

Title of meeting: Health & Social Care Cabinet

Date of meeting: 23 March 2018

Subject: S75 Partnership Agreements between Portsmouth City Council and Portsmouth Clinical Commissioning Group

Report by: Suzannah Rosenberg

Wards affected: All

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1 To provide the rationale for an extension of the S75 agreement for integrated health and social care commissioning for vulnerable adults for a further term of 3 years until 31 March 2021.

2. Recommendations

- 2.1 The Cabinet Member for Health & Social Care approve the deed of variation to extend the term of the S75 agreement for a period of 3 years until 31 March 2021.

3. Background

- 3.1 Portsmouth City Council and Portsmouth CCG have been partners in a S75 agreement for integrated health and social care commissioning for vulnerable adults since 2013.
- 3.2 These arrangements take the form of a team of commissioning staff from both organisations under a single line management structure. The partners contribute equally to a pooled fund of £609k (18/19 values) supports the employment of these staff.
- 3.3 The agreement is governed by a Partnership Management Group which includes membership from senior finance leads from both organisations, PCC's Chief Executive and the PCCG's Chief Operating Officer.
- 3.4 The PMG has oversight of the pooled fund and the Integrated Commissioning Service's work programme.

4. Reasons for recommendations

4.1 The extension of integrated commissioning arrangements continues to support both partners' strategic objectives to commission high quality integrated services across health and care which provide value for money and effective deployment of commissioning staff.

5. Equality impact assessment

5.1 An EIA is not required as this is a business arrangement to commission services which has no disproportionate impact on people with protected characteristics. Any services commissioned as a result of this arrangement will be subject to an EIA.

6. Legal implications

6.1 Section 75 of the NHS Act 2006 (the "Act") allows local authorities and NHS bodies to enter into partnership arrangements to provide a more streamlined service and to pool resources, if such arrangements are likely to lead to an improvement in the way their functions are exercised.

6.2 Section 75 of the Act permits the formation of a pooled budget made up of contributions by both parties out of which payments may be made towards expenditure incurred in the exercise of both prescribed functions of the NHS body and prescribed health-related functions of the local authority. The legislation precludes CCGs from delegating any functions relating to family health services, the commissioning of surgery, radiotherapy, termination of pregnancies, endoscopy, the use of Class 4 laser treatments and other invasive treatments and emergency ambulance services. For local authorities, the services that can be included within section 75 arrangements are broad in scope although a detailed exclusions list is contained within Regulation 6 of the NHS Bodies and Local Authorities Partnership Arrangements Regulations 2000.

6.3 The proposed extension of the established agreement between the parties in relation to health and social care commissioning is within the remit of the legislation.

7. Finance comments

7.1 There are no additional financial implications arising from the recommendation contained within this report, as it seeks to continue the existing arrangements, as set out within the s.75 agreement.

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Signed by: Innes Richens Date: 14.3.2018

Appendices:

S75 Agreement dated 1 April 2013

Deed of Variation to extend S75 Agreement

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/
rejected by on

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Signed by:

