



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

CABINET

Thursday, 8 September 2022

Report of the Director - Public Health

**Development of a partnership approach to the commissioning of
physical activity provision in Derbyshire**
(Cabinet Member for Health and Communities)

1. Divisions Affected

1.1 Countywide

2. Key Decision

This is a key decision because it is likely to result in the Council incurring expenditure which is, or savings which are significant having regard to the budget for the service or function concerned (this is currently defined at £0.500m) and is likely to be significant in terms of its effect on communities living or working in an area comprising two or more electoral areas in the County.

3. Purpose

3.1 The purpose of this report is to seek approval from Cabinet to change the grant funding of physical activity interventions to a commissioned approach which secures best value and outcomes for the resources invested.

3.2 Cabinet is asked to approve:

- a) The development of a partnership agreement that will achieve the aims and objectives of the Council by the most effective means, by

developing a more integrated approach to physical activity across the county with a more varied offer of activities and increased choice for the resident.

- b) Derbyshire County Council entering into negotiations to develop a partnership agreement (as outlined in the [Councils Financial Regulations](#), pages 111 to 115) with Active Partners Trust (A Charitable Trust that delivers Active Derbyshire and Active Nottinghamshire, the primary local delivery partner for Sport England), and current providers, district and borough councils and SHIFT, who deliver Exercise by Referral, Walk Derbyshire, a programme for Looked after Children and Jog Derbyshire.
- c) Following legal advice, Derbyshire County Council Public Health negotiating a partnership agreement which will involve all parties for the first year to ensure that a new model of services is developed, and all legal requirements are met. With the intention to move towards a sole provider model in year two with Active Derbyshire becoming the lead commissioning body. We will be working closely with legal colleagues to ensure the partnership agreement is in-line with policy.
- d) Agrees that the Director of Public Health approves the associated service specification and partnership agreement.

4 Information and Analysis

4.1 Background

There are nine grant agreements in place with district and borough councils and SHIFT, totalling £0.500m per year which are funded by the Public Health Grant, and have been renewed on a regular basis. Changes to the Council's grant policy means that it is not possible to maintain the current provision via grant funding. It is the intention to develop a lead provider model through a partnership agreement to ensure longer term investment in services.

- 4.2 A grant agreement is also in place with Active Derbyshire, totalling £0.312m for the period 1 April 2020 to 31 March 2023, which is funded through the Public Health Place budget for them to support the public health priority of increasing physical activity levels across Derbyshire and to lead the strategic direction, informing delivery and joining the physical activity system across the county. This agreement will finish in March 2023 and therefore the intention is to align this with the partnership agreement.

4.3 Current position

In December 2021 Cabinet approved a report, Investment in Physical Activity Programmes, (9 Dec 2021, Ref D232) to extend the current physical activity grant funding for Exercise by Referral, Walk Derbyshire and Active Fostering services delivered by district and borough councils from 1 April 2022 to 31 March 2023 and the grant funding for Jog Derbyshire delivered by SHIFT for the same period. This was to enable sufficient time for a new, more integrated commissioning model to be developed whilst maintaining the provision of these current services, supporting Derbyshire residents to become more physically active.

4.4 The drivers for the single partnership agreement and lead provider model are to:

- Meet the Council's financial regulations and provide long term commissioning rather than short term grant funding.
- Ensure commissioning intentions are in line with strategic objectives for increasing physical activity and reducing rates of inactivity in line with the Move More Strategy, which is the county strategy for physical activity, that was launched in October 2021. The strategy aims to address inequalities and empower everyone to be active in ways that works for them.
- Deliver a more integrated approach to physical activity across the county.
- Provide more sustainable opportunities, enable a simpler customer experience and empower residents to choose the physical activity that suits them.
- Create a fair and consistent offer for residents, which ensures value for money.
- Enhance monitoring and reporting mechanisms by ending nine individual grant agreements and putting in place one single partnership agreement, which can be contract managed.
- Develop an outcome based physical activity service which will require Active Derbyshire to target those who are most in need and least active and provide greater choice for the individual.

- Align the strategic lead for physical activity and the Walk Derbyshire investment funding in developing a whole system approach to walking and physical activity.
- Engage new partners as part of a whole system approach to physical activity as well as making best use of existing estate.
- Provide more secure, longer-term investment in physical activity through a partnership agreement for a minimum of five years.

4.5 A review of current physical activity services is underway. However, demonstrating how well each of the current services has performed is challenging as the recent monitoring data is for the period when Covid-19 restrictions were in place including when all leisure centres were closed.

4.6 Widening inequalities, driven by Covid-19, mean that the number of inactive people is rising.

4.7 The current physical activity system in Derbyshire is complex and often does not link up. Residents have to navigate multiple entry points to access activities. A new model will provide an opportunity to connect and integrate the system by sharing the use of resources and forging new relationships and ways of working.

4.8 Since the inception of the programme, Exercise by Referral is a 12-week programme for inactive adults with specific health conditions including those who have had a heart attack, have chronic obstructive pulmonary disease (COPD) and/or diabetes. More recently cancer and Long Covid have been added to the inclusion criteria. Between 1 January 2021 and 31 December 2021 there were 1,931 referrals to the service across the county which includes periods of Covid-19 lockdown when leisure centres were closed. The average across the county is for 24% of those who start the Exercise by Referral to complete the 12-week programme.

This is lower than a review of the Northumberland Exercise by Referral Scheme (2013) which showed that there was a 53.5% adherence rate at 12 weeks.

4.9 Walk Derbyshire is a network of led walks that support people to lead more active lives within their local communities. From September 2018, funding has focussed on growing the network of supported walks for inactive people across Derbyshire. In December 2019, there were 108 Walking groups operating across Derbyshire, supporting those new to

walking, as well as those wishing to progress to more strenuous walks. Covid-19 caused disruption to the walking groups, but many people continued to walk on their own or with a friend or family member. Once Covid-19 restrictions were lifted, groups have been reinstated. These groups and walk coordinators will work closely with the new Walk Derbyshire programme and Active Neighbourhoods Pilot, funded through the Public Health Investment Fund as part of the whole system approach to walking.

- 4.10 Active Fostering supports initiatives to engage Looked After Children and their families in physical activity, including free access to leisure centres. Approximately 300 fostering households in Derbyshire have a leisure pass which is approximately 85% of all fostering households. (2020)
- 4.11 Jog Derbyshire works with people in communities to support them to become more active through jogging. The groups cater for everyone, regardless of age or ability, and are all led by qualified jog leaders. Many groups link with GP surgeries and workplaces and there are currently 65 jog sessions delivered across the county.
- 4.12 Current reporting mechanisms for these services are based on regular meetings with each provider who report on performance against a service specification. It is difficult to assess if there is equitable access to services. A partnership agreement would help the Council achieve greater value for money, maintain a risk register, ensure financial compliance and that performance management is more robust.

5 Consultation

- 5.1 If Cabinet approval is granted to agree a partnership agreement, formal consultation will take place with Active Derbyshire and current providers. A detailed service specification will be drafted and agreed.

6 Alternative Options Considered

- 6.1 Do nothing and allow the current grant agreements to expire. Notice would need to be served and the current provision would cease, leaving a gap in services.

7 Implications

- 7.1 Appendix 1 sets out the relevant implications considered in the preparation of the report.

8. Background Papers

8.1 Cabinet paper – [Investment in population nutrition and activity programmes 9 July 2020](#)

8.2 Cabinet paper – [Investment in Physical Activity Programmes 9 December 2021](#)

9. Appendices

9.1 Appendix 1 sets out the implications considered in the preparation of this report.

10. Recommendation(s)

Cabinet is asked to approve the approach to Public Health physical activity provision as set out in this paper:

- a) Derbyshire County Council Public Health entering negotiations to develop of a partnership agreement (as outlined in the [Council's Financial Regulation's](#), pages 111 to 115) with Active Partners Trust, and current providers, district and borough councils and SHIFT, who deliver Exercise by Referral, Walk Derbyshire, a programme for Looked after Children and Jog Derbyshire.
- b) The development of a partnership agreement to achieve the aims and objectives of the Council by the most effective means and to improve service delivery by maximising and sharing the use of resources and forging new relationships and ways of working.
- c) The negotiation of a partnership agreement which will involve all parties for the first year to ensure that a new model of services is developed, and all legal requirements are met. With the intention to move towards a sole provider model in year 2 with Active Partners Trust (Active Derbyshire) becoming the lead commissioning body.
- d) Agrees that the Director of Public Health approves the associated service specification and partnership agreement.

11. Reasons for Recommendation(s)

11.1 Developing a partnership agreement will ensure:

- Commissioning intentions are in line with strategic objectives for increasing physical activity, reducing rates of inactivity and offer more choice and better value for money.
- Support and enable the development of a more integrated approach to physical activity across the county with a more consistent offer in each district.
- The development of a broader and more sustainable offer of activities, which will be based on need.
- Simpler and clearer pathways into physical activity increasing uptake.
- Better and more equitable access to services for residents across Derbyshire.
- Facilitate enhanced monitoring and reporting mechanisms by replacing ten individual grant agreements with a single partnership agreement.
- Stabilisation of the market through longer term commissioning of services by providing a minimum of five years investment which will support longer-term planning.

12. Is it necessary to waive the call-in period?

12.1 No

Report Author: Angela Kirkham
(Public Health Lead)

Contact details: angela.kirkham2@derbyshire.gov.uk

Implications

Financial

- 1.1 The cost of the current grant agreements with district and borough councils and SHIFT is £0.500m per year which is funded by the Public Health Grant.
- 1.2 The cost of the current grant agreement with Active Derbyshire for the strategic lead is £0.312m for the period 1 April 2020 to 31 March 2023, which is funded through the Public Health Place budget.
- 1.3 Funding to develop services through a partnership agreement would be £0.664m per year, which would take effect from 1 April 2023.
- 1.4 Total funding to develop services through a partnership agreement is £3.320m for five year to be funded by the Public Health Grant and Public Health Place budget.
- 1.5 The annual budget is subject to open-book accounting to enable monitoring. Within the partnership agreement we will work towards a joint agreement on the open book accounting model. It is recommended that all payments will be paid monthly and on a block payment basis. The total budget will be subject to open-book accounting to monitor spend and efficiency. This will enable the partnership to monitor spend, ensuring best use of funding for patients and support system efficiency. We will agree the best model to use to monitor spend against service provision and meeting demand and ensure we receive value for money. Where underspend is monitored, opportunities for innovation will readily arise as well as greater alignment with the broader physical activity system.

Legal

- 2.1 The Council's Financial Regulations state that the approval of Cabinet must be obtained before any negotiations are entered into with regard to proposed partnership arrangements and that a risk assessment of the proposed partnership must be undertaken.
- 2.2 The partnership agreement will be in line with the Council's Financial Regulations which allows partnership working to achieve the aims and objectives of the Council by the most effective means, including to improve service delivery by maximising and sharing resources, the

desire to find new ways to share risk, the ability to access new resources and to forge new relationships.

- 2.3 The Director of Legal and Democratic Services will advise on the content of the partnership agreement and the partnership's constitution in accordance with the Council's Financial Regulations.

Human Resources

- 3.1 The funding will enable a single lead provider to deliver projects and services. Derbyshire County Council accepts no employment or future redundancy liability, with all employment and related matters to be managed by the provider.

Information Technology

- 4.1 N/A

Equalities Impact

- 5.1 N/A

Corporate objectives and priorities for change

- 6.1 Corporate objectives for change include:
- Increased physical activity improves both physical and mental well-being.
 - Prevention and early intervention: promoted by increasing physical activity.

Other

Risk Management

- 7.1 The Council's Financial Regulations set out certain controls and steps based on the production of a risk assessment. We will be working closely with legal colleagues to ensure the partnership agreement is in-line with this policy. Any risk will be managed by Public Health and reduced through ensuring the partnership agreement reduces risk to DCC
- 7.2 This is potentially a political sensitive decision. All eight district and borough councils are currently funded based on population and physical activity levels, to deliver exercise by referral, Walk Derbyshire (led

walks) and Looked After Children, as well as Jog Derbyshire. If this funding is changed and service delivery amended, it could impact upon future service delivery.