

Cabinet – Supplementary agenda No.1

A meeting of the Cabinet will be held on:

Date: 14 April 2015

Time: 3.00pm

Venue: Meeting Room 2 - Level 3, Gun Wharf, Dock Road, Chatham ME4
4TR

Items

- | | | |
|------------|---|----------------------------|
| 10. | Recruitment Freeze – Addendum Report | (Pages
3 - 16) |
| 16. | Section 75 Agreement with NHS England for Commissioning
HIV Services | (Pages
17 - 20) |

Please note that this report has been added to the Agenda as an urgent item of business, please refer to paragraphs 1.2 and 1.3 of the report for further information.

**For further information please contact Wayne Hemingway/Anthony Law,
Democratic Services Officers on Telephone: 01634 332509/332008 or Email:
democratic.services@medway.gov.uk**

Date: 14 April 2015



This agenda and reports are available on our website
www.medway.gov.uk

A summary of this information can be made available in other formats from **01634 333333**

If you have any questions about this meeting and you want to speak to someone in your own language please ring **01634 335577**

বাংলা	331780	ગુજરાતી	331782	ਪੰਜਾਬੀ	331784	كوردی	331841	ارو	331785	Русский	332374
中文	331781	हिंदी	331783	Polski	332373	এহুশফদ	331786	فارسی	331840	Lietuviškai	332372



CABINET

14 APRIL 2015

RECRUITMENT FREEZE – ADDENDUM REPORT

Portfolio Holder: Councillor Alan Jarrett, Finance

Report from: Neil Davies, Chief Executive

Author: Tricia Palmer, Assistant Director, Organisational Services

Summary

This report brings forward a further 9 posts to be considered for approval

1. Details of the post requiring approval

1.1 The following further posts are coming forward for approval the details of which are shown at Appendix 1: -

Children and Adults

Admin Assistant (Temporary)
Programme Lead Traded Services
Key Worker X 2
Social Worker X 4
Administrator

Lead officer contact

Tricia Palmer, Assistant Director Organisational Services, Gun Wharf, Dock Road, Chatham Telephone: (01634) 332853 Email: tricia.palmer@medway.gov.uk

CABINET APPROVAL FOR RECRUITMENT TO VACANCIES

Please complete this form, with all required signatures, and return to the Organisational Change Team, HR Services, 3rd Floor, Gun Wharf. You will also need to forward an electronic word version to resourcing@medway.gov.uk, so that the approval form can be inserted into the cabinet report. This form is not required for those posts covered by the exemptions list shown below.

DIRECTORATE	Children and Adults	
SECTION	PASS	
POST TITLE	Admin Assistant (Temporary)	
GRADE AND SALARY RANGE	£11.15 per hour 0.3 fte	
POST NUMBER		
LOCATION	Parklands	
DATE POST BECAME VACANT	January 2011	
MANAGER POST REPORTS TO	Rachael Burton	
*IS THIS REQUEST TO COVER PERMANENT RECRUITMENT	No	
*IS THIS REQUEST TO APPLY TO AN EXTERNAL AGENCY	No	
*IS THIS REQUEST TO COVER TEMPORARY RECRUITMENT FROM AGENCY POOL	Yes	
IF TEMPORARY PLEASE SPECIFY DATES FROM AND TO:	01.04.15 to 31.03.16 (or earlier if alternative arrangements can be made)	
IF TEMPORARY PLEASE GIVE NAME OF EMPLOYEE COVERING VACANCY (if applicable)	Dawn Smith	
WHICH PHASE OF BETTER FOR LESS DOES THIS POST RELATE TO?		
Not known		
ARE THERE IMPLICATIONS FOR NOT FILLING THE POST PRIOR TO THE RELEVANT PHASE OF BETTER FOR LESS – IF SO PLEASE INDICATE BELOW		
Please see below		
NAME OF RECRUITING MANAGER: Rachael Burton		

(* please delete as appropriate)

Impact on Service – please include:-

1. Information on the structure within this function indicating numbers of posts of the same type and how many corresponding vacancies – eg 20 care workers 2 posts vacant.

Admin support was withdrawn from the Physical and Sensory Service (PASS) when it was required to move from the Area Base at Woodlands in January 2011, and relocated 'temporarily' within Elaine. The team are being moved back to Woodlands on 8 August, and moved again on 28 November to Parklands. No arrangements for admin support have been made in any of these locations, and once the social care team move from Parklands on 20 March there will not be any other teams based in the building. There are therefore no other posts of the same type to support the team.

Over this period, Cabinet approval has been given for temporary support over the following time periods:

01 10 2011 to 31 03 2012.
01 04 2012 to 31 03 2013
01 04 2013 to 31 03 2014
01 04 2014 to 30 09 2014
01 10 2014 to 31 03 2015

It was hoped that the office moves would provide an opportunity to arrange more permanent admin support for the team, but as there are no current plans to locate any other teams in the same building, this is not an option.

Therefore this is a request to extend the support for the team. A more permanent arrangement for admin support will continue to be raised for consideration when it is feasible, which will more fully meet the needs of the team.

2. Impact on the service if this post is not filled, with particular reference to services to the public.

The Physical and Sensory Service consists of 6 members of staff – 4 teachers and two support workers. All staff work directly with vulnerable children who have significant needs in the areas of hearing impairment, visual impairment and physical impairment. Staff work in schools and within homes. They support all maintained schools and academies, including special schools and specialist units attached to schools, across Medway, providing early intervention work to support pupil inclusion and close the achievement gap between these groups of children and their peers. The team also provides a comprehensive service to preschool children with a hearing, visual, physical or multi-sensory impairment.

If the post is not filled, direct support to Medway children will be reduced as Advisory Teacher time will be spent in the office fulfilling the admin role. This reduced service has a direct impact on the achievement of the pupils supported, leading to an increase in requests for Statutory Assessment and pupils requiring specialist provision in the areas of physical or sensory loss.

Under the Workload Agreement, teachers should not routinely be required to undertake tasks of a clerical or administrative nature "which do not call for the exercise of a teacher's professional skills and judgement". This includes filing, archiving, invoicing, co-ordinating training events and database management.

One member of staff is registered as physically disabled, and requires support to access certain areas of the office, for example the photocopier, and carry out certain duties such as the preparation of bulk training materials. Under the Disability Discrimination Act we are required to help him overcome work related obstacles resulting from his disability.

Not filling the post is therefore an inefficient use of 'people' resources, it does not meet with Teacher's Workload Agreement, it does not enable us to fulfil DDA requirements and in the longer term it will increase the pressure on the SEN budget, including specialist placement and transport.

Budget Issues

Please indicate:

1. the realisable savings if this post remained vacant until the 31st March 2016.
2. If any savings could be achieved by alternative ways of providing the service.

1.	£6,000.
2.	None. There is no other admin support within the building.
Please specify the funding source for this post:	
The Physical and Sensory Service is funded from the Designated Schools Grant.	

Comments from Portfolio Holder

--

Signed:
Portfolio Holder

Dated:

Signed:
Councillor Alan Jarrett

Dated:

Signed:
Director

Dated:

DIRECTOR AND DIRECTORATE PORTFOLIO HOLDER APPROVAL FOR RECRUITMENT TO VACANCIES

Please complete this form to request approval from the relevant Director and Directorate Portfolio Holder to recruit to vacancies and return to the Resourcing Team, HR Services, Gun Wharf

DIRECTORATE	Children & Adults
SECTION	School Services Commissioning
POST TITLE	Programme Lead Traded Services
POST NUMBER	New post – no number yet
GRADE AND SALARY RANGE	Range 7 £40741 - £45341
LOCATION	Gun Wharf Level 4
DATE POST BECAME VACANT	New post following reorganisation

*IS THIS REQUEST TO COVER PERMANENT RECRUITMENT	Yes	
*IS THIS REQUEST TO APPLY TO AN EXTERNAL AGENCY	No	
*IS THIS REQUEST TO COVER TEMPORARY RECRUITMENT FROM AGENCY POOL		No
IF TEMPORARY PLEASE SPECIFY DATES FROM AND TO:	N/A	
IF TEMPORARY PLEASE GIVE NAME OF EMPLOYEE COVERING VACANCY (if applicable)	N/A	
NAME:		
WHICH PHASE OF BETTER FOR LESS DOES THIS POST RELATE TO?	N/A	
ARE THERE IMPLICATIONS FOR NOT FILLING THE POST PRIOR TO THE RELEVANT PHASE OF BETTER FOR LESS – IF SO PLEASE INDICATE BELOW	N/A	
NAME OF RECRUITING MANAGER	Jacqui Moore	

(* please delete as appropriate)

Impact on Service – please include:-

- information on the structure within this function indicating numbers of posts of the same type and how many corresponding vacancies – eg 20 care workers 2 posts vacant.

The consultation relating to the reorganisation of the School Services Commissioning Team has recently closed. The intention of this review, was to redefine the core purpose of the team and to set out a structure to deliver the purpose effectively. The role of the Programme Lead Traded Services is to lead the coordination and development of Traded Services for schools and academies on behalf of all services across the Council, to provide a coordinated, coherent and dynamic traded service offer to schools.

This is the only role of its type in the structure and is vital to the development of a business focused traded services offer for schools.

4. Impact on the service if this post is not filled, with particular reference to services to the public.

This post is key to driving forward traded services development and commissioning of quality services for schools. If the post is not filled, the team will not have the necessary leadership and business acumen to develop services appropriately and increase income, including outside the boundaries of Medway.

The business acumen that this post will bring will ensure that traded and commissioned services are managed in the most efficient and effective way. This post is vital to our ability to explore options and models of traded services delivery which will enable the flexibility and agility that is required in the current landscape. The post will enable Medway to make the most of opportunities to commission or trade services, thereby making most effective use of resources available.

Budget Issues

Please indicate actual cost of filling this post:

£51741 - £52983 (inc on costs)

Please specify the funding source for this post:

The post will be funded from 17550

Signed:
Director

Dated:

Signed:
Directorate Portfolio Holder

Dated:

CABINET APPROVAL FOR RECRUITMENT TO VACANCIES

Please complete this form, with all required signatures, and return to the Organisational Change Team, HR Services, 3rd Floor, Gun Wharf. You will also need to send an electronic word version to resourcing@medway.gov.uk, so that the approval form can be inserted into the cabinet report. This form is not required for those posts covered by the exemptions list shown below.

DIRECTORATE	CHILDREN AND ADULTS		
SECTION	CHILDREN'S SOCIAL CARE - MARS		
POST TITLE	Key Worker		
GRADE AND SALARY RANGE	Range 3 x 2		
POST NUMBER	TBC (New posts)		
LOCATION	BROADSIDE		
DATE POST BECAME VACANT	APRIL 2015		
MANAGER POST REPORTS TO	JAYNE GRICE		
*IS THIS REQUEST TO COVER PERMANENT RECRUITMENT	Y		
*IS THIS REQUEST TO APPLY TO AN EXTERNAL AGENCY	N		
*IS THIS REQUEST TO COVER TEMPORARY RECRUITMENT FROM AGENCY POOL	N		
IF TEMPORARY PLEASE SPECIFY DATES FROM AND TO:			
IF TEMPORARY PLEASE GIVE NAME OF EMPLOYEE COVERING VACANCY (if applicable)			
WHICH PHASE OF BETTER FOR LESS DOES THIS POST RELATE TO? N/A			
ARE THERE IMPLICATIONS FOR NOT FILLING THE POST PRIOR TO THE RELEVANT PHASE OF BETTER FOR LESS – IF SO PLEASE INDICATE BELOW			
NAME OF RECRUITING MANAGER: JAYNE GRICE			

(* please delete as appropriate)

Impact on Service – please include:-

1. Information on the structure within this function indicating numbers of posts of the same type and how many corresponding vacancies – eg 20 care workers 2 posts vacant.
2. Impact on the service if this post is not filled, with particular reference to services to the public.

Following a review of the Children's Advice and Duty Service a new multi agency referral team has been established.

This team will consist of –
 5 x Social Worker posts
 1 x Parenting Psychologist
 1 x Independent Domestic Violence Advisor
 2 x Family Support Keyworkers

Budget Issues

Please indicate:

- 3. the realisable savings if this post remained vacant until the 31st March 2015.
- 4. If any savings could be achieved by alternative ways of providing the service.

There is no over spend predicted regarding this post or any of the posts created by the MARS team as they will be fixed term and funded by the MAfF grant.

Please specify the funding source for this post:

These posts will be fixed term and funded by MAfF grant (Early Help budget)

Comments from Portfolio Holder

Signed:
Portfolio Holder

Dated:

Signed:
Councillor Alan Jarrett

Dated:

Signed:
Director

Dated:

CABINET APPROVAL FOR RECRUITMENT TO VACANCIES

Please complete this form, with all required signatures, and return to the Organisational Change Team, HR Services, 3rd Floor, Gun Wharf. You will also need to send an electronic word version to resourcing@medway.gov.uk, so that the approval form can be inserted into the cabinet report. This form is not required for those posts covered by the exemptions list shown below.

DIRECTORATE	Children and Adults		
SECTION	Youth Offending Service		
POST TITLE	Social Workers x2		
GRADE AND SALARY RANGE	SW2 £28,636 - £36,313 Ppr annum		
POST NUMBER	0992		
LOCATION	HM YOI Cookham Wood		
DATE POST BECAME VACANT	Jan 2015		
MANAGER POST REPORTS TO	L Balderstone		
*IS THIS REQUEST TO COVER PERMANENT RECRUITMENT	Yes	<input type="checkbox"/>	<input type="checkbox"/>
*IS THIS REQUEST TO APPLY TO AN EXTERNAL AGENCY	No	<input type="checkbox"/>	<input type="checkbox"/>
*IS THIS REQUEST TO COVER TEMPORARY RECRUITMENT FROM AGENCY POOL	No	<input type="checkbox"/>	<input type="checkbox"/>
IF TEMPORARY PLEASE SPECIFY DATES FROM AND TO:			
IF TEMPORARY PLEASE GIVE NAME OF EMPLOYEE COVERING VACANCY (if applicable)			
WHICH PHASE OF BETTER FOR LESS DOES THIS POST RELATE TO?			
ARE THERE IMPLICATIONS FOR NOT FILLING THE POST PRIOR TO THE RELEVANT PHASE OF BETTER FOR LESS – IF SO PLEASE INDICATE BELOW			
NAME OF RECRUITING MANAGER: Keith Gulvin			

(* please delete as appropriate)

Impact on Service – please include:-

- Information on the structure within this function indicating numbers of posts of the same type and how many corresponding vacancies – eg 20 care workers 2 posts vacant.
- Impact on the service if this post is not filled, with particular reference to services to the public.

The Casework and Resettlement Team at HMYOI Cookham Wood is a combined team of Social Workers, Resettlement Workers, Apprentices and Prison Officers managed by a detached Social Work Team Manager under a Service Level Agreement between the YOI and Medway Council.

- All posts are fully funded by the Prison Service.
- The vacancies are for a resettlement social worker and a safeguarding social

- worker.
- There is a risk of an inspection by HMIP within the next few months.
- The Prison Service carries the redundancy risks for these posts.

Budget Issues

Please indicate:

5. the realisable savings if this post remained vacant until the 31st March 2015.
6. If any savings could be achieved by alternative ways of providing the service.

The Casework and Resettlement Team at Cookham Wood is entirely funded by the Prison Service under the terms of the SLA. With costs plus a management fee recovered via a quarterly invoice arrangement.

The annual costs of a Social Worker are in the range £36,700 - £45,600 with full on costs.

Please specify the funding source for this post:

Comments from Portfolio Holder

I agree that this should go forward.

Signed:
Portfolio Holder

Dated:

Signed:
Councillor Alan Jarrett

Dated:

Signed:
Director

Dated:

DIRECTOR AND DIRECTORATE PORTFOLIO HOLDER APPROVAL FOR RECRUITMENT TO VACANCIES

Please complete this form to request approval from the relevant Director and Directorate Portfolio Holder to recruit to vacancies and return to the Resourcing Team, HR Services, Gun Wharf

DIRECTORATE	Children & Adults
SECTION	Youth Offending Service
POST TITLE	Social Worker x 2
POST NUMBER	0992
GRADE AND SALARY RANGE	SW R 2 £28,86 to £36,313
POST NUMBER	0992
LOCATION	HM YOI Cookham Wood
DATE POST BECAME VACANT	January 2015

*IS THIS REQUEST TO COVER PERMANENT RECRUITMENT	Yes	
*IS THIS REQUEST TO APPLY TO AN EXTERNAL AGENCY	No	
*IS THIS REQUEST TO COVER TEMPORARY RECRUITMENT FROM AGENCY POOL	No	
IF TEMPORARY PLEASE SPECIFY DATES FROM AND TO:		
IF TEMPORARY PLEASE GIVE NAME OF EMPLOYEE COVERING VACANCY (if applicable)		
NAME:		
NAME OF RECRUITING MANAGER Keith Gulvin		

(* please delete as appropriate)

Impact on Service – please include:-

5. information on the structure within this function indicating numbers of posts of the same type and how many corresponding vacancies – eg 20 care workers 2 posts vacant.

6. Impact on the service if this post is not filled, with particular reference to services to the public.

The Casework & Resettlement Team at HMYOI Cookham Wood is a combined team of Social Workers, Resettlement Workers, Apprentices and Prison Officers managed by a detached SW Team Manager under a Service Level Agreement between the YOI and Medway Council, to provide the resettlement function within the YOI. This arrangement has been ongoing for 7 years. There are currently 4 social workers within the team and one social worker under training joint funded by both the Prison Service and Medway. The vacancy is created through one of the social workers now transferring into Medway Children's Services. The Governor at Cookham Wood has requested that the transferring SW is replaced as quickly as possible due to the rising role at the YOI and the increasingly complex nature of the young people there, the opening soon of a new high vulnerability unit and the expectation of an inspection by HMIP within the next few months.

In addition the Governor has requested that I gain permission to recruit to the second Safeguarding Social Work post, fully funded by the Youth Justice Board due to rising numbers of LAC on Remand and other safeguarding issues. The safeguarding posts are not managed by the YOT, but I have been requested to include the post in this recruiting exercise to speed up processes. I understand that the position has been made urgent by the fact that the existing SW is on sick leave as a result of injuries received in an assault.

Budget Issues

Please indicate actual cost of filling this post:

The Casework and Resettlement Team at Cookham Wood is entirely funded by the Prison Service under the terms of the SLA. With costs plus a management fee recovered via a quarterly invoice arrangement. The annual costs of a Social Worker Band 3 are in the range of £36,700 to £45,600 with full on costs.

Signed:
Director

Dated:

Signed:
Directorate Portfolio Holder

Dated:

CABINET APPROVAL FOR RECRUITMENT TO VACANCIES

Please complete this form, with all required signatures, and return to the Organisational Change Team, HR Services, 3rd Floor, Gun Wharf. You will also need to send an electronic word version to resourcing@medway.gov.uk, so that the approval form can be inserted into the cabinet report. This form is not required for those posts covered by the exemptions list shown below.

DIRECTORATE	Children and Adults
SECTION	MAFF
POST TITLE	Administrator
POST NUMBER	11710
GRADE AND SALARY RANGE	Range 2 £14,733 - £19,127
POST NUMBER	1 full time permanent post
LOCATION	Broadside MHS
DATE POSTS BECAME VACANT	November 2014

*IS THIS REQUEST TO COVER PERMANENT RECRUITMENT	Yes	
*IS THIS REQUEST TO APPLY TO AN EXTERNAL AGENCY	No	
*IS THIS REQUEST TO COVER TEMPORARY RECRUITMENT FROM AGENCY POOL	No	
IF TEMPORARY PLEASE SPECIFY DATES FROM AND TO:		
IF TEMPORARY PLEASE GIVE NAME OF EMPLOYEE COVERING VACANCY (if applicable)	N/A	
NAME:		
WHICH PHASE OF BETTER FOR LESS DOES THIS POST RELATE TO?		
ARE THERE IMPLICATIONS FOR NOT FILLING THE POST PRIOR TO THE RELEVANT PHASE OF BETTER FOR LESS – IF SO PLEASE INDICATE BELOW:		
Recruitment to this posts will result in a full core team compliment and will ensure permanent administrative capacity to respond to the vastly increased Troubled Families (TF) agenda. A significant consequence of this post not being filled is that MAFF may not be able to meet TF data requirements which will result in reduced results based payments into the council.		
NAME OF RECRUITING MANAGER: Donna Mills		

(* please delete as appropriate)

Impact on Service – please include:-

7. Information on the structure within this function indicating numbers of posts of the same type and how many corresponding vacancies – eg 20 care workers 2 posts vacant.
8. Impact on the service if this post is not filled, with particular reference to services to the public.

Medway Action for Families has 1 administrative post which is currently filled on a fixed term basis until end June. If the post was not filled, Medway Action for Families' (the Troubled Families agenda) capacity to respond to the vastly expanded Phase 2 programme would be reduced. A key component of the service is recording and monitoring of data to be able to make claims for successful work with families. A temporary post would risk the requirement to achieve Payment By Results targets during each of the five years. MAFF has approval to proceed to the next phase of the programme and will need a full compliment of staff to enable direct work with families and all of the data capture and administrative support to workers that is entailed.

Budget Issues

Please indicate actual cost of filling this post:

There is no over-spend predicted regarding this post as the vacancy already exist. The post is funded through the transformational grant received for the programme by DCLG.

Please specify the funding source for this post: Medway Council and Early Help Budget.

Comments from Portfolio Holder

Signed:
Portfolio Holder

Dated:

Signed:
Councillor Alan Jarrett

Dated:

Signed:
Director

Dated:



CABINET

14 APRIL 2015

SECTION 75 AGREEMENT WITH NHS ENGLAND FOR COMMISSIONING HIV SERVICES

Portfolio Holder: Councillor David Brake, Adult Services
Report from: Dr Alison Barnett, Director of Public Health
Author: Dr Alison Barnett, Director of Public Health

Summary

This report asks Cabinet to agree to entering into a section 75 agreement with NHS England for the commissioning of HIV services. This will allow the council to commission an integrated sexual health service for Medway including provision of contraception and the diagnosis and treatment of sexually transmitted infections including HIV.

1. Budget and Policy Framework

- 1.1 The Health and Social Care Act 2012 gave upper tier local authorities responsibility for commissioning comprehensive sexual health services including contraception and the testing and treatment of sexually transmitted infections as part of their new public health duties. Responsibility for commissioning services for the treatment of Human Immunodeficiency Virus (HIV) remained with the NHS and is part of the specialist commissioning function of NHS England.
- 1.2 The Cabinet is asked to accept this report as an urgent item because the next Cabinet meeting is not scheduled to take place until mid June. Delaying the approval of the Section 75 agreement until then will cause a delay in the tender process for the commissioning of an integrated sexual health service, which in turn would leave the new premises for the delivery of these services unoccupied at the Council's expense.
- 1.3 A revised Forward Plan has been published in accordance with both Section 11 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) 2012 and Rule 17 (Special Urgency) of the Access to Information Rules as set out in the Constitution. The Chairman of the Health and Adult Social Care Overview and Scrutiny Committee has agreed that the proposed decision is urgent and cannot reasonably be deferred for the reasons set out above.

2. Background

- 2.1 Cabinet received a Gateway 1 paper on the procurement of sexual health services on 28 October 2014 (Cabinet decision 186/2014). This outlined the intention to procure an integrated sexual health service with the council commissioning services on behalf of NHS England.
- 2.2 Making it work: A guide to whole system commissioning for sexual health, reproductive health and HIV (Public Health England, March 2015) described the need to commission integrated services and for commissioners to collaborate to achieve this. In Medway the diagnosis and treatment of HIV are provided by a single provider, Medway NHS Foundation Trust.

3. Advice and analysis

- 3.1 A section 75 agreement with Medway Council as the lead commissioner would facilitate the commissioning of an integrated sexual health service through a single procurement process and contract.
- 3.2 Medway Council is responsible for commissioning the largest part of the service (circa 85%) so is best placed to be lead commissioner.

4. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
There is an additional burden on the Council to commission the integrated service	Additional work is required by council staff to commission the HIV treatment and care element of the service	The section 75 agreement will specify the responsibilities of NHS England to support the commissioning of the service.	D III

5. Consultation

- 5.1 Consultation with the public, providers and commissioners has supported the proposal to commission an integrated sexual health service.

6. Financial implications

- 6.1 The sexual health services for which the council is responsible will be funded through the public health grant.
- 6.2 NHS England will be responsible for providing funding for the HIV treatment and care costs of the service.

7. Legal implications

- 7.1 The Council has an obligation to provide a number of health service functions set out in section 2B of the NHS Act 2006 and the Local Authorities (Public Health functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013. Part 2 regulation 6 relates to sexual

health provision by the local authority. Local Authorities have been statutorily responsible for commissioning and delivering public services for sexual health since 1 April 2013.

- 7.2 Section 75 of the National Health Service Act 2006 allows local authorities and NHS bodies to enter into partnership arrangements to provide a more streamlined service and to pool resources, if such arrangements are likely to lead to an improvement in the way their functions are exercised. Section 75 of the Act permits the formation of a pooled budget made up of contributions by both parties out of which payments may be made towards expenditure incurred in the exercise of both prescribed functions of the NHS body and prescribed health-related functions of the local authority.
- 7.3 The decision to enter into a section 75 agreement is a decision for Cabinet. Cabinet may lawfully delegate this decision to the Director of Public Health in accordance with the recommendation below.

8. Recommendation

- 8.1 It is requested the Director of Public Health, in consultation with the Assistant Director, Legal and Corporate Services and the Portfolio Holder for Adult Services, is given delegated authority to negotiate the terms of the agreement and enter into to it on behalf of the Council.

9. Suggested reasons for decision(s)

- 9.1 A section 75 agreement with NHS England for Medway Council to commission HIV treatment and care services on their behalf will enable the commissioning of an integrated sexual health service for the residents of Medway.

Lead officer contact

Dr Alison Barnett, Director of Public Health
01634 335176
Alison.barnett@medway.gov.uk

Background papers

None

This page is intentionally left blank