

# KENT COUNTY COUNCIL – PROPOSED RECORD OF DECISION

**DECISION TO BE TAKEN BY:**

Cabinet Member for Adult Social Care and Public Health

**DECISION NO:**

19/00011

**For publication**

**Key decision** Affects more than 2 Electoral Divisions

**Subject: PARTNERSHIP ARRANGEMENTS FOR THE PROVISION OF MENTAL HEALTH SOCIAL CARE AND HEALTH SERVICES IN KENT**

**Decision:** As Cabinet Member for Adult Social Care and Public Health, I propose to:

- a) **APPROVE** the new legal framework to support the partnership arrangements for the provision of mental health social care and health services in Kent; specifically, approval for KCC to terminate the existing KCC and KMPT Section 75 Agreement (based on mutually agreed termination between KCC and KMPT) and approval for KCC to enter into a Service Level Agreement with KMPT; and
- b) **DELEGATE** authority to the Corporate Director of Adult Social Care and Health, or other nominated officer, to undertake the necessary actions to implement the decision.

**Reason(s) for decision:** As a result of the changes that have taken place in respect of staff previously seconded to KMPT coming back to KCC the existing S75 Agreement is not fit for purpose. The proposal to enter into a Service Level Agreement will support the requirements needed to provide a flexible framework to support continued partnership working between KCC and KMPT to enable the provision of mental health and social care in Kent.

**Financial Implications:** Any financial implications associated with colocation costs will be set out in the Service Level Agreement.

**Legal Implications:** The legal framework underpinning arrangements between KCC and KMPT for the delivery of mental health and social care services in Kent will change. The existing S75 Agreement between KCC and KMPT and all subsequent addendum letters relating to the S75 Agreement will be terminated. KCC and KMPT will therefore no longer operate under the legal framework of a S75 Agreement. A new Service Level Agreement will be entered into by KCC and KMPT to provide a legally binding framework for the new partnership arrangements.

**Equality Implications:** There are no equality implications associated with this decision. However, all or any future service changes will be subject to a full Equalities Impact Assessment consistent with both our legal responsibilities and the Council's Equalities Objectives.

**Cabinet Committee recommendations and other consultation:** The proposed decision will be discussed at the Adult Social Care Cabinet Committee on 12 March 2019 and the outcome included in the paperwork which the Cabinet Member will be asked to sign.

**Any alternatives considered:**

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

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signed

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date