

<b>Meeting:</b>	<b>Health and Wellbeing Board</b>
<b>Meeting date:</b>	<b>18 July 2017</b>
<b>Title of report:</b>	<b>Sustainability and Transformation Partnership</b>
<b>Report by:</b>	<b>Director for Adults and Wellbeing</b>

## **Classification**

Open

## **Key decision**

This is not an executive decision.

## **Wards affected**

Countywide

## **Purpose**

To adopt the refreshed Sustainability and Transformation Partnership (STP) plan, which has been revised in light of comments received, including from the board.

## **Recommendations**

**THAT:**

- (a) the refreshed STP plan be adopted and tested against the Herefordshire Joint Health and Wellbeing Strategy, the needs identified in the Joint Strategic Needs Assessment (JSNA), and the existing plans of Herefordshire Clinical Commissioning Group (CCG) and the council;**
- (b) assurance be sought from members of the HWB that the implications of the refreshed STP plan for the commissioning intentions of their organisations are understood and are being taken into account; and**
- (c) the board determine how it wishes to be engaged in overseeing implementation of the STP plan.**

## Alternative options

- 1 The Health and Wellbeing Board (HWB) could decide not to adopt the refreshed STP plan – STPs have no legal standing and the development of a plan is purely an NHS management requirement. The national guidance is clear that the HWB is not a body that is required to adopt the plan. Should the HWB conclude that the plan did not have due regard to the Joint Strategic Needs Assessment (JSNA) and the Herefordshire Health and Wellbeing Strategy, which is a statutory duty on all local bodies, it could decide not to adopt it. This would have no formal effect, but would send a signal to the Herefordshire and Worcestershire STP. If necessary, the HWB could refer the STP plan to the Secretary of State as not having due regard to the Health and Wellbeing Strategy and the JSNA. This is not recommended, as the plan has been drafted in order to have due regard to those documents.
- 2 The HWB could decide not to seek assurances from the organisations represented on the HWB that the implications of the refreshed STP plan for their commissioning intentions were understood and were being taken into account – As noted, STPs have no legal standing and the development of a plan is purely an NHS planning requirement. Nonetheless, since all NHS bodies are required to contribute to, and be guided by, the STP plan, which will therefore influence Herefordshire CCG's commissioning intentions, and review of partners' commissioning intentions is one of the statutory functions of the board, it is not recommended that the HWB decide not to seek assurances from the organisations represented on it.

## Reasons for recommendations

- 3 As part of the governance process for the STP, the refreshed STP plan is being considered in public session by the boards and governing bodies of all of the NHS bodies within Herefordshire and Worcestershire. Since the HWB is not a statutory NHS body, this requirement does not apply to it. The STP plan is intended to set the framework for the local health and social care system over the next several years.

## Key considerations

- 4 HWB members received a briefing on the draft STP plan on 13 June at a joint informal session with members of the Worcestershire HWB. The issues and the context were then considered at a formal meeting of the HWB that afternoon. Subsequent to that meeting, more detailed comments from members of the HWB were collated and summarised in a letter from the Director for Adults and Wellbeing, sent to the Lead Accountable Officer for the STP, attached at Appendix 1.
- 5 The draft plan has been further refreshed in light of the comments made by the members of the HWB, as well as those received from the Worcestershire HWB. Examination of the text suggests that the comments made have been appropriately taken into account. The final document is attached at Appendix 2.
- 6 The STP plan is now being considered by the boards and governing bodies of all the NHS bodies across the footprint and is due to be adopted by them as the foundation for their ongoing local plans. On that basis, the STP plan is intended to set the context for the commissioning plans of Herefordshire CCG, and should also influence the plans of all parts of Herefordshire Council. This will be done as part of the process to refresh the council's Medium Term Financial Strategy (MTFS). Since one of the functions of the HWB is to ensure that the commissioning plans of partner organisations take due regard of the Herefordshire Health and Wellbeing Strategy,

the HWB will wish to seek assurance from the partners that the impact of the STP plan on those plans is understood and being taken into account in ways that are consistent with that strategy.

- 7 Moving forward, the STP is expected to shift from planning into implementation. Unlike the Better Care Fund, where national guidance requires plans to be signed off by the local HWB, there is no formal role for HWBs in the STP process. That said, national guidance is that STPs should continue to seek to engage with local partners, and each of the organisations represented on the HWB are members of the STP Programme Board. The HWB will want to determine how it wishes to be involved in, and informed about, the STP process as it moves into its next stages.

## **Community impact**

- 8 The STP plan is based on the Triple Aim philosophy that the desired outcomes of population health and wellbeing, quality of service delivery, and financial sustainability are mutually interdependent, such that none can be achieved over the longer-term without the others. The plan is therefore designed to set the context for changes across the entire health and social care system for Herefordshire and Worcestershire, identifying key workstreams, in order to enable achievement of the Triple Aim. Its central purpose is therefore to secure the best possible outcomes for all communities across the Herefordshire and Worcestershire footprint.
- 9 At this stage, it is not possible to determine the detailed implications of the STP plan on achievement of the council's priorities, as the specific service changes will be developed through the individual workstreams and will be subject to appropriate public engagement and consultation prior to formal decisions being taken through the relevant governance process for each issue. The intention set out in the STP plan is that there should be a positive impact on communities, based on the Triple Aim philosophy.

## **Equality duty**

- 10 The STP plan identifies how support is provided to vulnerable people with a range of tailored services.
- 11 The recommendations support the Public Sector Equality Duty, under section 149 of the Equality Act 2010, which are to:
- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act;
  - Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it;
  - Foster good relations between people who share a relevant protected characteristic and those who do not share it.

## **Financial implications**

- 12 The STP plan is intended to set out the strategic direction of travel not just for healthcare services but also for social care, which will guide the development of local plans by individual organisations. Financial decisions will be made through governance of those local plans. Overall, the intention of the STP plan is to support achievement of financial sustainability by all parts of the health and social care system across Herefordshire and Worcestershire, ensuring that forecast expenditure

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is within the available budgets. This will require expenditure to be reduced from its current 'do nothing' projections, though the absolute level of funding will continue to increase, given existing commitments regarding healthcare budgets, where growth exceeds expected reductions in social care budgets.

## **Legal implications**

- 13 There is no legal duty to prepare an STP plan, but guidance issued by NHS England requires all NHS organisations to be actively involved in preparing such a plan, with strong encouragement on councils to be engaged.
- 14 With regard to the duty to consult, councils and CCGs have a general duty to consult on significant changes to services as well as specific duties under equality legislation. The guiding principles are fairness and proportionality, taking into account the extent of the change and the number of people affected. The Gunning principles outline that consultation must take place when the proposal is at a formative stage, sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response, adequate time must be given for consideration and response, and the product of consultation must be conscientiously taken into account.

## **Risk management**

- 15 There are no direct risks associated with the STP plan itself, as this is not a formal document of the HWB.
- 16 The STP Programme Board has identified a number of risks associated with the wider health and social care system, and the implementation of the service changes provisionally identified in the refreshed plan. Through their membership of that board, the organisations that are members of the HWB are able to secure assurance that the risk management processes operated by the STP are robust.

## **Consultees**

- 17 The STP plan has been subject to public and staff engagement, which was considered by the HWB at its meeting on 13 June.

## **Appendices**

Appendix 1: Letter from the Director for Adults and Wellbeing, sent to the Lead Accountable Officer for the STP, summarising the comments of the HWB on the draft plan.

Appendix 2: Refreshed STP plan.

## **Background papers**

- None identified.