

## Bath & North East Somerset Council

MEETING:	Wellbeing Policy Development & Scrutiny Panel	
MEETING DATE:	18 November 2011	AGENDA ITEM NUMBER
TITLE:	Transfer of Community Services to Sirona Care & Health CIC	
WARD:	ALL	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b>		

### **1 THE ISSUE**

- 1.1 To provide the Panel with an update on the transfer of Community Health & Social Care Services to Sirona Care & Health CIC (Community Interest Company). A photographic record of key events in Sirona's establishment will be circulated at the Panel meeting.

### **2 RECOMMENDATION**

- 2.1 The Panel is asked to note this update and consider when it would wish to receive a progress report from Sirona Care & Health CIC.

### 3 FINANCIAL IMPLICATIONS

3.1 There are no financial implications to this update report.

### 4 THE REPORT

4.1 The Council and Primary Care Trust (PCT) have a long-standing commitment to working in partnership to provide integrated community health and social care services and to commission health, social care and housing for the benefit of patients, service users and taxpayers.

4.2 This partnership working is now set in the context of the Coalition Government's (and the previous Government's) requirement for Primary Care Trusts to divest themselves of their directly provided services by 1 April 2011 or to have made substantial progress towards this in the case of a transfer to a social enterprise.

4.3 The Council and the PCT considered a report on the options for such a divestment in the context of maintaining the integration of services at their meetings on 16<sup>th</sup> and 18<sup>th</sup> November 2010 respectively. The Council and the PCT confirmed their commitment to a direction of travel that aimed to transfer integrated community health and social care services into a social enterprise.

4.4 Following this "in principle" decision of Council in November 2010, decisions have been taken pursuant to the delegation granted to a Delegated Decision Making Group at that meeting as set out in 4.5 below.

4.5 At that meeting Council delegated authority to the Chief Executive with the agreement of the Leader of the Council and the Leader of the Liberal Democrat Group, in consultation with the Labour and Independent Group Leaders, the Cabinet Member for Adult Social Care & Housing, the Chair of the Healthier Communities and Older People Overview & Scrutiny Panel, a further member of the Liberal Democrat group, the Monitoring Officer, and the Council's Section 151 Officer, to:

- Take all steps necessary or incidental to work with NHS Bath and North East Somerset and General Practitioner Commissioning Representatives to develop the potential social enterprise option.
- Implement the option including the organizational form of the potential social enterprise and the development and award of the contracts relevant to Council services, subject to the detailed Integrated Business Plan demonstrating to his satisfaction the viability of the new social enterprise *within budget provision* and support for the option being agreed with the GP Commissioning representatives and the Strategic Health Authority.

4.6 Council on 15<sup>th</sup> September 2011 were advised that, *"following the change in administration in May 2011 it is appropriate to now amend the terms of the delegation by the substitution of Conservative for Liberal democrat in line 2, the word "wellbeing" for Adult Social care and housing and "wellbeing" for "Healthier Communities and Older People" in line 4"*.

- 4.7 On 15<sup>th</sup> September 2011 both the PCT and full Council confirmed the intention, from 1<sup>st</sup> October, to transfer the provision of Community Health Services and Social Care Services to Sirona Care & Health CIC. On 16<sup>th</sup> September 2011 the Council Delegated Decision Making Group also confirmed this intention, subject to the signing of both the Business Transfer Agreement and the Community Services Contract by all parties prior to transfer.
- 4.8 The Business Transfer Agreement (BTA) and the Community Services Contract (CSC) were both signed by all parties on 20<sup>th</sup> September 2011. Outstanding issues, which were not critical to transfer and/or to the signing of the BTA and CSC have been incorporated in a Post Transfer Action Plan. Implementation of the Action Plan will be monitored through formal contract review meetings, Chaired by the Programme Director, Non-Acute Health, Social Care & Housing (Jane Shayler).
- 4.9 The transfer of both NHS and Council staff to Sirona went ahead as planned and on 1<sup>st</sup> October 2011 Sirona had a series of events with staff, service users, partners and other stakeholders to mark the “birth” of the new Community Interest Company.
- 4.10 On 28<sup>th</sup> October, Sirona hosted a workshop for key stakeholders, including commissioners. The purpose of the workshop was to present Sirona in its new separate identity for the first time; to ensure that Sirona’s plans are aligned with the direction of travel of commissioners of health and social care; and, also to explore how Sirona sits within the wider system, building further on the integrated provision of health and social care to deliver better outcomes for people.
- 4.11 The workshop was a positive and engaging event, which will be very helpful to Sirona in developing its strategic and operational plan, which is happening over the next few months.

## **5 RISK MANAGEMENT**

- 5.1 A risk assessment is not necessary in respect of this update report.

## **6 EQUALITIES**

- 6.1 An Equalities Impact Assessments is not warranted in respect of this update report.

## **7 CONSULTATION**

- 7.1 No consultation has been undertaken in respect of this update report.

## **8 ISSUES TO CONSIDER IN REACHING THE DECISION**

- 8.1 All the following issues are relevant to this update on the transfer of community services: *Social Inclusion; Customer Focus; Sustainability; Young People; Human Rights.*

## **9 ADVICE SOUGHT**

- 9.1 It wasn’t necessary to seek advice from either the Council's Monitoring Officer (Council Solicitor) or the Section 151 Officer (Strategic Director – Resources & Support Services) on the contents of this update report.

<b>Contact person</b>	<i>Jane Shayler, Tel: 01225 396120</i>
<b>Background papers</b>	<p>Report to Council, 16 November 2010, <i>'Community Health &amp; Social Care Services – Future Provision'</i></p> <p><i>'Community Health &amp; Social Care Services – Integrated Business Plan – Assurance Framework and Outcome'</i>, 17<sup>th</sup> February 2011, (Delegated Decision of the Chief Executive under the Decision Making Process Agreed by the Council at its Meeting on 16<sup>th</sup> November 2010)</p> <p><i>'Update on the establishment of the Community Interest Company for the Provision of Community Health &amp; Social Care Services'</i>, briefing to the Council Delegated Decision Making Group 1<sup>st</sup> August 2011</p> <p>Report to Council, 15<sup>th</sup> September 2011, <i>'Update on the establishment of the Community Interest Company for the Provision of Community Health &amp; Social Care Services'</i></p>
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