

## HAMPSHIRE COUNTY COUNCIL

### Executive Decision Record

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| <b>Decision Maker:</b> | Executive Member for Adult Social Care and Public Health   |
| <b>Date:</b>           | 24 January 2014  |
| <b>Title:</b>          | Variation to the Section 75 arrangements with Southern Health NHS Foundation Trust for Integrated Adult Mental Health services |
| <b>Reference:</b>      | 5494   |
| <b>Report From:</b>    | Director of Adult Services   |

**Contact name:** Louise Snook, Project Manager, Adult Services

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#### 1. The decision:

- a) That the Executive Member for Adult Social Care and Public Health approves the variation of the existing Section 75 agreement with Southern Health NHS Foundation Trust, for the provision of integrated management within Adult Mental Health services in Hampshire, for a term of 4 years.
- b) That in the absence of a varied agreement being put in place by 1 April 2014 (as in a. above) that the Executive Member for Adult Social Care and Public Health approves an extension of the current agreement from 1 April 2014 for a period of up to 12 months or until a varied agreement is put in place, whichever is the sooner.
- c) That the Executive Member for Adult Social Care and Public Health gives delegated authority to the Director of Adult Services to negotiate any changes to the current terms of the Section 75 agreement with Southern Health NHS Foundation Trust including taking into account any additional changes to contractual agreements due to legislation, government guidance, funding arrangements and legal advice.

#### 2. Reasons for the decision:

- 2.1. A Section 75 agreement is required to ensure there is a legal basis between the partner organisations for the operation of Integrated AMH teams.
- 2.2. There could be a significant risk to the delivery of the AMH service if Hampshire County Council and SHFT do not vary the existing S75 agreement, to ensure it is current and would be able to adapt to any changes that may take place in the future. The service needs to remain cohesive to ensure outcomes are delivered to people who use the services in the most cost effective and integrated way.

2.3. A varied S75 agreement would provide the flexibility to continue the integrated arrangements in light of possible changes in Commissioning and the future direction of Health and Social Care services nationally.

**3. Other options considered and rejected:**

3.1. Do nothing. This was not considered an option as the terms of the current agreement do not take into consideration the recent changes to Commissioning arrangements.

A S75 agreement is the only mechanism to put in place integrated management between Health and Social Care.

**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 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:**

**24 January 2014**

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**Executive Member for Adult Social Care and Public  
Health  
Councillor Liz Fairhurst**