



WEST LANCASHIRE PARTNERSHIP.

Item 2 Final MoU

05 November 2019



WEST LANCASHIRE PARTNERSHIP

MEMORANDUM OF UNDERSTANDING (MoU)

PROPOSED PRINCIPLES

THE PARTIES TO THE MOU

Parties to the MoU will be the West Lancashire Partnership Executive and Neighbourhood Partnership Members 'Parent' Organisations:

- Lancashire Care NHS Foundation Trust
- Lancashire County Council
- NHS West Lancashire Clinical Commissioning Group
- Primary Care Networks represented by the Clinical Directors for each area (x3)
- Southport and Ormskirk NHS Hospitals Trust (Associate Member)
- Virgin Care
- West Lancashire Borough Council
- West Lancashire Council for Voluntary Services
- West Lancashire GP Federation
- Relevant Neighbourhood Partnership Representatives from each of the three areas – tbc by each area – not already included (above)

THE PROGRAMME

This MoU covers a period until March 2021 which is referred to as the “shadow period”. Within this however the West Lancashire Partnership has some underpinning milestones as the MCP model mobilises and matures. These milestones are that the Partnership aims to operate in virtual form from Nov 2019 until March 2020. At this point the Partnership aspires to move into partial form. This will be dependent on testbed schemes, drawn from the Partnership’s agreed priorities, being ready to allow a testing of the underpinning clinical, financial and business model. Moving to a “full” state will be dependent on changes to statute.

The focus will be on integration and innovation in out of hospital health, wellbeing and care.

To **deliver** this vision the parties to the West Lancashire Partnership will **implement the agreed workstream outcomes** as agreed by the Partnership at place (West Lancashire) and neighbourhood (Ormskirk, Skelmersdale and the Northern Parishes) level.

Each of these workstreams will have attendant work programmes –that will include key outcomes and outputs, timescales attached to their achievement, governance (decision making) arrangements (**delegated or reserved**) and key responsible officers.



GOVERNANCE ARRANGEMENTS

Establish a Partnership Board (the West Lancashire Partnership Executive) to oversee both the 'place' level programme and the contribution of 'neighbourhood' level workstreams from Ormskirk, Skelmersdale and the Northern Parishes to the overall West Lancashire programme.

The West Lancashire Partnership Executive will be deemed to be 'the West Lancashire Partnership Board'

The parties **may** - if there is a unanimous decision to do so – establish a Joint Committee or Committees to enable delegated decisions (**if** agreed by each party to this agreement in line with each organisation's approved (as amended) Scheme of Reservation and Delegation) to be taken – if desired - to speed up the implementation of agreed workstream priorities.

The parties agree to respect the legal personality of each member organisation, and their individual legal duties and obligations according to each organisation's legal status.

The Parties will each **use their reasonable endeavours to work together to meet the requirements of the Partnership's workstreams based on the Agreed Principles and in line with the agreed Timetable.**

Each Party confirms that it has not entered into and will not enter into any arrangements or negotiations with any third party concerning the implementation of the West Lancashire Partnership or neighbourhood workstreams without the express written consent of the other Parties. This provision shall be binding on the Parties for the duration of this MoU.

The Parties shall ensure that their officers, employees, agents, advisers and other representatives comply with the undertakings in this clause.

DURATION OF MEMORANDUM OF UNDERSTANDING

The MoU will remain in force for the duration of the programme.

The MoU will be reviewed at regular intervals and no less than twice per annum by the Project Board and – as necessary – through the 'parent' organisations of each party to this agreement.

AMENDMENT OF MEMORANDUM OF UNDERSTANDING

The MoU may only be amended if there is a unanimous decision by the parties to this agreement and – as necessary – through the 'parent' organisations of each party to this agreement.

TERMINATION OF MEMORANDUM OF UNDERSTANDING

The MoU can be terminated at any time during the lifetime of the programme **if** there is a unanimous decision to do so by all parties to this agreement.



LEAVING THE PARTNERSHIP

If a member **organisation** deems it necessary to leave the West Lancashire Partnership, this should be provided in writing to the Chair of the Partnership three calendar months in advance of the date of the intended leaving date.

This period of notice to quit the partnership will ensure that the West Lancashire Partnership has sufficient time to understand the consequences of the resignation on the future sustainability of the programme, and to take all necessary governance decisions to update the MoU and programme management arrangements; and in exceptional circumstances, to consider how the partnership should be terminated.

CONFLICT AND DISPUTE RESOLUTION

If a member organisation gives notice to leave the West Lancashire Partnership in the manner outlined above, or verbalises their intention to do so to the Independent Chair, or the Interim Managing Director of the Partnership, an independent review meeting will be **offered** to the parties to establish the reasons for the intended resignation from the Partnership, and to establish, using conflict resolution methods, if the resignation can be avoided, and what reasonable steps can be taken to do so to preserve the partnership arrangements for the benefit of the communities served.

RISK MANAGEMENT

The West Lancashire Partnership work programme - at place and neighbourhood levels - is focused upon improving Out of Hospital Care (OOH) to improve community and patient outcomes by: realigning existing resources and/or redesigning services in a multi-agency setting (place and neighbourhood) to make the most effective use of partnership resources.

In so doing, the West Lancashire Partnership will develop a risk management strategy to assess, share and put in place mitigating actions to minimise the risk to the communities and patients and to members of the West Lancashire Partnership.

SCHEME OF RESERVATION AND DELEGATION

In the 18 months of operation of the West Lancashire Partnership in 'shadow' form i.e., from September 2019 to March 2021 there will be a presumption that decisions taken to pursue a course of 'transformative' action at the West Lancashire Partnership Executive and/or at neighbourhood level, will **request the approval of** each of the parties parent organisations **directly affected** by the recommendation before a West Lancashire Partnership 'strategic and transformative' programme of work is considered to have been approved.

Alternatively, the parties may – as set out above – choose to establish joint committee arrangements where a clear scheme of reservation and delegation will operate according to



the nature of decisions to be taken by parties to the MoU to delegate and reserve defined decision making powers.

It should be noted that all statutory parties to this MoU will retain overall responsibility for the discharge of **(all)** their **statutory** functions, including those that have been delegated to joint committee arrangements and outlined in relevant partner organisation's Schemes of Reservation and Delegation.

INDICATIVE WORK PROGRAMME

This has been agreed at the West Lancashire Partnership Executive and will be the basis upon which the West Lancashire Partnership Programme will evolve.

This programme is the basis upon which the partnership has been formed and will be the central document against which the partnership measures the achievement of its stated objectives.

Any **fundamental** amendment to the workstream objectives and outcomes contained in the Work Programme will require the unanimous approval of the Board (the West Lancashire Partnership Executive); and/or the 'parent' organisations of the West Lancashire Partnership member organisations **as necessary** (in accordance with organisational Schemes of Reservation and Delegation).

The workstreams at '**place**' level will be **strategically** focused:

- **Collective accountability** (governance)
- **Financial model**
- **Communications and engagement**
- **Care co-ordination and population health management**
- **Protecting good physical and mental health** (behaviour change)
- **Stimulate, sustain and innovate around the care sector** (care homes and domiciliary)
- **Workforce**
- **IT enabled**

Whereas the workstreams for each neighbourhood will be more **locally** focused to respond to **neighbourhood priorities** (that in turn will contribute to the achievement of place-based priorities):

- Protecting good physical and mental health (behaviour change)
- Stimulate, sustain and innovate around the care sector
- 'Grow our Own' workforce development
- Care co-ordination and population health management



THE WEST LANCASHIRE PARTNERSHIP STRUCTURE

The West Lancashire Partnership Executive

The West Lancashire Partnership Executive is the overarching Board for the partnership and as such will be responsible (in the shadow phase: November 2019 to March 2021) for overseeing the implementation of the West Lancashire work programme and recommending transformative changes to services and or/their funding to the directly affected 'parent organisations'; or making decisions through a Joint Committee – as set out above.

The West Lancashire Partnership will be representative of both the 'place' (West Lancashire) and the 'neighbourhoods' (Ormskirk, Skelmersdale and the Northern Parishes) therein.

The Neighbourhood Partnerships

Each of the three Neighbourhood Partnerships for Ormskirk, Skelmersdale and the Northern Parishes will shape neighbourhood proposals to transform the health and wellbeing of the communities served according to local priorities. The Neighbourhood Partnerships will be representative of their neighbourhoods and according to local priorities.

The Neighbourhood Partnerships will make recommendations for transformative change in their communities to the West Lancashire Partnership, and if supported, these will be decided upon either (a) by reference to the relevant 'parent' organisations for approval, or (b) through a Joint Committee established by the West Lancashire Partnership.

The Primary Care Networks and Clinical Directors

The three Primary Care Networks (PCNs) will each bring together the GP and allied health community to identify new ways of working to increase capacity in primary care and to reduce the flow of demand to acute services.

The Clinical Directors of each of the three PCNs will be members of the relevant Neighbourhood Partnership, and all three Directors will be represented on the West Lancashire Partnership Board.

The PCNs may also nominate additional network representatives to attend relevant **Neighbourhood Partnership** meetings according to local priorities.

SUPPORT TO THE WEST LANCASHIRE PARTNERSHIP

In the shadow period of operation, NHS West Lancashire CCG has agreed to facilitate the development of the partnership by designating its Director of Strategy and Operations as interim Managing Director of the Partnership, who will be supported by a small team of CCG staff during that time, and who will oversee multi-agency teams to bring the West Lancashire Partnership work programme to fruition.



It is expected that partners will identify key personnel to take a full and active role in the partnership at 'place' and at 'neighbourhood' level to bring about transformative change for the benefit of the West Lancashire community.

ACCOUNTABILITY AND REPORTING ARRANGEMENTS

The West Lancashire Partnership is a partnership of individual organisations assembling with a common purpose and focus for that area and the three identifiable neighbourhoods of Ormskirk, Skelmersdale and the Northern Parishes within it.

The partnership exists through the express approval of its constituent partners (outlined above), and by implementing changes that are approved through a Joint Committee, or by recommending a course of action to relevant 'parent' organisations.

The representatives of the 'parent' organisations represented at various levels of the West Lancashire Partnership will be accountable to those organisations and will formally report on the work of the West Lancashire Partnership through the 'parent' organisations governance structure following each meeting of the West Lancashire Partnership.

OVERVIEW AND SCRUTINY ARRANGEMENTS

The work of the West Lancashire Partnership will be subject to the Overview and Scrutiny arrangements of each partner organisation; and the West Lancashire Partnership will produce an Annual Report on its work and achievements that will be provided to each 'parent' organisation which may be incorporated into those organisation's Annual Reports and be subject to public scrutiny.

WLP 31/10/19