

Integrated Care Board

Date of meeting	15 January 2025
Title of paper	Specialised Commissioning Arrangements – 1 April 2025
Presented by	C Harris, Chief Operating Officer
Author	Louise Sinnott – Head of Acute Strategy and Transformation, NW Specialised Commissioning
Agenda item	17
Confidential	No

Executive summary

This report sets out the current arrangements and associated documents that require the Board's consideration and approval to enable the delegation of additional 25 services as of 1 April 2025, which includes a revision to the current Delegation Agreement.

The three NW ICBs have collaborated on the development of a Target Operating Model, to support the NW Specialised Commissioning Team and ICBs to work collaboratively to commission specialised services on the appropriate footprint for both delegated and retained services is in development and is expected to be completed by June 2025.

Planning is underway to prepare for the transfer of staff from the NHS England's NW Specialised Commissioning Team to Lancashire and South Cumbria Integrated Care Board as a host employing organisation of a single shared service. Arrangements will be reviewed regularly to ensure they are effective and fit for purpose.

Recommendations

The Board is asked to:

- Approve the variation to the Delegation Agreement set out in Appendix One
- Note the update on the creation of the NW Specialised Commissioning Hub Shared service within the NW region.
- To note the proposed payment arrangements set out in paragraph 3.1.

Which Strategic Objective/s does the report relate to:

		Tick
SO1	Improve quality, including safety, clinical outcomes, and patient experience	✓
SO2	To equalise opportunities and clinical outcomes across the area	✓
SO3	Make working in Lancashire and South Cumbria an attractive and desirable option for existing and potential employees	✓
SO4	Meet financial targets and deliver improved productivity	✓
SO5	Meet national and locally determined performance standards and targets	✓
SO6	To develop and implement ambitious, deliverable strategies	✓

Implications				
	Yes	No	N/A	Comments
Associated risks			✓	
Are associated risks detailed on the ICB Risk Register?			✓	
Financial Implications	✓			Included within paper
Where paper has been discussed (list other committees/forums that have discussed this paper)				
Meeting	Date		Outcomes	
N/A				
Conflicts of interest associated with this report				
Not Applicable				
Impact assessments				
	Yes	No	N/A	Comments
Quality impact assessment completed			✓	
Equality impact assessment completed			✓	
Data privacy impact assessment completed			✓	

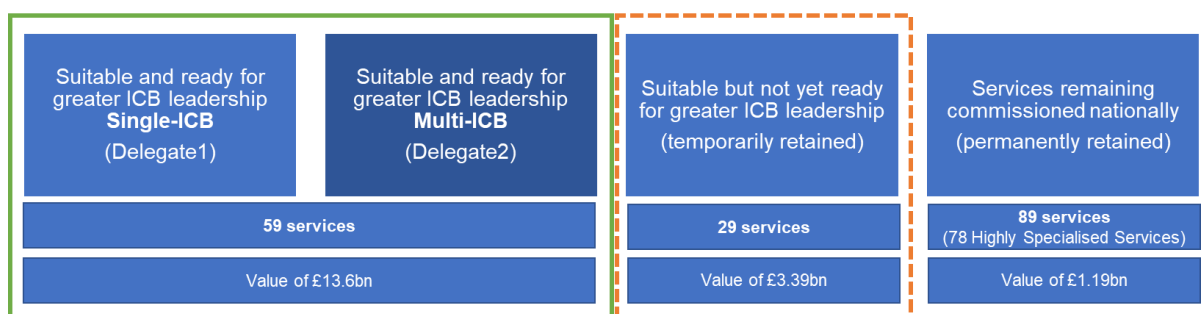
Report authorised by:	C Harris, Chief Operating Officer
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Integrated Care Board – 15 January 2025

Specialised Commissioning Delegation Arrangements – 1 April 2025

1.0 Introduction

- 1.1 The Health and Care Act 2022 (the Act) provided new powers for NHSE to delegate its direct commissioning functions to Integrated Care Boards (ICBs). Under delegation, whilst NHSE will retain overall accountability for the discharge of its responsibilities under the Act, the liability for the delegated functions shifts to ICBs as the bodies responsible for discharging them.
- 1.2 In February 2024, the NHS England Board approved plans to fully delegate the commissioning of appropriate specialised services to Integrated Care Boards (ICBs) in the East of England, Midlands and the North West regions of England from April 2024. These 59 services were identified in The Roadmap to integrate specialised services of care within Integrated Care Systems¹.
- 1.3 To support this, work was undertaken in the North West to support delegation of a 'segmentation of services' that are listed as being 'ready and suitable for ICS delegation'. This segmentation has examined the natural planning footprints for these services based on patient flows and categorised them as being suitable for decision making at single-ICS level; and those that will require multi-ICS collaboration across all three NW ICSs. The segmentation of services is described as follows:



- 1.4 At the March 2024 NHSE Board Meeting², a decision was taken on the list of 25 'amber' services that were suitable but not ready for delegation to ICBs in 2024/25. A decision was taken on to either delegate the service to ICBs from April 2025 or to retain the commissioning responsibility within NHS England permanently. The proportion of spend for services that have either been

¹ [PAR1440-specialised-commissioning-roadmap-addendum-may-2022.pdf \(england.nhs.uk\)](#)

² [NHS England » Specialised Commissioning – update on specialised services for delegation](#)

delegated or are ready for ready for delegation is around 60% of the total Specialised Services spend. A full list of services within the scope of delegation from April 2025 is included at Appendix 2.

- 1.5 To enable support the delegation of specialised services, a GM Specialised Commissioning Oversight Group and North West Specialised Services Joint Committee has been established to carry out strategic decision-making, leadership and oversight functions relating to the commissioning of specified Delegated Services.

2.0 The NW Specialised Commissioning Hub

- 2.1 A national operating model has been developed to ensure:
- Geographically-facing hubs will be established to coordinate provider relationships consistently between Delegated and Retained Specialised Services and will be a vehicle for engaging/consulting ICBs on retained commissioning issues.
 - Only NHS England employees will be able to access NHS England systems (including the Ledger)
 - Only NHS England employees will be able to take decisions that commit NHSE resources
 - The assurance of delegated specialised commissioning will only be done by people that do not deliver delegated commissioning activities.
 - The resource required for delivering retained specialised commissioning will remain with NHS England is identified.
- 2.2 To reduce duplication (e.g. contract building), staff will work as a team to ensure that single staff members can undertake commissioning tasks for both retained and delegated elements across the NW regional. The Hub will deliver a shared service to the three NW ICB. The quality team for the hub will contribute the specialised service dimension into local ICB quality processes e.g. RQR; SQG etc. Service-specific knowledge and expertise will be shared across both delegated and retained portfolios. However, NHS England NW Region will host a separate Finance Team that will manage the budgets for retained Specialised Services for the North West and North East and Yorkshire regions.
- 2.3 Work has been undertaken to determine and consult on which roles and individuals will be in scope to transfer to the ICBs and which roles and individuals will be in scope to remain with NHS England. Formal outcome of consultation notifications letters were sent to staff on 2 December 2024.

3.0 Finance and Contractual Arrangements

- 3.1 The ICB will receive direct allocations to commission specialised services for its population. The NW Specialised Commissioning Hub will provide a financial management service for this allocation. The Hub will work with the ICBs to develop and agree a financial plan. Key Financial Issues will be discussed and agreed through the finance sub-group. All Financial decisions will be agreed in line with each ICBs financial governance for single ICB services. For those multi ICB services financial decisions will be agreed via the joint commissioning committee. The hub will monitor and report delivery of this plan into the ICBs. The hub will prepare financial schedules to support payments for specialised commissioning services. All payments are agreed and approved by the ICBs.
- 3.2 It has been agreed via the North West Finance sub-group that from April 2025, contracting for delegated services along with retained specialised services and other NHS England non specialised services (health and Justice, Armed Forces and Section 7a) will be included within the ICB contract. Work has commenced with the regional contract leads to set out an operating model to support these arrangements with the hub continuing to undertake contract negotiation and management of the specialised elements of the contract whilst minimising duplication where appropriate. To support these arrangements although not mandated, it is also proposed that Collaborative Commissioning Agreements (CCA) are agreed. CCA's set out clear responsibilities for parties to the contract.

4.0 The Delegation agreement

- 4.1 In April 2024, the three NW ICB's implemented delegated arrangements using the specialised services delegation agreement. The Delegation Agreement enacts the delegation and transfers statutory commissioning responsibility for delegated specialised services from NHSE to each individual ICB. The NW Delegation Agreement allowed all three ICBs to form multi-ICB arrangement and support the NW Specialised Commissioning hub.
- 4.2 Since the delegation agreement was finalised, further development work across the programmes preparing for delegation of the remaining services, functions and remaining ICBs, means that it is necessary to vary the existing delegation agreements in advance of April 2025.
- 4.3 The list of areas that have required amendment are:
- NHS England Core Design Principles.
 - Functions relating to Mental Health, Learning Disability and Autism Specialised Services.

- Commissioning and optimisation of high cost drugs.
- Complaints functions.
- Updated definition of population.
- Clarify NHS England responsibilities for specialised top-up payments.
- Contracting Standard Operating Procedure.
- Minor corrections.
- Updated list of delegated specialised services for April 2025.
- Schedule 6: further information governance, sharing and processing provisions.

4.4 The variation proposal presented at Appendix 1. This document contains the amendments that are required to the delegation agreement to comply with Clause 26 (variations) of the existing agreement.

Recommendations

The Integrated Care Board is asked to:

- Approve the variation to the Delegation Agreement set out in Appendix One
- Note the update on the creation of the NW Specialised Commissioning Hub Shared service within the NW region.
- To note the proposed payment arrangements set out in paragraph 3.1.

Louise Sinnott

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January 2025**