

# KENT COUNTY COUNCIL – RECORD OF DECISION

**DECISION 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:

- 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 was discussed at the Adult Social Care Cabinet Committee on 12 March 2019. Ms Stone (Transformation Project Manager) was in attendance for this item.

1. Ms Stone introduced the report which set out details relating to the review of the current legal arrangements supporting the partnership working between Kent County Council and Kent and Medway Partnership Trust to deliver mental health social care and health services across Kent.

Mrs Southern then responded to comments and questions from Members, including the following: -

- a) Mrs Southern said that many productive changes were being made in relation to mental health social care and health services and emphasised the importance of integrated

working.

- b) Mrs Southern talked about the effectiveness of partnership working within social care and health and the need to work seamlessly with individuals in mental health. She suggested that a progress report be submitted to a future meeting of the Committee, Members of the Committee supported this.
  - c) Mrs Southern referred to the Cabinet Member decision which had been taken in July 2017 (17/00053 - Direction of future provision of social care and support to adults with mental health needs) and briefly explained the importance of the decision-making process.
  - d) Mrs Southern drew Member's attention to the background documents that were listed within the report and explained the rationale behind each stage of the journey.
  - e) Mrs Southern said that robust processes were in place in relation to confidentiality within mental health social care and health services and explained how information could be shared across social care systems.
  - f) Mrs Southern provided further information to Members in relation to The Forensic Service and explained that social workers undertook forensic training which allowed them to work with individuals with complex needs that had been discharged from acute care hospitals.
2. Mr Gibbens (Cabinet Member for Adult Social Care and Public Health) reiterated the importance of mental health services and the need for a progress report to be submitted to a future meeting of the Committee.
3. **RESOLVED** that the decision proposed to be taken by the Cabinet Member for Adult Social Care and Public Health, 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 Kent County Council to terminate the existing Kent County Council and Kent and Medway Partnership Trust Section 75 Agreement (based on mutually agreed termination between Kent County Council and Kent and Medway Partnership Trust) and approval for Kent County Council to enter into a Service Level Agreement with Kent and Medway Partnership Trust; 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,

be endorsed.

**Any alternatives considered:**

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



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signed

15 MARCH 2019

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date