

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Executive Member for Adult Social Care
Date:	23 March 2012
Title:	The Mental Health and Learning Disability Section 75 Partnership agreements with Southern Health NHS Foundation Trust
Reference:	3768
Report From:	Director of Adult Services

Contact name: Neil Dhruv, Strategic Commissioning Director for Mental Health and Substance Misuse

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1. The decision:

- 1.1 That the Executive Member for Adult Social Care reconfirms the County Council's commitment to joined up Learning Disability and Mental Health services, with a strong emphasis on the service user and carer experience.
- 1.2 That the Executive Member for Adult Social Care delegates to the Director of Adult Services the authority to determine the end date of the Learning Disability S75 agreement in agreement with Southern Health NHS Foundation Trust, authority to resolve all outstanding legal and HR issues and to make such arrangements as necessary including agreeing terms of a S75 Agreement for the next year to ensure continuity of service into the new management arrangements, reporting such arrangements to a future Executive Member Decision Day.
- 1.3 That the Executive Member for Adult Social Care approves the extension of the current Mental Health services S75 agreement with the Southern Health NHS Foundation Trust for the period of one year.
- 1.4 That the Executive Member for Adult Social Care supports the formation and implementation of a provision of governance at Departmental Management Team level and the equivalent from the Southern Health NHS Trust and from health commissioners within their new structure for both Mental Health and Learning Disabilities.
- 1.5 That the Executive Member for Adult Social Care supports continued work with the emerging Clinical Commissioning Groups to ensure engagement by all appropriate NHS organisations.

- 1.6 That the Executive member for Adult Social Care supports the review of Adult Mental Health services to develop a new structure to work with the appropriate health organisations, currently, Southern Health NHS Foundation Trust and the Surrey and Borders NHS Foundation Trust, as opposed to being hosted by them. An interim report to be presented back to the Executive Member in December 2012 to highlight the future direction and to agree a further extension of the S75 if required.

2. Reasons for the decision:

- 2.1 The focus on continuing to improve the service user experience is the main reason for seeking to change the framework in which social care works with health providers. The current health provider Southern Health NHS Foundation Trust, with whom we have the Section 75 (S75) agreements for the Mental Health and Learning Disability services, agree that the current framework requires changing. Changes will strengthen the independence and accountability of both parties without compromising the commitment to working together. This will enable providers to be better fit for purpose in the future care market.
- 2.2 There remains a strong commitment in both Learning Disability and Mental Health operational services to joined up working with health providers. There are joint commissioning strategies for both of these services and the single care pathways, co-location of community teams, information sharing and joint working policies and strategies have been essential in fundamentally improving the services. This has ensured a significantly better service user experience and more lasting clinical care outcomes.

3. Other options considered and rejected:

- 3.1. Bringing to an end the Section 75 Agreements for both Learning Disabilities and Mental Health.

4. Conflicts of interest:

- 4.1. Conflicts of interest declared by the decision-maker: None
- 4.2. Conflicts of interest declared by other Executive Members consulted: None

5. Dispensation granted by the Standards Committee: none.

6. Reason(s) for the matter being dealt with if urgent: not applicable.

7. Statement from the Decision Maker:

I note as part of this decision that recommendation 1.2 has been amended to reflect that a Section 75 Agreement for Learning Disabilities will be required for the next year to ensure continuity of service.

Approved by:

Date:

23 March 2012

**Executive Member for Adult Social Care
Councillor Felicity Hindson**