

Minutes of the Meeting of the Cabinet
Thursday 26th July, 2018 at 6.00 pm
In Committee Room 2 at The Council House, Dudley

Present:

Cabinet Members

Councillor P Harley (Leader – Chair)
Councillor D Vickers (Deputy Leader – Vice-Chair)
Councillors N Barlow, I Kettle, A Lees, S Phipps and L Taylor

Opposition Group Members Nominated to attend the Cabinet

Councillors J Foster, C Bayton, R Harris, J Martin, S Ridney and Q Zada

Officers

S Norman –Chief Executive, M Samuels (Strategic Director People), D Harkins (Chief Officer Health and Wellbeing), M Farooq (Lead for Law and Governance) A Austin (Locum Solicitor), R Cooper (Head of Financial Services) and M Johal – Senior Democratic Services Officer

Also in attendance

N Bucktin – Director of Commissioning – Dudley Clinical Commissioning Group

13 **Apologies for Absence**

Apologies for absence were received on behalf of Councillors R Buttery, S Clark and K Shakespeare.

14 **Declarations of Interest**

No Member made a declaration of interest in accordance with the Members' Code of Conduct in respect of any matter to be considered at this meeting.

15 **Minutes**

Resolved

That the minutes of the meeting of the Cabinet held on 27th June, 2018, be approved as a correct record and signed.

Dudley Multi-Specialty Community Provider – Identification of a Preferred Bidder

The Leader reported that the joint commissioning of the Multi-Specialty Community Provider (MCP) by the Council and Clinical Commissioning Group (CCG) would be governed by a Section 75 Agreement, to be overseen by an Integrated Commissioning Board. One of the requirements was that Cabinet agrees to enter into a Section 75 Agreement. The Section 75 Agreement had been checked by external specialist Legal Advisers, and subject to Cabinet approval, a copy of the Agreement already signed by the CCG would be signed by the Lead for Law and Governance to be exchanged with the CCG on 27th July, 2018. The Section 75 Agreement would need to be signed by the Council prior to the approval of any preferred bidder.

The Leader then sought agreement from Cabinet for the completion of the Section 75 Agreement. Upon approval of this authority by the Cabinet the Lead for Law and Governance signed the Section 75 Agreement to enable proceedings on the preferred bidder to commence.

A report of the Strategic Director People was submitted providing an update on the procurement of a Multi-Specialty Community Provider (MCP) to deliver health and wellbeing outcomes for the population of Dudley; to consider the evaluation of the bid submitted in response to the joint Clinical Commissioning Group and Council proposal to commission and enter into a contract for the provision of integrated health and care services to be delivered by a Multi-Specialty Community Provider (MCP) through the proposed National Health Services (NHS) Accountable Care Organisation (ACO) contract; to note issues to be addressed prior to entering into the ACO contract with the MCP should both the Clinical Commissioning Group and the Council approve the appointment of a preferred bidder subject to the conditions set out in the report. It was noted that the CCG Board, on 12th July 2018 had approved that the partnership be identified as the preferred bidder subject to Cabinet approval.

Arising from the presentation of the report, the Opposition Group Spokespersons asked several questions to which responses were provided. The Chief Officer Health and Wellbeing recognised cross border issues but indicated that the matter would not worsen under the MCP. There were a number of risks associated with the MCP but attempts had been made to address these in the Section 75 Agreement. The MCP concept was unique to the country and Dudley was the first local partnership to pursue such a project which could be perceived as a risk as it was “uncharted territory”. Cabinet were assured that there were no financial risks to the Authority as the MCP would have to operate and deliver the service within the designated sum provided and no additional monies would be given.

The reasons why some GP's had not shown their intent to enter into an Integration Agreement with the MCP could be obtained from relevant officers but an assurance was given that patients would still receive the same level of service regardless. The difference being that those not signing up would work to national outcomes opposed to local outcomes but that both worked to an evidence based framework.

The Chief Officer Health and Wellbeing undertook to provide fuller details in the form of a briefing note on the MCP to the Opposition Group Spokespersons.

Resolved

- (1) That approval be given to the entering into a Section 75 Agreement between the Council and Dudley Clinical Commissioning Group, for the co-commissioning of the Multi-Specialty Community Provider which will be overseen by an Integrated Commissioning Board;
- (2) That the procurement process that had been undertaken be noted;
- (3) That a preferred bidder for the provision of integrated health and care services be identified, subject to:
 - Approval by the Clinical Commissioning Governing Body of a preferred bidder
 - Specific conditions identified through the evaluation process
 - Successful completion of the National Health Service Integrated Support and Assurance process (ISAP)
 - Successful outcome of the Council's scrutiny process
 - The availability of a suitable contracting mechanism and required derogations.

The meeting ended at 6.50 p.m.

LEADER OF THE COUNCIL