

Title of meeting: Cabinet Member for Health, Wellbeing and Social Care

Date of meeting: 2 July 2019

Subject: Adult Mental Health Section 75 Extension

Report by: Head of Safeguarding, Mental Health and Learning Disability

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, Wellbeing 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 three years, until 1st July 2022.

3. Background

- 3.1 The AMH social work element of the integrated mental health service operates under a Section 75 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 The service is provided to anyone over 18. The transition protocol is currently being re-written in conjunction with children's social care colleagues and the 'milestones' for when the AMH service begins to engage with young people, (before their 18th Birthday) will be part of this protocol.
- 3.3 The service provides support to around 120 people from the perspective of social care funding.
- 3.4 The AMH service will link to the Wellbeing Hub and potentially use the Hub as a point of contact once the Hub has an established base. The Head of Service for Mental Health, Safeguarding and Learning Disability services is linked to the Well-being Hub development.

- 3.5 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.
- 3.6 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. The current agreement was extended for a further year in June 2018. 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. This process is underway and will clearly articulate the requirements of the Care Act. Performance indicators and outcome measures have been refreshed and PCC is in the process of confirming the resource that will be provided to Solent NHS to deliver the service. It is anticipated that the refreshed S75 agreement will be in place by the end of July 2019. If the three year extension is granted, the refreshed agreement would be signed off across the two services, without needing to return for Cabinet Member approval.
- 3.4 The s75 partnership agreement is overseen and monitored by Adult Social Care, through Partnership Management Group meetings.

4. Governance/Audit

- 4.1 The PCC Head of Service for Mental Health, Safeguarding and Learning Disability Services meets monthly with the Solent Operations Director for Mental Health to review tactical issues within the service.

A PCC employed lead for Adult Social Care and Transformation works within mental health services in Portsmouth and is accountable for the operational effectiveness and quality of the service.

A Partnership Management Group is established between Solent NHS Trust and PCC, chaired by the Chief Operating Officer for Solent NHS Trust and oversees the strategic direction of the service.

- 4.2 Portsmouth has recently been part of a thematic review of the social work role in mental health in the South East, carried out as part of the Sector Led Improvement work of the Association of Directors of Adult Social Services. Feedback from the review included the observation that Portsmouth has a strong alliance across the ASC Lead, the Social Work Lead (also the transformation lead in the Joint Commissioning Unit) and a Social Work clinical manager, enabling reach across different levels and strategic and operational remits. The review also focused on Portsmouth's success in embedding a systemic focus on improving well-being in teams through supervision. Portsmouth was commended for considerable evidence of positive experiences of multi-disciplinary team work with strong professional leadership infrastructure and representation of Social Work in the

NHS workforce. Portsmouth's practice in retaining an AMHP, (Approved Mental Health Professional) hub was seen as assisting well-being and identity.

- 4.3 A review of the management of Adult Mental Health was undertaken as a part of the 2017/18 audit plan. Three high and one low risk exception was raised as a result of testing with a limited assurance opinion. A follow up audit was carried out as part of the 2018/2019 Audit Plan to ensure the agreed actions to the exceptions raised during the initial review have been implemented. A follow up audit in 2018/19 showed one high, (S.75 arrangements) and one low risk exception, with an overall rating of reasonable assurance.
- 4.4 Two of the primary objectives in Mental Health services for ASC are to decrease the number of people in residential care and support more people to return to live in the community and manage within the resources allocated to the service. From a starting position of £350,000 overspend in 2014, the budget stood at £27,580 in March 2019. Those people in residential care has decreased in the last year by circa 10%.
- 4.5 Having an integrated service, made up of a range of professionals across different disciplines, sitting under one line management structure allows for coordinated multi-agency planning to meet the needs of people with mental health difficulties.
- 4.6 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 whose primary need is linked to their mental health.

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:

Appendices: None

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: