

Section 75 Background

Oldham Council and its local NHS partner Northern Care Alliance (NCA), wish to enter into a formal partnership arrangement under Section 75 of the NHS Act 2006 in respect of the 0-19 service (which is further described below).

Section 75 Partnership Agreements can be used to help align and integrate services so as to improve the experience for the people and families who use them. They enable Councils and certain NHS organisations to exercise each other's statutory functions, in conjunction with the exercise of their own statutory functions.

The NHS and Local Authorities Partnership Arrangements Regulations 2000 (which are Regulations made under Section 75 of the National Health Service Act 2006) stipulate that "the partners may not enter into any partnership agreements [under Section 75 (s75) of the NHS Act 2006] unless they have consulted jointly such persons as appear to them to be affected by such arrangements".

The intention of the proposed partnership arrangement is to offer flexibility to support better co-ordination and innovative approaches in services. It gives us an opportunity to bring services back into the local care and health system to make them more effective and deliver with our local NHS provider (which is in line with government advice and the new [white paper](#)).

We believe that the most effective way of improving health and wellbeing for children and families is for Oldham Council to work collaboratively with its local NHS partner Northern Care Alliance (NCA).

The Council and its local NHS partners already work very closely to design, plan and monitor multiple services to improve health and wellbeing outcomes. These agreements describe the partnership agreements and strengthen the existing governance framework for joint working across Oldham.

Service Background

The 0-19 service is currently provided under a commissioned contract with Bridgewater NHS Trust (which ends April 1st 2022). The following services are provided under the scope of the current arrangement:

- Health Visiting Service – supporting new parents and children with home visits delivering the Healthy Child Programme

- Children's Centre Core Offer – there are 16 children's centres across Oldham which offer places for families to be supported e.g. stay and plays
- Early learning offer – enhancing the learning of children and development
- Early years SEND support – Helping children and families with special educational needs get the right support
- Family Nurse Partnership – intensive health visiting for young parents under 19
- School Nursing Service – support children and families of school age with advice and support
- Immunisations – Boosting the immunisation rate in children in Oldham and providing advice
- Oral Health Improvement 0-5 year olds – advice and guidance for services, schools and families to improve oral hygiene for under 5's

Choices considered

- **Rolling on the contract arrangement with Bridgewater NHS Trust** – the contract had reached its maximum length, so this was not an option.
- **An open procurement** – This was not in line with the advice from central government in the Innovation and Integration white paper to work with your local provider and the timescales would mean the national legislation would change mid procurement and we no longer be aligned with the national direction.
- **An innovation partnership** – this was discarded because the service was not technically new and innovative enough and already defined.
- **Recommended choice – Develop a section 75 with a local NHS provider** - The arrangement will establish genuine co-operation between the participating contracting authorities with the aim of ensuring that public services they have to perform are properly provided with a view to achieving good health outcomes and objectives the council and NCA have in common and the services are related to the public interest. All underpinned with joint governance to ensure we are responding to the local need of our children and families.

Past engagement – There have been multiple past engagements around the proposed realignment of services based on the views of families and children. Please see the links below;

Early Years strategy consultation report

https://www.oldham.gov.uk/directory_record/17190/early_years_strategy_consultation

Service changes

In March 2021 Oldham Council Cabinet proposed to no longer renew the 0-19 service delivered by Bridgewater NHS Trust and look at options for how we can align with the new government advice to work with local providers in partnership and more within the Oldham care and Health system

The options we have looked at means we have proposed a section 75 which would mean the early education and children's centre element will be moving into the council's Early Years' service, and the 0-19 public health nursing elements moving to the Northern Care Alliance as our local NHS provider from April 1st 2022.

This will align our 0-19 year old Public Health services with our Children's Community Health Services and ensure that services for children are at the heart of our development of a local Integrated Care System in Oldham. Our new arrangements will mean staff continue to work in integrated multi-disciplinary teams in the five districts providing a place-based understanding of need in the local community. We will be building on this as we continue to integrate our wider offer and approaches so that families get the right support close to home.

- **Services** – All services will not change how they operate in any material way, however the partnership approach will offer a more joined up pathway with a benefit in terms of access to services, but the employment of staff in the functions will change to ensure clinical governance is met;
 - Health Visiting Service - NCA
 - Children's Centre Core Offer – Oldham Council
 - Early learning offer – Oldham Council
 - Early years SEND support – Oldham Council
 - Family Nurse Partnership – NCA
 - School Nursing Service – NCA
 - Immunisations – NCA
 - Oral Health Improvement 0-5 year olds – NCA
- **Supporting residents** – there are no changes to the model as a result of the entering into of a Section 75 Agreement, the same staff will use the same operating procedures to deliver the same services to children and families, albeit with a more integrated approach to service delivery.
- **Locations** – all buildings and spaces will remain as is and no locations will be amended as the result of the Sections 75 Agreement

- **Continuity of service** – service will not be interrupted in any way, families and children who use the service do not need to do anything or re-register for support.
- **Ways of working** – the ways of working will remain as-is, some changes to internal lines of reporting will take place.
- **Changes to support** – the same IT support will still be used in the main, with exceptions of payroll and other corporate systems that will be shared. Future value for money exercises will review all systems and supplier contracts as they renew.

Duty to consult - The NHS and Local Authorities Partnership Arrangements Regulations 2000 stipulate that “the partners may not enter into any partnership agreements [under Section 75 (S75) of the NHS Act 2006] unless they have consulted jointly such persons as appear to them to be affected by such arrangements”.

The partners consider the 0-19 service S75 benefits residents of Oldham. The draft S75 is proposed to commence on 1 April 2022.

We and Northern Care Alliance are now jointly consulting on entering into the proposed collaborative arrangement via the Section 75 agreement. This is a 30-day consultation beginning on 15th February and ending on 16th March 2022.

Summary - There will be no change in services provided as a result of the proposed Section 75 agreements. The agreements will better enable partners to continue to work together and with other service providers to improve service delivery. The proposed Section 75 Agreements will not change the delivery models. The Council will continue to work with NCA to continue to improve services and access for children and families. This partnership agreement will delegate elements of the 0-19 service and underpinning powers and duties to the NCA.

Monitoring

The Section 75 agreements are monitored and reviewed regularly by the 0-19 joint management board (a governance group that will be established to provide oversight and facilitate joint decision making), both through the provision of information and data about activity, cost and outcomes and through performance meetings which are held regularly throughout the year.