

# KENT COUNTY COUNCIL – RECORD OF DECISION

## DECISION TAKEN BY

Graham Gibbens, Cabinet Member for Adult Social Care and Public Health

## DECISION NO.

14/00089

*If decision is likely to disclose exempt information please specify the relevant paragraph(s) of Part 1 of Schedule 12A of the Local Government Act 1972*

**Subject:** Personal Health Budgets – Section 75 Agreement

### Decision:

As Cabinet Member for Adult Social Care and Public Health, I:

AGREE that Kent County Council can enter into a Section 75 with the Kent CCGs, which will allow the CCGs to utilise KCC financial systems to make personal health budget direct payments.

DELEGATE the authority to the Corporate Director, Social Care Health and Wellbeing, or other suitable officer, to arrange the sealing of the Section 75 agreement.

### Any Interest Declared when the Decision was Taken

### Reason(s) for decision, including alternatives considered and any additional information

The Section 75 will allow KCC and the CCGs to enter into an agreement for the purposes of providing health direct payments to adults and children who are ordinarily resident within the geographical area of Kent for whom the CCGs are responsible. The CCGs will be responsible for commissioning services for recipients and the local authority will be responsible for making such payments to recipients on behalf of the CCGs. Each CCG will be separately and solely liable for any direct payments made under the agreement.

### Background Documents:

Report from Corporate Director and Cabinet Member for Adult Social Care and Public Health

### Cabinet Committee recommendations and other consultation:

The proposed decision was considered by the 23 September 2014 Adult Social Care & Health Cabinet Committee. Comments made by members to the Cabinet Member are detailed in the recommendation report.

The Cabinet Committee resolved that:

a) the decision proposed to be taken by the Cabinet Member for Adult Social Care and Public Health, to enter into a Section 75 agreement with the Kent clinical commissioning groups (CCGs) to allow the CCGs to utilise the County Council's financial systems to make personal health budget direct payments, be endorsed; and

b) authority be delegated to the Corporate Director of Social Care, Health and Wellbeing, or other suitable officer, to arrange the sealing of the Section 75 agreement.

### Any alternatives considered:

The only alternative is to not enter into the agreement. However entering into this agreement will support Health and Social Care Integration and will enable the seamless transfer of funding

arrangements for individuals moving between Adult Social Services to NHS Continuing Health Care.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**



signed

16 October 2014

date

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Decision Referred to Cabinet Scrutiny			
YES		NO	

Cabinet Scrutiny Decision to Refer Back for Reconsideration			
YES		NO	

Reconsideration Record Sheet Issued			
YES		NO	

Reconsideration of Decision Published			