

Record of Urgent Decision

Board/Committee/Body on behalf of which decision made:

WY ICB Board

Decision Maker(s):

Name	Role
Cathy Elliott	ICB Board Chair
Jonathan Webb	Director of Finance / Deputy Chief Executive (deputising for Chief Executive)

Others Present:

Name	Role
Jane Madeley	Non-Executive Member
Adrian North	Deputy Director of Finance
Karen Jackson	Partner Member: Community Services

Director Lead:

Jonathan Webb, Director of Finance / Deputy Chief Executive

Subject:

2023/24 financial position and distribution of ICB surplus to NHS providers

Decision:

To approve the contract payment of £21.4m to West Yorkshire NHS providers from NHS West Yorkshire ICB on the basis this leads to an improvement in the reported and delivered financial positions of NHS providers at the values set out in the paper; with an associated reduction in the reported position of the ICB (which will mean that the ICB as a statutory organisation does not deliver its financial plan). For clarity, this payment does not lead to additional spending power of NHS providers.

Details and Rationale:

The decision related to how the NHS West Yorkshire ICB financial position for 2023/24 should be managed, and the associated transactions to support this.

The proposition highlighted in the paper was similar to the approach taken recently by NHSE whereby non-recurrent allocations had been provided to all systems submitting deficit plans in 2023/24, with the expectation that this be passed to providers.

The approach and proposal had been tested with

members of the Board, Directors of Finance and with NHSE. No adverse regulatory consequences have been highlighted on the proviso that the system is in balance. KPMG had also been sighted on the approach and proposal and it had been confirmed that this approach was similar to that being taken by systems across the country and no concerns had been raised.

There had been in-depth discussion at WY ICS Finance Forum around the approach to distributing the allocation and broad agreement on the methodologies to be utilised had been reached.

Following discussion about the element of the proposal which noted the ability of organisations to reallocate the surplus to others (which was allowable under the approved financial framework), it was suggested that further oversight was required of the financial position of organisations after distribution.

The proposal set out in the paper was approved in principle, subject to further oversight of the financial position of organisations following distribution of the surplus. This was concluded on 15 March 2024 with email confirmation from Chair to Director of Finance.

For clarity, this is the context of a balanced system position, and the contract payments agreed between NHS providers just re-state reported surplus and deficit position with no net gain or loss. There is no new resource available for any organisation to spend.

Any Relevant Implications (Quality/Safety, Engagement/Equality, Resources/Finance, Data Protection, Risk, Legal/Constitutional, Conflicts of Interest etc):

As set out in the report

**Report attached? Y/N
Public/Private?
If private, give reason(s):**

N (available on request)
Public
N/A

**Time and Date of Decision:
Decision Recorded by:**

12.00pm, Thursday 14 March 2024	
Name	Role
Stacey Fleming	Governance Manager

Meeting name:	NHS West Yorkshire ICB Board Meeting
Agenda item no.	25b (Any Other Business)
Meeting date:	Tuesday 19 th March 2024
Report title:	2022-23 Mental Health Investment Standard Compliance
Report presented by:	Jonathan Webb, Director of Finance
Report approved by:	Jonathan Webb, Director of Finance
Report prepared by:	Robert Willis, Interim Associate Director of Financial Governance Simon Rowe, Head of Contracting

Purpose and Action			
Assurance <input type="checkbox"/>	Decision <input checked="" type="checkbox"/> (approve/recommend/ support/ratify)	Action <input type="checkbox"/> (review/consider/comment/ discuss/escalate)	Information <input type="checkbox"/>
Previous considerations:			
Executive summary and points for discussion:			
<p>The ICB is required to demonstrate that investment in Mental Health Services has increased in line with allocation growth which 2022-23 was an increase of 5.33%</p> <p>The Statement of Compliance highlights that the required target expenditure in the year 2022-23 of £449,357.00 was at a higher value of £451,740.00.</p> <p>The Board are asked to confirm the following in advance of the Chief Executive being asked to sign the Statement of Compliance and the Management Representation Letter which are shown in the Appendices.: -</p> <ol style="list-style-type: none"> The Mental Health Investment Standard Statement of Compliance has been prepared in accordance with the Audit of the Mental Health Investment Standard Briefing and supporting guidance. The financial information underpinning the Mental Health Investment Standard Statement of Compliance is reliable and accurate. There are proper internal controls over the preparation of the MHIS Statement of Compliance to ensure that mental health expenditure is correctly classified and included in the MHIS Statement of Compliance, and these controls are subject to review to confirm that they are working effectively in practice; and The Mental Health Investment Standard Statement of Compliance is free from material misstatement, whether due to fraud or error. <p>After Board approval and the signing of the Statement of Compliance and the Management Representation Letter, KPMG will issue their Assurance Statement which will be published on the ICB website later in the year as required by NHS England.</p>			
Which purpose(s) of an Integrated Care System does this report align with?			

<input checked="" type="checkbox"/> Improve healthcare outcomes for residents in their system. <input checked="" type="checkbox"/> Tackle inequalities in access, experience, and outcomes <input checked="" type="checkbox"/> Enhance productivity and value for money. <input type="checkbox"/> Support broader social and economic development
Recommendation(s)
<p>The Board is asked to:</p> <p>Review and approve the signing of the Statement of Compliance and Management Representation Letter indicating Board to indicate that NHS West Yorkshire ICB complied with the requirements of the Mental Health Investment Standard for 2022/23, incorporating spend by its predecessor CCGs in Quarter 1 of that year. The 2022/23 target spend was £449,357,000 and actual spend was £451,740,00.</p>
Does the report provide assurance or mitigate any of the strategic threats or significant risks on the Corporate Risk Register or Board Assurance Framework? If yes, please detail which:
Not applicable.
Appendices
<ol style="list-style-type: none"> 2022-23 MHIS Management Representation Letter (pre-signing) 2022-23 MHIS Statement of Compliance (Pre-signing)
Acronyms and Abbreviations explained
<ol style="list-style-type: none"> Not applicable.

What are the implications for?

Residents and Communities	Transparent and accountable decision-making
Quality and Safety	As above
Equality, Diversity and Inclusion	As above
Finances and Use of Resources	
Regulation and Legal Requirements	
Conflicts of Interest	
Data Protection	N/A
Transformation and Innovation	N/A
Environmental and Climate Change	N/A
Future Decisions and Policy Making	
Citizen and Stakeholder Engagement	

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West Parade
Wakefield, WF1 1LT

Email: rob.webster1@nhs.net

19 March 2024

James Boyle
KPMG LLP
1, St Peter's Square
Manchester
M2 3AE

(Sent via email)

Dear James

This representation letter is provided in connection with your reasonable assurance engagement regarding the Mental Health Investment Standard Statement of Compliance of NHS West Yorkshire ICB (the "ICB") for the year ended 31 March 2023. It is provided for the purpose of forming a conclusion, based on reasonable assurance procedures, on whether the Mental Health Investment Standard (MHIS) Statement of Compliance is in all material respects prepared in accordance with the NHS England publication '*Assurance Engagement of the Mental Health Investment Standard 2022/23*' under ISAE (UK) 3000 *Assurance Engagements Other than Audits or Reviews of Historical Financial Information*.

We confirm that, to the best of our knowledge and belief, having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves, that: the Mental Health Investment Standard Statement of Compliance is prepared in all material respects in line with the criteria set out in the NHS England publication the '*Assurance Engagement of the Mental Health Investment Standard Briefing for 2022/23*'.

The Board confirms that:

- a) The Mental Health Investment Standard Statement of Compliance has been prepared in accordance with the Audit of the Mental Health Investment Standard Briefing and supporting guidance;
- b) The financial information underpinning the Mental Health Investment Standard Statement of Compliance is reliable and accurate;
- c) There are proper internal controls over the preparation of the MHIS Statement of Compliance to ensure that mental health expenditure is correctly classified and included in the MHIS Statement of Compliance, and these controls are subject to review to confirm that they are working effectively in practice; and



d) The Mental Health Investment Standard Statement of Compliance is free from material misstatement, whether due to fraud or error.

This letter was tabled and agreed at the meeting of the Board Meeting on 19 March 2024.

Yours sincerely,

Rob Webster CBE
Chief Executive

NHS West Yorkshire Integrated Care Board
West Yorkshire Health and Care Partnership



Statement of Compliance

All ICBs were required to plan to achieve the Mental Health Investment Standard in 2022/23 when taking into account spend by their predecessor Clinical Commissioning Groups (CCG) in Q1, and ICBs were required to spend greater than or equal to the 2022/23 target spend number provided by NHS England.

As the Accountable Officer of NHS West Yorkshire ICB, I am responsible for the preparation of the Mental Health Investment Standard Compliance Statement (the “Statement”) for the year ended 31 March 2023 and for the financial information that forms the basis of the calculation on which the Statement is derived. This includes the design, implementation and maintenance of internal controls relevant to the preparation of the Statement to ensure that mental health expenditure is correctly classified and included in the calculations, and that the Statement is free from material misstatement, whether due to fraud or error.

To the best of my knowledge and belief I have properly discharged my responsibilities with regard to reporting against the Mental Health Investment Standard.

- a) I consider that NHS West Yorkshire ICB complied with the requirements of the Mental Health Investment Standard for 2022/23, incorporating spend by its predecessor CCGs in Quarter 1 of that year. The 2022/23 target spend was £449,357,000 and actual spend was £451,740,000.

Rob Webster CBE
Accountable Officer

NHS West Yorkshire ICB (the successor body of NHS Leeds CCG, NHS Bradford District and Craven CCG, NHS Wakefield CCG, NHS Kirklees CCG, NHS Calderdale CCG)

