

Report to: Lead Member for Adult social Care & Health

Date of meeting: 13 June 2018

By: Director of Adult Social Care & Health

Title: The continuation of partnership arrangements with Sussex Partnership NHS Foundation Trust (SPFT) in respect of the Mental Health (Forensic) Service

Purpose: To agree the section 75 Agreement between the Council and SPFT in respect of Mental Health (Forensic) Services

RECOMMENDATIONS

Lead Member is recommended to approve the following:

- 1. To enter into partnership arrangements with SPFT under s.75 of the NHS Act 2006 ('s.75 Agreement') relating to Mental Health (Forensic) services; and**
 - 2. To delegate authority to the Director of Adult Social Care and Health to take any actions arising from the partnership arrangements including any variations to the s.75 Agreement.**
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1 Background

1.1 East Sussex County Council entered into a s.31 Partnership arrangement with East Sussex County Health Care (now Sussex Partnership NHS Foundation Trust) in 2000. This led to the Council's Adult Social Care Mental Health service being managed by the NHS to deliver better health and social care outcomes. This Partnership was terminated in 2010 following a Council strategic review that identified the delivery and alignment of the Council's safeguarding accountabilities was best secured through the Council's management structure.

1.2 An exception to this was the Forensic Mental Health Service, which manages people with serious mental illness who have committed serious crimes whilst mentally ill and who need expert medical and social supervision on discharge from Prison or Hospital. Safeguarding is intrinsic and at the heart of the work that the Forensic service undertakes. The Council therefore entered into a s.75 Agreement with Sussex Partnership NHS Foundation Trust (SPFT) to enable the Trust to manage the Council's social workers and delivery of the Council's core statutory duties in this area (2010 s.75 Agreement').

1.3 The 2010 s.75 Agreement has now been updated through a small working party comprising of senior officers from the Council and SPFT. The 2010 s.75 Agreement has been updated to capture the Council's responsibilities under the Care Act 2014 and to identify accountabilities for the funding of social workers within the Forensic service.

1.4 During the period 2000-2010, as part of a recruitment drive, all social workers recruited to work in the Forensic Service were employed under the Council's terms and conditions. The Council recharged SPFT for their social work contribution. The future recruitment strategy is for all new social workers in the Forensic Service to be employed under SPFT's terms and conditions, leaving just 2.41 posts funded by the Council on ESCC contracts. Appendix 3 of the revised s.75 Agreement sets out the funding accountabilities.

2 Supporting information

2.1 Partnership arrangements under s.75 of the NHS Act 2006 are one of the recommended tools to integrate health and social care services. This tool is used when all parties agree that an integrated delivery model delivers better health and social care outcomes for the people being served.

2.2 The objective of the partnership arrangements with SPFT is to maintain and support the integration of the Local Authority social work service working within the Forensic Healthcare Service to secure joint provision and to eliminate any procedural difficulties or inefficiencies which may arise from separate arrangements and enhance the quality of the Service by improving continuity of care and co-ordination of professional work.

3. Conclusion and reasons for recommendations

3.1 The Council has agreed revised partnership arrangements with SPFT for the provision of the Forensic Mental Health Service and has updated the terms of the 2010 s.75 Agreement to reflect this.

3.2 The revised s.75 partnership arrangements fit the strategic direction of travel the Council is taking with the integration of health and social care services to deliver better outcomes for the citizens and patients of East Sussex. The arrangement seeks to achieve better life outcomes for service users, whilst also achieving Best Value and delivering good professional social work practices. It is therefore recommended that the Lead Member approves the Council entering into the revised s.75 Agreement and delegates authority to the Director of Adult Social Care and Health to take any actions arising from the partnership arrangements including any future variations to the S.75 Agreement.

KEITH HINKLEY

Director of Adult Social Care & Health

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BACKGROUND DOCUMENTS

None