

# City Council – 11 July 2022

## Report of the Portfolio Holder for Finance

### Corporate Director/ Director:

Catherine Underwood, Corporate Director, People  
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### Title: Establishment of the Nottingham and Nottinghamshire Integrated Care Partnership (ICP) Joint Committee

#### Does the report form part of the Budget or Policy Framework?

Yes  No

#### Does this report contain any information that is exempt from publication?

No

#### Relevant Council Plan Key Outcome:

Clean and Connected Communities	<input type="checkbox"/>
Keeping Nottingham Working	<input type="checkbox"/>
Carbon Neutral by 2028	<input type="checkbox"/>
Safer Nottingham	<input type="checkbox"/>
Child-Friendly Nottingham	<input type="checkbox"/>
Healthy and Inclusive	<input checked="" type="checkbox"/>
Keeping Nottingham Moving	<input type="checkbox"/>
Improve the City Centre	<input type="checkbox"/>
Better Housing	<input type="checkbox"/>
Financial Stability	<input type="checkbox"/>
Serving People Well	<input type="checkbox"/>

## 1. Summary

1.1 Integrated care systems (ICSs) are geographically based partnerships that bring together providers and commissioners of NHS services with local authorities and others to plan, co-ordinate and commission health and care services. The Health and Care Act 2022 put them on a statutory footing from July 2022 and requires both an Integrated Care Board (ICB) and Integrated Care Partnership (ICP) to be established. The ICP will be a joint committee established between the City Council, Nottinghamshire County Council and the ICB. This report seeks approval for the establishment of the ICP as well as a number of recommendations in relation to its establishment and how it will operate.

## 2. Recommendations

2.1 To note the inclusion of the NHS Nottingham and Nottinghamshire Integrated Care Board to the Council's Outside Bodies Register and the joint nomination (Nottingham City Council and Nottinghamshire County Council) of the Corporate Director for People to be one of its five partner members, with a specific remit to 'bring a

perspective of the social care needs and health and wellbeing characteristics of people and communities living in an urban city area’.

- 2.2 To approve the establishment of the Nottingham and Nottinghamshire Integrated Care Partnership (ICP) as a joint committee between the following three statutory bodies: Nottingham City Council, Nottinghamshire County Council, NHS ICB.
- 2.3 To approve the initial Terms of Reference for the ICP, attached as appendix 2, and note that a further report will be submitted to Full Council to approve the finalised Terms of Reference, following any further guidance and regulations.
- 2.4 To note that the Health and Wellbeing Board and Health and Wellbeing Board Commissioning Sub-Committee Terms of Reference will be updated to reflect the changes in NHS structures and that any substantial changes that may be required in future will be brought to a meeting of Full Council.
- 2.5 To note the principles relating to the establishment of the Nottingham and Nottinghamshire Integrated Care Partnership (ICP) as advised by the ICS Partnership Board and outlined in the appended Terms of Reference.
- 2.6 To appoint the following Nottingham City Council representatives to be members of the Nottingham and Nottinghamshire Integrated Care Partnership: the Chair of the Health and Wellbeing Board (elected member representative and Vice-Chair), the Director for Children’s and Adult Social Care (i.e. the Corporate Director for People) and the Director of Public Health.
- 2.7 To note that the additional two City partners places on the Committee will be appointed via the in-year changes process prior to the first meeting of the Committee.

### **3. Reasons for recommendations**

- 3.1 The Health and Care Act 2022 requires the establishment of a new Integrated Care Board (ICB) and a Nottingham and Nottinghamshire Integrated Care Partnership (ICP) operating at system level within the statutory arrangements for Integrated Care Systems. Integrated Care Systems are expected to agree the initial ICP arrangements, including principles for operation from 1 July 2022.

#### **Integrated Care Board (ICB)**

- 3.2 The ICB is required to appoint partner members to its unitary Board. Following discussion with local partners it has been agreed that the NHS Nottingham and Nottinghamshire ICB will include five partner members including two from Local Authorities:
  - One to bring a perspective of the social care needs and health and wellbeing characteristics of people and communities living in an urban city area; and
  - One to bring a perspective of the social care needs and health and wellbeing characteristics of people and communities living in market towns and rural areas
- 3.3 The process for appointing partner members is set out in the ICB’s Constitution in line with legislative requirements. For Local Authority roles individuals are required to be jointly nominated by the Nottingham City Council and Nottinghamshire County Council.

- 3.4 On the 11 May 2022 the Designate ICB Chair and Designate ICB Chief Executive and Accountable Officer wrote to the Leaders and Chief Executives of Nottingham City Council and Nottinghamshire County Council to request their nominees for these roles by the 25 May 2022.
- 3.5 The ICB has been added to the Council's Register of Outside Bodies. Final appointments will be made following an assessment process and requirements being met once the ICB has been established on 1 July 2022.

### **Integrated Care Partnership (ICP)**

- 3.6 A working group was established to develop proposals for the Nottingham and Nottinghamshire ICP. This group was led by Melanie Brooks as Senior Responsible Officer and involved key colleagues from Nottingham City Council, Nottinghamshire County Council and Integrated Care Board (ICB) designates. The principles and ways of working generated combine national expectations together with what has been deemed important by local stakeholders. Attached at Appendix 1 is a report which has been developed jointly by chief officers from all three organisations. Attached as Appendix 2 are the initial Terms of Reference for the ICP which will be reviewed during the first year of operation.
- 3.7 An ICS Partnership Board development session considered the working group's proposals on 3 February 2022 and the ICS Partnership Board subsequently recommended that Nottingham City Council (alongside Nottinghamshire County Council and the NHS ICB (in shadow operating form)) be advised to approve the recommendations for the Nottingham and Nottinghamshire ICP at their meeting on 3 March 2022.
- 3.8 As currently written, the legislation establishing the ICP leaves some uncertainties in relation to voting rights. Whilst it is envisaged that each member of the ICP would be entitled to have voting rights, the legislation as it stands does not specify this. The operation of local government law may restrict the Council's voting member to just the elected member but as it is anticipated that most decisions will be reached by consensus it is not expected to create difficulties in the initial phases of operation. It is hoped that subsequent guidance will provide greater clarity on this point.
- 3.9 Draft Terms of Reference have been developed based on current legislation and guidance and will be further refined as the situation is clarified. It is therefore proposed that the Council agree to the establishment of the ICP on the basis of the attached Terms of Reference. Any future changes to the Terms of Reference will be made in accordance with established approval routes.
- 3.10 In line with the current Terms of Reference, the City Council will be entitled to nominate five members to the ICP. These are in the following categories:
- a) Elected Member Representative – Chair of Health and Wellbeing Board – this representative will be one of two Vice-Chairs on the ICP in the initial year, with the chairing arrangements being one of the issues that will be reviewed as part of any ongoing review of the Terms of Reference.
  - b) Corporate Director for People
  - c) Director of Public Health
  - d) City Partner
  - e) City Partner

- 3.11 In relation to the two City Partner places, discussions are ongoing with the County Council to ensure a collaborative approach to enable the most appropriate and effective representation via the two City Partner and two County Partner places. These appointments will be progressed in accordance with the in-year changes process, ahead of the first meeting of the ICP.

### **Health and Wellbeing Board**

- 3.12 The Health and Care Act 2022 does not change the role or duties of Health and Wellbeing Boards, however, some minor administrative amendments will be required to the Terms of Reference for the Health and Wellbeing Board and the Health and Wellbeing Board Commissioning Sub-Committee in order to accurately reflect the names of the organisations represented. These administrative amendments will be made to ensure the Terms of Reference are up to date. As the new systems bed in it may be appropriate for more substantial amendments to be made to the Terms of Reference. Any changes will be subject to the usual approval procedures.

## **4. Other options considered in making recommendations**

- 4.1 These proposals have been developed in partnership and in response to the statutory requirements laid out in the Act.

## **5. Consideration of Risk**

- 5.1 There are no significant risks related to the establishment of the Committee which is a statutory requirement.

## **6. Background (including outcomes of consultation)**

- 6.1 The Health and Care Act 2022 puts Integrated Care Systems on a statutory footing and creates Integrated Care Boards (ICBs) as new NHS bodies. ICBs are to be legally and operationally established from 1 July 2022.
- 6.2 ICBs will bring health and care organisations together in new ways, with a greater emphasis on collaboration and aligning the work of system partners to achieve a shared purpose to improve health outcomes and tackle inequalities, to enhance productivity and make best use of resources and to support social and economic development.
- 6.3 As members of the ICB Board, partner members will be accountable to the ICB Chair and alongside other members of the Board, they will have collective and corporate accountability for the delivery of the ICB's functions and statutory duties.
- 6.4 The Health and Care Act 2022 also requires each ICS to have an ICP, operating as a statutory committee at system level. ICPs will provide a forum for NHS leaders and Local Authorities (LAs) to come together with important stakeholders from across the system and community as equal partners to focus more widely on health, public health and social care. Together, the ICP will generate an integrated care strategy to improve health and care outcomes and experiences for its populations, for which all partners will be accountable. The strategy should be informed by the relevant joint strategic needs assessments. The local Healthwatch, the VSCE sector, and people and communities living in the area must also be involved in developing the strategy.

6.5 Both the Health and Wellbeing Board (a formal committee of the Council) and the Place-based Partnership will continue to operate at the 'place' level. These arrangements both operate on the same footprint as Nottingham City Council.

## **7. Finance colleague comments (including implications and value for money)**

7.1 As outlined by the report author, this report seeks to approve the establishment of the Nottingham and Nottinghamshire Integrated Care Partnership (ICP) as a joint committee between the following three statutory bodies: Nottingham City Council, Nottinghamshire County Council, NHS ICB.

7.2 As detailed in Appendix 2, the primary purpose of the ICP is to produce an Integrated Care Strategy and Outcomes Framework for Nottingham and Nottinghamshire, setting out how the assessed health and social care needs identified by the Nottingham and Nottinghamshire Joint Strategic Needs Assessments (JSNAs) are to be met by the Statutory Organisations or NHS England, in line with their respective commissioning responsibilities. Any recommendations that are formed by the ICP regarding the use of funding (including the realignment of existing funding) would require a separate decision (by each statutory body) subject to the appropriate approval process.

7.3 The proposals outlined in this report have no direct financial implications. It is to be noted that there will be no additional costs to the Members' Allowances budget as a result of the establishment of this body and secretarial support for the Committee is being provided by the ICB.

7.4 The current Terms of Reference of the ICP (see Appendix 2) should be reviewed once there is further clarity (and continue to be reviewed regularly) to ensure appropriateness, with any changes reflected in a timely manner and approved via the appropriate routes.

Hayley Mason

Strategic Finance Business Partner (Adults and Public Health)

1 July 2022

## **8. Legal colleague comments**

8.1 This Integrated Care Partnership is a committee that the Council is required by law to establish jointly with the County Council and the Integrated Care Board in accordance with the Health and Care Act 2022.

8.2 The legislation is silent on the make-up of the Committee, how the Committee should be established and whether it is an executive or non-executive function.

8.3 In the absence of specific legislation permitting non-Councillor members of committee to hold voting rights, existing local government law may restrict the number of City Council representatives that can vote. As the expectation is that decisions will be reached by consensus this is unlikely to present any difficulties in the short term and it is anticipated that further guidance will be provided on this issue. For this reason, the terms of reference have been drafted as initial terms of reference based on current legislation, to be amended when there is greater clarity. Any amendments will be subject to established approval routes.

Beth Brown

Head of Legal and Governance  
29 June 2022

**9. Equality Impact Assessment (EIA)**

9.1 Has the equality impact of the proposals in this report been assessed?

No

An EIA is not required because the decision does not involve changing policies or services. Decisions taken by the Committee will be subject to equalities processes.

**10. Data Protection Impact Assessment (DPIA)**

10.1 Has the data protection impact of the proposals in this report been assessed?

No

A DPIA is not required because the establishment of the Committee does not have Data Protection implications.

**11. Carbon Impact Assessment (CIA)**

11.1 Has the carbon impact of the proposals in this report been assessed?

No

A CIA is not required because the establishment of the Committee does not have significant carbon implications.

**12. List of background papers relied upon in writing this report (not including published documents or confidential or exempt information)**

16.1 Nottingham and Nottinghamshire Integrated Care Partnership (ICP):  
Recommendations for the Establishment of the ICP, ICS Partnership Board, 3 March  
2022

**13. Published documents referred to in this report**

13.1 Health and Care Act 2022

**Councillor Adele Williams**  
**Portfolio Holder for Finance and Chair of the Health and Wellbeing Board**