

**Title of meeting:** Cabinet Member for Health and Social Care

**Date of meeting:** 23<sup>rd</sup> March 2018

**Subject:** Learning Disabilities Section 75 Agreement Extension

**Report by:** Andy Biddle, Deputy director Adult Services (Acting)  
Dominic Dew, Integrated commissioning Service

**Wards affected:** All

**Key decision:** No

**Full Council decision:** No

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**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 Learning Disability Service (ILDS).

**2. Recommendations**

2.1 The Cabinet member agrees to the extension of the current Learning Disability s75 Agreement for a period of three years to 31 March 2021.

**3. Background**

3.1 The ILDS operates under a Section 75 Lead Provider arrangement with Portsmouth City Council (PCC) as the lead provider of both Health and Social Care to people with a learning disability (with or without Autism), with both services acting as a single integrated service hosted by PCC.

3.2 Under the partnership agreement PCC contract with Solent NHS Trust for an agreed staffing establishment and associated costs with clear outcomes. PCC are accountable as the lead provider for delivery of the ILDS service specification and the Health and Social Care outcomes measures.

3.3 The current agreement, which commenced April 2014, expires at the end of March 18 and a new contract is currently being drafted for the next 3 years following agreement by the Learning Disability Partnership Management Group. This was agreed on 8th December 2017 by this group chaired by the Assistant Director of Adult Social Services.

3.4 Portsmouth Clinical Commissioning Group (CCG) expenditure for the provision of the ILDS Health service is £1.657m per annum.

3.5 The s75 partnership agreement is overseen and monitored by the Integrated Commissioning Service (ICS).

#### **4. Reasons for recommendations**

4.1 It is estimated that approximately 4,594 people (across all age ranges) in Portsmouth have a learning disability. The ILDS service is actively involved with the care and support of around 700 of these individuals having a hugely positive impact on individuals' health and wellbeing, helping them to stay well cared for, healthy and as independent as possible.

4.2 The extension of the existing s75 agreement will ensure continuity to the current health and social care work programmes and staffing for adults with a learning disability.

4.3 The health element of the ILDS was rated as 'Outstanding' by CQC in November 2016.

#### **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 learning disabilities.

5.2 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 learning disability.

#### **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 current 75 Agreement allows the parties to agree in writing to extend it for whatever period they wish beyond the initial term of 3 years, subject to the approval of the Partner's board.

#### **7. Director of Finance's 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:

**Appendices:** 1) Section 75 Agreement dated 1st April 2014 between PCC and Solent NHS Trust, 2) Integrated Learning Disability Service Specification (revised Feb 2018)

**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: