

HERTFORDSHIRE COUNTY COUNCIL

**CABINET
MONDAY 15 OCTOBER AT 10.00 AM**

**EXECUTIVE COMMITTEE
MONDAY 15 OCTOBER AT 2.15 PM**

Agenda Item No.

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**PARTNERSHIP AGREEMENTS WITH THE
HERTFORDSHIRE PARTNERSHIP NHS TRUST**

Report of the Director of Adult Care Services

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1. Purpose of Report

To seek authorisation for the Directors of Adult Care Services and Children, Schools and Families to sign Partnership Agreements with the Hertfordshire Partnership NHS Trust in respect of services and staff transferring between the two organisations.

2. Summary

2.1 The Health Topic Group on 5 September considered a draft Agreement between Hertfordshire County Council and Hertfordshire Partnership NHS Trust relating to adult mental health services, child and adolescent mental health services and drug and alcohol services. They considered at their meeting on 4 October a similar Agreement in relation to community learning disability services. The Agreements deal with the integration of services, the legal framework, transfer of staff and functions between the Hertfordshire Partnership NHS Trust and the County Council. The Agreements do not set out the detailed policies and procedures, but set the framework within which this work needs to be done.

2.2 Staff and functions are due to transfer to the Hertfordshire Partnership NHS Trust and from the Partnership Trust to Adult Care Services on 1 December 2001, and in order to facilitate this, the Partnership Agreements needs to be

signed and official notifications under Section 31 of The Health Act need to be sent to the Department of Health. The final details of the Partnership Agreements, particularly in the schedules, still need to be completed, but the core of the document is complete. Issues covered by the Agreement include definitions, functions to be included and how such functions are to be fulfilled, principles of the arrangements, structures, resources to be contributed to the arrangements and how to deal with under and overspends, grants and capital expenditure. There is some detail on accounting and reporting requirements and a section on operational and governance issues, which covers aspects of standards of service, risk management, performance management monitoring and reporting. A further section provides for what happens in the event of termination.

2.3 The Health Topic Group agreed that:

- (a) “The Topic Group recommend that the October Cabinet meeting authorise the Directors of Adult Care Services and Children, Schools and Families to sign the final Partnership Agreement on behalf of the County Council” and
- (b) “that the Learning Disabilities partnership document be submitted to the next meeting of this Topic Group”.

2.4 In relation to point (b), this happened on 4 October and the Group's comments will be presented to the Cabinet at their meeting.

3. Conclusion

The Cabinet and the Executive Committee are asked to consider the comments of the Health Topic Group and to authorise the Directors of Adult Care Services and Children, Schools and Families to sign the two Partnership Agreements on behalf of the County Council in order to facilitate the commencement of the new arrangements on 1 December 2001.

4. Background

- 4.1 Hertfordshire County Council, Hertfordshire Health Authority, the Primary Care Trusts and NHS Trusts in Hertfordshire have been working together to redesign organisations, budgets and services. The focus is on meeting the health and social care needs of individual patients, users and carers in an integrated and streamlined way, reducing duplication and confusion.
- 4.2 The Health Act 1999 offers the possibility of integrating the provision of Health and Local Government services and of pooling budgets for the provision of services. It also offers the opportunity of establishing lead or joint commissioning arrangements.
- 4.3 In Hertfordshire, it has been agreed in principle that the Health Act flexibilities should be used to integrate the provision of services to adults with a learning disability, drug and alcohol problems or mental health problems and to children and adolescents with a mental health problem. The Hertfordshire Partnership NHS Trust will provide the full spectrum of health and social care to people in relation to mental health, drugs and alcohol and child and adolescent mental health services. Adult Care Services will be responsible for the provision of all community learning disability services, with some specialist health provision taking place in the Trust. It has been agreed in principle that operational budgets be pooled and hosted by the relevant providing authority.
- 4.4 Arrangements for the commissioning of the jointly provided services are being made separately through the Joint Commissioning Partnership Board.

5. Partnership Agreements

- 5.1 Two Partnership Agreements have been drafted for the integration of services and pooling of operational budgets with the Hertfordshire Partnership NHS Trust. The first relates to staff and functions being transferred by the County Council to the Trust, i.e. adult mental health services, child and adolescent mental health services and drug and alcohol services. The second relates to services being transferred to Adult Care Services from the Trust, i.e. community learning disability services.
- 5.2 The proposals involve the transfer by way of secondment of approximately 250 staff from the County Council to the Hertfordshire Partnership NHS Trust and approximately 30 nursing staff from the Hertfordshire Partnership NHS Trust to Adult Care Services, also by means of secondment. The County Council will be delegating to the Trust responsibility for fulfilling certain functions. These are itemised in the Agreement and cover the following services:
 - Assessment and Care Management
 - Community Support
 - Assertive Outreach

- ❑ Preventative services
- ❑ Treatment
- ❑ Consultation and advice to professional staff
- ❑ Residential Care
- ❑ Day Care
- ❑ Home Care
- ❑ Supported Housing
- ❑ Rehabilitation
- ❑ The core functions of Drug and Alcohol Teams, including the commissioning of such services from third parties on a block or spot purchase basis.

These functions will be performed by the Trust in addition to the services it currently provides for the same care groups. In the Agreement for the transfer of learning disability nurses to form a Community Learning Disability Team, managed by the Adult Care Service, the functions being transferred by the Trust to the County Council are outlined, and these cover the current arrangements for diagnosis, assessment and care planning, and treatment currently undertaken by the community nursing staff within the Trust. These roles will be added to the Community Learning Disability Team and to the functions currently undertaken by the County Council.

- 5.3 The Agreements set out clearly the budgets to be made available to the arrangements from both sides. In some cases the details of these are yet to be finalised, but they are based on the expenditure in the current year on the relevant services. The Agreements anticipate that this will be the basis from which future expenditure and budgets are determined.
- 5.4 Both of the Agreements set out conditions and restrictions in relation to the functions and staff and do not allow substitution of different types of staff, changes in structure, or changes in policy without consultation and agreement with the other partner. The Agreements as written are intended to cover both a direct relationship between the County Council and the Partnership Trust for the remainder of the current financial year, and future arrangements, which will take commissioning of services through the Joint Commissioning Partnership Board. There are provisions in the Agreements for the ways of dealing with underspends and overspends and of establishing baseline budgets, and also in terms of financial and activity reporting.
- 5.5 There will be a need for a substantial number of detailed policies and procedures to underpin the overarching agreements and work is in progress on these.
- 5.6 It is important that the overarching agreement is in place prior to the transfer of staff and functions, whilst work can continue on the detailed policies with provisions in the Agreement as to what happens until such time as joint policies and procedures are agreed.