

CABINET

27 OCTOBER 2015

TRANSFER OF DELEGATION OF RESPONSIBILITIES FOR ADULT DRUG AND ALCOHOL TREATMENT SERVICES FROM KCC TO MEDWAY COUNCIL

Portfolio Holder: Councillor David Brake, Adult Services

Report From: Dr Alison Barnett, Director of Public Health

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Summary

On 9 July 2013 Cabinet approved the delegation of the commissioning of adult drug and alcohol treatment services for Medway residents to Kent County Council (KCC).

In light of the recently announced in year cut to the Public Health grant it is proposed to remove these delegated powers and transfer the commissioning post to the Public Health Directorate which will save approximately £50,000 per annum.

1. Budget and Policy Framework

- 1.1 Priority 1 of the Community Safety Plan is tackling substance and alcohol misuse in Medway.
- 1.2 The Public Health Grant includes an allocation for the provision of drug and alcohol services. The government has recently announced an in year cut to the public health grant of £200m nationally. The Department of Health has recently consulted on how this cut should be applied to local authorities but favours a 6.2% in year for all councils. For Medway this would be £1.042m
- 1.3 The total cost per annum of the Drugs and Alcohol Contract with Turning Point including the delegation agreement with Kent County Council is £2.7m.
- 1.4 The decision in 2013 to delegate the commissioning of adult drug and alcohol treatment services to Kent County Council was approved by the Leader/Cabinet in accordance with Article 10 of the Constitution. Article 10 of the Constitution allows the Leader to discharge executive functions jointly through a joint committee or provide for them to be discharged directly by another authority. The decision to remove these delegated powers is therefore a matter for the Leader.

2. Background

- 2.1 Drug addiction leads to significant economic and social costs. Evidence based substance misuse treatment reduces these and delivers savings, particularly in crime costs, but also through health improvements such as lower blood-borne disease transmission rates. A strong value for money case has been endorsed by the National Audit Office and is the foundation of the Government's significant ongoing investment in treatment services. Any addicted person not in treatment commits crimes costing on average £26,074 a year.
- 2.2 At the time of the transfer of commissioning responsibilities for drug and alcohol services to the council from Medway Primary Care Trust in 2013 it was agreed that the best option was for Kent County Council's experienced Drug and Alcohol Action Team to commission services for Medway. This was done through a delegation.
- 2.3 In 2014 after a full retendering process Kent County Council awarded Turning Point the contract for delivering services in Medway. The contract started in July 2014 and is on a 3+1+1 contract.
- 2.4 Since the decision was made to delegate commission powers to Kent there have been changes within the Kent Drug and Alcohol Action Team which has meant that the team is smaller. Since the transfer of public health to the Council the Public Health Directorate have gained capability and capacity in commissioning. The team also now has specialist staff to support needs assessments and data management and analysis. Public Health are now well placed to take these responsibilities back.

3. Options

- 3.1 To maintain the current arrangements with Kent for the remaining 2 years of the agreement with a total cost of £100,000 per annum.
- 3.2 To end the delegation agreement and bring the commissioning responsibilities back into Medway Council. This would save approximately £50,000 a year whilst maintaining a commissioning post in Medway and giving a more dedicated focus to local performance and practice. This is the preferred option.

4. Advice and analysis

- 4.1 There will be no direct impact on the proposed changes to the service user, as this only relates to the commissioning functions and where they sit. There are no equality implications attached to this decision.

5. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk
Impact on joint working with other commissioners	Medway could become isolated from peers and not share best practice in commissioning substance misuse services.	This small risk is mitigated by continuing attendance at the Regional Substance Misuse Commissioning Forum led by Public Health England.	E3
Current DAAT commissioner does not TUPE across	There is a risk if for whatever reason the current DAAT Commissioning Officer does not transfer across via TUPE that it could leave a gap in the Medway knowledge base and capacity	The Head of Public Health programmes has significant experience in this area and has enough knowledge to provide some continuity until the post is filled.	D3
Timescales involved in process may not ensure in year savings	The TUPE of 1 member of staff may take time to complete leaving the impact of in year savings lessened	Savings across the whole public health grant are being identified. The savings would be seen in full for the next financial year	D3

6. Consultation

- 6.1 Discussions to set out the impact and feasibility of the proposal have been undertaken with the KCC commissioners and the Commissioning Officer who would transfer to Medway.
- 6.2 No service user consultation is required as this is a back office change and will not negatively impact service delivery.

7. Financial implications

- 7.1 The delegated commissioning function costs are £100,000 per annum. This proposal will mean that the Commissioning costs (dedicated) will reduce to approximately £50,000 per annum

8. Legal implications

- 8.1 The current delegation allows for termination and requires 1 month notice if both parties are in agreement.
- 8.2 The contract for adult substance misuse treatment will need to novate back from KCC to Medway Council.

8.3 The Commissioning Officer post will need to transfer from KCC to Medway Council.

9. Recommendation for Cabinet

9.1 Cabinet recommends to the Leader to end the delegation agreement with Kent County Council for adult drug and alcohol services and to bring the commissioning responsibilities for this service back to Medway Council.

10. Recommendation for the Leader

10.1 That the Leader agrees to end the delegation agreement with Kent County Council for adult drug and alcohol services and to bring the commissioning responsibilities for this service back to Medway Council.

11. Suggested reasons for decision(s)

11.1 Approving this recommendation will realise a saving of around £50,000 on commissioning costs.

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Appendices: None

Background Papers:

Delegation of Drug and Alcohol Commissioning Function Report to Cabinet 9 July 2013 <http://democracy.medway.gov.uk/mgconvert2pdf.aspx?id=20677>