

Integrated Care System (ICS)

Legislation Update

May 2021 – 0.1

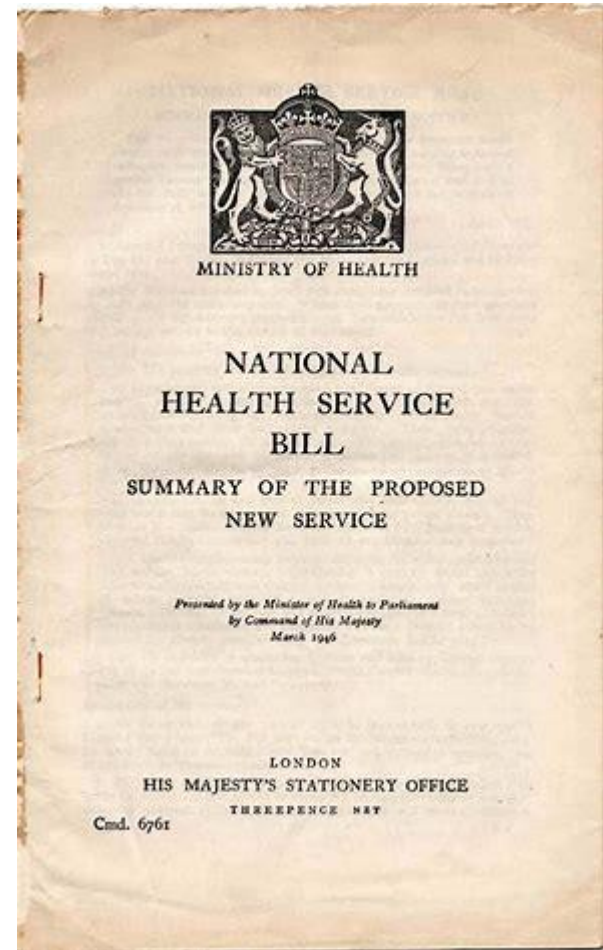
Legislation roadmap

- NHSEI recommendations for NHS Bill from September 2019
- NHSEI legislative proposals for Integrating Care November 2020
- White paper – Integration and Innovation: working together to improve health and social care for all February 2021

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NHS/Health Bill Summer 2021

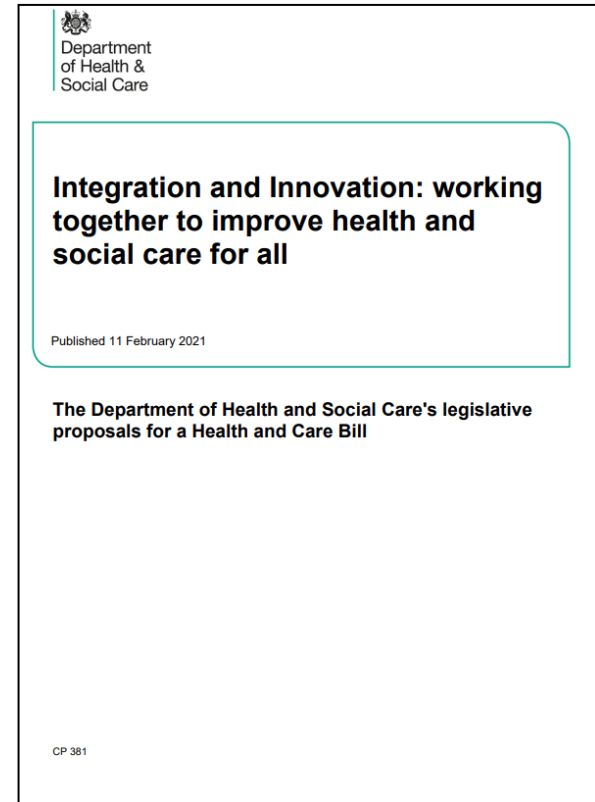
Amended NHS Act April 2022?



White Paper Proposals (1)

- Split into 4 areas:
 - Working together and supporting integration
 - Reducing bureaucracy
 - Enhancing public confidence and accountability
 - Additional proposals
- Aim to make the patient voice central in the system
- Create a permissive and flexible system from bottom
- Amount/level of guidance to go with legislation is unclear
- Time frame from entering Parliamentary process to implementation is testing

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White Paper Proposals (2)

9 Proposals in Part 1 of White Paper – Working together and supporting integration:

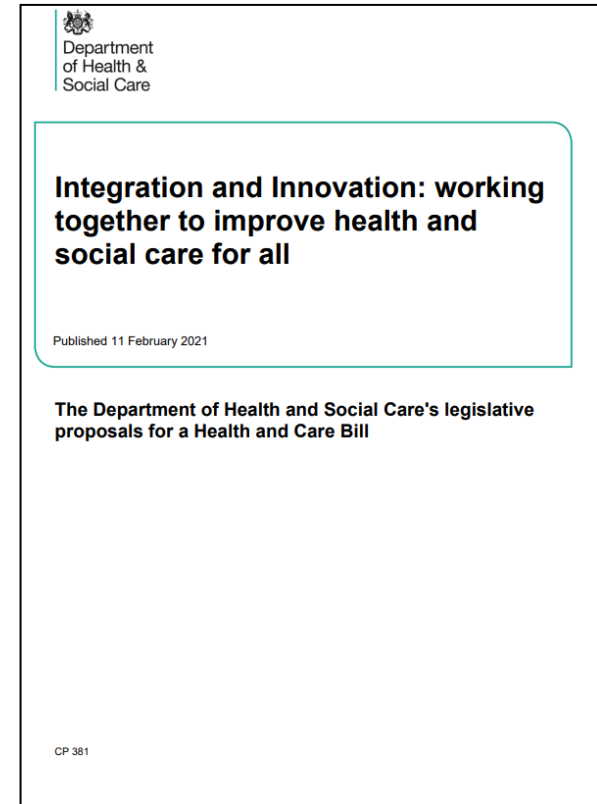
Decision Making

1. Establishing Integrated Care Systems
2. Joint Committees
3. Collaborative Commissioning
4. Joint Appointments

Supporting System

5. Duty to Collaborate
6. Triple Aim
7. Power over Foundation Trusts Capital Spend Limits
8. Data Sharing
9. Patient Choice

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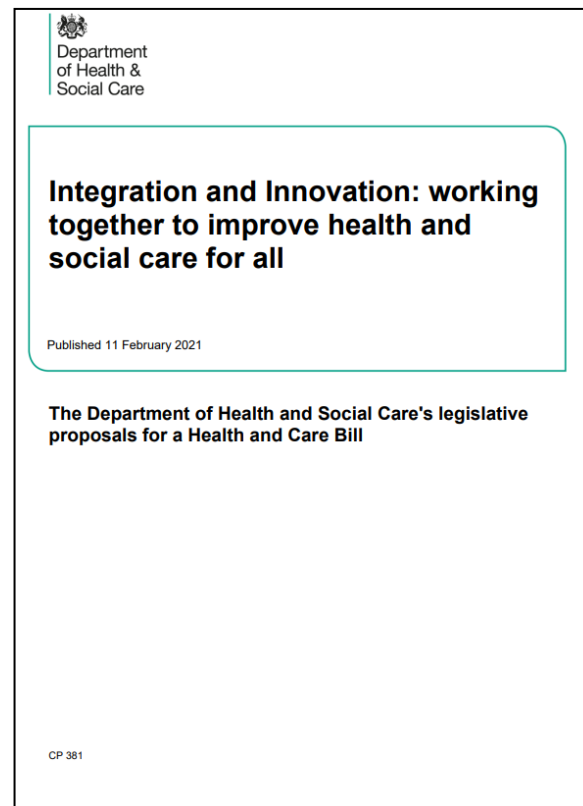
White Paper Proposals (3)

Statutory corporate NHS body model that additionally brings CCG statutory functions into the ICS:

- Established by partly 're-purposing' CCGs, so take on CCG functions, and also give additional functions to produce a new framework of duties and powers
- Abolish statutory CCGs and policy STPs/ICSs and replace with:
 - ICS NHS body – Integrated Care Board [NHS functions]; and
 - ICS Health and Care Partnership body – Integrated Partnership Board [health and social care]

Page 91 Integrated Care Board (ICB) to consist of representatives from system partners – NHS providers, primary care and local government; alongside a Chair, Chief Executive and Chief Financial Officer. ICS can appoint such other members as it deems appropriate:

- Responsibilities include developing – plan to meet population health needs; capital plan for NHS providers; and securing provision of health services
- No power to direct NHS providers (other than contractual mechanisms)
- Integrated Partnership Board (IPB) to consist of representatives from ICB, local government, HWBs, Public Health and other bodies not on ICB
 - IPB to develop plan that addresses wider health, public health and social care needs of the system
- ICB and IPB work to advisory partnership arrangement



Legislative proposals for Integrating Care

- *'Simple, local, evolutionary – those are the three watch words'* – Sir Simon Stevens (April 2021)
- Chief Executive will be a full time Accountable Officer and key system leadership role
- ICS primary statutory duty would be to secure the effective provision of health services to meet the needs of the system population, working in collaboration with partner organisations
- Greater flexibility to make arrangements with providers
- Clear structure, without workarounds, and removes conflicts from current GP-led CGG model
- Transfer of NHSE commissioning functions and ability to form joint committees
- Reduce transactional burdens of current contracting processes and allow delegation to arrange some services to providers and drive care pathway transformation

Next Steps

2021/22	Key activities
By end of Q1	Update SDPs, and confirm proposed boundaries, constituent partner organisations and place-based arrangements.
By end of Q2	<p>Confirm designate appointments to ICS chair and chief executive positions (following 2nd reading of the Bill in line with senior appointments guidance to be issued to NHSEI).</p> <p>Confirm proposed governance arrangements for health and care partnership and NHS ICS body.</p>
By end of Q3	Confirm designate appointments to other ICS NHS body executive leadership role, including place-level leaders and non-executive roles.
By end of Q4	<p>Confirm designate appointments to any remaining senior ICS roles.</p> <p>Complete due diligence and preparations for staff and property (assets and liabilities) transfers from CCGs to new ICS bodies.</p> <p>Submit ICS NHS body Constitution for approval and agree 'MOU' with NHS England and Improvement.</p>
01 April 2022	Establish new ICS NHS body; with staff and property (assets and liabilities) transferred and boards in place

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- Creating shadow statutory bodies aligned to White Paper - proposals needs to have started by now
- Whilst detail still required/awaited; Sir Simon's three watch words are ***simple, local, evolutionary***
- Each ICS needs a clear transition plan to enable System Development Plan

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