

Dated: _____ 2018

PORTSMOUTH CITY COUNCIL

And

PORTSMOUTH CLINICAL COMMISSIONING GROUP

DEED OF AGREEMENT:

**VARIATION OF AN AGREEMENT MADE UNDER SECTION 75 OF THE NHS ACT
2006 RELATING TO THE COMMISSIONING OF HEALTH AND SOCIAL CARE
SERVICES IN SUPPORT OF THE BETTER CARE PROGRAMME**

THIS AGREEMENT is made this day of 2018

BETWEEN

(1) **PORTSMOUTH CITY COUNCIL**, of Civic Offices, Guildhall Square, Portsmouth, Hampshire PO1 2AL (the "**Council**").

AND

(2) **PORTSMOUTH CLINICAL COMMISSIONING GROUP** of 4th Floor, 1 Guildhall Square, Portsmouth PO1 2GJ (formerly of Trust Headquarters, St. James' Hospital, Locksway Road, Milton, Portsmouth) (the "**CCG**")

together referred to as the "**Partners**"

WHEREAS:

(A) This Deed of Agreement is made supplemental to:

- (i) an agreement under s.75 National Health Service Act 2006 dated 8th April 2015 and made between the Council and the CCG (the "Agreement") in respect of the commissioning and procurement of a range of health and social care services in support of the Better Care Programme, and
- (ii) a Deed of Agreement dated 10th August 2015 made between the Council and the CCG (the "First Variation Agreement") whereby certain variations to the Agreement as set out in that Deed were agreed by the Partners.

(B) The Agreement established a framework through which the Partners are able to secure the provision of health and social care services through lead or joint commissioning arrangements and to pool funds and align budgets as agreed between them from time to time in accordance with the provisions of the Agreement.

(C) Following the approval by the Partners and by the Portsmouth Health and Wellbeing Board of the Integration and Better Care Plan for Portsmouth City 2017-19 the Council and the CCG now desire to execute this Deed in order to confirm and record the requisite updated details in relation to certain of the Schedules forming part of the Agreement.

NOW THIS DEED WITNESSES as follows:

VARIATIONS

1. The Council and the CCG agree that with effect from [] Appendix 1 to this Deed shall have effect to vary and/or supplement the provisions of the Schedules to the Agreement as set out and described in that Appendix.

2. Save as expressly provided in this Deed or as the case may be in the First Variation Agreement the Agreement shall continue in full force and effect in accordance with its original terms.
3. Words and phrases in this Deed shall have the same meanings as those ascribed to them in the Agreement.

IN WITNESS whereof the Council and the CCG have caused their respective Common Seals to be hereunto affixed the day and year first above written:

The **COMMON SEAL** of **PORTSMOUTH**)
CITY COUNCIL was hereto affixed in)
pursuance of a resolution of the Council)
passed at a meeting duly convened and)
held

Authorised signatory

EXECUTED AS A DEED on behalf of the **CCG**

THE COMMON SEAL of **PORTSMOUTH CLINICAL**)
COMMISSIONING GROUP was affixed to this)
Deed in the presence of:-)

.....
Authorised Signatory