

Governing Body

REPORT

Subject	Delegated Commissioning of Primary Care Medical Services
Date	2nd November 2017
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Executive Summary

Nationally, over 85% of CCGs have assumed delegated responsibility for commissioning Primary Medical Services, in line with the direction set by the NHS Five Year Forward View.

BCCG has been in Joint Commissioning arrangements with NHS England since June 2016. Following Executive approval, the engagement and due diligence preparations necessary to support a move towards Delegated Commissioning commenced in November 2016.

A pivotal milestone in the engagement process is the member practice vote. Member practices were each given a single vote on whether the CCG should progress with an application to move to delegated commissioning arrangements. This process was completed on 9th October, with a majority (68%) of the practices that voted, voting **for** the CCG to apply for delegated commissioning status.

The purpose of this paper is to inform the Governing Body of the outcome of the vote, and to request endorsement for the application made by the CCG to NHS England on 1st November 2017. If approved by NHS England, delegated commissioning arrangements would commence from 1st April 2018.

This paper sets out the application process and next steps in terms of due diligence preparation.

Recommendation




Following the outcome of the member practice vote and a 68% majority vote in favour, the Governing Body are asked to endorse the decision to submit an application to NHS England to assume delegated commissioning arrangements from 1st April 2018

Links to the business and risks

Relevant Strategic Objectives 2016/17 (please mark in bold)

1. Systematically implementing prevention, early diagnosis and early intervention
2. **Commissioning services that deliver evidence-based care, in the right place and at the right time, including promoting self-care and empowering patients to manage their own conditions.**
3. **Making sure that care is high quality, safe and sustainable, that it improves health outcomes and wellbeing and provides a good patient experience.**

4. Using the statutory framework with best practice governance and transparency principles to be fully accountable to our population in commissioning and operating as a part of the wider health system
5. Ensure that the CCG commissions and operates in a financial manner consistent with the regulatory framework, long terms sustainability and best use of public money.
6. We will work in close partnership with all the organisations who commission or provide care for our population, to integrate services where it makes sense and to achieve seamless transitions of care for patients where services remain separate.
7. Embedding member, public, patient, carer, staff and other stakeholders' views through meaningful engagement into decision-making processes and commissioning intentions.

Links to Board Assurance Framework / Corporate Risk Register	Linked to Objective 1. Of the Board Assurance Framework.
Details of additional risks associated with this paper (may include NHS England Assurance Framework / NHS Constitution)	All risks associated with Primary Care Co-commissioning are captured within the Primary Care Commissioning risk register and reported monthly to the Primary Care Working Group and bi-monthly to the Joint Primary Care Co-Commissioning Committee.
Financial Implications / impact	Due diligence will be completed on primary care services budget transfer under preparation for delegation.
Legal Implications / impact	Moving into Delegated Commissioning arrangements will require an amendment to the CCG's constitution.
Partnership work / public engagement implications / impact	Partnership work and engagement on the move towards delegated commissioning arrangements has taken place through the Locality Boards, Patient Groups and is ongoing through the Primary Care Working Group and Joint Primary Care Co-Commissioning Committee and its members.
Committees / groups where this has been discussed before	Locality Boards – October 2016 Executive Management Team – October 2016 Joint Primary Care Commissioning Committee – November 2016 Governing Body – November 2016 Members Forum – March 2017 Locality Boards – June 2017 Joint Commissioning Executive Committee – June 2017 Governing Body – September 2017 Locality Boards – September 2017 Executive Management Team – October 2017 Virtual Joint Primary Care Commissioning Committee – October 2017 Primary Care Working Group and Joint Primary Care Co-commissioning Committee as a standing item
Other options available and their pros and cons	
Background papers	 GB Paper -  Next Steps to  Delegated September 2017 DelDelegated CommissiCommissioning Thre

Delegated Commissioning of Primary Medical Services – Update

1. Introduction

The purpose of this paper is to update the Governing Body on the outcome of the member practice vote on whether the CCG apply for delegated commissioning status and the preparation underway to move towards these arrangements.

In order to commence the NHS England application process to assume delegated commissioning arrangements, CCGs must have secured a member practice majority vote in favour of this approach.

This paper sets out;

- The outcome of the member practice vote
- The NHS England application process
- The due diligence preparation for moving to delegation
- Timelines
- Recommendation to the Governing Body

2. Member Practice Vote

Following discussion at the Members' Forum on 21st September, member practices were asked to vote on whether they would support the CCG to move to delegated commissioning arrangements. The voting process was managed by the Bedfordshire and Hertfordshire Local Medical Committee and commenced on Monday 25th September, closing at 9am on Monday 9th October 2017. In line with the CCG's constitution, one vote was attributed to each member practice with a majority vote required to confirm a decision. Thirty-four ballot papers were received of a possible fifty-one. The results of the vote are outlined in the table below;

Table 1.

To proceed with an application to move to delegated commissioning of Primary Medical Services	
Votes For	23 – (68% - 23/34)
Votes Against	11 – (32% - 11/34)

Two further ballot papers were received after the deadline and therefore not counted.

3. Next Steps

3.1 Application Process

On the 1st November 2017 the CCG submitted an application to assume delegated responsibilities for the commissioning of primary medical services from 1st April 2018. Submissions will be reviewed by NHS England as part of a short approvals process and the outcome communicated in January 2018.

However, approval is not guaranteed and is subject to;

- Member practice agreement (**complete**)
- Demonstration of appropriate financial controls

- All statutory business planning requirements being met
- A clear understanding of the responsibility, work load, risks and benefits this would bring to the CCG

The following checklist and finance template (*Appendix A*) was jointly completed by the CCG and the local NHS England Director of Commissioning Operations;

Table 2.

Delegated Commissioning Application Checklist
Bedfordshire CCG has set out clearly defined objectives and benefits of the delegated arrangement.
The CCG has considered the required constitutional amendments and is updating the constitution in line with the guidance.
The CCG has updated its governance documentation in line with the NHS England guidance (on constitutional amendments).
The CCG has reviewed its conflicts of interest policy in line with NHS England's ' <i>revised statutory guidance on managing conflicts of interest</i> ' for CCGs and confirms that they will be fully compliant with the conflicts of interest guidance by 1 April 2018.
The CCG's IG Toolkit meets level 2 criteria as a minimum.
Assurance of the CCG's Year End Assessment rating
The DCO confirms that there are no performance, finance, leadership or governance issues that prevent the CCG taking on the function.
The DCO confirms the CCG demonstrates appropriate levels of sound financial control and meets all statutory and business planning requirements
The DCO confirms the CCG is capable of taking on delegated functions
The Finance template for delegated budgets is completed in full

3.2 Due diligence and preparation

Commencement of the preparatory work necessary for a move to Delegated Commissioning was approved by the CCG Executive Management Team in **October 2016**. This work has been ongoing since then, regularly reporting into the Joint Primary Care Commissioning Committee (JPCCC) and Primary Care Working Group (PCWG), and focussed on the following;

- a. **Due diligence reviews:**
 - Financial
 - Legal
 - Map resource implications – establish clear and consistent understanding of roles and functions being delegated and resource requirements to support
- b. **Reviewing lessons learnt from CCGs currently in delegated**
- c. **Implementing a Bedfordshire, Luton and Milton Keynes CCG working group to plan collaboratively, share learning and experience.** (Reference: *embedded background paper Delegated Commissioning Three CCG approach*)

d. Reconfiguration of locality teams to create capacity and establish a dedicated Primary Care Commissioning Team working closely with assigned NHS England staff

A comprehensive overarching programme plan is in place with regular internal task and finish group oversight.

If approved, membership of the internal task and finish group will be expanded to include representation from key directorates; Quality, Contracts, Finance and Corporate Office. This group will continue to work jointly with the local NHS England team to plan;

- how the CCG will carry out delegated commissioning functions;
- our local approach to GP contract and service quality monitoring;
- our local delegated commissioning decision-making process, including whether some decisions will be delegated to sub-committees or groups.
- How the Primary Medical Services budget will transfer to the CCG
- How our Primary Care Commissioning Team will work in partnership with the NHS England 'assigned staff'
- Identification and mitigation of the risks associated with assuming delegated commissioning functions

We will continue to engage and share our plans with our key stakeholders, our public, patients and carers, through the Joint Primary Care Commissioning Committee and its members, our local Patient Participation Groups, community and voluntary sector groups and by further updates on the CCG website.

4. Constitutional change

The CCG constitution will require an amendment to reflect the establishment of a new Primary Care Commissioning Committee to manage the delegated functions and to exercise the delegated powers and its Terms of Reference.

5. Timelines

Key action	Dates	
Discussion with GP member practices re delegation via Locality Boards	June 17	Complete
Discussion with Luton and MK CCG re potential collaboration to deliver aspects of delegated commissioning and paper to Joint Commissioning Executive	July 17	Complete
Delegated update paper to Governing Body	Aug 17	Complete
Membership Forum update with supporting communication briefing	Sept 17	Complete
Membership Vote (ballot administered by LMC) closes	9 th Oct 17	Complete
Outcome of the Membership Vote published	Oct 17	Complete
Paper to Governing Body meeting for consideration	12 Oct 17	Complete
Development of application documentation and governance arrangements by Task & Finish Group		Complete
Stakeholder engagement on delegated commissioning application	Oct 17	Complete
Due to the deadline for applications for delegated commissioning changing from December to 1 st November 2017 the following timescales have required adaptation:		
Sign off by extraordinary Joint Primary Care Commissioning Committee (JPCCC)	25 Oct 17	
Sign off by Executive Management Team	26 Oct 17	

Submission of application and supporting documentation to NHS England	1 st Nov 17	
Endorsement by Governing Body of application	2 nd Nov 17	
NHS England informs CCG re: Outcome of application	Jan 18	
Transitional period and due diligence with NHS England	Jan – Mar 18	
Finalise amendments to CCG Constitution and Governance	Feb 18	
Sign off Delegated Agreement with NHS England	Feb 18	
Agree Memorandum of Understanding with Luton and MK CCG re shared arrangements for delegated functions	By March 18	
First CCG Primary Care Committee	April 18	

6. Recommendation

Following the outcome of the member practice vote and a 68% majority vote in favour, the Governing Body are asked to endorse the decision to submit an application to NHS England to assume delegated commissioning arrangements from 1st April 2018.

Appendix A.

Agenda Item 11.0

Finance template for delegated budgets completed in full (include completed table below):

Notes for completing the finance template:

1. Double click into the table to complete the excel template.
2. Please enter the notified numbers for your CCG and how the primary care allocation is split between GP Services and other primary care services for 2017/18 (below)
3. This will be reconciled back to the area team allocation for primary care and subsequent in year adjustments. Where possible M6 2017/18 figures should be used.

PART II				
Finance Template for delegated budgets				
	Notified delegat ed Budget (1)	Movem ent out of GP Service s (2)	Movem ent Into GP Service s (3)	Total
	£'000	£'000	£'000	£'000
GP Services	+	-	+	+/-
General Practice - GMS				0
General Practice - PMS				0
Other list based services (APMS)				0
Premises cost reimbursements				0
Other premises costs				0
Enhanced services				0
QOF				0
Other GP services				0
Primary care NHS property services - GP				0
Sub Total GP services	0	0	0	0
	N/A	+	-	+/-
Acute services				0
Mental health services				0
Community health services				0
Primary care services				0
Continuing care services				0
Other care services				0
Sub total CCG programme costs		0	0	0
Total	0	0	0	0
Please provide a description in the change in spend detailed above				