

Title of meeting: Cabinet Member for Health and Social Care

Date of meeting: 23rd March 2018

Subject: Adult Mental Health Section 75 Extension

Report by: Service Manager Mental Health, Safeguarding and Carers Services

Wards affected: All

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1 To seek approval of the Cabinet Member for Health and Social Care to extend the section 75 agreement for the Integrated Adult Mental Health Service (AMH)

2. Recommendations

- 2.1 The Cabinet member agrees to the extension of the current AMH s75 Agreement for a period of one year, until 1st July 2019.

3. Background

- 3.1 The AMH social work element of the integrated mental health service , operates under a Section 75 Lead Provider arrangement with Solent NHS Trust as the lead provider, delivering the requirements set out in the Care Act 2014 to people in Portsmouth whose primary needs are linked to their mental health. Solent NHS Trust have direct line management responsibility for PCC staff, and staff are co-located with their NHS colleagues and based at St Mary's Hospital in Portsmouth.
- 3.2 Under the partnership agreement PCC contract with Solent NHS Trust for an agreed staffing establishment and associated costs with clear outcomes. Solent NHS Trust have the delegated responsibility, as the lead provider for delivery of the social work element of AMH services. Quarterly meetings of the Partnership Management Group are held to monitor the effectiveness of the arrangements.
- 3.3 The current agreement, which commenced November 2013, was set to run for three years and expired in 2016. For 16/17 and for 17/18 it was agreed the current arrangements would be extended for those years. It is recognised that the agreement does not reflect the changes brought in with the Care Act 2014 and that it needs to be rewritten. It was agreed by the Deputy Director of Adult

Social Care that for 18/19 an addendum would be agreed to ensure the requirements of the care act were clearly articulated. Performance indicators and outcome measures would also be refreshed along with confirmation of the resource provided by PCC to Solent NHS to deliver the service. During 18/19 the agreement will be re-written along with the service specification to ensure it is fit for purpose, delivering the requirements of the Care Act, on behalf of PCC.

- 3.4 The s75 partnership agreement is overseen and monitored by Adult Social Care, through Partnership Management Group meetings.

4. Reasons for recommendations

- 4.1 Having an integrated service, made up of a range of professional s across different disciplines sitting under one line management structure allows for a coordinated multi-agency planning to meet the needs of people with mental health difficulties.

- 4.2 The extension of the existing s75 agreement will ensure continuity of service delivery, acknowledging that some amendments are required to ensure it complies with the requirements of the Care Act 2014.

5. Equality impact assessment

- 5.1 An assessment is not required as the decision will have no negative impact on the protected characteristics. This is an extension of an already existing service for people with mental health. There will be no change to the service therefore no change for the clients accessing the service this will just ensure continuity for clients with a mental health issue.

6. Legal implications

- 6.1 Section 75 of the NHS Act 2006 allows local authorities and NHS bodies to enter into partnership arrangements to provide a joined service and pool resources, if such arrangements are likely to lead to an improvement in the way their functions are exercised.
- 6.2 The arrangements permissible between the Council and NHS bodies under section 75 include the provision as well as the commissioning of integrated services.
- 6.3 As part of the arrangement, to enable Solent NHS Trust to provide the integrated services, PCC staff are made available to the Trust under section 113 of the Local Government Act 1972. These arrangements will continue during the extended term of the s75 Agreement.
- 6.4 The provisions of the original section 75 Agreement for AMH enable the parties to extend its duration by agreement between them and also to agree any varied or updated terms and conditions that may be required.

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:
Andy Biddle, Acting Deputy Director Adult Services

Appendices: 1) Section 75 Agreement dated 15th November 2013 between PCC and Solent NHS Trust.

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: