

**BRIDGEND COUNTY BOROUGH COUNCIL**

**REPORT TO CABINET**

**6 APRIL 2021**

**REPORT OF THE CORPORATE DIRECTOR - SOCIAL SERVICES AND WELLBEING**

**SECTION 33 OF THE NATIONAL HEALTH SERVICE (WALES) ACT 2006 PARTNERSHIP AGREEMENT BETWEEN THE COUNCIL AND CWM TAF MORGANNWG NHS TRUST**

**1. Purpose of report**

- 1.1 To present to Cabinet a proposal for entering into a new revised Section 33 Agreement of the National Health Service (Wales) Act 2006 with Cwm Taf Morgannwg NHS Trust, regarding the provision of integrated Mental Health Daytime Opportunities.

**2. Connection to corporate well-being objectives/other corporate priorities**

- 2.1 This report assists in the achievement of the following corporate well-being objectives under the **Well-being of Future Generations (Wales) Act 2015:-**

- **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions of all people in the county borough.
- **Helping people and communities to be more healthy and resilient** – taking early steps to reduce or prevent people from becoming vulnerable or dependent on the Council and its services. Supporting individuals and communities to build resilience, and enable them to develop solutions to have active, healthy and independent lives.
- **Smarter use of resources** – ensuring that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help deliver the Council's well-being objectives.

### **3. Background**

- 3.1 On 18<sup>th</sup> October 2005 Cabinet approved the development of an integrated mental health day opportunities service between this Authority and the former Abertawe Bro Morgannwg (ABMU) NHS Trust, by amalgamating and reconfiguring resources previously utilised separately at Ty'r Ardd and at Glanrhyd Hospital.
- 3.2 Cabinet also agreed that this new service be called Assisted Recovery in the Community (ARC), to provide integrated Health and Social Care Services for people with more complex mental health needs.
- 3.3 In July 2008 Cabinet approved a Section 33 Agreement with ABMU Health Board for the provision of integrated community day opportunities. This agreement took effect from 1<sup>st</sup> October 2008 and expired on the 31<sup>st</sup> March 2012. The Section 33 Agreement has been revised and extended on a number of occasions since. The current Section 33 Agreement commenced on 1<sup>st</sup> April 2017 and was novated from the former ABMU Health Board to the newly constituted Cwm Taf Morgannwg University Health Board following the health board boundary change in April 2019. The current Section 33 Agreement with Cwm Taf Morgannwg University Health Board will expire on 31<sup>st</sup> March 2021.
- 3.4 The service has progressed considerably in the last 13 years and it is now necessary to update the Section 33 Agreement and ensure that the revised Section 33 Agreement reflects the changes that have taken place and adequately reflect the current situation including budget and staffing details. Elements of ARC have been integrated into the Local Primary Mental Health Service which was established on 1<sup>st</sup> October 2012 with the introduction of the Mental Health (Wales) Measure 2010.
- 3.5 The service offers responsive and accessible person-centred support, promoting the recovery of a person from an episode of mental ill health. In accordance with agreed local plans this includes:-
  - Preventative Services
  - Signposting – Advice and guidance
  - Short term Support
  - Occupational Therapy
  - Activity Planning
  - Employment support and advice
  - Social Support

The public can access the advice and guidance service without the need for referral and the service acts as a point of contact for mainstream community organisations and agencies requiring information and advice in support of individuals. This includes local third sector organisations, employers and local colleges.

The service supports all mental health services in the Bridgend locality (both primary and secondary care), providing opportunities for individuals to improve their mental health and well-being, enhance their lifestyles and to maximise function and independence through using existing community resources.

- 3.6 The Joint Partnership Management Group has reviewed and redrafted the schedules concerning the Section 33 Agreement to reflect current developments and now seek authority to enter into the revised Section 33 agreement.

#### **4. Current situation / proposal**

- 4.1 The revised Section 33 Agreement sets out the arrangements under which the combined service will operate and be managed:

- Schedules 1-3 of the Agreement set out the service objectives, statutory responsibilities of each organisation and the operational practices of the service.
- Schedule 4 covers human resource management including the secondment of Trust staff to the Local Authority.
- Schedules 5 and 6 cover financial management and governance arrangements.
- Schedule 7 is the protocol for information sharing.

- 4.2 As previously agreed by Cabinet, the Council shall take the lead responsibility for the delivery of the service. The Agreement will be managed by a Partnership Management Group comprised of the Head of Adult Social Care of the Council and the Service Group Manager for Mental Health, Bridgend Integrated Locality Group from Cwm Taf Morgannwg UHB. These Officers will report formally to their respective organisations. This group will be serviced by a Pooled Fund Manager identified within the Adult Social Care Division who will report to the group on performance against objectives and financial matters.

- 4.3 Should Cabinet approve entering into the revised Section 33 Agreement it will run for a further four years, with the agreement expiring on 31<sup>st</sup> March 2025.

#### **5. Effect upon policy framework and procedure rules**

- 5.1 There is no impact on the Policy Framework and Procedure Rules.

- 5.2 This development is consistent with the Welsh Assembly Government's 'Delivering Beyond Boundaries' agenda, and the service model is consistent with Adult Mental Health Services strategies and National Service Frameworks including 'Together for mental health - a strategy for mental health and wellbeing in Wales' - Welsh Government 2012.

- 5.3 In Bridgend County Borough, agencies providing mental health services are working in partnership to develop a whole service model for mental health based on an agreed set of values that places service users and carers at the heart of service development and delivery. The

development of Day Opportunities is a key component of the whole service model.

- 5.4 A Pooled Fund Manager, identified by Bridgend County Borough Council, will be responsible for the management of the Service in accordance with both the Authority's financial and contractual procedure rules and the Section 33 agreement.

## 6. Equality Impact Assessment

- 6.1 There are no equalities implications arising from this report, therefore an Equalities Impact Assessment is not required.

## 7. Well-being of Future Generations (Wales) Act 2015 implications

- 7.1 The implementation of the duties and responsibilities under the Social Services and Wellbeing (Wales) Act 2014 (SSWBA) in turn, supports the promotion of two of the seven goals of the Well-Being of Future Generations (Wales) Act 2015 within the County Borough of Bridgend. By promoting an environment that maximises people's physical and mental well-being and by supporting children, young people, adults and their carers and families to fulfil their potential no matter what their circumstances, the wellbeing goals of a Healthier and more equal Bridgend and Wales are supported.

- 7.2 The Well-being of Future Generations (Wales) Act 2015 provides the basis for driving a different kind of public service in Wales, with five ways of working to guide how the Authority should work to deliver wellbeing outcomes for people. The following is a summary to show how the five ways of working to achieve the well-being goals have been considered in this report:

- **Long Term** – Social Services is demand led and the SSWBA focusses on sustainable prevention and wellbeing outcomes for the future. There is a requirement to meet the needs of people in the longer term and, because of rising demographics and increasing complexity, the remodelling and transformation of services continues to be a priority. The ARC service provides a long term sustainable provision of day time opportunities which offers more choice to people who use services.
- **Prevention** – the report is about the new approaches adopted by the Directorate in line with the SSWBA, for example, the provision of information, advice and assistance to enable people to remain independent for as long as possible. This will ensure that need is anticipated and resources can be more effectively directed to better manage demand. The ARC service enables people to live and participate in their chosen community.
- **Integration** – the implementation of the SSWBA requires local authorities to work with partners, particularly the NHS and the

Police, to ensure care and support for people and support for carers is provided.

- **Collaboration** – the strategic planning and local delivery of integrated support and services are developed and agreed at a regional basis in order to provide the best possible intervention to people. The ARC service is one of the few collaborative arrangements of its kind in Wales and provides an excellent example of joint working.
- **Involvement** – the key stakeholders are the people who use social care. There is considerable engagement including surveys, stakeholder meetings, feedback forms and the complaints process. The provision of accessible information and advice helps to ensure that the voice of adults, children and young people is heard.

## **8. Financial implications**

- 8.1 The Section 33 Agreement will continue to set out that the Council, with lead responsibility for the delivery of the service, is host for the operation and management of the Pooled Fund. This Pooled Fund shall be used solely to achieve the aims and objectives of the service as outlined in the Agreement.
- 8.2 At the start of the agreement period (1 April 2021) the Pooled Fund will comprise of contributions from the Council and Cwm Taf Morgannwg University Health Board, and will form a single fund of £ 671,750 of which the Council will contribute £335,875 and the Health Board will contribute £335,875 for 2021-22.
- 8.3 Both partners' contributions equate to their previous service provision. Consequently the Council's contribution will be met from existing resources.
- 8.4 As host for the Pooled Fund, the Council will be responsible for its administration. Financial management arrangements have been established between both bodies to ensure that the budget and projected outturn position are regularly reviewed.
- 8.5 It is the responsibility of the Pooled Fund Manager to ensure the service is managed within the available budget. Should expenditure be projected to exceed the total Pooled Fund in a financial year, the Council and Health Board, through the Partnership Management Group, shall agree how to manage the situation in order to either bring the Pooled Fund back into financial balance by the year end, or to jointly agree a funding strategy. To date the service has been managed within the agreed budget. If expenditure is less than expected then the Partnership Management Group would decide how the unspent funds are spent in accordance with the Section 33 agreement.

## **9. Recommendation**

9.1 It is recommended that Cabinet approve:

- the proposal to enter into a renewal of the Section 33 Agreement under the National Health Service (Wales) Act 2006, with Cwm Taf Morgannwg University Health Board regarding the provision of integrated mental health daytime opportunities.

**Claire Marchant**  
**CORPORATE DIRECTOR SOCIAL SERVICES AND WELLBEING**  
**March 2021**

**Contact officer:** Mark Wilkinson  
Group Manager

**Telephone:** (01656) 642281

**Email:** mark.wilkinson@bridgend.gov.uk

**Postal address:** Civic Offices, Angel Street, Bridgend.  
CF31 4WB

**Background documents:** None