

WRITTEN STATEMENT OF A KEY DECISION CABINET

ITEM:	AGREEMENT OF SECTION 75
Members Present:	Councillors: AW Johnson (Leader), H Bramer, PM Morgan (Deputy Leader), GJ Powell, PD Price, P Rone.
Date of Decision:	17 March 2016
Exempt:	No
Confidential	No
This is a key decision because This is a key decision because it is likely to be significant in terms of its effect on communities living or working in an area comprising one or more wards in the county.	
A notice was served in accordance with Part 3, Section 9 (Publicity in connection with key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.	
Urgency/Special Urgency: (As defined in Constitution)	No
Purpose:	To agree a six month extension to the original section 75 agreement between the local authority and Herefordshire clinical commissioning group (HCCG), to 30 September 2016.
Decision:	<p>THAT:</p> <p>(a) the extension of the general section 75 agreement (at appendix one to this report) to 30 September 2016 be agreed;</p> <p>(b) the section 75 agreement for the better care fund (at appendix two to this report) for the period 1 April 2016 to 30 September 2016 be agreed;</p> <p>(c) the principle of developing a single section 75 agreement between the council and Herefordshire clinical commissioning group (from September 2016 onwards) is approved, which will be presented at a future cabinet ratified; and</p> <p>(d) authority be delegated to the director for adults and wellbeing to finalise the council's funding contribution and detail of the better care fund delivery plans, following approval by the health and wellbeing board.</p>
Reasons for the Decision:	<p>To ensure that sufficient time is available for the development of a single section 75 agreement and that contractual agreement are in place whilst this work is completed.</p> <p>The section 75 agreement provides a contractual framework for the use of pooled funds between the council and HCCG to</p>

	<p>enable services to be delivered and commissioned co-dependently. The arrangements enable delegation of functions in order to secure efficiencies and to avoid duplication. The recommendation has been made for this to continue within one section 75 agreement in the future.</p>
<p>Options Considered:</p>	<p>This partnership arrangement under section 75 of the NHS Act 2006 enables partners to commission integrated health and social care services to better meet the needs of the service users than if the partners were operating independently. The current agreement is due to end on 31 March 2016, unless further extended. The extension of the general section 75 agreement and the section 75 agreement for the better care fund is the recommended option.</p> <p>An alternative option would be for the section 75 agreements to be terminated and services to be commissioned individually by partners. However, this is not recommended due to the benefits gained through joint commissioning.</p> <p>Continuing the section 75 arrangements through two separate agreements is an option. However, the principle of developing a single agreement is recommended in order to achieve efficiencies and to reduce duplication</p>
<p>Conflict of Interest ■ (See below):</p>	
<p>Date the key decision is due to take effect:</p>	<p>23 March 2016</p>

<p>COUNCILLOR AW JOHNSON</p> <p>LEADER OF THE COUNCIL</p>	<p>Date: 17 March 2016</p>
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- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;

And

- in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.