

Paper Title	Interim Alliance Agreement (City & Hackney Neighbourhood Health and Care Alliance)
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Paper Summary	<p>The CCG is in the process of bringing together the Community Health Services (provided by Homerton Hospital NHSFT) Community Mental Health Services (provided by East London Foundation NHST) and Primary Care Locally Enhanced Services (provided by the C&H GP Confederation) into an Alliance.</p> <p>Under the coverage of the Prior Information Notice the CCG would like to enter into an 'Interim Alliance Agreement' with the provider which will be the first formal agreement between the CCG and the alliance providers.</p> <p>The Interim Alliance Agreement will bind the parties together during the period between submission of the provider 'application', during the development of further contract documentation and until the signing of a full Alliance Agreement.</p> <p>The Interim Alliance Agreement will bind the parties together for the purpose of collaboratively allocating a Transformation and Investment Fund and will form the legal basis which will allow the providers to access that fund to support Alliance Services transformation and to integrate provision.</p> <p>This is the first time the CCG has attempted to setup an Interim Alliance and this paper was submitted to the Governing Body late as it took longer than expected to check, with support from CCG Lawyers, that the creation of the agreement was within the CCG's powers. The full agreement document is available here.</p>

<p>Purpose</p>	<p>The inclusion of a Transformation and Investment Fund (value £2.5m non-recurrent) in the Interim Alliance Agreement requires the approval of the CCG Governing Body.</p>
<p>Recommendation</p>	<p>The Governing Body is hereby asked to:</p> <ol style="list-style-type: none"> 1. Discuss and challenge the proposal to enter into an Interim Alliance Agreement that includes a Transformation and Investment Fund; 2. Delegate the decision on the points a) and b) below to the CCG Chair, CCG Audit Committee Chair, Managing Director and Director of Finance – this decision not to be made before comments from members of the public or stakeholders have been considered and absolutely not before 17:00 on Friday 6th March*; <ol style="list-style-type: none"> a. The decision on whether to enter the Interim Alliance Agreement with the providers; and b. The decision on whether to delegate responsibility for scrutinising the bids/business cases that propose allocating Transformation Investment Fund resources to an ‘Oversight Group’ which will have responsibility for instructing the CCG and Fund Holder to release funds. <p><i>*This paper has not been published on the CCG website for the pre-requisite 7 days prior to the CCG GB meeting so a decisions cannot be made during the meeting on Friday 28th February.</i></p>
<p>Where else has this paper been discussed?</p>	<p>CCG Governing Body; 26 October 2018 CCG Governing Body; 24 May 2019 CCG Governing Body Private Session; 27 September 2019 CCG Governing Body Private Session; 29 November 2019</p>
<p>What was the outcome of previous discussions?</p>	<p>CCG GB; 26-Oct-2019 – Neighbourhoods Health and Care Programme, Development of the Business Case/Case for Change CCG GB Private Session; 27-Sep-2019 – authorisation to publish Prior Information Notice CCG GB Private Session; 29-Nov-2019 – update on response to the Prior Information Notice and Application Process timeline</p>

Neighbourhood Health and Care Services in City & Hackney

Interim Alliance Agreement and Transformation Investment Fund



Introduction

The Neighbourhood Health and Care Alliance is the main delivery vehicle for the C&H local system that will transform out of hospital services to meet the requirements of the long term plan. The advancement of all of the out of hospital priorities will be supported by the alliance including anticipatory care, community teams based around primary care networks and their populations, care for people in nursing homes, and digital outpatient services. It will also help to dissolve the divide between primary care and community health services.

The process to create a Neighbourhood Health and Care Alliance began in 2018, with the intention to bring community health service providers together, around the practices in the neighbourhoods, to better meet the needs of the population.



Procurement considerations

The award of an Interim Alliance Agreement will be made under the cover of the Prior Information Notice <https://ted.europa.eu/udl?uri=TED:NOTICE:476946-2019:TEXT:EN:HTML&src=0> where no response was received.

This action gave the CCG the ability to commence negotiation with the listed providers leading to the award of a contract of up to £970m for up to 10 years.



Background

In early 2019 a series of events were held for the staff of the healthcare providers and local people to attend, where views were collected on how the services should be working better together.

Following this a Community Services Development Board was created to provide a forum where the CCG, ELFT, Homerton Hospital and the GP Confederation could meet, discuss and work out how to implement this vision together.

In October 2019 the CCG commenced a formal 'application process' which required the alliance providers to jointly prepare an application proposal for alliance working and service transformation before the formal award of a contract for services.

Part A of the application process, due diligence of each individual organisation, was completed in November 2019 before progressing to the joint working sections. All other parts of the application are to be submitted at the end of February 2020.



What does the Interim Alliance Agreement do?

The Interim Alliance Agreement is the first formal agreement between the CCG and the alliance providers and will be used as a way to formally signal that the providers have come together.

The Interim Alliance Agreement will bind the parties together during the period after submission of the provider 'application', during the development of further contract documentation and until the signing of a full Alliance Agreement.

The Interim Alliance Agreement will also bind the parties together for the purpose of collaboratively allocating a Transformation and Investment Fund and will form the legal basis which will allow the providers to access that fund to support Alliance Services transformation and to integrate provision.

The CCG would like the Transformation and Investment Fund to be a catalyst for transformation working alongside, but not duplicating, other sources of funding such as Ageing Well funding and PCN development monies.

The full agreement document is available [online here](#).



General features of the Interim Alliance Agreement

Term: from the date on which the Agreement is signed until 31st March 2022, although the intention is that the Interim Alliance will be varied or terminated when the Full Alliance Agreement is ready to be signed.

Parties: The three providers and the CCG. The Agreement acknowledges that that the Alliance is not a legal entity, joint venture or partnership.

Termination: unilateral termination clauses have been created in relation to the transformation and investment fund and allows the CCG to terminate the participation of an alliance provider or terminate the whole agreement with immediate effect if an alliance provider inappropriately uses the fund or does not comply with the transformation and investment fund allocation process. The agreement can also be terminated by mutual agreement i.e. when the parties enter into the full Alliance Agreement.

Future of the Alliance: Considerations are touched on in *Schedule 5*.



General features of the Interim Alliance Agreement

Dispute Resolution: while the Interim Alliance will exist before the Community Services Development Board has become the Alliance Partnership Board specific processes have been included for disputes between the CCG and one provider, multiple providers and at the CSDB as a whole.

Statutory and Boiler Plates: Includes the Prevention of Bribery, Information Governance, Freedom of Information, the serving of notices and IPR.

Consideration: To make the Interim Alliance Agreement legally binding the CCG will make a payment of £1 (one pound) to each of the providers.

Governance: *Schedule 2* captures the alliance governance arrangement that currently exists (i.e. the Community Service Development Board and the Provider Alliance Board) and states that an Oversight Group has a formal role in approving the allocation of resources from the Transformation and Investment Fund. NB the Alliance Partnership Board will replace the CSDB and Provider Board in the full Alliance Agreement.



Transformation and Investment Fund

Schedule 4 contains the detail of the TIF and confirms:

- The TIF is £2.5m (non recurrent) and includes the nominal allocation of funds across the NH&C Alliance objectives, new models of care, and organisational development;
- The GP Confederation will be the Fund Holder and will be responsible for administering the bidding, prioritisation and business case preparation process, although the prioritisation and business case preparation will be done by the CSDB members together acting transparently and equitably;
- Minimum requirements for each bid, set out in *Sch 4, para 5*;
- The requirements for the Fund Holder which provide safeguards against misuse of the funds by the Fund Holder and potential insolvency (*Sch 4, para 7*).



Transformation and Investment Fund – Oversight Group

- The ‘Oversight Group’ is responsible for scrutinising the bids/business cases that propose allocating TIF resources and has responsibility for instructing the CCG and Fund Holder to release funds (*Sch 4, para 3 and 4*);
- For the avoidance of doubt the ‘Oversight Group’ is not a committee of the CCG. It is composed of CCG Governing Body members who will fulfil this role collectively supported by CCG officers and advisors:
 - Honor Rhodes - CCG Lay Member
 - Sue Evans - CCG Lay Member for Governance, and Chair of Audit Committee
 - Siobhan Clarke - CCG Board Nurse
 - Dr Mark Rickets - CCG Chair
 - David Maher - CCG Managing Director
 - Sunil Thakkar - CCG Director of Finance



Alliance Application Process

The joint provider proposal for alliance working will be received by the CCG on Friday 28th February.

This will be scored by the CCG and then moderated by an Oversight Group on Friday 13th March.

A summary of the score and a recommendation on how to move forward on the process to establish the Neighbourhood Health and Care Alliance will come to the Governing Body on Friday 27th March.

Subject to Oversight Group recommendation the details of the full alliance contract will be discussed and agreed at a series of fortnightly meetings:

- Community Services Development Board – strategic and collaborative working
- Contracts Working Group – service specifications, performance indicators
- Finance Working Group – payments and contract value including risk share



Timeline

Activity	When
Application process - provider proposal for alliance working	End of February 2020
Summary of application and report from oversight group on how to proceed	End of March 2020
Alliance Contract Negotiation	March to the end of May 2020
Following negotiation seek approval from GB and provider boards	During June 2020
NH&C Alliance services commence	1 st July 2020
Start of the process to allocate Transformation and Investment Funds and process to transform services commences	tbc

Appendix

- Draft Interim Alliance Agreement v 03 – 2020/22

