

WOLVERHAMPTON CCG

PRIMARY CARE COMMISSIONING COMMITTEE
4 SEPTEMBER 2018

TITLE OF REPORT:	Amended Delegation Agreement
AUTHOR(S) OF REPORT:	Peter McKenzie, Corporate Operations Manager
MANAGEMENT LEAD:	Peter McKenzie, Corporate Operations Manager
PURPOSE OF REPORT:	To advise the Committee that NHS England have sent the CCG a revised version of the Delegation Agreement between themselves and the CCG which has been updated to take account changes in Data Protection Legislation.
ACTION REQUIRED:	<input type="checkbox"/> Decision <input checked="" type="checkbox"/> Assurance
PUBLIC OR PRIVATE:	This Report is intended for the public domain
KEY POINTS:	<ul style="list-style-type: none"> • The discharge of the powers delegated to the CCG by NHS England in respect of Primary Medical Services is supported by a Delegation Agreement • The Delegation Agreement has been varied by NHS England to take into account changes in Data Protection Legislation including the Data Protection Act 2018 and the General Data Protection Regulation (GDPR) • NHS England have requested that the CCG return a signed copy of the agreement by 21 September 2018.
RECOMMENDATION:	That the Committee notes the changes to the Delegation Agreement.
LINK TO BOARD ASSURANCE FRAMEWORK AIMS & OBJECTIVES:	
3. System effectiveness delivered within our financial envelope	<u>Continue to meet our Statutory Duties and responsibilities</u> The Delegation agreement supports the lawful discharge of the powers delegated to the CCG by NHS England. The changes ensure that the agreement is compliant with Data Protection legislation.



1. BACKGROUND AND CURRENT SITUATION

- 1.1. NHS England has delegated responsibilities to the CCG in respect of the commissioning of Primary Medical Services. This delegation is set out in a legal delegation agreement signed by both the CCG and NHS England.
- 1.2. Following Changes to UK Data Protection Legislation, NHS England have made a number of technical changes to the delegation agreement to ensure it remains compliant with the relevant legislation.

2. CHANGES TO DELEGATION AGREEMENT

- 2.1. NHS England have written to the CCG to advise them that a national variation needs to be made to the Delegation agreement to reflect the changes to Data Protection legislation, most significantly the GDPR.
- 2.2. The changes to the agreement ensure that it references the correct legislation and uses the appropriate terminology from the GDPR and Data Protection Act 2018. A copy of the variation agreement, which details the specific changes, is appended to this report.
- 2.3. A signed copy of the agreement will be returned to NHS England by the 21 September 2018 deadline required.

3. CLINICAL VIEW

- 3.1. Not applicable.

4. PATIENT AND PUBLIC VIEW

- 4.1. Not applicable.

5. KEY RISKS AND MITIGATIONS

- 5.1. There are no specific risks associated with this report.

6. IMPACT ASSESSMENT

Financial and Resource Implications

- 6.1. There are no financial or resource implications arising from this report.



Quality and Safety Implications

6.2. There are no Quality and Safety Implications arising from this report.

Equality Implications

6.3. There are no legal implications arising from this report.

Legal and Policy Implications

6.4. The delegation agreement provides the legal framework for the CCG to exercise the powers delegated to it by NHS England. The proposed variation is line with the provisions for varying the agreement and ensures the agreement remains compliant with Data Protection Legislation.

Other Implications

6.5. There are no other implications arising from this report.

Name	Peter McKenzie
Job Title	Corporate Operations Manager
Date:	August 2018

ATTACHED:

Variation to Delegation Agreement

RELEVANT BACKGROUND PAPERS

Delegation Agreement between CCG and NHS England



REPORT SIGN-OFF CHECKLIST

This section must be completed before the report is submitted to the Admin team. If any of these steps are not applicable please indicate, do not leave blank.

	Details/ Name	Date
Clinical View	N/a	
Public/ Patient View	N/a	
Finance Implications discussed with Finance Team	N/a	
Quality Implications discussed with Quality and Risk Team	N/a	
Equality Implications discussed with CSU Equality and Inclusion Service	N/a	
Information Governance implications discussed with IG Support Officer	N/a	
Legal/ Policy implications discussed with Corporate Operations Manager	Report Author	28/08/18
Other Implications (Medicines management, estates, HR, IM&T etc.)	N/a	
Any relevant data requirements discussed with CSU Business Intelligence	N/a	
Signed off by Report Owner (Must be completed)	Peter McKenzie	28/08/18



BOARD ASSURANCE FRAMEWORK NOTES

(Please **DELETE** before submission)

Following a review of the BAF, it will now be based on the risks associated with the CCG achieving its strategic aims and objectives as follows:-

Strategic Aims	Strategic Objectives
1. Improving the quality and safety of the services we commission	<p>a. <u>Ensure on-going safety and performance in the system</u> Continually check, monitor and encourage providers to improve the quality and safety of patient services ensuring that patients are always at the centre of all our commissioning decisions</p>
2. Reducing health inequalities in Wolverhampton	<p>a. <u>Improve and develop primary care in Wolverhampton</u> – Deliver our Primary Care Strategy to innovate, lead and transform the way local health care is delivered, supporting emerging clinical groupings and fostering strong local partnerships to achieve this</p> <p>b. <u>Deliver new models of care that support care closer to home and improve management of Long Term Conditions</u> Supporting the development of Multi-Speciality Community Provider and Primary and Acute Care Systems to deliver more integrated services in Primary Care and Community settings</p>
3. System effectiveness delivered within our financial envelope	<p>a. <u>Proactively drive our contribution to the Black Country STP</u> Play a leading role in the development and delivery of the Black Country STP to support material improvement in health and wellbeing for both Wolverhampton residents and the wider Black Country footprint.</p> <p>b. <u>Greater integration of health and social care services across Wolverhampton</u> Work with partners across the City to support the development and delivery of the emerging vision for transformation; including exploring the potential for an ‘Accountable Care System.’</p> <p>c. <u>Continue to meet our Statutory Duties and responsibilities</u> Providing assurance that we are delivering our core purpose of commissioning high quality health and care for our patients that meet the duties of the NHS Constitution, the Mandate to the NHS and the CCG Improvement and Assessment Framework</p> <p>d. <u>Deliver improvements in the infrastructure for health and care across Wolverhampton</u> The CCG will work with our members and other key partners to encourage innovation in the use of technology, effective utilisation of the estate across the public sector and the development of a modern up skilled workforce across Wolverhampton.</p>

