

Report of: Dawn Bailey

Report to: Director of Public Health

Date: 25th May 2016

Subject: Transfer of commissioning responsibility for the Community TB Nursing service from LCC to Leeds CCGs from 1st April 2016 including associated funding.

Are specific electoral wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity or cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for call-in?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If 'yes', access to information procedure rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Summary of main issues

1. This report requests the formal agreement of the transfer of the associated funds for the Community TB nursing service from Leeds City Council to Leeds South and East CCG on behalf of Leeds CCGs under a S76 agreement.
2. Leeds South and East Clinical Commissioning Group have accepted the transfer of commissioning responsibility for the Community TB Nursing Service provided by Leeds Community Healthcare Trust from LCC Public Health from 1st April 2016.
3. The Community TB Nursing service will be included within the block contract held between the three Leeds CCGs and Leeds Community Healthcare Trust for the contract term 16/17.
4. Leeds South and East Clinical Commissioning Group are now the lead commissioners for this service on behalf of the three Leeds CCGs. As part of the conditions of the transfer from LCC to Leeds CCGs the Council will provide the annual funding allocation of £233,000 for the TB Nursing service as the contract responsibilities shift to the CCG's under a S76 agreement as an annual on-going requirement.

Recommendations

5. The Director of Public Health is recommended to
 - approve the transfer of the associated funds (£233,000) for Community TB nursing service from Leeds City Council to Leeds South and East CCG on behalf of Leeds CCGs under a S76 agreement.

1 Purpose of this report

- 1.1 The purpose of this report is to request approval to transfer the associated funds (£233,000) for the Community TB nursing service from Leeds City Council to Leeds South and East Clinical Commissioning Group (CCG) on behalf of Leeds Clinical Commissioning Groups (CCGs) under a S76 agreement as an annual on-going requirement.

2 Background information

- 2.1 Following the NHS reorganisation in 2013, funding for commissioning community based TB services in Leeds was moved to Leeds City Council (Public Health) in the understanding that this service was a Council responsibility. Over the course of the last 2 years it has become apparent that the new local arrangements for these services was different to what happened in the rest of West Yorkshire and also nationally.
- 2.2 A paper was presented to the CCG Network in June 2015, which outlined the current arrangements and tried to obtain citywide agreement on future arrangements.
- 2.3 Under the Health and Social Care Act 2012, it was intended that the CCGs commission all TB services. It was recommended that CCGs should commission TB services collectively and at scale, and that services for complex cases of TB such as Multi Drug Resistant (MDR) and Extremely Drug Resistant (XDR-TB) would be commissioned by NHS England as a specialised service.
- 2.4 In order to ensure that Leeds is able to improve and protect the health of its population, it is vital that TB services are resourced and commissioned to improve outcomes and pathways for patients.

3 Main issues

- 3.1 The Director of Public Health (DPH), with the support from the CCDC of Public Health England (PHE) recommended that the responsibility for the commissioning of Community TB nursing be reviewed in light of the recommendations of the Health and Social care Act 2012 and the Collaborative TB strategy (2015), where TB commissioning of testing and treatment is stated to be the responsibility of CCGs across the country.
- 3.2 The Health and Social Care Act 2012 stated that the CCGs will commission the majority of NHS services, including TB services. CCGs are recommended to commission TB services collectively and at scale, and services for complex cases of TB to be commissioned by the NHS Commissioning Board as a specialised service. It should be stated that the Commissioning of TB services does not come under the responsibilities of Local Authority Public Health (Health and Social Care Act- POSTnote 416 July 2012 Drug Resistant Tuberculosis).
- 3.3 The Collaborative Tuberculosis strategy for England 2015-2020 states that commissioning responsibilities for TB services are now mainly the responsibility CCG's (not local government) across the UK. In the rest of West Yorkshire, TB

services are commissioned by CCGs (this is the picture across the rest of the UK also).

3.4 As outlined in the Health Protection and Local Government factsheet (2012) the local leadership of the DPH will play an important part in ensuring there are integrated services in place to prevent and control tuberculosis in line with local need, particularly in areas where there are vulnerable populations. These services will need to integrate the public health service elements with the clinical diagnostic and treatment services commissioned from NHS providers to provide a comprehensive local tuberculosis plan.” (Department of Health factsheet on ‘Health protection and local government’ (September 2012)).

3.5 On this basis it was agreed at the CCG network meeting in June 2015 that the commissioning responsibility should transfer from Leeds City Council to Leeds South and East CCGs on behalf of Leeds CCGs with the associated funding of £233,000 per annum.

4 Corporate considerations

4.1 Consultation and engagement

4.1.1 The transfer of this service has been discussed during meetings with partners across healthcare organisations in Leeds including:

- NHS Leeds CCGs
- Leeds Citywide Control of Infection Forum
- Leeds Community Health Care Trust

4.1.2 No formal consultation process has been undertaken as this project mirrors practice elsewhere in the country and Department of Health guidance (The Health & Social Care Act (2008); Code of Practice on the Prevention & Control of Infections).

4.2 Equality and diversity, cohesion and integration

4.2.1 This transfer will not impact upon any individual, but may positively inform future commissioning decisions related to the treatment and care of TB patients and enhance care in specific groups e.g. improved care pathways.

4.3 Council policies and the best council plan

4.3.1 Health protection and TB are not directly referred to in the current Health and Wellbeing City Priority Plan; however mortality from communicable diseases including TB is an indicator within Domain 4; Healthcare, Public Health and preventing premature mortality of the PH outcomes framework.

4.4 Resources and value for money

4.4.1 The transfer of the funding of this service to CCGs will ensure value for money across the Health and Social care system. Benefits will be realised for users of the service from an integrated commissioning model for TB treatment and care within the acute and community settings.

4.5 Legal implications, access to information and call-in

- 4.5.1 The decision is a significant operational decision and is not subject to call – in. The report does not contain any exempt or confidential information.

4.6 Risk management

- 4.6.1 If the funding is not transferred to the CCG, the responsibility of the commission of the TB care pathway will remain fragmented and not aligned to the situation across the country and the current guidance.

5 Conclusions

- 5.1 This report requests the formal agreement of the transfer of the associated funds for Community TB nursing service from LCC Public Health to Leeds South and East CCG on behalf of Leeds CCGs under a S76 agreement.
- 5.2 Leeds South and East CCG have accepted the transfer of commissioning responsibility for the Community TB Nursing Service provided by Leeds Community Healthcare Trust from LCC Public Health from 1st April 2016.
- 5.3 The Community TB Nursing service will be included within the block contract held between the three Leeds CCGs and Leeds Community Healthcare Trust for the contract term 2016/17. Leeds South and East CCG are the lead commissioners for this service on behalf of the three Leeds CCGs. As part of the conditions of the transfer from LCC to Leeds CCGs the Council will provide the funding allocation of £233,000 per annum for the Community TB Nursing service as the contract responsibilities shift to the CCG's under the S76 agreement

6 Recommendations

- 6.1 The Director of Public Health is recommended to
- approve the transfer of the associated funds (£233,000) for Community TB Nursing service from Leeds City Council to Leeds South and East CCG on behalf of Leeds CCGs under a S76 agreement.

7. Background documents¹

Tuberculosis (TB): collaborative strategy for England, From: Public Health England, First published: 19 January 2015

¹ The background documents listed in this section are available to download from the council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.