

Developing Joint Protocols with NHS Devon for individual commissioning arrangements for Children and Young People Report of the Director of Public Health and Communities

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

1) Recommendation

- 1.1 That the Cabinet be asked to support the proposal within the report, namely:
- (a) Creation of an Oversight Group, who are tasked to produce an operating framework for NHS Devon and Devon County Council.
 - (b) Establishment of a number of specific task and finish groups who will be responsible for producing joint Standard Operating Procedures.

2) Background / Introduction

- 2.1 There is general recognition and agreement between NHS Devon and Devon County Council that there is not in place jointly agreed protocols for agreeing packages of care and organisational routes to agree funding responsibilities for children and young people (up to 18years). There is however joint agreements in place for adults. In the absence of agreed individual commissioning arrangements means that there is a lack of timely, transparent and consistent decision making, resulting in some children and young people needs not being met.
- 2.2 It is acknowledged that there are some areas of good practice between NHS Devon and Devon County Council but this is often on an informal basis so there is a need to formalise these working practices. There is also a need to agree and formalise information sharing protocols between organisations and escalation procedures.
- 2.3. There are numerous cohorts of children where needs cannot be met through commissioned services and require collaboration between the NHS and local authorities to agree additional support needs. These include but not limited to:
- Children Continuing Care (CCC)
 - Children Complex Needs (not CCC eligible)
 - Children in Care
 - Children subject to S117 Aftercare
 - Crisis Care/ Emergency Funding (inc. Learning Disability Autism CETR)

3) Main Body / Proposal

- 3.1 The proposal is to develop an agreed suite of Standard Operating Procedures (SOPs) providing clear and consistent operational guidance to ensure effective, efficient and equitable delivery of care. The SOPs will provide a clear decision making framework, clarifying roles and responsibilities amongst stakeholders, where and how funding decisions are made and ultimately improve outcomes for children and young people. The expectation is to complete this task within six months.
- 3.2 It is recognised that there are examples of good practice in the current arrangements with for example an agreed transitions pathway and understood S117 aftercare, and there are also examples of good working relationships between teams.
- 3.3 Action needs to be taken to formalise existing agree-upon good practice, updating of guidelines were necessary and the rolling out of joint training. To embed good practice it is crucial that the SOPs are developed collaboratively so they are truly owned and understood so they can be operationalised with consistency.
- 3.4 Initial work has been undertaken with NHS Devon and Children Services colleagues, led by the Director of Public Health and Director of Integrated Adults Social Care to establish the current operating practice, consider recent reviews which have been undertaken, examine areas of good practice and gain joint agreement on a proposed way forward.
- 3.5 It is proposed to establish an Oversight Group with senior representation from NHS Devon and Devon County Council (Childrens and Education). The Group will produce an overarching joint working framework which will set out an agreed set of working principles for how NHS Devon and DCC will work together. This will include the information sharing protocols, training expectations, organisational funding arrangements and escalation processes.
- 3.6 The Oversight Group will be responsible for the establishment of specific task and finish groups. Groups will be developed for each of the agreed SOP areas and will be tasked to collaborate on producing a draft SOP and/or guidance for their specific area of work. This will go to the Oversight Group for sign off prior to onward agreement through agreed standard organisational governance routes.

4) Options / Alternatives

- 4.1. The alternative is to continue with the current working practices which is not acceptable for either organisation.

5) Strategic Plan

- 5.1 The recommendations in this report align with the vision and priorities in the Council's Strategic Plan 2021 – 2025 - <https://www.devon.gov.uk/strategic-plan> specifically in relation to being ambitious for children and young people.

6) Financial Considerations

- 6.1 Not having in place agreed joint protocols which include how funding decisions are made means that there is a risk that organisations are paying for health and care which should be funded from other organisations. Having in place agreed protocols will mean that organisations who have the responsibility for funding the health and care needs of the children will have to pay.

7) Legal Considerations

- 7.1 Legislation and some national guidance exists for identifying organisational responsibilities for meeting the health and care needs of children and young people.

8) Environmental Impact Considerations (Climate Change)

- 8.1 There are no specific Environmental impact considerations

9) Equality Considerations

- 9.1 The service aligns to the Equality Act and DCC's Equality and Diversity Policies.

10) Risk Management Considerations

- 10.1 This proposal has been assessed and all necessary safeguards or action have been taken/included to safeguard the Council's position.

11) Summary

- 11.1 In summary we ask Cabinet to note the report and support the proposals and recommendations described within the paper

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