed as this decision concerns the contributing parties to the pooled budget only and does not have any impact on budget amount or service.

### **5. Reasons for the recommendations:**

- 5.1 The current budget does not reflect the split of health and social care spend on the budget and disproportionately impacts Islington Council finances. Making NCL CCG a third partner of the Community Equipment pooled budget will ensure the budget more closely reflects health spend and maintains Whittington Health's contribution to the budget, their clinical oversight and organisational support in managing costs.

**Signed by:**



4 January 2022

Executive Member for Health & Social Care

Date

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