

WOLVERHAMPTON CCG

PRIMARY CARE JOINT COMMISSIONING COMMITTEE 7 MARCH 2017

Title of Report:	Primary Medical Services – Delegation Agreement
Report of:	Corporate Operations Manager, WCCG
Contact:	Peter McKenzie
Primary Care Joint Commissioning Committee Action Required:	<input type="checkbox"/> Decision <input checked="" type="checkbox"/> Assurance
Purpose of Report:	To provide the committee with details of the delegation agreement between NHS England and the CCG for Primary Medical Services
Public or Private:	This report is suitable for the Public Domain
Relevance to CCG Priority:	Supporting the continued improvement and development of Primary Care in Wolverhampton
Relevance to Board Assurance Framework (BAF):	Outline which Domain(s) the report is relevant to and why – See Notes for further information
<ul style="list-style-type: none"> • Domain 5: Delegated Functions 	The Subcontracting arrangement falls under the purview of the powers delegated to the CCG by NHS England.



1. BACKGROUND AND CURRENT SITUATION

- 1.1. Following approval of the CCG's application to move to full delegation of Primary Medical Services, the CCG is required to enter into a delegation agreement with NHS England that details the extent of the functions delegated to it.
- 1.2. The delegation agreement is a nationally set framework for delivery of the delegated services and must be signed by the CCG before 8 March 2017. Whilst it is not possible for the agreement to be amended locally, the agreement has been reviewed as part of the on-going preparation for full delegation and this summary is provided for the Committee's information and assurance.

2. DELEGATION AGREEMENT STRUCTURE

- 2.1. The delegation agreement sets out both the services to be delivered by the CCG and those that will remain reserved to NHS England. These are set out in detail in separate schedules to the agreement.
- 2.2. The key services delegated to the CCG are:-
 - Decisions in relation to Enhanced Services and Local Incentive Schemes (including the design of such schemes);
 - Decisions in relation to the establishment of new GP practices (including branch surgeries), practice mergers and the potential closure of GP practices;
 - Decisions about 'discretionary' payments;
 - Decisions about commissioning urgent care (including home visits as required) for out of area registered patients;
 - Planning primary medical care services in the Area, including carrying out needs assessments and reviews of primary medical care services in the Area;
 - Decisions in relation to the management of poorly performing GP practices and including, liaison with the CQC where the CQC has reported non-compliance with standards (but excluding any decisions in relation to the performers list);
 - Management of Delegated Funds;
 - Premises Costs Directions Functions; and
 - Co-ordinating a common approach to the commissioning of primary care services with other commissioners in the Area where appropriate;
- 2.3. The services reserved to NHS England include management of the performers list, capital expenditure functions and managing complaints. The delegation agreement also set outs that NHS England may ask the CCG to provide administrative support with the reserved functions and will share information to support NHS England in the delivery of these functions.



- 2.4. Other areas set out in the delegation agreement include further detail around information sharing, financial roles and responsibilities and staffing provision for delivery of the delegated functions. This sets out a range of options from secondment of NHS England staff to the CCG creating new roles to deliver the delegated functions.

3. ASSURANCE FOR DELEGATED FUNCTIONS

- 3.1. One of the key areas set out in the agreement is the approach that will be taken by NHS England to ensure that the CCG is delivering the delegated functions in an effective manner. It therefore sets out that the CCG will prepare, within two months of the delegation, a plan setting out its approach to delivering the functions for the next two years. This plan must set out how the CCG will deliver these functions in line with the mandate set by the Department of Health for NHS England and any other specific objectives set for primary care commissioning.
- 3.2. Work is underway to produce this plan as part of the CCG's preparation for full delegation and it will be submitted to the Primary Care Commissioning Committee for approval. The plan will reflect the work in teams across the CCG to prepare for the additional responsibilities that will be required. The plan will also reflect the on-going support that will be provided by the NHS England Primary Care hub, particularly in terms of transactional support for contacting and finance.
- 3.3. In addition to the production of the plan, the CCG will be required to produce an annual report on the delivery of the delegated functions for NHS England each year. This will need to reflect the work undertaken by the CCG to discharge the functions delegated to by NHS England and support both the CCG and NHS England with their broader annual reporting requirements.

4. NEXT STEPS

- 4.1. The delegation agreement will need to be signed and returned to NHS England by 8 March 2017. This will then confirm the CCG's readiness to assume full delegation of primary medical services on 1 April 2017.
- 4.2. As highlighted above, work is already underway to prepare the plan required to outline the CCG's approach to delivery of these function. Following 1 April and the formal establishment of the Primary Care Commissioning Committee, this plan will be submitted for formal ratification.

5. CLINICAL VIEW

- 5.1. Not applicable.

6. PATIENT AND PUBLIC VIEW

- 6.1. Not applicable.



7. RISKS AND IMPLICATIONS

Key Risks

- 7.1. Risks associated with the assumption of Full Delegation of Primary Medical Services are being considered as part of the ongoing preparation process. As part of the review of risk management arrangements across the CCG, risks will be allocated to the Primary Care Commissioning Committee to review in detail, in particular those risks associated with full delegation.
- 7.2. Work is still underway as part of the overall risk review to refine the detail of risks allocated to the committee. In summary however, it is likely that the key risks will relate to the impact on staffing resources of assuming additional responsibilities and ensuring that effective information is in place to support the delivery of these functions. Full details of these risks and the mitigations in place to manage them will be provided in due course.

Financial and Resource Implications

- 7.3. There are no specific financial or resource implications arising from this report. The financial and resource implications of full delegation are being considered as part of the preparation for 1 April. The delegation agreement sets out the financial responsibilities placed on the CCG as a result of full delegation and the arrangements in place to support this.

Quality and Safety Implications

- 7.4. There are no specific quality and safety implications arising from this report. The CCG has discussed with NHS England how the additional responsibilities in relation to commissioning primary care and supporting improvements in quality will be delivered as part of the preparation for full delegation.

Equality Implications

- 7.5. There are no equality implications arising from this report.

Medicines Management Implications

- 7.6. The delegation agreement set outs responsibilities for the CCG in assisting NHS England's controlled drugs accountable officer as a delegated commissioner. These responsibilities will be met within the medicines management team.

Legal and Policy Implications

- 7.7. The CCG must sign the delegation agreement to formally assume responsibility for commissioning primary medical services on behalf of NHS England in line with the national guidance on co-commissioning.





8. RECOMMENDATIONS

That the Committee

- Notes that the CCG will sign the delegation agreement in line with national guidance.
- Notes the ongoing work to prepare for full delegation of primary medical services, including the preparation of a plan for discharge of the delegated functions.

Name Peter McKenzie
Job Title Corporate Operations Manager
Date: February 2017

ATTACHED: Outline Delegation agreement



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	
Medicines Management Implications discussed with Medicines Management 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	N/a	
Signed off by Report Owner (Must be completed)	Peter McKenzie	28/02/2017

