

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Social Care Health and Wellbeing Cabinet Board

2nd November 2017

Report of the Head of Social Work Services – Andrew Jarrett

Matter for Decision

Wards Affected:

All Wards

Report Title

Extension of Section 33 National Health Service (Wales) Act 2006 Agreement for Community Equipment Service pending completion of a new agreement from 1st April 2018

Purpose of the Report

The purpose of the report is to seek agreement for the current Section 33 of the National Health Service (Wales) Act 2006 Partnership Agreement, between Neath Port Talbot County Borough Council, City and County of Swansea Council and Abertawe Bro Morgannwg University Health Board in relation to the Community Equipment Service to be extended until 31st March 2018 and to increase the contribution the Local Authority makes into the Pooled Fund. It is presently envisaged that a new agreement will be entered into to commence on 1st April 2018, subject to Cabinet Board approval being sought at a later date.

Executive Summary

Agreement is sought to extend the current agreement for the provision of community equipment to residents of the County Borough to 31st March 2018 and to increase the initial contribution the Local Authority makes into the pooled fund to £452k until any new agreement will be entered into, with the aim of commencement on the 1st April 2018.

Background

Neath Port Talbot County Borough Council entered into a partnership agreement under the provisions of Section 33 of the National Health Service (Wales) Act 2006 on the 7th July 2008, which incorporates a Pooled Fund for the provision of community equipment to residents of the County Borough. The City and County of Swansea Council are the Lead Provider and are responsible for the delivery of the Service. The current extension to the agreement came to an end on 31st March 2017.

The parties to the agreement are presently in negotiation to enter into a new Section 33 Agreement, with the aim of commencement on the 1st April 2018. A report will be brought back to Members in due course on this matter. However to ensure continuity of service from now until that date, an extension of the present arrangement is required, to apply retrospectively from the 1st April 2017.

The joint service is paid for by the three partners, Neath Port Talbot and Swansea local authorities and ABMU. Contributions to the pool are broken down between the three partners:

Partner	Share
Neath Port Talbot CBC	20%
City & County of Swansea	30%
ABMU	50%

Initial partner contributions are agreed up front and invoiced quarterly by Swansea. If there is an over spend on the pool budget at the end of each financial year, then each partner will make additional contributions to the pool based on their percentage share. These rates remain unchanged in the contract extension.

The budget previously set has remained constant for the last 10 years and does not reflect the true cost of the service; as a result the Authority

has made additional contributions to the pool every year to fund 20% of the cost.

Neath Port Talbot County Borough Council's initial contribution will increase by £100k to £452k and this better reflects the true cost of the service. This will reduce the need to pay a 'top up' at the end of the financial year.

Financial Impact

There is no financial impact as Neath Port Talbot County Borough Council's overall contribution to the pool in any financial year is still based on 20% of the actual service cost.

Equality Impact Assessment

There are no equality impacts associated with this report.

Workforce Impacts

There are no workforce impacts associated with this report.

Legal Impacts

Neath Port Talbot County Borough Council will be required to act in accordance with the terms and conditions set out in the current Section 33 National Health Service (Wales) Act 2006 agreement, which was established in line with that legislation.

Risk Management

If the current agreement is not extended there is a high risk that the Local Authority would be unable to make arrangements for the provision of community equipment to adults who need them until an alternative provider could be sourced. Currently arrangements for the provision, collection and recycling of equipment is made via the equipment service provided by the City and County of Swansea Council.

Consultation

There is no requirement for public consultation for this extension. The original S33 Agreement was subject to public consultation when originally entered into. As part of the negotiation of the new S33

Agreement, consultation will be undertaken to ensure compliance with S33 of the National Health Service (Wales) Act 2006.

Recommendations

It is recommended that:

- (a) delegated authority be granted to the Head of Social Work Services to agree the extension of the current Section 33 National Health Service (Wales) Act 2006 Agreement in relation to the Community Equipment Service until the 31st March 2018.
- (b) delegated authority be granted to the Head of Social Work Services to agree the additional contribution to the Pooled Fund in line with the amounts highlighted in this report to enable the continued provision of community equipment to adults who have been assessed as needing them.

Reasons for Proposed Decision

The Community Equipment Service operated by the City and County of Swansea Council enables the Local Authority to pool resources with the Health Board and City and County of Swansea Council to deliver an equipment service. It is recommended Cabinet approve the additional contribution in order to fulfil our contractual obligation under the current agreement and to enable the continued provision of community equipment to adults who have been assessed as needing them.

Implementation of Decision

The decision is proposed for implementation after the three day call in period.

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