

STRONG AND SUPPORTIVE COMMUNITIES SCRUTINY COMMITTEE	Agenda Item No. 7
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Report of the Safer Peterborough Manager

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SECTION 75 POOLED FUNDING AGREEMENT

1. PURPOSE

- 1.1 This report outlines the purpose of the Section 75 pooled funding agreement for the commissioning of substance misuse services and the proposed extension.

2. RECOMMENDATIONS

- 2.1 The Scrutiny Committee asked for more detail about the Section 75 arrangements. This report provides an opportunity for discussion and debate prior to the next steps action shown at 8.1 below.

3. LINKS TO THE SUSTAINABLE COMMUNITY STRATEGY

- 3.1 The annual Adult Drug Treatment Plan sets out the treatment and priorities for substance misuse including the monies allocated and proposed spend, this feeds into the Community Safety Partnership Strategic Assessment and by addressing substance misuse we contribute directly to the outcome of 'Making Peterborough Safer'.

4. BACKGROUND

- 4.1 Adult drug treatment commissioning was historically carried out by both the Peterborough Drug and Alcohol Action Team (now part of the Safer Peterborough Team) and Peterborough PCT (now NHS Peterborough). Following a review of drug service commissioning three years ago, it was agreed that Peterborough City Council would take the lead for all local commissioning. Peterborough PCT agreed to transfer their drug treatment budget to the Safer Peterborough Team to create a larger pooled budget for drug treatment.
- 4.2 This decision was formalised through a Section 75 Partnership Agreement between Peterborough City Council and NHS Peterborough. The agreement was developed in line with, and using flexibilities detailed in, the National Health Service Act 2006 under Section 75 of that Act. The Act allows a local authority and a NHS body to enter into partnership arrangements to pool resources within a single budget and jointly purchase services. The Partnership Agreement sets out the agreed aims and outcomes and the contributions to be made to the pooled fund by each party.
- 4.3 The original agreement came into force on 1st April 2008 for a three year period. Pooling of the PCC and NHS Peterborough drug treatment budgets under the Agreement has supported ongoing performance improvements, alongside delivering value for money by streamlining commissioning processes and through the revised treatment service configuration, which coincided with the pooling of the budget.

5. KEY ISSUES

- 5.1 The Variation Deed to extend the Agreement has been developed in negotiation with the PCT and in consultation with PCC Legal Services. The Deed extends the existing Agreement for a further period of twelve months and specifies the changes that need to be made to the original agreement to ensure it i) accurately reflects changes to organisational and partnership structures and ii) includes all relevant funding streams within the Partnership Agreement.
- 5.2 The monies contained within the Agreement provide specialist treatment and recovery services for adult drug users within the city. The treatment system was developed in consultation with partners within Safer Peterborough and agreed through that governance structure.
- 5.3 Expenditure is monitored via the Adult Joint Commissioning Group for Drugs, reported through the Safer Peterborough Partnership governance structure, and is reported on a quarterly basis to the National Treatment Agency for Substance Misuse.

6. IMPLICATIONS

- 6.1 The Section 75 Agreement enables meaningful contract and performance management of specialist substance misuse services in Peterborough within a single structure. This supports positive health, social care and criminal justice outcomes for service users and the wider community. The Agreement will assist the Council in meeting its duty under section 17 of the Crime and Disorder Act 1998 in preventing the misuse of drugs and other substances in its area.

7. CONSULTATION

- 7.1 Extensive consultation took place to develop the Adult Drug Treatment System, and services have been commissioned in line with the Council's Contract Regulations and paid for by the pooled resources of the parties.
- 7.2 The Safer Peterborough Partnership has consulted with PCC Legal Services and with NHS Peterborough to establish the Section 75 Agreement, and the extension is being agreed through the relevant NHS Peterborough governance structure.
- 7.3 The Safer Peterborough Partnership has consulted with the Cabinet Member for Community Cohesion, Safety and Women's Enterprise.

8. NEXT STEPS

- 8.1 In line with the Constitution, approval will be sought from the Cabinet Member for Community Cohesion, Safety and Women's Enterprise to allow the extension and variation of the existing Section 75 Partnership Agreement for a further 12 months from 1 April 2011.

Spend will continue to be monitored via the Safer Peterborough Partnership governance processes and reported quarterly to the NTA.

9. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 9.1 The National Health Service Act 2006 (HMSO)

10. APPENDICES

- 10.1 None