

## Record of operational decision

<b>Decision title:</b>	Variation to the Framework Partnership Agreement section 75 (s75) relating to the COVID-19 Discharge Requirements and commissioning of health and social care services in connection with the Better Care Fund between the council and NHS Herefordshire & Worcestershire clinical commissioning group (CCG)
<b>Date of decision:</b>	21 July 2020
<b>Decision maker:</b>	Director for Adults and Communities
<b>Authority for delegated decision:</b>	<a href="http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?Ild=50029417">http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?Ild=50029417</a>
<b>Ward:</b>	Countywide
<b>Consultation:</b>	<p>The council has worked closely with colleagues from the CCG to agree the variation agreement. The variation has been signed by the Accountable Officer on behalf of the Herefordshire &amp; Worcestershire CCG.</p> <p>Chairperson of Health and Wellbeing Board/Cabinet member for Health and Adults wellbeing</p>
<b>Decision made:</b>	Approval of the Variation to the Framework Partnership Agreement section 75 (s75) relating to the COVID-19 Discharge Requirements and commissioning of health and social care services in connection with the Better Care Fund between the council and NHS Herefordshire & Worcestershire clinical commissioning group (CCG)
<b>Reasons for decision:</b>	<p>Herefordshire Council and NHS Herefordshire CCG entered into a Framework Partnership Agreement relating to the commissioning of health and social care services on 1st April 2019 in exercise of the powers referred to in Section 75 of the 2006 Act and/or Section 13Z(2) and 14Z(3) of the 2006 Act as applicable (the "Partnership Agreement").</p> <p>NHS Herefordshire CCG has subsequently undergone a statutory reorganisation. The rights and obligations of NHS Herefordshire CCG under the Partnership Agreement were novated to NHS Herefordshire and Worcestershire CCG on 1st April 2020.</p> <p>As part of the NHS and wider public sector's response to the global Covid-19 pandemic the Government has issued the Covid-19 Hospital Discharge Service Requirements (the "Discharge Requirements") which took effect on March 19th 2020. The Discharge Requirements have been introduced to ensure that where it is clinically safe to discharge patients from an acute or community hospital those patients are discharged in accordance with the new 'Discharge to Assess' model.</p> <p>In accordance with the Discharge Requirements, the Partners have considered the most appropriate model through which to commission the enhanced discharge service and admissions avoidance services and agreed that the County of Herefordshire District Council shall act as the lead commissioner for enhanced discharged service and the Partners shall pool the funding referred to in this Deed for the purpose of funding this service.</p>

	<p>To support the new Discharge Requirements a range of measures have been introduced, as stated in the variation agreement.</p> <p>The Partners have agreed to vary the terms of the Partnership Agreement as set out in this Deed of Variation.</p> <p>The 2019/2020 s75 agreement, therefore, has been extended by 12 months and will continue until 31 March 2021 unless terminated earlier, as set out in Schedule 1 of the variation agreement and Clause 2.2 and 25 of the s75 agreement.</p> <p>All other aspects of the s75 remain unchanged unless subject to any additional variation agreement.</p>
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	<p>Risk will be managed and controlled through the governance structure of both organisations, the joint commissioning board, commissioning programme board and the health and wellbeing board.</p> <p>There is no impact on existing resources, including people, IT or property resources. There are no significant changes to existing arrangements and BCF and iBCF funding is confirmed for 2020/21, therefore posing no risks to jobs or services.</p>
<b>Details of any alternative options considered and rejected:</b>	<p>The variation agreement has been prepared based on the approach put forward in the Covid-19 Hospital Discharge Services Requirements and there is no alternative as such an agreement must be in place.</p>
<b>Details of any declarations of interest made:</b>	<p>None.</p>

Signed

Date: 23.07.2020