

For: (x) <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 80%; padding: 2px;">Executive</td> <td style="width: 20%; text-align: center; padding: 2px;"><input checked="" type="checkbox"/></td> </tr> <tr> <td style="padding: 2px;">CLMT</td> <td style="text-align: center; padding: 2px;"><input type="checkbox"/></td> </tr> </table> Meeting Date: 25 th March 2013 Report of: DPH Report author: Gerry Taylor	Executive	<input checked="" type="checkbox"/>	CLMT	<input type="checkbox"/>	Agenda Item Number: 20
Executive	<input checked="" type="checkbox"/>				
CLMT	<input type="checkbox"/>				

Subject: Novation of Public Health Contracts (For Executive Only) Lead Executive Member(s): Councillor Ashraf Wards Affected: All	Consultations: Councillors Scrutiny Stakeholders Others	(x) <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
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Recommendations
1. Executive is recommended to note the novation of Public Health contracts from NHS Luton to Luton Borough Council.
Background
<p>2. In March 2102 Luton Borough Council Executive approved a plan to achieve the transition of Public Health responsibilities and team from NHS Luton to Luton Borough Council in line with the Health and Social Care Act 2012. The plan has been delivered with the PH team well integrated into LBC, the TUPE transfer due diligence underway and the team formally transferring to LBC on 1st April 2013. In addition the Health and Wellbeing Board has been established and a Health and Wellbeing Strategy developed in line with the needs identified in the Joint Strategic Needs Assessment (JSNA). Overall LBC has made good progress in taking on its new PH responsibilities.</p> <p>3. As part of the PH responsibilities LBC is required to commission services to improve health, this report notes the transition of the contracts associated with these commissioning responsibilities to LBC.</p>
The current position
<p>4. Currently a range of PH contracts are held by NHS Luton with the aim of providing services to improve health and reduce inequalities. As part of the national PH transition these contracts are to be transferred to local authorities on an 'as is' basis on 1st April 2013.</p> <p>5. The relevant contracts, held by NHS Luton, cover services such as drugs and alcohol, stop smoking, obesity, weight management and nutrition, cardiovascular health checks, sexual health, school nursing, dental health promotion, health trainers and health improvement campaigns. These services are commissioned from a range of providers including Cambridge Community Services, South Essex Partnership Trust, voluntary sector organisations, primary care and private sector organisations. There are around 50 contracts with current values of around £9.6m annually.</p> <p>6. National guidance has been followed by NHS Luton and LBC for novation of the PH contracts, providers have been informed and the final contractual paperwork and legal arrangements will be complete by 31st March 2013.</p> <p>7. The national arrangements stipulate that where a contract is in place as at 31st March 2013 the current contractual arrangements with regard to specification and efficiencies will apply. These will be reviewed in future in line with the Health and Wellbeing Strategy and organisational priorities and objectives.</p>

Goals and Objectives	
8.	To ensure smooth transition of the PH contracts to LBC and that the appropriate resources are available to fund these contracts.
Proposal	
9.	That the Executive note the transfer of the contracts from NHS Luton as they are currently specified for 2013/14. Contracts will then be reviewed and re-commissioned in line with the Health and Wellbeing Strategy, development of further joint and integrated commissioning both internally and with partners and the need to make efficiencies.
Key Risks	
10.	The main risk was that the ring-fenced PH grant would not be sufficient to cover contract costs. The grant value for 2013/15 has now been published and this is sufficient to meet the costs of the contracts for novation. Negotiation continues with Luton Clinical Commissioning Group to clarify any remaining issues.
Consultations	
11.	As a national imperative this has not been subject to consultation.
Background Papers:	
There are no Background Papers	

IMPLICATIONS

For Executive reports

- grey boxes must be completed
- all statements must be cleared by an appropriate officer

For CLMT Reports

Clearance is not required

		Clearance – agreed by:
Legal	Legal implications have been considered. Novation arrangements have been developed on a national basis which has been followed locally. Providers have been informed and the remaining legal and contractual arrangements will be complete by 31 st March 2013.	J. Newman 08/03/2013
Finance	The transfer of the PH function to LBC includes the establishment of a ring-fenced PH grant which is sufficient to cover the costs of these contracts. Public Health budgets will be subject to the same financial governance and monitoring procedures as all other Council finances, subject to any terms specified by the ring-fenced grant conditions.	Tim Lee, Senior Accountant, Central Finance 06/03/2013
Integrated Impact Assessment (IIA) – Key Points		
Equalities/ Cohesion/Inclusion (Social Justice)	IIA not required PH commissioning is based on the needs of the population. Therefore the contracts as they are currently specified are designed to meet the needs of Luton's population. Novation of the contracts will not alter the current specification. Any future re-commissioning would be based on need as identified in the JSNA.	Agreed Sandra Legate Equality and Diversity Policy Manager 7 th March 2013

Environment	There are no direct implications for the environment with the transfer of PH contracts to LBC. PH commissioning generally has positive implications for the environment, such as reducing the number of people who smoke.	Strategy & Sustainability Officer 7 th March 2013
Health	PH commissioning aims to improve health and reduce health inequalities. Therefore the contracts as they are currently specified are designed to deliver these objectives. Novation of the contracts will not alter the current specification. Any future re-commissioning would be based on evidence and would seek to have a greater positive impact on health and health inequalities.	Chimeme Egburah 7 th March 2013
Community Safety		
Staffing		
Other		

FOR EXECUTIVE ONLY - Options:

Not to Note the Report