

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

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| Decision Maker: | Executive Member for Adult Social Care |
| Date: | 29 July 2015 |
| Title: | Section 75 NHS Act 2006 Partnership Arrangements |
| Reference: | 6717 |
| Report From: | Director of Adult Services |

Contact name: Gary Smith and Karen Ashton

Tel: 01962 847402 or
01962 845612

Email: gary.smith@hants.gov.uk or
karen.ashton@hants.gov.uk

1. The decision:

- a) That the Executive Member for Adult Social Care give delegated authority to the Director of Adult Services to consider the responses to the consultation on Section 75 arrangements between Hampshire County Council and the CCGs, in particular for the Council to be the lead commissioner. For the Director of Adult Services in consultation with the Executive Member to then decide whether to complete and enter into the agreement (overarching s75 and relevant service areas). Any decision taken will take into account any additional changes to contractual arrangements due to legislation, government guidance, funding arrangements and legal advice.

2. Reason(s) for the decision:

- 2.1. The Council entered in to a one year s75 agreement as a fundamental requirement for the Better Care Fund. Subsequent integration discussions relating to the operationalization of integrated commissioning arrangements, have reached the position where establishing a separate s75 agreement would be needed to support the detailed work programme

3. Other options considered and rejected:

- 3.1 The Better Care Fund is mandatory, imposed by central government. Recent advice from NHS England Procurement Legal Services means that a formal s75 agreement is required to allow the Council to act as lead commissioner for Care at Home provision so that CCGs can access the Council's framework and contract terms and conditions.

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: Not applicable

5. Dispensation granted by the Conduct Advisory Panel: none.

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

7. Statement from the Decision Maker:

Approved by:

Date:

29 July 2015

**Executive Member for Adult Social Care
Councillor Liz Fairhurst**