

## ***Delegated Decisions by Cabinet Member for Adult Social Care***

***Thursday, 30 March 2023 at 3.00 pm  
County Hall, New Road, Oxford, OX1 1ND***

Please note that due to guidelines imposed on social distancing by the Government the meeting will be held virtually.

If you wish to view proceedings, please click on this [Live Stream Link](#)  
However, that will not allow you to participate in the meeting.

### ***Items for Decision***

The items for decision under individual Cabinet Members' delegated powers are listed overleaf, with indicative timings, and the related reports are attached.

Copies of the reports are circulated (by e-mail) to all members of the County Council.

### **These proceedings are open to the public**



Martin Reeves  
Chief Executive

March 2023

*Committee Officer:*                    **Committee Services**  
*E-Mail:* [committeesdemocraticservices@oxfordshire.gov.uk](mailto:committeesdemocraticservices@oxfordshire.gov.uk)

**If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.**

## Items for Decision

### 1. Declarations of Interest

### 2. Questions from County Councillors

Any county councillor may, by giving notice to the Proper Officer by 9 am two working days before the meeting, ask a question on any matter in respect of the Cabinet Member's delegated powers.

The number of questions which may be asked by any councillor at any one meeting is limited to two (or one question with notice and a supplementary question at the meeting) and the time for questions will be limited to 30 minutes in total. As with questions at Council, any questions which remain unanswered at the end of this item will receive a written response.

Questions submitted prior to the agenda being despatched are shown below and will be the subject of a response from the appropriate Cabinet Member or such other councillor or officer as is determined by the Cabinet Member, and shall not be the subject of further debate at this meeting. Questions received after the despatch of the agenda, but before the deadline, will be shown on the Schedule of Addenda circulated at the meeting, together with any written response which is available at that time.

### 3. Petitions and Public Address

*Members of the public who wish to speak at this meeting can attend the meeting in person or 'virtually' through an online connection.*

*Requests to speak must be submitted by no later than 9am four working days before the meeting. Requests to speak should be sent to [committeesdemocraticservices@oxfordshire.gov.uk](mailto:committeesdemocraticservices@oxfordshire.gov.uk).*

*If you are speaking 'virtually', you may submit a written statement of your presentation to ensure that if the technology fails, then your views can still be taken into account. A written copy of your statement can be provided no later than 9 am 2 working days before the meeting. Written submissions should be no longer than 1 A4 sheet.*

### 4. Section 75 agreement between BOB-ICB and OCC (Pages 1 - 82)

*Cabinet Member: Adult Social Care*

*Forward Plan Ref: 2023/082*

*Contact: Ian Bottomley, Lead Commissioner Age Well Support,*

*[ian.bottomley@oxfordshire.gov.uk](mailto:ian.bottomley@oxfordshire.gov.uk)*

Report by Interim Corporate Director for Adult Social Care (**CMDASC4**).

The Cabinet Member for Adult Social Care is asked to

a) Approve

- i. the Agreement of a s75 NHS Act 2006 pooled commissioning budget with Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board from 1 April 2023. The draft Agreement is attached as Annex 1.
  - ii. delegation to Corporate Director of Adult Services and the Council s151 Officer to finalise the Agreement prior to signature in line with the Council's scheme of delegation
  - iii. the financial contributions as set out at paragraph 10 and the risk share set out at paragraph 30.
- b) Note
- i. The Agreement will commence on 1 April 2023. It has been approved for completion by the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board at its meeting on 21 March 2023. The Agreement replaces that dating from 1 April 2013 with the former Oxfordshire Clinical Commissioning Group
  - ii. The Agreement gives authority to, and binds, the Council and the ICB to pool financial and other resources to deliver better outcomes for the people of Oxfordshire. The Agreement extends the approach to integrated commissioning led by the Council on behalf of the partners and will support the further development and implementation of partnership working in Oxfordshire. The Agreement incorporates the Better Care Fund for Oxfordshire.
  - iii. the governance arrangements for the new s75 Agreement
  - iv. that any future development of the s75 Agreement which proposes an expansion of strategic scope, and the relevant budgets may require wider public consultation

The new agreement will commence on 1 April 2023. It has been agreed by the Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board at its meeting on 21 March 2023. The new agreement replaces that dating from 1 April 2013 with the former Oxfordshire Clinical Commissioning Group

The s75 agreement gives authority to the Council and the ICB to pool financial and other resources to deliver better outcomes for the people of Oxfordshire. The new agreement extends our approach to integrated commissioning led by the Council on behalf of the partners and will support the further development and implementation of partnership working in Oxfordshire. The agreement incorporates the Better Care Fund for Oxfordshire.

## **Councillors declaring interests**

### **General duty**

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed 'Declarations of Interest' or as soon as it becomes apparent to you.

### **What is a disclosable pecuniary interest?**

Disclosable pecuniary interests relate to your employment; sponsorship (i.e. payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

### **Declaring an interest**

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

### **Members' Code of Conduct and public perception**

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member 'must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself' and that 'you must not place yourself in situations where your honesty and integrity may be questioned'.

### **Members Code – Other registrable interests**

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your other registerable interests then you must declare an interest. You must not participate in discussion or voting on the item and you must withdraw from the meeting whilst the matter is discussed.

Wellbeing can be described as a condition of contentedness, healthiness and happiness; anything that could be said to affect a person's quality of life, either positively or negatively, is likely to affect their wellbeing.

Other registrable interests include:

- a) Any unpaid directorships
- b) Any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority.

- c) Any body (i) exercising functions of a public nature (ii) directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management.

### **Members Code – Non-registrable interests**

Where a matter arises at a meeting which directly relates to your financial interest or wellbeing (and does not fall under disclosable pecuniary interests), or the financial interest or wellbeing of a relative or close associate, you must declare the interest.

Where a matter arises at a meeting which affects your own financial interest or wellbeing, a financial interest or wellbeing of a relative or close associate or a financial interest or wellbeing of a body included under other registrable interests, then you must declare the interest.

In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied:

Where a matter affects the financial interest or well-being:

- a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.