

Birmingham City Council

Report to Cabinet

23 April 2024



Subject:	SMOKEFREE GENERATION SECTION 31 GRANT
Report of:	Dr Justin Varney – Director of Public Health
Relevant Cabinet Member:	Councillor Rob Pocock – Health and Social Care
Relevant O &S Chair(s):	Cllr Mick Brown - Health and Adult Social Care
Report author:	Becky Pollard – Assistant Director of Public Health Email: Becky.Pollard@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 011240/2023		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 The government has announced additional funding for local stop smoking services (LSSS) and support over the next five financial years, starting from 2024/25 until 2028/29.
- 1.2 In the financial year 2024/25, an additional £1,676,048 of funding will be provided to Birmingham City Council by the Office for Health Improvement and Disparities (OHID) through a new ringfenced Smokefree Generation Section 31 grant. This is in addition to the current public health grant allocation the council receives each

year. The current smoking cessation budget for 2023/24 is £1,453,986. A condition of this grant is that local authorities must maintain their existing spend on stop smoking services and maintain compliance with the reporting requirements for expenditure related to the stop smoking service by submitting quarterly reports to NHS Digital.

2 Recommendations

2.1 That Cabinet:

- 2.1.1 Approves the acceptance of the new Department of Health and Social Care Smokefree Generation Section 31 grant of £1,676,048 for the financial year 2024/25 to expand local stop smoking services and support.
- 2.1.2 Delegates the approval of the Commissioning/Procurement Strategy and Contract Award for the expansion of local stop smoking services and support post 31st March 2024 to the Cabinet Member for Health and Social Care in consultation with the Director of Public Health and the relevant Finance, Legal and Procurement officers.
- 2.1.3 Delegates authority to allocate the additional funding received as part of the Section 31 Grant from the Office for Health Improvement and Disparities (OHID) to in-house services, existing or new providers from 1st April 2024 to 31st March 2025 and any new yet to be announced OHID Grant Funding to the Cabinet Member for Health and Social Care. A grant agreement was signed by the Acting Director of Public Health in March 2024 confirming the funding allocation for Birmingham City Council and an acceptance of adherence to the grant conditions.
- 2.1.4 Authorises the Interim City Solicitor and Monitoring Officer (or their delegate) to negotiate, execute and complete all necessary documents to give effect to the above recommendations.

3 Background

- 3.1 In October 2023 the Government published the Stopping the Start command paper outlining a series of legislative and funding programmes to tackle smoking. This included a commitment to provide an additional £70m per year for local stop smoking services (LSSS) in England. The Government has committed to support LSSS with £70m additional funding for five years (2024/25 to 2028/29). The purpose of this investment is to support existing smokers to quit through evidence based behavioural support to quit. A Section 31 grant agreement covers the first 12 months of the programme. The funding allocation was calculated by multiplying the total £70m pot by the percentage of England's smokers who live in Birmingham City Council.
- 3.2 The Section 31 grant agreement for Birmingham City Council for Year One funding of £1,676,048 has been signed and returned to OHID on 8th March 2024 (See **Appendix 1**). The grant will be ringfenced for use on LSSS and support.

- 3.3 The grant will be paid in bi-annual instalments. Birmingham City Council is due to receive 70% of its annual grant of £1,173,233 in Quarter 1 (26th April 2024) and the final amount of £502,815 in Quarter 4.
- 3.4 The condition of the grant is that funding will be used for
- 3.4.1 Enhancing local authority commissioners stop smoking services and support, in addition to and while maintain existing spend on these services and support from the public health grant. It should not replace other/existing smoking cessation programmes.
 - 3.4.2 Build capacity to deliver expanded local stop smoking services and support.
 - 3.4.3 Build demand for local stop smoking services and support.
 - 3.4.4 Deliver increases in the number of people setting a quit date and 4 week quit outcomes, reporting outcomes in the Stop Smoking Services Collection.
- 3.5 The Department of Health and Social Care will financially monitor the grant on a quarterly basis using a supplied financial reporting template. A final statement of grant usage assurance form must be returned at the end of the financial year 2024/25. If the authority fails to comply with the conditions of the grant (see **Appendix 1**) the Secretary of State may reduce or withhold grant payments or require repayment of the whole or any part of the grant monies paid.
- 3.6 The current targets set for Birmingham City Council is to achieve 1,959 smokers setting a quit date in Year 1, 3,119 in Year 2, 6,602 in Year 3 and 7,762 in Years 4 and 5.
- 3.7 The Public Health Division was informed by the Department of Health and Social in early March this year of the agreement to allocate this new grant to the Authority. In preparation, a briefing paper was presented to the Cabinet Member for Health and Social Care on 1st February which set out key areas for proposed development in 2024/25 (See **Appendix 2**). These include:
- 3.7.1 Additional services: Increasing the local 'Swap to Stop' offer and provision of vapes to support smokers to quit.
 - 3.7.2 Advanced services: Increasing referrals from a range of settings, such as acute and primary care, mental health services, workplaces
 - 3.7.3 Enhancement of current services: Increasing provision of pharmacotherapies (including NRT), increasing smoking cessation adviser capacity across the system by training of local healthcare and community staff to deliver smoking cessation advice and referrals.
 - 3.7.4 Local system development: Strengthening existing collaborations with the NHS and other smoking cessation providers and streamline referral routes and developing new relationships with potential providers where needed.
 - 3.7.5 Marketing and communication campaigns: Developing a 'Gold' campaign to promote awareness of local services and motivate smokers to seek support, particularly focused on Birmingham's diverse communities.

- 3.7.6 Evaluation: Undertaking evaluation to understand the impacts of our proposed changes and learn from what works.

4 Options considered and Recommended Proposal

- 4.1 Do Nothing – do not accept the Section 31 grant to extend the current services, this would lead to a failure to provide services which are a condition of the Public Health Grant. This is not recommended.
- 4.2 Deliver the expanded services in-house alongside commissioning the market to deliver the outcomes within this financial year. This is recommended.

5 Consultation

- 5.1 We are actively seeking engagement and views from key stakeholders in how best to expand local stop smoking support services and support and will set up a Birmingham Smoking Cessation Task Group to achieve this. Consultation has taken place with the Birmingham and Solihull Integrated Care System.

6 Risk Management

- 6.1 The delivery of a Smoking Cessation Action Plan will be developed through a robust project management programme that includes the management and identification of risks that are tracked as part of the project delivery.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 The services in scope and associated contracts contribute to the three key areas of work as set out in the Birmingham City Council Plan 2022-26:

7.1.1.1. Employment, skills and local economy.

7.1.1.2. Health and Wellbeing.

7.1.1.3. Community resilience, cohesion and living standards.

- 7.1.2 The services in scope will contribute to the 4 core themes within the Birmingham Health and Wellbeing Strategy:

7.1.2.1. Mental Wellness and Balance

7.1.2.2. Active at Every Age and Ability

7.1.2.3. Contributing to a Green and Sustainable Future

7.1.2.4. Protect and Detect.

7.2 Legal Implications

- 7.2.1 The Health and Social Care Act 2012 and associated regulations transferred the responsibility for public health from the NHS to local authorities from April

2013. Smoking cessation services are not mandatory public health services, but the local authority has the power to provide community-based services to those who smoke to meet its requirement to reduce inequalities in health. Section 12 of the Health and Social Care Act 2012 introduced a new duty at Section 2B of the NHS Act 2006 Act for all upper-tier and unitary local authorities in England to take appropriate steps to improve the health of the people who live in their areas.

7.3 Financial Implications

7.3.1 The cost of the 1-year and subsequent yearly costs of the expansion of local stop smoking services and support will be funded through the ring-fenced Section 31 Grant that is received by the Council. There is no additional funding required from the Council.

7.4 Procurement Implications (if required)

7.4.1 The procurement proposal for any new contract variations or contracts will be fully compliant with the new Provider Selection Regime (PSR).

7.4.2 The contracts will be managed by the Public Health Adults Team and Commissioning Team within the Adult Social Care Directorate. As part of ongoing contract management providers will be required to update their Social Value Action Plan to include new targets for their plan for further service delivery.

7.5 Human Resources Implications (if required)

7.5.1 The Public Health Adults Team will seek to appoint a fixed term Senior Programme Manager to oversee and support the expansion for local stop smoking support services and support.

7.6 Public Sector Equality Duty

7.6.1 See **Appendix 3** Equality Impact Assessment (EIA000404) completed for Smokefree Generation Section 31 grant which will be reviewed on 1st July 2024 once plans have been further developed to enhance local stop smoking services and support.

7.7 Environmental and Sustainability Implications

7.7.1 See **Appendix 4** for Environmental and Sustainability Impact Assessment completed for Smokefree Generation Section 31 grant. This will be reviewed once further work has been completed on proposed plans.

8 Appendices

8.1 **Appendix 1** – Local Stop Smoking Service and Support Grant Agreement 2024-2025

- 8.2 **Appendix 2** – CMB Report – Information briefing 1st February 2024 ‘Proposals for spend of Smokefree Generation Section 31 Grant and Swap to Stop grant 2024/25 from Department of Health and Social Care.
- 8.3 **Appendix 3** - Equality Impact Assessment (EIA000404) Smokefree Generation Section 31 Grant
- 8.4 **Appendix 4** – Environmental and Sustainability Impact Assessment for Smokefree Generation Section 31 Grant

9 Background Documents

- 9.1 <https://www.gov.uk/government/publications/local-stop-smoking-services-and-support-additional-funding/local-stop-smoking-services-and-support-guidance-for-local-authorities>
- 9.2 <https://www.gov.uk/government/publications/local-stop-smoking-services-and-support-additional-funding/local-stop-smoking-services-and-support-funding-allocations-and-methodology>