

## Record of Decisions

### Torbay Integrated Care Organisation S75 Agreement

#### Decision Taker

Cabinet on 19 March 2024.

#### Decision

That Cabinet recommends to Council:

- 1) That Torbay Council and Torbay and South Devon Foundation NHS Trust, and NHS Devon ICB enter into a Section 75 for a new 5-year agreement for the integration of Health and Social Care on the basis of a year-on-year increased cost to the Council of;
  - a. £2.55m additional base budget in 2025/26
  - b. £2.55m additional base budget in 2026/27
  - c. £1.7m additional base budget in 2027/28
  - d. £1.7m additional base budget in 2028/29
  - e. £1.7m additional base budget in 2029/30
- 2) The Chief Executive be given delegated authority to sign the Section 75 agreement that will be supported by an updated Memorandum of Understanding (MoU), which includes the key principles and ways of working for all organisations that are part of this tripartite agreement. The development of this MoU will be during April 2024.

#### Reason for the Decision

The Integrated Care Organisation is governed by a Section 75 agreement, which expires in March 2025. A notice period of 12 months is a standard term within the contract and as such a new agreement needs to be in place 12 months in advance to provide the necessary legal protection to all parties. This requires a new agreement to be signed by the end of March 2024.

#### Implementation

The recommendations of the Cabinet will be considered at the Extraordinary meeting of Council being held on 20 March 2024.

#### Information

The Integrated Care Organisation was formed in October 2015, between Torbay and South Devon Health and Care Trust and Torbay Council to ensure adult residents receive seamless health and social care.

This innovative relationship was driven by a shared vision, values, and long-term commitment to improving the delivery of health and social care in Torbay. The integration encompasses preventative care, reducing hospital admissions, managing acute care, and facilitating independent living.

Looking ahead, the Council was seeking to make a new five-year commitment to the joint working arrangements through a new Section 75 agreement. Demonstrating the Council's ongoing dedication to the joint endeavour and the integrated delivery of adult social care and

the benefits it brings.

Whilst the wide-ranging benefits of integration were accepted, the health and care system in Torbay and nationally finds itself operating in challenging financial circumstances. The Integrated Care Organisation are forecasting a £12m deficit attributed to adult social care spend for this financial year, which could rise to as much as to £36m in five years.

In addressing these challenges and as part of the new agreement an extensive transformation programme that aims to improve financial sustainability whilst maintaining, and improving, the quality of care delivered in Torbay will be implemented.

At the meeting Councillor Tranter proposed and Councillor Tyerman seconded a motion that was agreed unanimously by the Cabinet, as set out above.

**Alternative Options considered and rejected at the time of the decision**

None.

**Is this a Key Decision?**

No

**Does the call-in procedure apply?**

No

**Declarations of interest** (including details of any relevant dispensations issued by the Standards Committee)

None.

**Published**

20 March 2024

Signed: \_\_\_\_\_  
Leader of Torbay Council on behalf of the Cabinet

Date: \_\_\_\_\_