

AGENDA ITEM 13

TITLE OF REPORT: Renewal of Section 75 Partnership Agreement for Mental Health Services Key Decision No - CACH R55	
CABINET MEETING DATE (2020/21) 17 MARCH 2021	CLASSIFICATION: OPEN If exempt, the reason will be listed in the main body of this report.
WARD(S) AFFECTED ALL WARDS	
CABINET MEMBER CLLR KENNEDY Health, adult social care and leisure	
KEY DECISION YES REASON AFFECTS TWO OR MORE WARDS	
INTERIM GROUP DIRECTOR DENISE D'SOUZA	

1. CABINET MEMBER'S INTRODUCTION

1.1 . In 2014/15, the Council and East London Foundation Trust entered into a Section 75 agreement following long standing arrangements for the delivery of an integrated mental health service. The five year term for that agreement has now expired. Service provision continued under the same arrangements as was custom and practice. Though work to enter into a new agreement was set in motion in 2019 arrangements were not finalised. Negotiations were further impacted by the departure in 2020 of senior managers who had until that point been leading the process. The reprioritisation of work activity in the wake of the first wave of Covid-19 in March 2020, the subsequent cyber attack in October 2020 and the second wave of lockdown due to Covid -19 in the Autumn of 2020 brought further interruptions until the work was able to be brought to completion in March 2021. This report recommends entering into a new s75 agreement as it underpins the joint working in the borough and ensures that we are able to deliver joined up services to support residents with mental ill health.

2. GROUP DIRECTOR'S INTRODUCTION

2.1. This agreement will continue the arrangements introduced in 2014 between the Council and ELFT to provide a joined up service with ELFT appointed as the lead provider.

2.2. Practically, the main arrangements put in place to achieve this were: a management arrangement whereby social workers and other staff employed by the Council to deliver services worked within and were managed by the joint appointment of an Integrated Service Manager (the Deputy Director for Hackney) and an integrated framework for performance management.

2.3. The NHS and the Council face common challenges of meeting increasing demand at an unprecedented time in the context of the Coronavirus pandemic. The continued delivery and development of an integrated mental health service, underpinned by an appropriate detailed agreement is key to ensuring we continue to improve outcomes and make the most efficient use of resources.

2.4. Delivering mental health services through an integrated service model has had many benefits for local service users and carers. This includes a single point of access, multi-disciplinary working in Local Community Mental Health Teams and a stronger system for safeguarding and recovery.

3. RECOMMENDATION(S)

3.1. Cabinet is recommended to authorise the Group Director for Adult Services to continue the arrangements currently in place through entering into a further s75 agreement with ELFT for the continued delivery of an integrated mental health service in the Borough. The agreement will operate for a five year period from 1 April 2021 to 31 March 2026.

4. REASONS FOR DECISION

- 4.1. There are two main reasons for the decision sought in this report:
- 4.2. The existing agreement is now out of date and it also requires updating to reflect changes within the services.

5. DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 5.1. No alternative options have been considered or are appropriate given the financial and service benefits of continuing to deliver an integrated service.

6. BACKGROUND

This renewed s75 agreement continues our joint working arrangements with ELFT for the provision of Mental Health Services. This s75 agreement was previously agreed by Cabinet in August 2014, and introduced in 2014.

6.1. Policy Context

- 6.2. The Council is committed to continuing to develop integrated models of health and social care services for the benefit of local residents and to help manage the challenges of needing to make reduced levels of funding go further.
- 6.3. An established model of integrated service delivery is also in place for learning disability services (where the Council is the lead provider and manages a pooled budget).
- 6.4. This local commitment to integration is reflected in a range of national health and social care policies over the last 20 years. The Care Act 2014 consolidated these requirements placing, for the first time, a legal duty on Councils to develop an integrated approach for health, care, support and prevention services.

6.5. Equality Impact Assessment

- . As our request to introduce the new agreement does not constitute any substantial change to the existing arrangement an Equality Impact Assessment is not required.

6.6 Sustainability

- . There is no impact on physical and social environment arising from this report.

6.7 Consultations

The agreement has been revised through the formation of a joint working group between the Council and ELFT. Representatives from services such as Legal, HR and Finance on both sides have been fully consulted and involved.

6.8 Risk Assessment

A risk assessment was undertaken to inform the management and organisation of the project group responsible for the task of updating the agreement.

7. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES

- 7.1 The recommendation of this report is to approve entering into a new Section 75 agreement with the East London Foundation Trust (ELFT) for the continued delivery of an integrated mental health service in the borough. The new agreement will operate for a five year period commencing on the 1 April 2021.
- 7.2 The Partners shall continue to operate a non-pooled budget for the provision of mental health services during the term of this agreement. The Council's budget for mental health services included within the Section 75 arrangement is £6.7m. Further details in respect of budgets, resources and reporting requirements for each partner is detailed within Schedule 5 of the Section 75 agreement.
- 7.3 By renewing the Section 75 joint working arrangements with ELFT, it will support our continued efforts to improve outcomes for residents whilst also ensuring value for money by making the most efficient use of resources available.

8. VAT Implications on Land & Property Transactions

Not applicable

9. COMMENTS OF THE DIRECTOR, LEGAL & GOVERNANCE SERVICES

- 9.1. The Mayor's Scheme of Delegation provides that decisions on matters relating to Integration of Service Provision strategies shall be delegated to Cabinet. Section 6 of this Report sets out the nature of the integration of services which is to be effected by the proposed Section 75 Agreement for Mental Health Services, jointly between the Council and East London NHS Foundation Trust. Accordingly, the recommendation in this Report falls to Cabinet for decision.
- 9.2. The requirements for Section 75 agreements and the provisions contained within them are governed by Section 75 of the National Health Service Act 2006 (as amended by the Health and Social Care Act 2012) and the Local

APPENDICES

No appendices are attached

EXEMPT

Not applicable

BACKGROUND PAPERS

In accordance with The Local Authorities (Executive Arrangements) (Meetings and Access to Information) England Regulations 2012 publication of Background Papers used in the preparation of reports is required

Description of document (or None)

None

Report Author	<i>Denise D'Souza - Tel : 0208 356 4210 Group Director for Adult Services denise.d'souza@hackney.gov.uk</i>
Comments for and on behalf of the Group Director of Finance and Resources	<i>Naeem Ahmed- Tel : 0208 356 7759 Director of Finance naeem.ahmed@hackney.gov.uk</i>
Comments for and on behalf of the Director of Legal & Governance Services	<i>Clive Sheldon Lawyer 0208-356-6031 clive.sheldon@hackney.gov.uk</i>